

## Union Calendar No. 122

108TH CONGRESS  
1ST SESSION**H. R. 2799****[Report No. 108–221]**

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2003

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

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**A BILL**

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

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

1 fiscal year ending September 30, 2004, and for other pur-  
2 poses, namely:

3 TITLE I—DEPARTMENT OF JUSTICE

4 GENERAL ADMINISTRATION

5 SALARIES AND EXPENSES

6 For expenses necessary for the administration of the  
7 Department of Justice, \$106,664,000, of which not to ex-  
8 ceed \$3,317,000 is for the Facilities Program 2000, to  
9 remain available until expended: *Provided*, That not to ex-  
10 ceed 43 permanent positions and 44 full-time equivalent  
11 workyears and \$10,172,000 shall be expended for the De-  
12 partment Leadership Program exclusive of augmentation  
13 that occurred in these offices in fiscal year 2003: *Provided*  
14 *further*, That not to exceed 31 permanent positions, 33  
15 full-time equivalent workyears and \$3,464,000 shall be ex-  
16 pended for the Office of Legislative Affairs: *Provided fur-*  
17 *ther*, That not to exceed 15 permanent positions, 20 full-  
18 time equivalent workyears and \$1,875,000 shall be ex-  
19 pended for the Office of Public Affairs: *Provided further*,  
20 That the latter two aforementioned offices may utilize  
21 non-reimbursable details of career employees within the  
22 caps described in the preceding two provisos: *Provided fur-*  
23 *ther*, That the Attorney General is authorized to transfer,  
24 under such terms and conditions as the Attorney General  
25 shall specify, forfeited real or personal property of limited

1 or marginal value, as such value is determined by guide-  
2 lines established by the Attorney General, to a State or  
3 local government agency, or its designated contractor or  
4 transferee, for use to support drug abuse treatment, drug  
5 and crime prevention and education, housing, job skills,  
6 and other community-based public health and safety pro-  
7 grams: *Provided further*, That any transfer under the pre-  
8 ceding proviso shall not create or confer any private right  
9 of action in any person against the United States, and  
10 shall be treated as a reprogramming under section 605  
11 of this Act.

12 IDENTIFICATION SYSTEMS INTEGRATION

13 For necessary expenses for the nationwide deploy-  
14 ment of a Joint Automated Booking System and for the  
15 planning, development, and deployment of an integrated  
16 fingerprint identification system, including automated ca-  
17 pability to transmit fingerprint and image data,  
18 \$20,677,000.

19 LEGAL ACTIVITIES OFFICE AUTOMATION

20 For necessary expenses related to the design, develop-  
21 ment, engineering, acquisition, and implementation of of-  
22 fice automation systems for the organizations funded  
23 under the headings “Salaries and Expenses, General  
24 Legal Activities”, and “General Administration, Salaries  
25 and Expenses”, and the United States Attorneys, the  
26 United States Marshals Service, the Antitrust Division,

1 the United States Trustee Program, the Executive Office  
2 for Immigration Review, the Community Relations Serv-  
3 ice, the Bureau of Prisons, and the Office of Justice Pro-  
4 grams, \$30,136,000: *Provided*, That, of the funds made  
5 available under this heading, \$22,000,000 shall not be-  
6 come available for obligation until September 15, 2004,  
7 and shall remain available until September 30, 2005.

8 NARROWBAND COMMUNICATIONS

9 For the costs of conversion to narrowband commu-  
10 nications, including the cost for operation and mainte-  
11 nance of Land Mobile Radio legacy systems,  
12 \$103,171,000, to remain available until September 30,  
13 2005: *Provided*, That the Attorney General shall transfer  
14 to the “Narrowband Communications” account all funds  
15 made available to the Department of Justice for the pur-  
16 chase of portable and mobile radios: *Provided further*,  
17 That any transfer made under the preceding proviso shall  
18 be subject to section 605 of this Act.

19 COUNTERTERRORISM FUND

20 For necessary expenses, as determined by the Attor-  
21 ney General, \$1,000,000, to remain available until ex-  
22 pended, to reimburse any Department of Justice organiza-  
23 tion for: (1) the costs incurred in reestablishing the oper-  
24 ational capability of an office or facility which has been  
25 damaged or destroyed as a result of any domestic or inter-  
26 national terrorist incident; and (2) the costs of providing

1 support to counter, investigate or prosecute domestic or  
2 international terrorism, including payment of rewards in  
3 connection with these activities: *Provided*, That any Fed-  
4 eral agency may be reimbursed for the costs of detaining  
5 in foreign countries individuals accused of acts of ter-  
6 rorism that violate the laws of the United States: *Provided*  
7 *further*, That funds provided under this paragraph shall  
8 be available only after the Attorney General notifies the  
9 Committees on Appropriations of the House of Represent-  
10 atives and the Senate in accordance with section 605 of  
11 this Act.

12 ADMINISTRATIVE REVIEW AND APPEALS

13 For expenses necessary for the administration of par-  
14 don and clemency petitions and immigration-related activi-  
15 ties, \$193,530,000.

16 DETENTION TRUSTEE

17 For necessary expenses of the Federal Detention  
18 Trustee who shall exercise all power and functions author-  
19 ized by law relating to the detention of Federal prisoners  
20 in non-Federal institutions or otherwise in the custody of  
21 the United States Marshals Service, \$810,125,000, to re-  
22 main available until expended: *Provided*, That the Trustee  
23 shall be responsible for managing the Justice Prisoner and  
24 Alien Transportation System and for overseeing housing  
25 related to such detention; the management of funds appro-  
26 priated to the Department of Justice for the exercise of

1 any detention functions; and the direction of the United  
2 States Marshals Service with respect to the exercise of de-  
3 tention policy setting and operations for the Department:  
4 *Provided further*, That any unobligated balances available  
5 in prior years from the funds appropriated under the  
6 heading “Federal Prisoner Detention” shall be transferred  
7 to and merged with the appropriation under the heading  
8 “Detention Trustee” and shall be available until expended:  
9 *Provided further*, That the Trustee, working in consulta-  
10 tion with the Bureau of Prisons, shall submit a plan for  
11 collecting information related to evaluating the health and  
12 safety of Federal prisoners in non-Federal institutions no  
13 later than 180 days following the enactment of this Act.

14 OFFICE OF INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector  
16 General in carrying out the provisions of the Inspector  
17 General Act of 1978, \$56,245,000, including not to exceed  
18 \$10,000 to meet unforeseen emergencies of a confidential  
19 character.

20 UNITED STATES PAROLE COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the United States Parole  
23 Commission as authorized, \$10,609,000.

## LEGAL ACTIVITIES

## SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, \$620,533,000, of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended, and of which not less than \$1,996,000 shall be available for necessary administrative expenses in accordance with the Radiation Exposure Compensation Act: *Provided*, That of the total amount appropriated, not to exceed \$1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: *Provided further*, That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to “Salaries and Expenses, General Legal Activities” from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such

1 circumstances: *Provided further*, That any transfer pursu-  
2 ant to the previous proviso shall be treated as a re-  
3 programming under section 605 of this Act and shall not  
4 be available for obligation or expenditure except in compli-  
5 ance with the procedures set forth in that section.

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 not to exceed \$4,028,000, to be appropriated from the  
10 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, \$128,133,000, to remain available  
14 until expended: *Provided*, That, notwithstanding any other  
15 provision of law, not to exceed \$112,000,000 of offsetting  
16 collections derived from fees collected for premerger notifi-  
17 cation filings under the Hart-Scott-Rodino Antitrust Im-  
18 provements Act of 1976 (15 U.S.C. 18a), regardless of  
19 the year of collection, shall be retained and used for nec-  
20 essary expenses in this appropriation, and shall remain  
21 available until expended: *Provided further*, That the sum  
22 herein appropriated from the general fund shall be re-  
23 duced as such offsetting collections are received during fis-  
24 cal year 2004, so as to result in a final fiscal year 2004  
25 appropriation from the general fund estimated at not more

1 than \$16,133,000: *Provided further*, That, notwithstand-  
 2 ing section 1353 of title 31, United States Code, no em-  
 3 ployee of the Antitrust Division may accept, nor may the  
 4 Antitrust Division accept, payment or reimbursement  
 5 from a non-Federal entity for travel, subsistence, or re-  
 6 lated expenses for the purpose of enabling an employee  
 7 to attend and participate in a convention, conference, or  
 8 meeting when the entity offering payment or reimburse-  
 9 ment is a person or corporation subject to regulation by  
 10 the Antitrust Division, or represents a person or corpora-  
 11 tion subject to regulation by the Antitrust Division, unless  
 12 the person or corporation is an organization exempt from  
 13 taxation pursuant to section 501(c)(3) of the Internal  
 14 Revenue Code of 1986.

15 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

16 For necessary expenses of the Offices of the United  
 17 States Attorneys, including inter-governmental and coop-  
 18 erative agreements, \$1,526,253,000; of which not to ex-  
 19 ceed \$2,500,000 shall be available until September 30,  
 20 2005, for: (1) training personnel in debt collection; (2) lo-  
 21 cating debtors and their property; (3) paying the net costs  
 22 of selling property; and (4) tracking debts owed to the  
 23 United States Government: *Provided*, That of the total  
 24 amount appropriated, not to exceed \$8,000 shall be avail-  
 25 able for official reception and representation expenses:  
 26 *Provided further*, That not to exceed \$10,000,000 of those

1 funds available for automated litigation support contracts  
2 shall remain available until expended: *Provided further*,  
3 That, in addition to reimbursable full-time equivalent  
4 workyears available to the Offices of the United States At-  
5 torneys, not to exceed 10,113 positions and 10,298 full-  
6 time equivalent workyears shall be supported from the  
7 funds appropriated in this Act for the United States At-  
8 torneys.

9 UNITED STATES TRUSTEE SYSTEM FUND

10 For necessary expenses of the United States Trustee  
11 Program, as authorized, \$166,157,000, to remain avail-  
12 able until expended and to be derived from the United  
13 States Trustee System Fund: *Provided*, That, notwith-  
14 standing any other provision of law, deposits to the Fund  
15 shall be available in such amounts as may be necessary  
16 to pay refunds due depositors: *Provided further*, That, not-  
17 withstanding any other provision of law, \$166,157,000 of  
18 offsetting collections pursuant to 28 U.S.C. 589a(b) shall  
19 be retained and used for necessary expenses in this appro-  
20 priation and remain available until expended: *Provided*  
21 *further*, That the sum herein appropriated from the Fund  
22 shall be reduced as such offsetting collections are received  
23 during fiscal year 2004, so as to result in a final fiscal  
24 year 2004 appropriation from the Fund estimated at \$0.

1 SALARIES AND EXPENSES, FOREIGN CLAIMS

2 SETTLEMENT COMMISSION

3 For expenses necessary to carry out the activities of  
4 the Foreign Claims Settlement Commission, including  
5 services as authorized by 5 U.S.C. 3109, \$1,205,000.

6 SALARIES AND EXPENSES, UNITED STATES MARSHALS

7 SERVICE

8 For necessary expenses of the United States Mar-  
9 shals Service, \$678,672,000; of which \$17,403,000 shall  
10 be available for 106 supervisory deputy marshal positions  
11 for courthouse security; of which not to exceed \$6,000  
12 shall be available for official reception and representation  
13 expenses; of which not to exceed \$4,000,000 shall be avail-  
14 able for development, implementation, maintenance and  
15 support, and training for an automated prisoner informa-  
16 tion system and shall remain available until expended; of  
17 which \$2,000,000 shall be available for the costs of court-  
18 house security equipment, including furnishings, reloca-  
19 tions, and telephone systems and cabling, and shall remain  
20 available until expended; and of which not to exceed  
21 \$1,371,000 is for constructing United States Marshals  
22 Service prisoner-holding space in United States Court-  
23 houses and Federal buildings: *Provided*, That, in addition  
24 to reimbursable full-time equivalent workyears available to  
25 the United States Marshals Service, not to exceed 4,240  
26 positions and 4,074 full-time equivalent workyears shall

1 be supported from the funds appropriated in this Act for  
2 the United States Marshals Service.

3 FEES AND EXPENSES OF WITNESSES

4 For expenses, mileage, compensation, and per diems  
5 of witnesses, for expenses of contracts for the procurement  
6 and supervision of expert witnesses, for private counsel ex-  
7 penses, and for per diems in lieu of subsistence, as author-  
8 ized by law, including advances, \$156,145,000, to remain  
9 available until expended; of which not to exceed  
10 \$8,000,000 may be made available for planning, construc-  
11 tion, renovations, maintenance, remodeling, and repair of  
12 buildings, and the purchase of equipment incident thereto,  
13 for protected witness safesites; of which not to exceed  
14 \$1,000,000 may be made available for the purchase and  
15 maintenance of armored vehicles for transportation of pro-  
16 tected witnesses; and of which not to exceed \$5,000,000  
17 may be made available for the purchase, installation, and  
18 maintenance of secure telecommunications equipment and  
19 a secure automated information network to store and re-  
20 trieve the identities and locations of protected witnesses.

21 SALARIES AND EXPENSES, COMMUNITY RELATIONS

22 SERVICE

23 For necessary expenses of the Community Relations  
24 Service, \$9,526,000 and, in addition, up to \$1,000,000 of  
25 funds made available to the Department of Justice in this  
26 Act may be transferred by the Attorney General to this

1 account: *Provided*, That notwithstanding any other provi-  
2 sion of law, upon a determination by the Attorney General  
3 that emergent circumstances require additional funding  
4 for conflict resolution and violence prevention activities of  
5 the Community Relations Service, the Attorney General  
6 may transfer such amounts to the Community Relations  
7 Service, from available appropriations for the current fis-  
8 cal year for the Department of Justice, as may be nec-  
9 essary to respond to such circumstances: *Provided further*,  
10 That any transfer pursuant to the previous proviso shall  
11 be treated as a reprogramming under section 605 of this  
12 Act and shall not be available for obligation or expenditure  
13 except in compliance with the procedures set forth in that  
14 section.

15 ASSETS FORFEITURE FUND

16 For expenses authorized by 28 U.S.C. 524(c)(1)(B),  
17 (F), and (G), \$21,759,000, to be derived from the Depart-  
18 ment of Justice Assets Forfeiture Fund.

19 FEDERAL BUREAU OF INVESTIGATION

20 SALARIES AND EXPENSES

21 For necessary expenses of the Federal Bureau of In-  
22 vestigation for detection, investigation, and prosecution of  
23 crimes against the United States; including purchase for  
24 police-type use of not to exceed 2,454 passenger motor ve-  
25 hicles, of which 1,843 will be for replacement only; and  
26 not to exceed \$70,000 to meet unforeseen emergencies of

1 a confidential character pursuant to 28 U.S.C. 530C,  
2 \$4,576,730,000; of which not to exceed \$65,000,000 for  
3 automated data processing and telecommunications and  
4 technical investigative equipment, and not to exceed  
5 \$1,000,000 for undercover operations, shall remain avail-  
6 able until September 30, 2005; of which \$490,104,000  
7 shall be for counterterrorism investigations, foreign coun-  
8 terintelligence, and other activities related to our national  
9 security; of which not less than \$153,812,000 shall only  
10 be for Joint Terrorism Task Forces; and of which not to  
11 exceed \$10,000,000 is authorized to be made available for  
12 making advances for expenses arising out of contractual  
13 or reimbursable agreements with State and local law en-  
14 forcement agencies while engaged in cooperative activities  
15 related to violent crime, terrorism, organized crime, and  
16 drug investigations: *Provided*, That not to exceed  
17 \$250,000 shall be available for official reception and rep-  
18 resentation expenses: *Provided further*, That, in addition  
19 to reimbursable full-time equivalent workyears available to  
20 the Federal Bureau of Investigation, not to exceed 28,378  
21 positions and 26,805 full-time equivalent workyears shall  
22 be supported from the funds appropriated in this Act for  
23 the Federal Bureau of Investigation.

## 1 FOREIGN TERRORIST TRACKING TASK FORCE

2 For expenses necessary for the Foreign Terrorist  
3 Tracking Task Force, including salaries and expenses, op-  
4 erations, equipment, and facilities, \$61,597,000.

## 5 CONSTRUCTION

6 For necessary expenses to construct or acquire build-  
7 ings and sites by purchase, or as otherwise authorized by  
8 law (including equipment for such buildings); conversion  
9 and extension of federally-owned buildings; and prelimi-  
10 nary planning and design of projects; \$1,242,000, to re-  
11 main available until expended.

## 12 DRUG ENFORCEMENT ADMINISTRATION

## 13 SALARIES AND EXPENSES

14 For necessary expenses of the Drug Enforcement Ad-  
15 ministration, including not to exceed \$70,000 to meet un-  
16 foreseen emergencies of a confidential character pursuant  
17 to 28 U.S.C. 530C; and purchase of not to exceed 982  
18 passenger motor vehicles, of which 886 will be for replace-  
19 ment only, for police-type use, \$1,601,327,000; of which  
20 not to exceed \$33,000,000 for permanent change of sta-  
21 tion shall remain available until September 30, 2005; of  
22 which not to exceed \$1,800,000 for research shall remain  
23 available until expended; of which not to exceed  
24 \$4,000,000 for purchase of evidence and payments for in-  
25 formation, not to exceed \$10,000,000 for contracting for  
26 automated data processing and telecommunications equip-

1 ment, and not to exceed \$2,000,000 for laboratory equip-  
2 ment, \$4,000,000 for technical equipment, and  
3 \$2,000,000 for aircraft replacement retrofit and parts,  
4 shall remain available until September 30, 2005; and of  
5 which not to exceed \$50,000 shall be available for official  
6 reception and representation expenses: *Provided*, That, in  
7 addition to reimbursable full-time equivalent workyears  
8 available to the Drug Enforcement Administration, not to  
9 exceed 8,358 positions and 8,018 full-time equivalent  
10 workyears shall be supported from the funds appropriated  
11 in this Act for the Drug Enforcement Administration.

12 INTERAGENCY DRUG ENFORCEMENT

13 For necessary expenses for the detection, investiga-  
14 tion, and prosecution of individuals involved in organized  
15 crime drug trafficking not otherwise provided for, to in-  
16 clude inter-governmental agreements with State and local  
17 law enforcement agencies engaged in the investigation and  
18 prosecution of individuals involved in organized crime drug  
19 trafficking, \$556,465,000, of which \$50,000,000 shall re-  
20 main available until expended: *Provided*, That any  
21 amounts obligated from appropriations under this heading  
22 may be used under authorities available to the organiza-  
23 tions reimbursed from this appropriation: *Provided fur-*  
24 *ther*, That any unobligated balances remaining available  
25 at the end of the fiscal year shall revert to the Drug En-  
26 forcement Administrator for reallocation among partici-

1 pating organizations in succeeding fiscal years, subject to  
2 the reprogramming procedures set forth in section 605 of  
3 this Act.

4 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND  
5 EXPLOSIVES  
6 SALARIES AND EXPENSES

7 For necessary expenses of the Bureau of Alcohol, To-  
8 bacco, Firearms and Explosives, including purchase of not  
9 to exceed 822 vehicles for police-type use, of which 650  
10 shall be for replacement only; not to exceed \$18,000 for  
11 official reception and representation expenses; for training  
12 of State and local law enforcement agencies with or with-  
13 out reimbursement, including training in connection with  
14 the training and acquisition of canines for explosives and  
15 fire accelerants detection; and for provision of laboratory  
16 assistance to State and local law enforcement agencies,  
17 with or without reimbursement, \$831,199,000, of which  
18 not to exceed \$1,000,000 shall be available for the pay-  
19 ment of attorneys' fees as provided by 18 U.S.C.  
20 924(d)(2); and of which up to \$2,000,000 shall be avail-  
21 able for the equipping of any vessel, vehicle, equipment,  
22 or aircraft available for official use by a State or local law  
23 enforcement agency if the conveyance will be used in joint  
24 law enforcement operations with the Bureau and for the  
25 payment of overtime salaries including Social Security and

1 Medicare, travel, fuel, training, equipment, supplies, and  
2 other similar costs of State and local law enforcement per-  
3 sonnel, including sworn officers and support personnel,  
4 that are incurred in joint operations with the Bureau: *Pro-*  
5 *vided*, That no funds appropriated herein shall be available  
6 for salaries or administrative expenses in connection with  
7 consolidating or centralizing, within the Department of  
8 Justice, the records, or any portion thereof, of acquisition  
9 and disposition of firearms maintained by Federal fire-  
10 arms licensees: *Provided further*, That no funds appro-  
11 priated herein shall be used to pay administrative expenses  
12 or the compensation of any officer or employee of the  
13 United States to implement an amendment or amend-  
14 ments to 27 CFR 178.118 or to change the definition of  
15 “Curios or relics” in 27 CFR 178.11 or remove any item  
16 from ATF Publication 5300.11 as it existed on January  
17 1, 1994: *Provided further*, That none of the funds appro-  
18 priated herein shall be available to investigate or act upon  
19 applications for relief from Federal firearms disabilities  
20 under 18 U.S.C. 925(c): *Provided further*, That such funds  
21 shall be available to investigate and act upon applications  
22 filed by corporations for relief from Federal firearms dis-  
23 abilities under section 925(c) of title 18, United States  
24 Code: *Provided further*, That no funds made available by  
25 this or any other Act may be used to transfer the func-

1 tions, missions, or activities of the Bureau of Alcohol, To-  
2 bacco, Firearms, and Explosives to other agencies or De-  
3 partments in fiscal year 2004: *Provided further*, That no  
4 funds appropriated under this or any other Act may be  
5 used to disclose to the public the contents or any portion  
6 thereof of any information required to be kept by licensees  
7 pursuant to section 923(g) of title 18, United States Code,  
8 or required to be reported pursuant to paragraphs (3) and  
9 (7) of section 923(g) of title 18, United States Code, ex-  
10 cept that this provision shall apply to any request for in-  
11 formation made by any person or entity after January 1,  
12 1998: *Provided further*, That none of the funds provided  
13 in this Act or any other Act for the enforcement or imple-  
14 mentation of section 923(g)(5) of title 18, United States  
15 Code, shall be expended in a manner that requires any  
16 records regarding the acquisition or disposition of a fire-  
17 arm by a licensee to be submitted to the Bureau of Alco-  
18 hol, Tobacco, Firearms, and Explosives by the licensee un-  
19 less the records are specifically required during a bona fide  
20 criminal investigation to (1) determine the disposition of  
21 one or more firearms which are the subject of, or attend-  
22 ant to, the investigation, or (2) identify an individual of-  
23 fender who is the subject or target of the investigation:  
24 *Provided further*, That no funds made available by this or  
25 any other Act shall be expended to promulgate or imple-

1 ment any rule requiring a physical inventory of any busi-  
 2 ness licensed under section 923 of title 18, United States  
 3 Code: *Provided further*, That no funds authorized or made  
 4 available under this or any other Act may be used to deny  
 5 any application for a license under section 923 of title 18,  
 6 United States Code, or renewal of such a license due to  
 7 a lack of business activity, provided that the applicant is  
 8 otherwise eligible to receive such a license, and is eligible  
 9 to report business income or to claim an income tax deduc-  
 10 tion for business expenses under the Internal Revenue  
 11 Code of 1986: *Provided further*, That no funds under this  
 12 Act may be used to electronically retrieve information  
 13 gathered pursuant to 18 U.S.C. 923(g)(4) by name or any  
 14 personal identification code: *Provided further*, That sub-  
 15 paragraphs (A) and (B) of 28 U.S.C. 530C(b)(2), are  
 16 amended by inserting “for the Bureau of Alcohol, To-  
 17 bacco, Firearms and Explosives,” after “Marshals Serv-  
 18 ice,” in each subparagraph.

## 19 FEDERAL PRISON SYSTEM

### 20 SALARIES AND EXPENSES

21 For expenses necessary for the administration, oper-  
 22 ation, and maintenance of Federal penal and correctional  
 23 institutions, including purchase (not to exceed 838, of  
 24 which 535 are for replacement only) and hire of law en-  
 25 forcement and passenger motor vehicles, and for the provi-

1 sion of technical assistance and advice on corrections re-  
2 lated issues to foreign governments, \$4,461,257,000: *Pro-*  
3 *vided*, That the Attorney General may transfer to the  
4 Health Resources and Services Administration such  
5 amounts as may be necessary for direct expenditures by  
6 that Administration for medical relief for inmates of Fed-  
7 eral penal and correctional institutions: *Provided further*,  
8 That the Director of the Federal Prison System, where  
9 necessary, may enter into contracts with a fiscal agent/  
10 fiscal intermediary claims processor to determine the  
11 amounts payable to persons who, on behalf of the Federal  
12 Prison System, furnish health services to individuals com-  
13 mitted to the custody of the Federal Prison System: *Pro-*  
14 *vided further*, That not to exceed \$6,000 shall be available  
15 for official reception and representation expenses: *Pro-*  
16 *vided further*, That not to exceed \$50,000,000 shall re-  
17 main available for necessary operations until September  
18 30, 2005: *Provided further*, That, of the amounts provided  
19 for Contract Confinement, not to exceed \$20,000,000 shall  
20 remain available until expended to make payments in ad-  
21 vance for grants, contracts and reimbursable agreements,  
22 and other expenses authorized by section 501(c) of the  
23 Refugee Education Assistance Act of 1980, for the care  
24 and security in the United States of Cuban and Haitian  
25 entrants: *Provided further*, That the Director of the Fed-

1 eral Prison System may accept donated property and serv-  
 2 ices relating to the operation of the prison card program  
 3 from a not-for-profit entity which has operated such pro-  
 4 gram in the past notwithstanding the fact that such not-  
 5 for-profit entity furnishes services under contracts to the  
 6 Federal Prison System relating to the operation of pre-  
 7 release services, halfway houses or other custodial facili-  
 8 ties.

#### 9 BUILDINGS AND FACILITIES

10 For planning, acquisition of sites and construction of  
 11 new facilities; purchase and acquisition of facilities and re-  
 12 modeling, and equipping of such facilities for penal and  
 13 correctional use, including all necessary expenses incident  
 14 thereto, by contract or force account; and constructing,  
 15 remodeling, and equipping necessary buildings and facili-  
 16 ties at existing penal and correctional institutions, includ-  
 17 ing all necessary expenses incident thereto, by contract or  
 18 force account, \$202,840,000, to remain available until ex-  
 19 pended, of which not to exceed \$14,000,000 shall be avail-  
 20 able to construct areas for inmate work programs: *Pro-*  
 21 *vided*, That labor of United States prisoners may be used  
 22 for work performed under this appropriation: *Provided*  
 23 *further*, That not to exceed 10 percent of the funds appro-  
 24 priated to “Buildings and Facilities” in this or any other  
 25 Act may be transferred to “Salaries and Expenses”, Fed-  
 26 eral Prison System, upon notification by the Attorney

1 General to the Committees on Appropriations of the  
2 House of Representatives and the Senate in compliance  
3 with provisions set forth in section 605 of this Act.

4 FEDERAL PRISON INDUSTRIES, INCORPORATED

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

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

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

1 sition, construction, operation, maintenance, improvement,  
2 protection, or disposition of facilities and other property  
3 belonging to the corporation or in which it has 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, the Missing  
9 Children’s Assistance Act, including salaries and expenses  
10 in connection therewith, the Prosecutorial Remedies and  
11 Other Tools to end the Exploitation of Children Today Act  
12 of 2003 (Public Law 108–21), and the Victims of Crime  
13 Act of 1984, \$209,131,000, to remain available until ex-  
14 pended.

##### 15 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

16 For grants, contracts, cooperative agreements, and  
17 other assistance authorized by the Violent Crime Control  
18 and Law Enforcement Act of 1994 (Public Law 103–322)  
19 (“the 1994 Act”); the Omnibus Crime Control and Safe  
20 Streets Act of 1968 (“the 1968 Act”); the Victims of  
21 Trafficking and Violence Protection Act of 2000 (Public  
22 Law 106–386); and other programs; \$1,640,861,000 (in-  
23 cluding amounts for administrative costs, which shall be  
24 transferred to and merged with the “Justice Assistance”  
25 account): *Provided*, That all balances under this heading  
26 for programs to address violence against women may be

1 transferred to and merged with the appropriation for “Vi-  
2 olence Against Women Prevention and Prosecution Pro-  
3 grams”: *Provided further*, That funding provided under  
4 this heading shall remain available until expended as fol-  
5 lows:

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 and retroactive  
10 to October 1, 2000, Guam shall be considered as one  
11 “State” for all purposes under H.R. 728: *Provided*,  
12 That funding shall be available for the purposes au-  
13 thorized by part E of title I of the 1968 Act: *Pro-*  
14 *vided further*, That no funds provided under this  
15 heading may be used as matching funds for any  
16 other Federal grant program, of which—

17 (A) \$80,000,000 shall be for Boys and  
18 Girls Clubs in public housing facilities and  
19 other areas in cooperation with State and local  
20 law enforcement, as authorized by section 401  
21 of Public Law 104–294 (42 U.S.C. 13751  
22 note): *Provided*, That funds may also be used to  
23 defray the costs of indemnification insurance  
24 for law enforcement officers;

1 (B) \$20,000,000 shall be available for  
2 grants, contracts, and other assistance to carry  
3 out section 102(c) of H.R. 728; and

4 (C) \$5,000,000 for USA Freedom Corps  
5 activities;

6 (2) \$400,000,000 for the State Criminal Alien  
7 Assistance Program, as authorized by section 242(j)  
8 of the Immigration and Nationality Act;

9 (3) \$2,500,000 for the Cooperative Agreement  
10 Program for the improvement of State and local cor-  
11 rectional facilities holding prisoners in custody of the  
12 U.S. Marshals Service;

13 (4) \$13,000,000 for assistance to Indian tribes,  
14 of which—

15 (A) \$8,000,000 shall be available for the  
16 Tribal Courts Initiative; and

17 (B) \$5,000,000 shall be available for dem-  
18 onstration projects on alcohol and crime in In-  
19 dian Country;

20 (5) \$615,000,000 for programs authorized by  
21 part E of title I of the 1968 Act, notwithstanding  
22 the provisions of section 511 of said Act, of which  
23 \$115,000,000 shall be for discretionary grants under  
24 the Edward Byrne Memorial State and Local Law  
25 Enforcement Assistance Programs;

1           (6) \$10,000,000 for victim services programs  
2           for victims of trafficking, as authorized by section  
3           107(b)(2) of Public Law 106–386;

4           (7) \$70,000,000 for grants for residential sub-  
5           stance abuse treatment for State prisoners, as au-  
6           thorized by part S of the 1968 Act;

7           (8) \$892,000 for the Missing Alzheimer’s Dis-  
8           ease Patient Alert Program, as authorized by section  
9           240001(c) of the 1994 Act;

10          (9) \$55,000,000 for Drug Courts, as authorized  
11          by Part EE of title I of the 1968 Act;

12          (10) \$1,487,000 for Law Enforcement Family  
13          Support Programs, as authorized by section  
14          1001(a)(21) of the 1968 Act;

15          (11) \$1,982,000 for public awareness programs  
16          addressing marketing scams aimed at senior citi-  
17          zens, as authorized by section 250005(3) of the  
18          1994 Act;

19          (12) \$10,000,000 for a prescription drug moni-  
20          toring program;

21          (13) \$60,000,000 for implementation of prison  
22          rape prevention and prosecution programs; and

23          (14) \$1,000,000 for a State and local law en-  
24          forcement hate crimes training and technical assist-  
25          ance program:

1 *Provided further*, That funds made available in fiscal year  
 2 2004 under subpart 1 of part E of title I of the 1968  
 3 Act may be obligated for programs to assist States in the  
 4 litigation processing of death penalty Federal habeas cor-  
 5 pus petitions and for drug testing initiatives: *Provided fur-*  
 6 *ther*, That, if a unit of local government uses any of the  
 7 funds made available under this title to increase the num-  
 8 ber of law enforcement officers, the unit of local govern-  
 9 ment will achieve a net gain in the number of law enforce-  
 10 ment officers who perform nonadministrative public safety  
 11 service.

#### 12 WEED AND SEED PROGRAM FUND

13 For necessary expenses to implement “Weed and  
 14 Seed” program activities, \$51,811,000, to remain avail-  
 15 able until expended, for inter-governmental agreements,  
 16 including grants, cooperative agreements, and contracts,  
 17 with State and local law enforcement agencies, non-profit  
 18 organizations, and agencies of local government engaged  
 19 in the investigation and prosecution of violent crimes and  
 20 drug offenses in “Weed and Seed” designated commu-  
 21 nities, and for either reimbursements or transfers to ap-  
 22 propriation accounts of the Department of Justice and  
 23 other Federal agencies which shall be specified by the At-  
 24 torney General to execute the “Weed and Seed” program  
 25 strategy: *Provided*, That funds designated by Congress  
 26 through language for other Department of Justice appro-

1 priation accounts for “Weed and Seed” program activities  
2 shall be managed and executed by the Attorney General  
3 through the Executive Office for Weed and Seed: *Provided*  
4 *further*, That the Attorney General may direct the use of  
5 other Department of Justice funds and personnel in sup-  
6 port of “Weed and Seed” program activities only after the  
7 Attorney General notifies the Committees on Appropria-  
8 tions of the House of Representatives and the Senate in  
9 accordance with section 605 of this Act.

10 COMMUNITY ORIENTED POLICING SERVICES

11 For activities authorized by the Violent Crime Con-  
12 trol and Law Enforcement Act of 1994 (Public Law 103–  
13 322) (including administrative costs), \$682,993,000, to  
14 remain available until expended: *Provided*, That funds  
15 that become available as a result of deobligations from  
16 prior year balances may not be obligated except in accord-  
17 ance with section 605 of this Act: *Provided further*, That  
18 section 1703(b) and (c) of the Omnibus Crime Control and  
19 Safe Streets Act of 1968 (“the 1968 Act”) shall not apply  
20 to non-hiring grants made pursuant to part Q of title I  
21 thereof (42 U.S.C. 3796dd et seq.).

22 Of the amounts provided—

23 (1) \$20,662,000 for community policing train-  
24 ing and technical assistance;

1           (2) \$25,000,000 for the matching grant pro-  
2           gram for Law Enforcement Armor Vests pursuant  
3           to section 2501 of part Y of the 1968 Act;

4           (3) \$30,000,000 to improve tribal law enforce-  
5           ment including equipment and training;

6           (4) \$60,000,000 for policing initiatives to com-  
7           bat methamphetamine production and trafficking  
8           and to enhance policing initiatives in “drug hot  
9           spots”;

10          (5) \$28,315,000 for Police Corps education and  
11          training: *Provided*, That the out-year program costs  
12          of new recruits shall be fully funded from funds cur-  
13          rently available;

14          (6) \$100,000,000 for a law enforcement tech-  
15          nology program;

16          (7) \$56,924,000 for grants to upgrade criminal  
17          records, as authorized under the Crime Identifica-  
18          tion Technology Act of 1998 (42 U.S.C. 14601);

19          (8) \$174,353,000 for a DNA analysis and  
20          backlog reduction formula program, of which—

21                (A) not less than \$35,000,000 shall be for  
22                increasing State and local DNA laboratory ca-  
23                pacity; and

1 (B) \$10,000,000 shall be for discretionary  
2 research, demonstration, evaluation, statistics,  
3 technical assistance and training;

4 (9) \$5,000,000 for Paul Coverdell Forensic  
5 Sciences Improvement Grants under part BB of title  
6 I of the 1968 Act (42 U.S.C. 3797j et seq.);

7 (10) \$40,000,000 for the Southwest Border  
8 Prosecutor Initiative to reimburse State, county,  
9 parish, tribal, or municipal governments only for  
10 costs associated with the prosecution of criminal  
11 cases declined by local U.S. Attorneys offices;

12 (11) \$13,504,000 for an offender re-entry pro-  
13 gram, as authorized by Public Law 107–273;

14 (12) \$17,000,000 for a police integrity pro-  
15 gram;

16 (13) \$45,000,000 for Project Safe Neighbor-  
17 hoods to reduce gun violence, and gang and drug-re-  
18 lated crime;

19 (14) \$41,105,000 shall be available to the  
20 United States Marshals Service, of which—

21 (A) \$28,519,000 shall be for the District  
22 of Columbia Superior Court Office; and

23 (B) \$12,586,000 shall be for fugitive ap-  
24 prehension task forces with State and local law  
25 enforcement; and

1 (15) not to exceed \$26,130,000 for program  
2 management and administration.

3 VIOLENCE AGAINST WOMEN PREVENTION AND  
4 PROSECUTION PROGRAMS

5 For grants, contracts, cooperative agreements, and  
6 other assistance for the prevention and prosecution of vio-  
7 lence against women as authorized by the Omnibus Crime  
8 Control and Safe Streets Act of 1968 (“the 1968 Act”);  
9 the Violent Crime Control and Law Enforcement Act of  
10 1994 (Public Law 103–322) (“the 1994 Act”); the Vic-  
11 tims of Child Abuse Act of 1990 (“the 1990 Act”); the  
12 Prosecutorial Remedies and Other Tools to end the Ex-  
13 ploitation of Children Today Act of 2003 (Public Law  
14 108–21); and the Victims of Trafficking and Violence Pro-  
15 tection Act of 2000 (Public Law 106–386); \$387,629,000  
16 (including amounts for administrative costs, which shall  
17 be transferred to and merged with the “General Adminis-  
18 tration” account), to remain available until expended.

19 Of the amount provided—

20 (1) \$11,897,000 for the court appointed special  
21 advocate program, as authorized by section 217 of  
22 the 1990 Act;

23 (2) \$2,281,000 for child abuse training pro-  
24 grams for judicial personnel and practitioners, as  
25 authorized by section 222 of the 1990 Act;

1           (3) \$994,000 for grants for televised testimony,  
2       as authorized by part N of the 1968 Act;

3           (4) \$183,334,000 for grants to combat violence  
4       against women, as authorized by part T of the 1968  
5       Act, of which—

6           (A) \$5,200,000 shall be for the National  
7       Institute of Justice for research and evaluation  
8       of violence against women;

9           (B) \$10,000,000 shall be for the Office of  
10      Juvenile Justice and Delinquency Prevention  
11      for the Safe Start Program, as authorized by  
12      the Juvenile Justice and Delinquency Act of  
13      1974; and

14          (C) \$15,000,000 shall be for transitional  
15      housing assistance grants for victims of domes-  
16      tic violence, stalking or sexual assault as au-  
17      thorized by Public Law 108–21;

18          (5) \$64,503,000 for grants to encourage arrest  
19      policies as authorized by part U of the 1968 Act;

20          (6) \$39,685,000 for rural domestic violence and  
21      child abuse enforcement assistance grants, as au-  
22      thorized by section 40295 of the 1994 Act;

23          (7) \$4,957,000 for training programs as au-  
24      thorized by section 40152 of the 1994 Act, and for  
25      related local demonstration projects;

1           (8) \$2,981,000 for grants to improve the stalk-  
2           ing and domestic violence databases, as authorized  
3           by section 40602 of the 1994 Act;

4           (9) \$9,935,000 to reduce violent crimes against  
5           women on campus, as authorized by section 1108(a)  
6           of Public Law 106–386;

7           (10) \$39,740,000 for legal assistance for vic-  
8           tims, as authorized by section 1201 of Public Law  
9           106–386;

10          (11) \$4,968,000 for enhancing protection for  
11          older and disabled women from domestic violence  
12          and sexual assault as authorized by section 40802 of  
13          the 1994 Act;

14          (12) \$14,903,000 for the safe havens for chil-  
15          dren pilot program as authorized by section 1301 of  
16          Public Law 106–386; and

17          (13) \$7,451,000 for education and training to  
18          end violence against and abuse of women with dis-  
19          abilities, as authorized by section 1402 of Public  
20          Law 106–386.

21                   JUVENILE JUSTICE PROGRAMS

22          For grants, contracts, cooperative agreements, and  
23          other assistance authorized by the Juvenile Justice and  
24          Delinquency Prevention Act of 1974 (“the Act”), and  
25          other juvenile justice programs, including salaries and ex-  
26          penses in connection therewith to be transferred to and

1 merged with the appropriations for Justice Assistance,  
2 \$462,282,000, to remain available until expended, as fol-  
3 lows:

4 (1) \$7,000,000 for concentration of Federal ef-  
5 forts, as authorized by section 204 of the Act;

6 (2) \$90,000,000 for State and local programs  
7 authorized by section 221 of the Act, including  
8 training and technical assistance to assist small,  
9 non-profit organizations with the Federal grants  
10 process;

11 (3) \$40,000,000 for juvenile delinquency pre-  
12 vention block grants, as authorized by section 241 of  
13 the Act;

14 (4) \$7,000,000 for research, evaluation, train-  
15 ing and technical assistance, as authorized by sec-  
16 tions 251 and 252 of the Act;

17 (5) \$50,000,000 for demonstration projects as  
18 authorized by sections 261 and 262 of the Act;

19 (6) \$92,282,000 for delinquency prevention, as  
20 authorized by section 505 of the Act, of which—

21 (A) \$12,500,000 shall be for the Tribal  
22 Youth program;

23 (B) \$20,000,000 shall be for a gang resist-  
24 ance education and training program to be co-

1           ordinated with the Bureau of Alcohol, Tobacco,  
2           Firearms, and Explosives; and

3           (C) \$25,000,000 shall be for grants of  
4           \$360,000 to each State and \$6,640,000 shall be  
5           available for discretionary grants to States, for  
6           programs and activities to enforce State laws  
7           prohibiting the sale of alcoholic beverages to  
8           minors or the purchase or consumption of alco-  
9           holic beverages by minors, prevention and re-  
10          duction of consumption of alcoholic beverages  
11          by minors, and for technical assistance and  
12          training;

13          (7) \$25,000,000 for Project Childsafe;

14          (8) \$20,000,000 for the Secure Our Schools  
15          Act as authorized by Public Law 106–386;

16          (9) \$20,000,000 for Project Sentry to reduce  
17          youth gun violence, and gang and drug-related  
18          crime;

19          (10) \$11,000,000 for programs authorized by  
20          the Victims of Child Abuse Act of 1990; and

21          (11) \$100,000,000 for the Juvenile Account-  
22          ability Block Grants program as authorized by Pub-  
23          lic Law 107–273 and Guam shall be considered a  
24          State.

## 1 PUBLIC SAFETY OFFICERS BENEFITS

2 To remain available until expended, for payments au-  
3 thorized by part L of title I of the Omnibus Crime Control  
4 and Safe Streets Act of 1968 (42 U.S.C. 3796), such sums  
5 as are necessary, as authorized by section 6093 of Public  
6 Law 100–690 (102 Stat. 4339–4340); \$4,000,000, to re-  
7 main available until expended for payments as authorized  
8 by section 1201(b) of said Act and \$3,500,000 for edu-  
9 cation assistance, as authorized by section 1212 of said  
10 Act.

## 11 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

12 SEC. 101. In addition to amounts otherwise made  
13 available in this title for official reception and representa-  
14 tion expenses, a total of not to exceed \$45,000 from funds  
15 appropriated to the Department of Justice in this title  
16 shall be available to the Attorney General for official re-  
17 ception and representation expenses.

18 SEC. 102. None of the funds appropriated by this  
19 title shall be available to pay for an abortion, except where  
20 the life of the mother would be endangered if the fetus  
21 were carried to term, or in the case of rape: *Provided*,  
22 That should this prohibition be declared unconstitutional  
23 by a court of competent jurisdiction, this section shall be  
24 null and void.

1        SEC. 103. None of the funds appropriated under this  
2 title shall be used to require any person to perform, or  
3 facilitate in any way the performance of, any abortion.

4        SEC. 104. Nothing in the preceding section shall re-  
5 move the obligation of the Director of the Bureau of Pris-  
6 ons to provide escort services necessary for a female in-  
7 mate to receive such service outside the Federal facility:  
8 *Provided*, That nothing in this section in any way dimin-  
9 ishes the effect of section 103 intended to address the phil-  
10 osophical beliefs of individual employees of the Bureau of  
11 Prisons.

12       SEC. 105. Notwithstanding any other provision of  
13 law, not to exceed \$10,000,000 of the funds made avail-  
14 able in this Act may be used to establish and publicize  
15 a program under which publicly advertised, extraordinary  
16 rewards may be paid, which shall not be subject to spend-  
17 ing limitations contained in sections 3059 and 3072 of  
18 title 18, United States Code: *Provided*, That any reward  
19 of \$100,000 or more, up to a maximum of \$2,000,000,  
20 may not be made without the personal approval of the  
21 President or the Attorney General and such approval may  
22 not be delegated: *Provided further*, That rewards made  
23 pursuant to section 501 of Public Law 107–56 shall not  
24 be subject to this section.

1        SEC. 106. Not to exceed 5 percent of any appropria-  
2        tion made available for the current fiscal year for the De-  
3        partment of Justice in this Act may be transferred be-  
4        tween such appropriations, but no such appropriation, ex-  
5        cept as otherwise specifically provided, shall be increased  
6        by more than 10 percent by any such transfers: *Provided*,  
7        That any transfer pursuant to this section shall be treated  
8        as a reprogramming of funds under section 605 of this  
9        Act and shall not be available for obligation except in com-  
10       pliance with the procedures set forth in that section.

11       SEC. 107. Section 114 of Public Law 107–77 shall  
12       remain in effect during fiscal year 2004.

13       SEC. 108. Authorities contained in the 21st Century  
14       Department of Justice Appropriations Authorization Act  
15       (Public Law 107–273) shall remain in effect until the ef-  
16       fective date of a subsequent Department of Justice appro-  
17       priations authorization Act.

18       This title may be cited as the “Department of Justice  
19       Appropriations Act, 2004”.

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 the employment of experts and  
11    consultants as authorized by 5 U.S.C. 3109, \$41,994,000,  
12    of which \$1,000,000 shall remain available until expended:  
13    *Provided*, That not to exceed \$124,000 shall be available  
14    for official reception and representation expenses: *Pro-*  
15    *vided further*, That not less than \$2,000,000 provided  
16    under this heading shall be for expenses authorized by 19  
17    U.S.C. 2451 and 1677b(c).

18                     INTERNATIONAL TRADE COMMISSION  
19                     SALARIES AND EXPENSES

20         For necessary expenses of the International Trade  
21     Commission, including hire of passenger motor vehicles,  
22     and services as authorized by 5 U.S.C. 3109, and not to  
23     exceed \$2,500 for official reception and representation ex-  
24     penses, \$57,000,000, 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 for engaging in trade promotional activities abroad,  
7 including expenses of grants and cooperative agreements  
8 for the purpose of promoting exports of United States  
9 firms, without regard to 44 U.S.C. 3702 and 3703; full  
10 medical coverage for dependent members of immediate  
11 families of employees stationed overseas and employees  
12 temporarily posted overseas; travel and transportation of  
13 employees of the United States and Foreign Commercial  
14 Service between two points abroad, without regard to 49  
15 U.S.C. 40118; employment of Americans and aliens by  
16 contract for services; rental of space abroad for periods  
17 not exceeding 10 years, and expenses of alteration, repair,  
18 or improvement; purchase or construction of temporary  
19 demountable exhibition structures for use abroad; pay-  
20 ment of tort claims, in the manner authorized in the first  
21 paragraph of 28 U.S.C. 2672 when such claims arise in  
22 foreign countries; not to exceed \$327,000 for official rep-  
23 resentation expenses abroad; purchase of passenger motor  
24 vehicles for official use abroad, not to exceed \$30,000 per  
25 vehicle; obtaining insurance on official motor vehicles; and

1 rental of tie lines, \$395,123,000, to remain available until  
2 expended, of which \$13,000,000 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 \$46,669,000 shall be for Manufacturing and Services;  
6 \$38,204,000 shall be for Market Access and Compliance;  
7 \$68,160,000 shall be for the Import Administration of  
8 which \$3,000,000 is to establish an Office of China Com-  
9 pliance; \$217,040,000 shall be for the United States and  
10 Foreign Commercial Service of which \$1,500,000 is for  
11 the Advocacy Center, \$2,500,000 is for the Trade Infor-  
12 mation Center, and \$2,100,000 is for a China and Middle  
13 East Business Center; and \$25,050,000 shall be for Exec-  
14 utive Direction and Administration: *Provided further*, That  
15 the provisions of the first sentence of section 105(f) and  
16 all of section 108(c) of the Mutual Educational and Cul-  
17 tural Exchange Act of 1961 (22 U.S.C. 2455(f) and  
18 2458(c)) shall apply in carrying out these activities with-  
19 out regard to section 5412 of the Omnibus Trade and  
20 Competitiveness Act of 1988 (15 U.S.C. 4912); and that  
21 for the purpose of this Act, contributions under the provi-  
22 sions of the Mutual Educational and Cultural Exchange  
23 Act of 1961 shall include payment for assessments for  
24 services provided as part of these activities.

BUREAU OF INDUSTRY AND SECURITY  
OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, \$68,203,000, to remain available until September 30, 2005, of which \$7,203,000 shall be for inspections and other activities related to national security: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and

1 2458(c)) shall apply in carrying out these activities: *Pro-*  
2 *vided further*, That payments and contributions collected  
3 and accepted for materials or services provided as part of  
4 such activities may be retained for use in covering the cost  
5 of such activities, and for providing information to the  
6 public with respect to the export administration and na-  
7 tional security activities of the Department of Commerce  
8 and other export control programs of the United States  
9 and other governments.

10 ECONOMIC DEVELOPMENT ADMINISTRATION

11 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

12 For grants for economic development assistance as  
13 provided by the Public Works and Economic Development  
14 Act of 1965, and for trade adjustment assistance,  
15 \$288,115,000, to remain available until expended.

16 SALARIES AND EXPENSES

17 For necessary expenses of administering the eco-  
18 nomic development assistance programs as provided for by  
19 law, \$30,565,000: *Provided*, That these funds may be used  
20 to monitor projects approved pursuant to title I of the  
21 Public Works Employment Act of 1976, title II of the  
22 Trade Act of 1974, and the Community Emergency  
23 Drought Relief Act of 1977.

## 1 MINORITY BUSINESS DEVELOPMENT AGENCY

## 2 MINORITY BUSINESS DEVELOPMENT

3 For necessary expenses of the Department of Com-  
4 merce in fostering, promoting, and developing minority  
5 business enterprise, including expenses of grants, con-  
6 tracts, and other agreements with public or private organi-  
7 zations, \$29,000,000.

## 8 ECONOMIC AND INFORMATION INFRASTRUCTURE

## 9 ECONOMIC AND STATISTICAL ANALYSIS

## 10 SALARIES AND EXPENSES

11 For necessary expenses, as authorized by law, of eco-  
12 nomic and statistical analysis programs of the Department  
13 of Commerce, \$75,000,000, to remain available until Sep-  
14 tember 30, 2005.

## 15 BUREAU OF THE CENSUS

## 16 SALARIES AND EXPENSES

17 For expenses necessary for collecting, compiling, ana-  
18 lyzing, preparing, and publishing statistics, provided for  
19 by law, \$220,908,000.

## 20 PERIODIC CENSUSES AND PROGRAMS

21 For necessary expenses related to the 2010 decennial  
22 census, \$260,200,000, to remain available until September  
23 30, 2005: *Provided*, That, of the total amount available  
24 related to the 2010 decennial census, \$112,090,000 is for  
25 the Re-engineered Design Process for the Short-Form  
26 Only Census, \$64,800,000 is for the American Community

1 Survey, and \$83,310,000 is for the Master Address File/  
2 Topologically Integrated Geographic Encoding and Ref-  
3 erencing (MAF/TIGER) system.

4 In addition, for expenses to collect and publish statis-  
5 tics for other periodic censuses and programs provided for  
6 by law, \$180,853,000, to remain available until September  
7 30, 2005, of which \$80,082,000 is for economic statistics  
8 programs and \$100,771,000 is for demographic statistics  
9 programs: *Provided*, That regarding engineering and de-  
10 sign of a facility at the Suitland Federal Center, quarterly  
11 reports regarding the expenditure of funds and project  
12 planning, design and cost decisions shall be provided by  
13 the Bureau, in cooperation with the General Services Ad-  
14 ministration, to the Committees on Appropriations of the  
15 Senate and the House of Representatives: *Provided fur-*  
16 *ther*, That none of the funds provided in this or any other  
17 Act under the heading “Bureau of the Census, Periodic  
18 Censuses and Programs” shall be used to fund the con-  
19 struction and tenant build-out costs of a facility at the  
20 Suitland Federal Center.

21 NATIONAL TELECOMMUNICATIONS AND INFORMATION

22 ADMINISTRATION

23 SALARIES AND EXPENSES

24 For necessary expenses, as provided for by law, of  
25 the National Telecommunications and Information Ad-

1 ministration (NTIA), \$14,604,000: *Provided*, That, not-  
2 withstanding 31 U.S.C. 1535(d), the Secretary of Com-  
3 merce shall charge Federal agencies for costs incurred in  
4 spectrum management, analysis, and operations, and re-  
5 lated services and such fees shall be retained and used  
6 as offsetting collections for costs of such spectrum serv-  
7 ices, to remain available until expended: *Provided further*,  
8 That the Secretary of Commerce is authorized to retain  
9 and use as offsetting collections all funds transferred, or  
10 previously transferred, from other Government agencies  
11 for all costs incurred in telecommunications research, en-  
12 gineering, and related activities by the Institute for Tele-  
13 communication Sciences of NTIA, in furtherance of its as-  
14 signed functions under this paragraph, and such funds re-  
15 ceived from other Government agencies shall remain avail-  
16 able until expended.

17 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING  
18 AND CONSTRUCTION

19 For the administration of grants authorized by sec-  
20 tion 392 of the Communications Act of 1934, \$2,538,000,  
21 as authorized by section 391 of the Act: *Provided*, That,  
22 notwithstanding section 391 of the Act, the prior year un-  
23 obligated balances may be made available for grants for  
24 projects for which applications have been submitted and  
25 approved during any fiscal year.

## 1 INFORMATION INFRASTRUCTURE GRANTS

2 For grants authorized by section 392 of the Commu-  
3 nications Act of 1934, \$15,402,000, to remain available  
4 until expended as authorized by section 391 of the Act:  
5 *Provided*, That not to exceed \$3,097,000 shall be available  
6 for program administration and other support activities  
7 as authorized by section 391: *Provided further*, That, of  
8 the funds appropriated herein, not to exceed 5 percent  
9 may be available for telecommunications research activi-  
10 ties for projects related directly to the development of a  
11 national information infrastructure: *Provided further*,  
12 That, notwithstanding the requirements of sections 392(a)  
13 and 392(c) of the Act, these funds may be used for the  
14 planning and construction of telecommunications networks  
15 for the provision of educational, cultural, health care, pub-  
16 lic information, public safety, or other social services: *Pro-*  
17 *vided further*, That, notwithstanding any other provision  
18 of law, no entity that receives telecommunications services  
19 at preferential rates under section 254(h) of the Act (47  
20 U.S.C. 254(h)) or receives assistance under the regional  
21 information sharing systems grant program of the Depart-  
22 ment of Justice under part M of title I of the Omnibus  
23 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
24 3796h) may use funds under a grant under this heading  
25 to cover any costs of the entity that would otherwise be

1 covered by such preferential rates or such assistance, as  
2 the case may be.

3 UNITED STATES PATENT AND TRADEMARK OFFICE

4 SALARIES AND EXPENSES

5 For necessary expenses of the United States Patent  
6 and Trademark Office provided for by law, including de-  
7 fense of suits instituted against the Under Secretary of  
8 Commerce for Intellectual Property and Director of the  
9 United States Patent and Trademark Office,  
10 \$1,138,700,000, to remain available until expended, which  
11 amount shall be derived from offsetting collections as-  
12 sessed and collected pursuant to 15 U.S.C. 1113 and 35  
13 U.S.C. 41 and 376, and shall be retained and used for  
14 necessary expenses in this appropriation: *Provided*, That  
15 the sum herein appropriated from the general fund shall  
16 be reduced as such offsetting collections are received dur-  
17 ing fiscal year 2004, so as to result in a fiscal year 2004  
18 appropriation from the general fund estimated at \$0: *Pro-*  
19 *vided further*, That during fiscal year 2004, should the  
20 total amount of offsetting fee collections be less than  
21 \$1,138,700,000, the total amounts available to the United  
22 States Patent and Trademark Office shall be reduced ac-  
23 cordingly: *Provided further*, That an additional amount not  
24 to exceed \$100,000,000 from fees collected in prior fiscal  
25 years shall be available for obligation in fiscal year 2004,

1 to remain available until expended: *Provided further*, That  
2 from amounts provided herein, not to exceed \$1,000 shall  
3 be made available in fiscal year 2004 for official reception  
4 and representation expenses.

5 SCIENCE AND TECHNOLOGY

6 TECHNOLOGY ADMINISTRATION

7 SALARIES AND EXPENSES

8 For necessary expenses for the Under Secretary for  
9 Technology Office of Technology Policy, \$7,822,000.

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, \$357,862,000, 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, \$39,607,000, to remain available until  
20 expended.

21 CONSTRUCTION OF RESEARCH FACILITIES

22 For construction of new research facilities, including  
23 architectural and engineering design, and for renovation  
24 and maintenance of existing facilities, not otherwise pro-  
25 vided for the National Institute of Standards and Tech-

1 nology, as authorized by 15 U.S.C. 278c–278e,  
2 \$62,590,000, to remain available until expended.

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

7 For necessary expenses of activities authorized by law  
8 for the National Oceanic and Atmospheric Administration,  
9 including maintenance, operation, and hire of aircraft;  
10 grants, contracts, or other payments to nonprofit organi-  
11 zations for the purposes of conducting activities pursuant  
12 to cooperative agreements; and relocation of facilities as  
13 authorized, \$2,180,454,000: *Provided*, That fees and do-  
14 nations received by the National Ocean Service for the  
15 management of the national marine sanctuaries may be  
16 retained and used for the salaries and expenses associated  
17 with those activities, notwithstanding 31 U.S.C. 3302:  
18 *Provided further*, That, in addition, \$79,251,000 shall be  
19 derived by transfer from the fund entitled “Promote and  
20 Develop Fishery Products and Research Pertaining to  
21 American Fisheries”: *Provided further*, That, of the  
22 \$2,276,705,000 provided for in direct obligations under  
23 this heading (of which \$2,180,454,000 is appropriated  
24 from the General Fund, \$79,251,000 is provided by trans-  
25 fer, and \$17,000,000 is derived from deobligations from  
26 prior years), \$363,239,000 shall be for the National

1 Ocean Service, \$545,072,000 shall be for the National  
2 Marine Fisheries Service, \$306,443,000 shall be for Oce-  
3 anic and Atmospheric Research, \$713,773,000 shall be for  
4 the National Weather Service, \$146,334,000 shall be for  
5 the National Environmental Satellite, Data, and Informa-  
6 tion Service, and \$201,844,000 shall be for Program Sup-  
7 port: *Provided further*, That no general administrative  
8 charge shall be applied against an assigned activity in-  
9 cluded in this Act and, further, that any direct administra-  
10 tive expenses applied against an assigned activity shall be  
11 limited to 5 percent of the funds provided for that as-  
12 signed activity so that total National Oceanic and Atmos-  
13 pheric Administration administrative expenses shall not  
14 exceed \$243,000,000: *Provided further*, That any use of  
15 deobligated balances of funds provided under this heading  
16 in previous years shall be subject to the procedures set  
17 forth in section 605 of this Act: *Provided further*, That  
18 none of the funds under this heading are available to alter  
19 the existing structure, organization, function, and funding  
20 of the National Marine Fisheries Service Southwest Re-  
21 gion and Fisheries Science Center and Northwest Region  
22 and Fisheries Science Center: *Provided further*, That fund-  
23 ing provided under this heading for ocean and coastal ob-  
24 serving system grants shall require an equal match from  
25 other non-Federal sources: *Provided further*, That, here-

1 after, the Secretary of Commerce may enter into coopera-  
2 tive agreements with the Joint and Cooperative Institutes  
3 as designated by the Secretary to use the personnel, serv-  
4 ices, or facilities of such organizations for research, edu-  
5 cation, training, and outreach.

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

12 PROCUREMENT, ACQUISITION AND CONSTRUCTION

13 For procurement, acquisition and construction of  
14 capital assets, including alteration and modification costs,  
15 of the National Oceanic and Atmospheric Administration,  
16 \$794,059,000, to remain available until September 30,  
17 2006, except for funds appropriated for the National Ma-  
18 rine Fisheries Service Honolulu Laboratory and for the  
19 National Environmental Satellites, Data, and Information  
20 Service, which shall remain available until expended: *Pro-*  
21 *vided*, That of the amounts provided for the National  
22 Polar-orbiting Operational Environmental Satellite Sys-  
23 tem, funds shall only be made available on a dollar for  
24 dollar matching basis with funds provided for the same  
25 purpose by the Department of Defense: *Provided further*,  
26 That none of the funds provided in this Act or any other

1 Act under the heading “National Oceanic and Atmos-  
2 pheric Administration, Procurement, Acquisition and Con-  
3 struction” shall be used to fund the General Services Ad-  
4 ministration’s standard construction and tenant build-out  
5 costs of a facility at the Suitland Federal Center.

6 PACIFIC COASTAL SALMON RECOVERY

7 For necessary expenses associated with the restora-  
8 tion of Pacific salmon populations, \$90,000,000.

9 FISHERIES FINANCE PROGRAM ACCOUNT

10 Funds provided under this heading for the costs of  
11 direct loans authorized by the Merchant Marine Act of  
12 1936, including the cost of modifying such loans, shall be  
13 as defined in section 502 of the Congressional Budget Act  
14 of 1974: *Provided*, That these funds are available to sub-  
15 sidize gross obligations for the principal amount of direct  
16 loans not to exceed \$59,000,000 only to finance fishing  
17 capacity reduction programs, individual fishing quotas, re-  
18 conditioning of fishing vessels for the purpose of reducing  
19 bycatch or reducing capacity in an overfished or over-cap-  
20 italized fishery, and the purchase of assets sold at fore-  
21 closure instituted by the Secretary of Commerce: *Provided*  
22 *further*, That none of the funds made available under this  
23 heading may be used for direct loans for any new fishing  
24 vessel that will increase the harvesting capacity in any  
25 United States fishery.

## 1 DEPARTMENTAL MANAGEMENT

## 2 SALARIES AND EXPENSES

3 For expenses necessary for the departmental manage-  
4 ment of the Department of Commerce provided for by law,  
5 including not to exceed \$5,000 for official entertainment,  
6 \$44,662,000: *Provided*, That not to exceed 11 full-time  
7 equivalents and \$1,621,000 shall be expended for the leg-  
8 islative affairs function of the Department.

## 9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector  
11 General in carrying out the provisions of the Inspector  
12 General Act of 1978 (5 U.S.C. App.), \$22,000,000.

## 13 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

24 SEC. 202. During the current fiscal year, appropria-  
25 tions made available to the Department of Commerce by  
26 this Act for salaries and expenses shall be available for

1 hire of passenger motor vehicles as authorized by 31  
2 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.  
3 3109; and uniforms or allowances therefore, as authorized  
4 by law (5 U.S.C. 5901–5902).

5       SEC. 203. Hereafter, none of the funds made avail-  
6 able by this or any other Act for the National Oceanic  
7 and Atmospheric Administration may be used to support  
8 the hurricane reconnaissance aircraft and activities that  
9 are under the control of the United States Air Force or  
10 the United States Air Force Reserve.

11       SEC. 204. Not to exceed 5 percent of any appropria-  
12 tion made available for the current fiscal year for the De-  
13 partment of Commerce in this Act may be transferred be-  
14 tween such appropriations, but no such appropriation shall  
15 be increased by more than 10 percent by any such trans-  
16 fers: *Provided*, That any transfer pursuant to this section  
17 shall be treated as a reprogramming of funds under sec-  
18 tion 605 of this Act and shall not be available for obliga-  
19 tion or expenditure except in compliance with the proce-  
20 dures set forth in that section: *Provided further*, That the  
21 Secretary of Commerce shall notify the Committees on Ap-  
22 propriations at least 15 days in advance of the acquisition  
23 or disposal of any capital asset (including land, structures,  
24 and equipment) not specifically provided for in this or any

1 other Departments of Commerce, Justice, and State, the  
2 Judiciary, and Related Agencies Appropriations Act.

3       SEC. 205. Any costs incurred by a department or  
4 agency funded under this title resulting from personnel  
5 actions taken in response to funding reductions included  
6 in this title or from actions taken for the care and protec-  
7 tion of loan collateral or grant property shall be absorbed  
8 within the total budgetary resources available to such de-  
9 partment or agency: *Provided*, That the authority to trans-  
10 fer funds between appropriations accounts as may be nec-  
11 essary to carry out this section is provided in addition to  
12 authorities included elsewhere in this Act: *Provided fur-*  
13 *ther*, That use of funds to carry out this section shall be  
14 treated as a reprogramming of funds under section 605  
15 of this Act and shall not be available for obligation or ex-  
16 penditure except in compliance with the procedures set  
17 forth in that section.

18       SEC. 206. The Secretary of Commerce may use the  
19 Commerce franchise fund for expenses and equipment nec-  
20 essary for the maintenance and operation of such adminis-  
21 trative services as the Secretary determines may be per-  
22 formed more advantageously as central services, pursuant  
23 to section 403 of Public Law 103–356: *Provided*, That any  
24 inventories, equipment, and other assets pertaining to the  
25 services to be provided by such fund, either on hand or

1 on order, less the related liabilities or unpaid obligations,  
2 and any appropriations made for the purpose of providing  
3 capital shall be used to capitalize such fund: *Provided fur-*  
4 *ther*, That such fund shall be paid in advance from funds  
5 available to the Department of Commerce and other Fed-  
6 eral agencies for which such centralized services are per-  
7 formed, at rates which will return in full all expenses of  
8 operation, including accrued leave, depreciation of fund  
9 plant and equipment, amortization of automated data  
10 processing (ADP) software and systems (either acquired  
11 or donated), and an amount necessary to maintain a rea-  
12 sonable operating reserve, as determined by the Secretary:  
13 *Provided further*, That such fund shall provide services on  
14 a competitive basis: *Provided further*, That an amount not  
15 to exceed 4 percent of the total annual income to such  
16 fund may be retained in the fund for fiscal year 2004 and  
17 each fiscal year thereafter, to remain available until ex-  
18 pended, to be used for the acquisition of capital equip-  
19 ment, and for the improvement and implementation of de-  
20 partment financial management, ADP, and other support  
21 systems: *Provided further*, That such amounts retained in  
22 the fund for fiscal year 2004 and each fiscal year there-  
23 after shall be available for obligation and expenditure only  
24 in accordance with section 605 of this Act: *Provided fur-*  
25 *ther*, That no later than 30 days after the end of each

1 fiscal year, amounts in excess of this reserve limitation  
2 shall be deposited as miscellaneous receipts in the Treas-  
3 ury: *Provided further*, That such franchise fund pilot pro-  
4 gram shall terminate pursuant to section 403(f) of Public  
5 Law 103–356.

6 This title may be cited as the “Department of Com-  
7 merce and Related Agencies Appropriations Act, 2004”.

### 8 TITLE III—THE JUDICIARY

#### 9 SUPREME COURT OF THE UNITED STATES

##### 10 SALARIES AND EXPENSES

11 For expenses necessary for the operation of the Su-  
12 preme Court, as required by law, excluding care of the  
13 building and grounds, including purchase or hire, driving,  
14 maintenance, and operation of an automobile for the Chief  
15 Justice, not to exceed \$10,000 for the purpose of trans-  
16 porting Associate Justices, and hire of passenger motor  
17 vehicles as authorized by 31 U.S.C. 1343 and 1344; not  
18 to exceed \$10,000 for official reception and representation  
19 expenses; and for miscellaneous expenses, to be expended  
20 as the Chief Justice may approve, \$55,360,000.

##### 21 CARE OF THE BUILDING AND GROUNDS

22 For such expenditures as may be necessary to enable  
23 the Architect of the Capitol to carry out the duties im-  
24 posed upon the Architect as authorized by law,  
25 \$10,591,000, which shall remain available until expended.

1 UNITED STATES COURT OF APPEALS FOR THE FEDERAL  
2 CIRCUIT

3 SALARIES AND EXPENSES

4 For salaries of the chief judge, judges, and other offi-  
5 cers and employees, and for necessary expenses of the  
6 court, as authorized by law, \$20,665,000.

7 UNITED STATES COURT OF INTERNATIONAL TRADE

8 SALARIES AND EXPENSES

9 For salaries of the chief judge and eight judges, sala-  
10 ries of the officers and employees of the court, services,  
11 and necessary expenses of the court, as authorized by law,  
12 \$14,068,000.

13 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

14 JUDICIAL SERVICES

15 SALARIES AND EXPENSES

16 For the salaries of circuit and district judges (includ-  
17 ing judges of the territorial courts of the United States),  
18 justices and judges retired from office or from regular ac-  
19 tive service, judges of the United States Court of Federal  
20 Claims, bankruptcy judges, magistrate judges, and all  
21 other officers and employees of the Federal Judiciary not  
22 otherwise specifically provided for, and necessary expenses  
23 of the courts, as authorized by law, \$4,004,176,000 (in-  
24 cluding the purchase of firearms and ammunition); of  
25 which not to exceed \$27,817,000 shall remain available

1 until expended for space alteration projects and for fur-  
2 niture and furnishings related to new space alteration and  
3 construction projects.

4 In addition, for expenses of the United States Court  
5 of Federal Claims associated with processing cases under  
6 the National Childhood Vaccine Injury Act of 1986, not  
7 to exceed \$3,293,000, to be appropriated from the Vaccine  
8 Injury Compensation Trust Fund.

9 DEFENDER SERVICES

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

1 pointed to represent jurors in civil actions for the protec-  
2 tion of their employment, as authorized by 28 U.S.C.  
3 1875(d); and for necessary training and general adminis-  
4 trative expenses, \$613,948,000, to remain available until  
5 expended.

6 FEES OF JURORS AND COMMISSIONERS

7 For fees and expenses of jurors as authorized by 28  
8 U.S.C. 1871 and 1876; compensation of jury commis-  
9 sioners as authorized by 28 U.S.C. 1863; and compensa-  
10 tion of commissioners appointed in condemnation cases  
11 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-  
12 cedure (28 U.S.C. Appendix Rule 71A(h)), \$53,181,000,  
13 to remain available until expended: *Provided*, That the  
14 compensation of land commissioners shall not exceed the  
15 daily equivalent of the highest rate payable under section  
16 5332 of title 5, United States Code.

17 COURT SECURITY

18 For necessary expenses, not otherwise provided for,  
19 incident to providing protective guard services for United  
20 States courthouses and the procurement, installation, and  
21 maintenance of security equipment for United States  
22 courthouses and other facilities housing Federal court op-  
23 erations, including building ingress-egress control, inspec-  
24 tion of mail and packages, directed security patrols, and  
25 other similar activities as authorized by section 1010 of  
26 the Judicial Improvement and Access to Justice Act (Pub-

1 lie Law 100–702), \$288,941,000, of which not to exceed  
2 \$10,000,000 shall remain available until expended, to be  
3 expended directly or transferred to the United States Mar-  
4 shals Service, which shall be responsible for administering  
5 the Judicial Facility Security Program consistent with  
6 standards or guidelines agreed to by the Director of the  
7 Administrative Office of the United States Courts and the  
8 Attorney General.

9 ADMINISTRATIVE OFFICE OF THE UNITED STATES

10 COURTS

11 SALARIES AND EXPENSES

12 For necessary expenses of the Administrative Office  
13 of the United States Courts as authorized by law, includ-  
14 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-  
15 senger motor vehicle as authorized by 31 U.S.C. 1343(b),  
16 advertising and rent in the District of Columbia and else-  
17 where, \$66,968,000, of which not to exceed \$8,500 is au-  
18 thorized for official reception and representation expenses.

19 FEDERAL JUDICIAL CENTER

20 SALARIES AND EXPENSES

21 For necessary expenses of the Federal Judicial Cen-  
22 ter, as authorized by Public Law 90–219, \$21,440,000;  
23 of which \$1,800,000 shall remain available through Sep-  
24 tember 30, 2005, to provide education and training to  
25 Federal court personnel; and of which not to exceed

1 \$1,000 is authorized for official reception and representa-  
2 tion expenses.

3 JUDICIAL RETIREMENT FUNDS

4 PAYMENT TO JUDICIARY TRUST FUNDS

5 For payment to the Judicial Officers' Retirement  
6 Fund, as authorized by 28 U.S.C. 377(o), \$25,700,000;  
7 to the Judicial Survivors' Annuities Fund, as authorized  
8 by 28 U.S.C. 376(c), \$700,000; and to the United States  
9 Court of Federal Claims Judges' Retirement Fund, as au-  
10 thorized by 28 U.S.C. 178(l), \$2,600,000.

11 UNITED STATES SENTENCING COMMISSION

12 SALARIES AND EXPENSES

13 For the salaries and expenses necessary to carry out  
14 the provisions of chapter 58 of title 28, United States  
15 Code, \$12,746,000, of which not to exceed \$1,000 is au-  
16 thorized for official reception and representation expenses.

17 GENERAL PROVISIONS—THE JUDICIARY

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

21 SEC. 302. Not to exceed 5 percent of any appropria-  
22 tion made available for the current fiscal year for the Judi-  
23 ciary in this Act may be transferred between such appro-  
24 priations, but no such appropriation, except "Courts of  
25 Appeals, District Courts, and Other Judicial Services, De-

1 fender Services” and “Courts of Appeals, District Courts,  
2 and Other Judicial Services, Fees of Jurors and Commis-  
3 sioners”, shall be increased by more than 10 percent by  
4 any such transfers: *Provided*, That any transfer pursuant  
5 to this section shall be treated as a reprogramming of  
6 funds under section 605 of this Act and shall not be avail-  
7 able for obligation or expenditure except in compliance  
8 with the procedures set forth in that section.

9 SEC. 303. Notwithstanding any other provision of  
10 law, the salaries and expenses appropriation for district  
11 courts, courts of appeals, and other judicial services shall  
12 be available for official reception and representation ex-  
13 penses of the Judicial Conference of the United States:  
14 *Provided*, That such available funds shall not exceed  
15 \$11,000 and shall be administered by the Director of the  
16 Administrative Office of the United States Courts in the  
17 capacity as Secretary of the Judicial Conference.

18 SEC. 304. (a) The Supreme Court shall establish a  
19 pilot program under which the Court may repay (by direct  
20 payment on behalf of the employee) any student loan (up  
21 to \$6,000 per year) previously taken out by an employee  
22 serving as a full-time judicial law clerk for the Court.

23 (b) The Court shall promulgate such regulations as  
24 may be necessary to carry out such a program and notify

1 the Committees on Appropriations of the regulations prior  
2 to implementing the pilot program.

3 This title may be cited as the “Judiciary Appropria-  
4 tions Act, 2004”.

5 TITLE IV—DEPARTMENT OF STATE AND  
6 RELATED AGENCY

7 DEPARTMENT OF STATE

8 ADMINISTRATION OF FOREIGN AFFAIRS

9 DIPLOMATIC AND CONSULAR PROGRAMS

10 For necessary expenses of the Department of State  
11 and the Foreign Service not otherwise provided for, includ-  
12 ing employment, without regard to civil service and classi-  
13 fication laws, of persons on a temporary basis (not to ex-  
14 ceed \$700,000 of this appropriation), as authorized by  
15 section 801 of the United States Information and Edu-  
16 cational Exchange Act of 1948; representation to certain  
17 international organizations in which the United States  
18 participates pursuant to treaties ratified pursuant to the  
19 advice and consent of the Senate or specific Acts of Con-  
20 gress; arms control, nonproliferation and disarmament ac-  
21 tivities as authorized; acquisition by exchange or purchase  
22 of passenger motor vehicles as authorized by law; and for  
23 expenses of general administration, \$3,453,260,000: *Pro-*  
24 *vided*, That not to exceed 69 permanent positions and  
25 \$7,311,000 shall be expended for the Bureau of Legisla-

1 tive Affairs: *Provided further*, That, of the amount made  
2 available under this heading, not to exceed \$4,000,000  
3 may be transferred to, and merged with, funds in the  
4 “Emergencies in the Diplomatic and Consular Service”  
5 appropriations account, to be available only for emergency  
6 evacuations and terrorism rewards: *Provided further*,  
7 That, of the amount made available under this heading,  
8 \$301,563,000 shall be available only for public diplomacy  
9 international information programs: *Provided further*,  
10 That, of the amount made available under this heading,  
11 not to exceed \$48,000,000 shall be available for the Bu-  
12 reau of International Organization Affairs: *Provided fur-*  
13 *ther*, That of the amount made available under this head-  
14 ing, \$3,000,000 shall be available only for the establish-  
15 ment and operations of an Office on Right-Sizing the  
16 United States Government Overseas Presence: *Provided*  
17 *further*, That funds available under this heading may be  
18 available for a United States Government interagency task  
19 force to examine, coordinate and oversee United States  
20 participation in the United Nations headquarters renova-  
21 tion project: *Provided further*, That no funds may be obli-  
22 gated or expended for processing licenses for the export  
23 of satellites of United States origin (including commercial  
24 satellites and satellite components) to the People’s Repub-  
25 lic of China unless, at least 15 days in advance, the Com-

1 mittees on Appropriations of the House of Representatives  
2 and the Senate are notified of such proposed action.

3       In addition, not to exceed \$1,371,000 shall be derived  
4 from fees collected from other executive agencies for lease  
5 or use of facilities located at the International Center in  
6 accordance with section 4 of the International Center Act;  
7 in addition, as authorized by section 5 of such Act,  
8 \$490,000, to be derived from the reserve authorized by  
9 that section, to be used for the purposes set out in that  
10 section; in addition, as authorized by section 810 of the  
11 United States Information and Educational Exchange  
12 Act, not to exceed \$6,000,000, to remain available until  
13 expended, may be credited to this appropriation from fees  
14 or other payments received from English teaching, library,  
15 motion pictures, and publication programs and from fees  
16 from educational advising and counseling and exchange  
17 visitor programs; and, in addition, not to exceed \$15,000,  
18 which shall be derived from reimbursements, surcharges,  
19 and fees for use of Blair House facilities.

20       In addition, for the costs of worldwide security up-  
21 grades, \$646,701,000, to remain available until expended.

22                                   CAPITAL INVESTMENT FUND

23       For necessary expenses of the Capital Investment  
24 Fund, \$142,000,000, to remain available until expended,  
25 as authorized: *Provided*, That section 135(e) of Public  
26 Law 103–236 shall not apply to funds available under this

1 heading: *Provided further*, That, of the funds made avail-  
2 able under this heading, \$84,000,000 is for worldwide in-  
3 frastructure replacement only, which amount shall not be-  
4 come available for obligation until September 15, 2004.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector  
7 General, \$29,777,000, notwithstanding section 209(a)(1)  
8 of the Foreign Service Act of 1980 (Public Law 96–465),  
9 as it relates to post inspections.

10 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

11 For expenses of educational and cultural exchange  
12 programs, as authorized, \$345,346,000, to remain avail-  
13 able until expended: *Provided*, That not to exceed  
14 \$2,000,000, to remain available until expended, may be  
15 credited to this appropriation from fees or other payments  
16 received from or in connection with English teaching, edu-  
17 cational advising and counseling programs, and exchange  
18 visitor programs as authorized.

19 REPRESENTATION ALLOWANCES

20 For representation allowances as authorized,  
21 \$9,000,000.

22 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

23 For expenses, not otherwise provided, to enable the  
24 Secretary of State to provide for extraordinary protective  
25 services, as authorized, \$10,000,000, to remain available  
26 until September 30, 2005.

1 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

2 For necessary expenses for carrying out the Foreign  
3 Service Buildings Act of 1926 (22 U.S.C. 292–303), pre-  
4 serving, maintaining, repairing, and planning for buildings  
5 that are owned or directly leased by the Department of  
6 State, renovating, in addition to funds otherwise available,  
7 the Harry S Truman Building, and carrying out the Dip-  
8 lomatic Security Construction Program as authorized,  
9 \$532,935,000, to remain available until expended as au-  
10 thorized, of which not to exceed \$15,000 may be used for  
11 domestic and overseas representation as authorized: *Pro-*  
12 *vided*, That none of the funds appropriated in this para-  
13 graph shall be available for acquisition of furniture, fur-  
14 nishings, or generators for other departments and agen-  
15 cies.

16 In addition, for the costs of worldwide security up-  
17 grades, acquisition, and construction as authorized,  
18 \$861,400,000, to remain 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, \$1,000,000, 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), \$18,782,000.

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, \$134,979,000.

19 INTERNATIONAL ORGANIZATIONS

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, \$1,010,463,000: *Pro-*  
26 *vided*, That the Secretary of State shall notify the Com-

1 mittees on Appropriations at least 15 days in advance (or  
2 in an emergency, as far in advance as is practicable) of  
3 any United Nations action to increase funding for any  
4 United Nations program without identifying an offsetting  
5 decrease elsewhere in the United Nations budget and  
6 cause the United Nations to exceed the adopted budget  
7 for the biennium 2002–2003 of \$2,891,000,000: *Provided*  
8 *further*, That any payment of arrearages under this title  
9 shall be directed toward special activities that are mutually  
10 agreed upon by the United States and the respective inter-  
11 national organization: *Provided further*, That none of the  
12 funds appropriated in this paragraph shall be available for  
13 a United States contribution to an international organiza-  
14 tion for the United States share of interest costs made  
15 known to the United States Government by such organiza-  
16 tion for loans incurred on or after October 1, 1984,  
17 through external borrowings: *Provided further*, That funds  
18 appropriated under this paragraph may be obligated and  
19 expended to pay the full United States assessment to the  
20 civil budget of the North Atlantic Treaty Organization.

21 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

22 ACTIVITIES

23 For necessary expenses to pay assessed and other ex-  
24 penses of international peacekeeping activities directed to  
25 the maintenance or restoration of international peace and  
26 security, \$550,200,000: *Provided*, That none of the funds

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

1                   INTERNATIONAL COMMISSIONS

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

5       INTERNATIONAL BOUNDARY AND WATER COMMISSION,  
6                   UNITED STATES AND MEXICO

7           For necessary expenses for the United States Section  
8 of the International Boundary and Water Commission,  
9 United States and Mexico, and to comply with laws appli-  
10 cable to the United States Section, including not to exceed  
11 \$6,000 for representation; as follows:

12                   SALARIES AND EXPENSES

13           For salaries and expenses, not otherwise provided for,  
14 \$25,668,000.

15                   CONSTRUCTION

16           For detailed plan preparation and construction of au-  
17 thorized projects, \$5,500,000, to remain available until ex-  
18 pended, as authorized.

19       AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

20           For necessary expenses, not otherwise provided, for  
21 the International Joint Commission and the International  
22 Boundary Commission, United States and Canada, as au-  
23 thorized by treaties between the United States and Can-  
24 ada or Great Britain, and for the Border Environment  
25 Cooperation Commission as authorized by Public Law  
26 103–182, \$8,944,000, of which not to exceed \$9,000 shall

1 be available for representation expenses incurred by the  
2 International Joint Commission.

3 INTERNATIONAL FISHERIES COMMISSIONS

4 For necessary expenses for international fisheries  
5 commissions, not otherwise provided for, as authorized by  
6 law, \$16,989,000: *Provided*, That the United States' share  
7 of such expenses may be advanced to the respective com-  
8 missions pursuant to 31 U.S.C. 3324.

9 OTHER

10 PAYMENT TO THE ASIA FOUNDATION

11 For a grant to the Asia Foundation, as authorized  
12 by the Asia Foundation Act (22 U.S.C. 4402),  
13 \$10,376,000, to remain available until expended, as au-  
14 thorized.

15 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

16 For necessary expenses of Eisenhower Exchange Fel-  
17 lowships, Incorporated, as authorized by sections 4 and  
18 5 of the Eisenhower Exchange Fellowship Act of 1990 (20  
19 U.S.C. 5204–5205), all interest and earnings accruing to  
20 the Eisenhower Exchange Fellowship Program Trust  
21 Fund on or before September 30, 2004, to remain avail-  
22 able until expended: *Provided*, That none of the funds ap-  
23 propriated herein shall be used to pay any salary or other  
24 compensation, or to enter into any contract providing for  
25 the payment thereof, in excess of the rate authorized by  
26 5 U.S.C. 5376; or for purposes which are not in accord-

1   ance with OMB Circulars A–110 (Uniform Administrative  
2   Requirements) and A–122 (Cost Principles for Non-profit  
3   Organizations), including the restrictions on compensation  
4   for personal services.

5                   ISRAELI ARAB SCHOLARSHIP PROGRAM

6           For necessary expenses of the Israeli Arab Scholar-  
7   ship Program as authorized by section 214 of the Foreign  
8   Relations Authorization Act, Fiscal Years 1992 and 1993  
9   (22 U.S.C. 2452), all interest and earnings accruing to  
10   the Israeli Arab Scholarship Fund on or before September  
11   30, 2004, to remain available until expended.

12                   NATIONAL ENDOWMENT FOR DEMOCRACY

13           For grants made by the Department of State to the  
14   National Endowment for Democracy as authorized by the  
15   National Endowment for Democracy Act, \$42,000,000 to  
16   remain available until expended.

17                   RELATED AGENCY

18                   BROADCASTING BOARD OF GOVERNORS

19                   INTERNATIONAL BROADCASTING OPERATIONS

20           For expenses necessary to enable the Broadcasting  
21   Board of Governors, as authorized, to carry out inter-  
22   national communication activities, including the purchase,  
23   installation, rent, and improvement of facilities for radio  
24   and television transmission and reception to Cuba,  
25   \$552,105,000, of which not to exceed \$16,000 may be  
26   used for official receptions within the United States as au-

1 thorized, not to exceed \$35,000 may be used for represen-  
2 tation abroad as authorized, and not to exceed \$39,000  
3 may be used for official reception and representation ex-  
4 penses of Radio Free Europe/Radio Liberty; and in addi-  
5 tion, notwithstanding any other provision of law, not to  
6 exceed \$2,000,000 in receipts from advertising and rev-  
7 enue from business ventures, not to exceed \$500,000 in  
8 receipts from cooperating international organizations, and  
9 not to exceed \$1,000,000 in receipts from privatization ef-  
10 forts of the Voice of America and the International Broad-  
11 casting Bureau, to remain available until expended for  
12 carrying out authorized purposes.

13 BROADCASTING CAPITAL IMPROVEMENTS

14 For the purchase, rent, construction, and improve-  
15 ment of facilities for radio transmission and reception, and  
16 purchase and installation of necessary equipment for radio  
17 and television transmission and reception as authorized,  
18 \$11,395,000, to remain available until expended, as au-  
19 thorized.

20 GENERAL PROVISIONS—DEPARTMENT OF STATE AND  
21 RELATED AGENCY

22 SEC. 401. Funds appropriated under this title shall  
23 be available, except as otherwise provided, for allowances  
24 and differentials as authorized by subchapter 59 of title  
25 5, United States Code; for services as authorized by 5

1 U.S.C. 3109; and for hire of passenger transportation pur-  
2 suant to 31 U.S.C. 1343(b).

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

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

1        This title may be cited as the “Department of State  
2 and Related Agency Appropriations Act, 2004”.

3                    TITLE V—RELATED AGENCIES

4                    ANTITRUST MODERNIZATION COMMISSION

5                    SALARIES AND EXPENSES

6        For necessary expenses of the Antitrust Moderniza-  
7 tion Commission, as authorized by Public Law 107–273,  
8 \$1,499,000, to remain available until expended.

9                    COMMISSION FOR THE PRESERVATION OF AMERICA’S

10                    HERITAGE ABROAD

11                    SALARIES AND EXPENSES

12        For expenses for the Commission for the Preservation  
13 of America’s Heritage Abroad, \$499,000, as authorized by  
14 section 1303 of Public Law 99–83.

15                    COMMISSION ON CIVIL RIGHTS

16                    SALARIES AND EXPENSES

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

1 used to reimburse Commissioners for more than 75  
2 billable days, with the exception of the chairperson, who  
3 is permitted 125 billable days.

4 COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM  
5 SALARIES AND EXPENSES

6 For necessary expenses for the United States Com-  
7 mission on International Religious Freedom, as authorized  
8 by title II of the International Religious Freedom Act of  
9 1998 (Public Law 105–292), \$3,000,000, to remain avail-  
10 able until expended.

11 COMMISSION ON SECURITY AND COOPERATION IN  
12 EUROPE

13 SALARIES AND EXPENSES

14 For necessary expenses of the Commission on Secu-  
15 rity and Cooperation in Europe, as authorized by Public  
16 Law 94–304, \$1,615,000, to remain available until ex-  
17 pended as authorized by section 3 of Public Law 99–7.

18 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE

19 PEOPLE’S REPUBLIC OF CHINA

20 SALARIES AND EXPENSES

21 For necessary expenses of the Congressional-Execu-  
22 tive Commission on the People’s Republic of China, as au-  
23 thorized, \$1,800,000, including not more than \$3,000 for  
24 the purpose of official representation, to remain available  
25 until expended.

## 1        EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## 2                                SALARIES AND EXPENSES

3        For necessary expenses of the Equal Employment  
4 Opportunity Commission as authorized by title VII of the  
5 Civil Rights Act of 1964 (29 U.S.C. 206(d) and 621–634),  
6 the Americans with Disabilities Act of 1990, and the Civil  
7 Rights Act of 1991, including services as authorized by  
8 5 U.S.C. 3109; hire of passenger motor vehicles as author-  
9 ized by 31 U.S.C. 1343(b); non-monetary awards to pri-  
10 vate citizens; and not to exceed \$33,000,000 for payments  
11 to State and local enforcement agencies for services to the  
12 Commission pursuant to title VII of the Civil Rights Act  
13 of 1964, sections 6 and 14 of the Age Discrimination in  
14 Employment Act, the Americans with Disabilities Act of  
15 1990, and the Civil Rights Act of 1991, \$328,400,000:  
16 *Provided*, That the Commission is authorized to make  
17 available for official reception and representation expenses  
18 not to exceed \$2,500 from available funds.

## 19                                FEDERAL COMMUNICATIONS COMMISSION

## 20                                SALARIES AND EXPENSES

21        For necessary expenses of the Federal Communica-  
22 tions Commission, as authorized by law, including uni-  
23 forms and allowances therefor, as authorized by 5 U.S.C.  
24 5901–5902; not to exceed \$600,000 for land and struc-  
25 ture; not to exceed \$500,000 for improvement and care

1 of grounds and repair to buildings; not to exceed \$4,000  
2 for official reception and representation expenses; pur-  
3 chase and hire of motor vehicles; special counsel fees; and  
4 services as authorized by 5 U.S.C. 3109, \$278,958,000:  
5 *Provided*, That \$269,000,000 of offsetting collections shall  
6 be assessed and collected pursuant to section 9 of title I  
7 of the Communications Act of 1934, shall be retained and  
8 used for necessary expenses in this appropriation, and  
9 shall remain available until expended: *Provided further*,  
10 That the sum herein appropriated shall be reduced as such  
11 offsetting collections are received during fiscal year 2004  
12 so as to result in a final fiscal year 2004 appropriation  
13 estimated at \$9,958,000: *Provided further*, That any off-  
14 setting collections received in excess of \$269,000,000 in  
15 fiscal year 2004 shall remain available until expended, but  
16 shall not be available for obligation until October 1, 2004:  
17 *Provided further*, That, notwithstanding section 1353 of  
18 title 31, United States Code, no Commissioner or em-  
19 ployee of the Federal Communications Commission may  
20 accept, nor may the Commission accept, payment or reim-  
21 bursement from a non-Federal entity for travel, subsist-  
22 ence, or related expenses for the purpose of enabling a  
23 Commissioner or employee to attend and participate in a  
24 convention, conference, or meeting when the entity offer-  
25 ing payment or reimbursement is a person or corporation

1 subject to regulation by the Commission, or represents a  
 2 person or corporation subject to regulation by the Com-  
 3 mission, unless the person or corporation is an organiza-  
 4 tion exempt from taxation pursuant to section 501(c)(3)  
 5 of the Internal Revenue Code of 1986.

## 6 FEDERAL TRADE COMMISSION

### 7 SALARIES AND EXPENSES

8 For necessary expenses of the Federal Trade Com-  
 9 mission, including uniforms or allowances therefor, as au-  
 10 thorized by 5 U.S.C. 5901–5902; services as authorized  
 11 by 5 U.S.C. 3109; hire of passenger motor vehicles; and  
 12 not to exceed \$2,000 for official reception and representa-  
 13 tion expenses, \$183,041,000, to remain available until ex-  
 14 pended: *Provided*, That not to exceed \$300,000 shall be  
 15 available for use to contract with a person or persons for  
 16 collection services in accordance with the terms of 31  
 17 U.S.C. 3718: *Provided further*, That, notwithstanding any  
 18 other provision of law, not to exceed \$112,000,000 of off-  
 19 setting collections derived from fees collected for  
 20 premerger notification filings under the Hart-Scott-Ro-  
 21 dino Antitrust Improvements Act of 1976 (15 U.S.C.  
 22 18a), regardless of the year of collection, shall be retained  
 23 and used for necessary expenses in this appropriation:  
 24 *Provided further*, That \$20,100,000 in offsetting collec-  
 25 tions derived from fees sufficient to implement and enforce

1 the Telemarketing Sales Rule, promulgated under the  
2 Telephone Consumer Fraud and Abuse Prevention Act  
3 (15 U.S.C. 6101 et seq.), shall be credited to this account,  
4 and be retained and used for necessary expenses in this  
5 appropriation: *Provided further*, That the sum herein ap-  
6 propriated from the general fund shall be reduced as such  
7 offsetting collections are received during fiscal year 2004,  
8 so as to result in a final fiscal year 2004 appropriation  
9 from the general fund estimated at not more than  
10 \$50,941,000: *Provided further*, That none of the funds  
11 made available to the Federal Trade Commission shall be  
12 available for obligation for expenses authorized by section  
13 151 of the Federal Deposit Insurance Corporation Im-  
14 provement Act of 1991 (Public Law 102-242; 105 Stat.  
15 2282-2285): *Provided further*, That, notwithstanding sec-  
16 tion 1353 of title 31, United States Code, no Commis-  
17 sioner or employee of the Federal Trade Commission may  
18 accept, nor may the Commission accept, payment or reim-  
19 bursement from a non-Federal entity for travel, subsist-  
20 ence, or related expenses for the purpose of enabling a  
21 Commissioner or employee to attend and participate in a  
22 convention, conference, or meeting when the entity offer-  
23 ing payment or reimbursement is a person or corporation  
24 subject to regulation by the Commission, or represents a  
25 person or corporation subject to regulation by the Com-

1 mission, unless the person or corporation is an organiza-  
2 tion exempt from taxation pursuant to section 501(c)(3)  
3 of the Internal Revenue Code of 1986.

#### 4 LEGAL SERVICES CORPORATION

##### 5 PAYMENT TO THE LEGAL SERVICES CORPORATION

6 For payment to the Legal Services Corporation to  
7 carry out the purposes of the Legal Services Corporation  
8 Act of 1974, \$338,848,000, of which \$319,548,000 is for  
9 basic field programs and required independent audits;  
10 \$2,600,000 is for the Office of Inspector General, of which  
11 such amounts as may be necessary may be used to conduct  
12 additional audits of recipients; \$13,300,000 is for manage-  
13 ment and administration; and \$3,400,000 is for client self-  
14 help and information technology.

##### 15 ADMINISTRATIVE PROVISION—LEGAL SERVICES

##### 16 CORPORATION

17 None of the funds appropriated in this Act to the  
18 Legal Services Corporation shall be expended for any pur-  
19 pose prohibited or limited by, or contrary to any of the  
20 provisions of, sections 501, 502, 503, 504, 505, and 506  
21 of Public Law 105–119, and all funds appropriated in this  
22 Act to the Legal Services Corporation shall be subject to  
23 the same terms and conditions set forth in such sections,  
24 except that all references in sections 502 and 503 to 1997  
25 and 1998 shall be deemed to refer instead to 2003 and  
26 2004, respectively.

## 1 MARINE MAMMAL COMMISSION

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the Marine Mammal Com-  
4 mission as authorized by title II of Public Law 92-522,  
5 \$1,856,000.

## 6 NATIONAL VETERANS BUSINESS DEVELOPMENT

## 7 CORPORATION

8 For necessary expenses of the National Veterans  
9 Business Development Corporation as authorized under  
10 section 33(a) of the Small Business Act, \$2,000,000.

## 11 SECURITIES AND EXCHANGE COMMISSION

## 12 SALARIES AND EXPENSES

13 For necessary expenses for the Securities and Ex-  
14 change Commission, including services as authorized by  
15 5 U.S.C. 3109, the rental of space (to include multiple  
16 year leases) in the District of Columbia and elsewhere, and  
17 not to exceed \$3,000 for official reception and representa-  
18 tion expenses, \$841,500,000; of which not to exceed  
19 \$10,000 may be used toward funding a permanent secre-  
20 tariat for the International Organization of Securities  
21 Commissions; and of which not to exceed \$100,000 shall  
22 be available for expenses for consultations and meetings  
23 hosted by the Commission with foreign governmental and  
24 other regulatory officials, members of their delegations,  
25 appropriate representatives and staff to exchange views

1 concerning developments relating to securities matters, de-  
2 velopment and implementation of cooperation agreements  
3 concerning securities matters and provision of technical  
4 assistance for the development of foreign securities mar-  
5 kets, such expenses to include necessary logistic and ad-  
6 ministrative expenses and the expenses of Commission  
7 staff and foreign invitees in attendance at such consulta-  
8 tions and meetings including (1) such incidental expenses  
9 as meals taken in the course of such attendance; (2) any  
10 travel and transportation to or from such meetings; and  
11 (3) any other related lodging or subsistence: *Provided*,  
12 That fees and charges authorized by sections 6(b) of the  
13 Securities Exchange Act of 1933 (15 U.S.C. 77f(b)), and  
14 13(e), 14(g) and 31 of the Securities Exchange Act of  
15 1934 (15 U.S.C. 78m(e), 78n(g), and 78ee), shall be cred-  
16 ited to this account as offsetting collections: *Provided fur-*  
17 *ther*, That not to exceed \$738,500,000 of such offsetting  
18 collections shall be available until expended for necessary  
19 expenses of this account: *Provided further*, That  
20 \$103,000,000 shall be derived from prior year unobligated  
21 balances from funds previously appropriated to the Securi-  
22 ties and Exchange Commission: *Provided further*, That the  
23 total amount appropriated under this heading from the  
24 general fund for fiscal year 2004 shall be reduced as such  
25 offsetting fees are received so as to result in a final total

1 fiscal year 2004 appropriation from the general fund esti-  
2 mated at not more than \$0: *Provided further*, That, not-  
3 withstanding section 1353 of title 31, United States Code,  
4 no Commissioner or employee of the Securities and Ex-  
5 change Commission may accept, nor may the Commission  
6 accept, payment or reimbursement from a non-Federal en-  
7 tity for travel, subsistence, or related expenses for the pur-  
8 pose of enabling a Commissioner or employee to attend  
9 and participate in a convention, conference, or meeting  
10 when the entity offering payment or reimbursement is a  
11 person or corporation subject to regulation by the Com-  
12 mission, or represents a person or corporation subject to  
13 regulation by the Commission, unless the person or cor-  
14 poration is an organization exempt from taxation pursuant  
15 to section 501(c)(3) of the Internal Revenue Code of 1986.

16 SMALL BUSINESS ADMINISTRATION

17 SALARIES AND EXPENSES

18 For necessary expenses, not otherwise provided for,  
19 of the Small Business Administration as authorized by  
20 Public Law 105–135, including hire of passenger motor  
21 vehicles as authorized by 31 U.S.C. 1343 and 1344, and  
22 not to exceed \$3,500 for official reception and representa-  
23 tion expenses, \$326,592,000: *Provided*, That the Adminis-  
24 trator is authorized to charge fees to cover the cost of pub-  
25 lications developed by the Small Business Administration,

1 and certain loan servicing activities: *Provided further*,  
2 That, notwithstanding 31 U.S.C. 3302, revenues received  
3 from all such activities shall be credited to this account,  
4 to be available for carrying out these purposes without fur-  
5 ther appropriations.

6 OFFICE OF INSPECTOR GENERAL

7 For necessary expenses of the Office of Inspector  
8 General in carrying out the provisions of the Inspector  
9 General Act of 1978, \$13,000,000.

10 BUSINESS LOANS PROGRAM ACCOUNT

11 For the cost of direct loans, \$1,910,000, to be avail-  
12 able until expended; and for the cost of guaranteed loans,  
13 \$84,805,000, as authorized by 15 U.S.C. 631 note, of  
14 which \$45,000,000 shall remain available until September  
15 30, 2005: *Provided*, That such costs, including the cost  
16 of modifying such loans, shall be as defined in section 502  
17 of the Congressional Budget Act of 1974: *Provided fur-*  
18 *ther*, That during fiscal year 2004 commitments to guar-  
19 antee loans under section 503 of the Small Business In-  
20 vestment Act of 1958, shall not exceed \$4,500,000,000:  
21 *Provided further*, That during fiscal year 2004 commit-  
22 ments for general business loans authorized under section  
23 7(a) of the Small Business Act, shall not exceed  
24 \$10,000,000,000 without prior notification of the Com-  
25 mittees on Appropriations of the House of Representatives  
26 and Senate in accordance with section 605 of this Act:

1 *Provided further*, That during fiscal year 2004 commit-  
2 ments to guarantee loans for debentures and participating  
3 securities under section 303(b) of the Small Business In-  
4 vestment Act of 1958, shall not exceed the levels estab-  
5 lished by section 20(i)(1)(C) of the Small Business Act:

6 *Provided further*, That during fiscal year 2004 guarantees  
7 of trust certificates authorized by section 5(g) of the Small  
8 Business Act shall not exceed a principal amount of  
9 \$10,000,000,000.

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

14 DISASTER LOANS PROGRAM ACCOUNT

15 For the cost of direct loans authorized by section 7(b)  
16 of the Small Business Act, \$72,665,000, to remain avail-  
17 able until expended: *Provided*, That such costs, including  
18 the cost of modifying such loans, shall be as defined in  
19 section 502 of the Congressional Budget Act of 1974.

20 In addition, for administrative expenses to carry out  
21 the direct loan program, \$117,585,000, which may be  
22 transferred to and merged with appropriations for Salaries  
23 and Expenses, of which \$500,000 is for the Office of In-  
24 spector General of the Small Business Administration for  
25 audits and reviews of disaster loans and the disaster loan  
26 program and shall be transferred to and merged with ap-

1    appropriations for the Office of Inspector General; of which  
2    \$108,000,000 is for direct administrative expenses of loan  
3    making and servicing to carry out the direct loan program;  
4    and of which \$9,085,000 is for indirect administrative ex-  
5    penses: *Provided*, That any amount in excess of  
6    \$9,085,000 to be transferred to and merged with appro-  
7    priations for Salaries and Expenses for indirect adminis-  
8    trative expenses shall be treated as a reprogramming of  
9    funds under section 605 of this Act and shall not be avail-  
10   able for obligation or expenditure except in compliance  
11   with the procedures set forth in that section.

12            ADMINISTRATIVE PROVISION—SMALL BUSINESS

13                            ADMINISTRATION

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

## 1 STATE JUSTICE INSTITUTE

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the State Justice Institute,  
4 as authorized by the State Justice Institute Authorization  
5 Act of 1992 (Public Law 102–572), \$3,000,000: *Provided*,  
6 That not to exceed \$2,500 shall be available for official  
7 reception and representation expenses.

## 8 TITLE VI—GENERAL PROVISIONS

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

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

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

22 SEC. 604. If any provision of this Act or the applica-  
23 tion of such provision to any person or circumstances shall  
24 be held invalid, the remainder of the Act and the applica-  
25 tion of each provision to persons or circumstances other

1 than those as to which it is held invalid shall not be af-  
2 fected thereby.

3       SEC. 605. (a) None of the funds provided under this  
4 Act, or provided under previous appropriations Acts to the  
5 agencies funded by this Act that remain available for obli-  
6 gation or expenditure in fiscal year 2004, or provided from  
7 any accounts in the Treasury of the United States derived  
8 by the collection of fees available to the agencies funded  
9 by this Act, shall be available for obligation or expenditure  
10 through a reprogramming of funds that (1) creates new  
11 programs; (2) eliminates a program, project, or activity;  
12 (3) increases funds or personnel by any means for any  
13 project or activity for which funds have been denied or  
14 restricted; (4) relocates an office or employees; (5) reorga-  
15 nizes offices, programs, or activities; or (6) contracts out  
16 or privatizes any functions or activities presently per-  
17 formed by Federal employees; unless the Appropriations  
18 Committees of both Houses of Congress are notified 15  
19 days in advance of such reprogramming of funds.

20       (b) None of the funds provided under this Act, or  
21 provided under previous appropriations Acts to the agen-  
22 cies funded by this Act that remain available for obligation  
23 or expenditure in fiscal year 2004, or provided from any  
24 accounts in the Treasury of the United States derived by  
25 the collection of fees available to the agencies funded by

1 this Act, shall be available for obligation or expenditure  
2 for activities, programs, or projects through a reprogram-  
3 ming of funds in excess of \$500,000 or 10 percent, which-  
4 ever is less, that (1) augments existing programs, projects,  
5 or activities; (2) reduces by 10 percent funding for any  
6 existing program, project, or activity, or numbers of per-  
7 sonnel by 10 percent as approved by Congress; or (3) re-  
8 sults from any general savings from a reduction in per-  
9 sonnel which would result in a change in existing pro-  
10 grams, activities, or projects as approved by Congress; un-  
11 less the Appropriations Committees of both Houses of  
12 Congress are notified 15 days in advance of such re-  
13 programming of funds.

14       SEC. 606. None of the funds made available in this  
15 Act may be used for the construction, repair (other than  
16 emergency repair), overhaul, conversion, or modernization  
17 of vessels for the National Oceanic and Atmospheric Ad-  
18 ministration in shipyards located outside of the United  
19 States.

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

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

7       (c) PROHIBITION OF CONTRACTS WITH PERSONS  
8 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—  
9 If it has been finally determined by a court or Federal  
10 agency that any person intentionally affixed a label bear-  
11 ing a “Made in America” inscription, or any inscription  
12 with the same meaning, to any product sold in or shipped  
13 to the United States that is not made in the United  
14 States, the person shall be ineligible to receive any con-  
15 tract or subcontract made with funds made available in  
16 this Act, pursuant to the debarment, suspension, and ineli-  
17 gibility procedures described in sections 9.400 through  
18 9.409 of title 48, Code of Federal Regulations.

19       SEC. 608. None of the funds made available in this  
20 Act may be used to implement, administer, or enforce any  
21 guidelines of the Equal Employment Opportunity Com-  
22 mission covering harassment based on religion, when it is  
23 made known to the Federal entity or official to which such  
24 funds are made available that such guidelines do not differ  
25 in any respect from the proposed guidelines published by

1 the Commission on October 1, 1993 (58 Fed. Reg.  
2 51266).

3       SEC. 609. None of the funds made available by this  
4 Act may be used for any United Nations undertaking  
5 when it is made known to the Federal official having au-  
6 thority to obligate or expend such funds that (1) the  
7 United Nations undertaking is a peacekeeping mission; (2)  
8 such undertaking will involve United States Armed Forces  
9 under the command or operational control of a foreign na-  
10 tional; and (3) the President's military advisors have not  
11 submitted to the President a recommendation that such  
12 involvement is in the national security interests of the  
13 United States and the President has not submitted to the  
14 Congress such a recommendation.

15       SEC. 610. (a) None of the funds appropriated or oth-  
16 erwise made available by this Act shall be expended for  
17 any purpose for which appropriations are prohibited by  
18 section 609 of the Departments of Commerce, Justice, and  
19 State, the Judiciary, and Related Agencies Appropriations  
20 Act, 1999.

21       (b) The requirements in subparagraphs (A) and (B)  
22 of section 609 of that Act shall continue to apply during  
23 fiscal year 2004.

24       SEC. 611. Any costs incurred by a department or  
25 agency funded under this Act resulting from personnel ac-

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

12 SEC. 612. Of the funds appropriated in this Act  
13 under the heading “Office of Justice Programs—State  
14 and Local Law Enforcement Assistance”, not more than  
15 90 percent of the amount to be awarded to an entity under  
16 the Local Law Enforcement Block Grant shall be made  
17 available to such an entity when it is made known to the  
18 Federal official having authority to obligate or expend  
19 such funds that the entity that employs a public safety  
20 officer (as such term is defined in section 1204 of title  
21 I of the Omnibus Crime Control and Safe Streets Act of  
22 1968) does not provide such a public safety officer who  
23 retires or is separated from service due to injury suffered  
24 as the direct and proximate result of a personal injury  
25 sustained in the line of duty while responding to an emer-

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

5 SEC. 613. None of the funds provided by this Act  
6 shall be available to promote the sale or export of tobacco  
7 or tobacco products, or to seek the reduction or removal  
8 by any foreign country of restrictions on the marketing  
9 of tobacco or tobacco products, except for restrictions  
10 which are not applied equally to all tobacco or tobacco  
11 products of the same type.

12 SEC. 614. (a) None of the funds appropriated or oth-  
13 erwise made available by this Act shall be expended for  
14 any purpose for which appropriations are prohibited by  
15 section 616 of the Departments of Commerce, Justice, and  
16 State, the Judiciary, and Related Agencies Appropriations  
17 Act, 1999.

18 (b) The requirements in subsections (b) and (c) of  
19 section 616 of that Act shall continue to apply during fis-  
20 cal year 2004.

21 SEC. 615. None of the funds appropriated pursuant  
22 to this Act or any other provision of law may be used for  
23 (1) the implementation of any tax or fee in connection  
24 with the implementation of 18 U.S.C. 922(t); and (2) any  
25 system to implement 18 U.S.C. 922(t) that does not re-

1   quire and result in the immediate destruction of any iden-  
2   tifying information submitted by or on behalf of any per-  
3   son who has been determined not to be prohibited from  
4   owning a firearm.

5       SEC. 616. Notwithstanding any other provision of  
6   law, amounts deposited or available in the Fund estab-  
7   lished under 42 U.S.C. 10601 in any fiscal year in excess  
8   of \$625,000,000 shall not be available for obligation until  
9   the following fiscal year.

10       SEC. 617. None of the funds made available to the  
11   Department of Justice in this Act may be used to discrimi-  
12   nate against or denigrate the religious or moral beliefs of  
13   students who participate in programs for which financial  
14   assistance is provided from those funds, or of the parents  
15   or legal guardians of such students.

16       SEC. 618. None of the funds appropriated or other-  
17   wise made available to the Department of State shall be  
18   available for the purpose of granting either immigrant or  
19   nonimmigrant visas, or both, consistent with the deter-  
20   mination of the Secretary of State under section 243(d)  
21   of the Immigration and Nationality Act, to citizens, sub-  
22   jects, nationals, or residents of countries that the Sec-  
23   retary of Homeland Security has determined deny or un-  
24   reasonably delay accepting the return of citizens, subjects,  
25   nationals, or residents under that section.

1        SEC. 619. None of the funds made available to the  
2 Department of Justice in this Act may be used for the  
3 purpose of transporting an individual who is a prisoner  
4 pursuant to conviction for crime under State or Federal  
5 law and is classified as a maximum or high security pris-  
6 oner, other than to a prison or other facility certified by  
7 the Federal Bureau of Prisons as appropriately secure for  
8 housing such a prisoner.

9        SEC. 620. (a) None of the funds appropriated by this  
10 Act may be used by Federal prisons to purchase cable tele-  
11 vision services, to rent or purchase videocassettes, video-  
12 cassette recorders, or other audiovisual or electronic equip-  
13 ment used primarily for recreational purposes.

14        (b) The preceding sentence does not preclude the  
15 renting, maintenance, or purchase of audiovisual or elec-  
16 tronic equipment for inmate training, religious, or edu-  
17 cational programs.

18        SEC. 621. None of the funds made available in this  
19 Act may be transferred to any department, agency, or in-  
20 strumentality of the United States Government, except  
21 pursuant to a transfer made by, or transfer authority pro-  
22 vided in, this Act or any other appropriation Act.

23        SEC. 622. The Departments of Commerce, Justice,  
24 State, the Judiciary, and the Small Business Administra-  
25 tion shall each establish a policy under which eligible em-

1 ployees may participate in telecommuting to the maximum  
2 extent possible without diminished employee performance:  
3 *Provided*, That, not later than six months after the date  
4 of the enactment of this Act, each of the aforementioned  
5 entities shall provide that the requirements of this section  
6 are applied to 100 percent of the workforce: *Provided fur-*  
7 *ther*, That, of the funds appropriated in this Act for the  
8 Departments of Commerce, Justice, and State, the Judici-  
9 ary, and the Small Business Administration, \$250,000  
10 shall be available to each Department or agency only to  
11 implement telecommuting programs: *Provided further*,  
12 That, every six months, each Department or agency shall  
13 provide a report to the Committees on Appropriations on  
14 the status of telecommuting programs, including the num-  
15 ber of Federal employees eligible for, and participating in,  
16 such programs, and uses of funds designated under this  
17 section: *Provided further*, That each Department or agency  
18 shall designate a “Telework Coordinator” to be respon-  
19 sible for overseeing the implementation of telecommuting  
20 programs and serve as a point of contact on such pro-  
21 grams for the Committees on Appropriations.

22 SEC. 623. The paragraph under the heading “Small  
23 Business Administration—Disaster Loans Program Ac-  
24 count” in chapter 2 of division B of Public Law 107–117

1 is amended by inserting “or section 7(b) of the Small  
2 Business Act” after “September 11, 2001”.

3 SEC. 624. None of the funds in this Act may be used  
4 to grant, transfer or assign a license for a commercial TV  
5 broadcast station to any party (including all parties under  
6 common control) if the grant, transfer or assignment of  
7 such license would result in such party or any of its stock-  
8 holders, partners, members, officers or directors, directly  
9 or indirectly, owning, operating or controlling, or having  
10 a cognizable interest in TV stations which have an aggre-  
11 gate national audience reach, as defined in 47 C.F.R.  
12 73.3555, exceeding thirty-five (35) percent.

13 SEC. 625. (a) Tracing studies conducted by the Bu-  
14 reau of Alcohol, Tobacco, Firearms, and Explosives are  
15 released without adequate disclaimers regarding the limi-  
16 tations of the data.

17 (b) The Bureau of Alcohol, Tobacco, Firearms, and  
18 Explosives shall include in all such data releases, language  
19 similar to the following that would make clear that trace  
20 data cannot be used to draw broad conclusions about fire-  
21 arms-related crime:

22 “(1) Firearm traces are designed to assist law  
23 enforcement authorities in conducting investigations  
24 by tracking the sale and possession of specific fire-  
25 arms. Law enforcement agencies may request fire-

1 arms traces for any reason, and those reasons are  
 2 not necessarily reported to the Federal Government.  
 3 Not all firearms used in crime are traced and not all  
 4 firearms traced are used in crime.

5 “(2) Firearms selected for tracing are not cho-  
 6 sen for purposes of determining which types, makes  
 7 or models of firearms are used for illicit purposes.  
 8 The firearms selected do not constitute a random  
 9 sample and should not be considered representative  
 10 of the larger universe of all firearms used by crimi-  
 11 nals, or any subset of that universe. Firearms are  
 12 normally traced to the first retail seller, and sources  
 13 reported for firearms traced do not necessarily rep-  
 14 resent the sources or methods by which firearms in  
 15 general are acquired for use in crime.”.

## 16 TITLE VII—RESCISSIONS

### 17 DEPARTMENT OF JUSTICE

#### 18 OFFICE OF JUSTICE PROGRAMS

##### 19 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

###### 20 (RESCISSION)

21 Of the unobligated balances available under this  
 22 heading, \$24,122,000 are rescinded.

##### 23 COMMUNITY ORIENTED POLICING SERVICES

###### 24 (RESCISSION)

25 Of the unobligated balances available under this  
 26 heading, \$6,378,000 are rescinded.

1        This Act may be cited as the “Departments of Com-  
2 merce, Justice, and State, the Judiciary, and Related  
3 Agencies Appropriations Act, 2004”.



**Union Calendar No. 122**

108TH CONGRESS  
1ST SESSION

**H. R. 2799**

**[Report No. 108-221]**

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**A BILL**

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

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JULY 21, 2003

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