

109TH CONGRESS
1ST SESSION

H. R. 2862

AN ACT

Making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, 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,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 fiscal year ending September 30, 2006, and for other pur-
4 poses, namely:

5 TITLE I—DEPARTMENT OF JUSTICE

6 GENERAL ADMINISTRATION

7 SALARIES AND EXPENSES

8 For expenses necessary for the administration of the
9 Department of Justice, \$126,956,000 (reduced by
10 \$2,500,000), of which not to exceed \$3,317,000 is for the
11 Facilities Program 2000, to remain available until ex-
12 pended: *Provided*, That not to exceed 45 permanent posi-
13 tions and 46 full-time equivalent workyears and
14 \$11,821,000 shall be expended for the Department Lead-
15 ership Program exclusive of augmentation that occurred
16 in these offices in fiscal year 2005: *Provided further*, That
17 not to exceed 28 permanent positions, 23 full-time equiva-
18 lent workyears and \$3,980,000 shall be expended for the
19 Office of Legislative Affairs: *Provided further*, That not
20 to exceed 17 permanent positions, 22 full-time equivalent
21 workyears and \$2,764,000 shall be expended for the Office
22 of Public Affairs: *Provided further*, That the latter two
23 aforementioned offices may utilize non-reimbursable de-
24 tails of career employees within the caps described in the
25 preceding two provisos.

1 JUSTICE INFORMATION SHARING TECHNOLOGY

2 For necessary expenses for information sharing tech-
 3 nology, including planning, development, deployment and
 4 Departmental direction, \$135,000,000, to remain avail-
 5 able until expended.

6 NARROWBAND COMMUNICATIONS/INTEGRATED WIRELESS
 7 NETWORK

8 For the costs of conversion to narrowband commu-
 9 nications, including the cost for operation and mainte-
 10 nance of Land Mobile Radio legacy systems, \$110,000,000
 11 (reduced by \$39,126,000), to remain available until Sep-
 12 tember 30, 2007: *Provided*, That the Attorney General
 13 shall transfer to the “Narrowband Communications” ac-
 14 count all funds made available to the Department of Jus-
 15 tice for the purchase of portable and mobile radios: *Pro-*
 16 *vided further*, That any transfer made under the preceding
 17 proviso shall be subject to section 605 of this Act.

18 ADMINISTRATIVE REVIEW AND APPEALS

19 For expenses necessary for the administration of par-
 20 don and clemency petitions and immigration-related activi-
 21 ties, \$215,685,000.

22 DETENTION TRUSTEE

23 For necessary expenses of the Federal Detention
 24 Trustee, \$1,222,000,000, to remain available until ex-
 25 pended: *Provided*, That the Trustee shall be responsible
 26 for managing the Justice Prisoner and Alien Transpor-

1 tation System and for overseeing housing related to such
 2 detention: *Provided further*, That any unobligated balances
 3 available in prior years from the funds appropriated under
 4 the heading “Federal Prisoner Detention” shall be trans-
 5 ferred to and merged with the appropriation under the
 6 heading “Detention Trustee” and shall be available until
 7 expended.

8 OFFICE OF INSPECTOR GENERAL

9 For necessary expenses of the Office of Inspector
 10 General, \$66,801,000, including not to exceed \$10,000 to
 11 meet unforeseen emergencies of a confidential character.

12 UNITED STATES PAROLE COMMISSION

13 SALARIES AND EXPENSES

14 For necessary expenses of the United States Parole
 15 Commission as authorized, \$11,200,000.

16 LEGAL ACTIVITIES

17 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

18 For expenses necessary for the legal activities of the
 19 Department of Justice, not otherwise provided for, includ-
 20 ing not to exceed \$20,000 for expenses of collecting evi-
 21 dence, to be expended under the direction of, and to be
 22 accounted for solely under the certificate of, the Attorney
 23 General; and rent of private or Government-owned space
 24 in the District of Columbia, \$665,821,000, of which not
 25 to exceed \$10,000,000 for litigation support contracts
 26 shall remain available until expended: *Provided*, That of

1 the total amount appropriated, not to exceed \$1,000 shall
2 be available to the United States National Central Bu-
3 reau, INTERPOL, for official reception and representa-
4 tion expenses: *Provided further*, That notwithstanding sec-
5 tion 105 of this Act, upon a determination by the Attorney
6 General that emergent circumstances require additional
7 funding for litigation activities of the Civil Division, the
8 Attorney General may transfer such amounts to “Salaries
9 and Expenses, General Legal Activities” from available
10 appropriations for the current fiscal year for the Depart-
11 ment of Justice, as may be necessary to respond to such
12 circumstances: *Provided further*, That any transfer pursu-
13 ant to the previous proviso shall be treated as a re-
14 programming under section 605 of this Act and shall not
15 be available for obligation or expenditure except in compli-
16 ance with the procedures set forth in that section.

17 In addition, for reimbursement of expenses of the De-
18 partment of Justice associated with processing cases
19 under the National Childhood Vaccine Injury Act of 1986,
20 not to exceed \$6,333,000, to be appropriated from the
21 Vaccine Injury Compensation Trust Fund.

22 SALARIES AND EXPENSES, ANTITRUST DIVISION

23 For expenses necessary for the enforcement of anti-
24 trust and kindred laws, \$144,451,000, to remain available
25 until expended: *Provided*, That, notwithstanding any other
26 provision of law, not to exceed \$116,000,000 of offsetting

1 collections derived from fees collected for premerger notifi-
2 cation filings under the Hart-Scott-Rodino Antitrust Im-
3 provements Act of 1976 (15 U.S.C. 18a), regardless of
4 the year of collection, shall be retained and used for nec-
5 essary expenses in this appropriation, and shall remain
6 available until expended: *Provided further*, That the sum
7 herein appropriated from the general fund shall be re-
8 duced as such offsetting collections are received during fis-
9 cal year 2006, so as to result in a final fiscal year 2006
10 appropriation from the general fund estimated at not more
11 than \$28,451,000.

12 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

13 For necessary expenses of the Offices of the United
14 States Attorneys, including inter-governmental and coop-
15 erative agreements, \$1,626,146,000: *Provided*, That of the
16 total amount appropriated, not to exceed \$8,000 shall be
17 available for official reception and representation ex-
18 penses: *Provided further*, That not to exceed \$20,000,000
19 shall remain available until expended: *Provided further*,
20 That, in addition to reimbursable full-time equivalent
21 workyears available to the Offices of the United States At-
22 torneys, not to exceed 10,465 positions and 10,451 full-
23 time equivalent workyears shall be supported from the
24 funds appropriated in this Act for the United States At-
25 torneys.

1 UNITED STATES TRUSTEE SYSTEM FUND

2 For necessary expenses of the United States Trustee
3 Program, as authorized, \$214,402,000, to remain avail-
4 able until expended and to be derived from the United
5 States Trustee System Fund: *Provided*, That, notwith-
6 standing any other provision of law, deposits to the Fund
7 shall be available in such amounts as may be necessary
8 to pay refunds due depositors: *Provided further*, That, not-
9 withstanding any other provision of law, \$214,402,000 of
10 offsetting collections pursuant to 28 U.S.C. 589a(b) shall
11 be retained and used for necessary expenses in this appro-
12 priation and remain available until expended: *Provided*
13 *further*, That the sum herein appropriated from the Fund
14 shall be reduced as such offsetting collections are received
15 during fiscal year 2006, so as to result in a final fiscal
16 year 2006 appropriation from the Fund estimated at \$0.

17 SALARIES AND EXPENSES, FOREIGN CLAIMS

18 SETTLEMENT COMMISSION

19 For expenses necessary to carry out the activities of
20 the Foreign Claims Settlement Commission, including
21 services as authorized by 5 U.S.C. 3109, \$1,220,000.

22 UNITED STATES MARSHALS SERVICE

23 SALARIES AND EXPENSES

24 For necessary expenses of the United States Mar-
25 shals Service, \$800,255,000; of which not to exceed
26 \$6,000 shall be available for official reception and rep-

1 representation expenses; and of which \$20,000,000 for infor-
2 mation technology systems, equipment, and the renovation
3 of United States Marshals Service prisoner holding space
4 in United States courthouses and Federal buildings shall
5 remain available until expended: *Provided*, That, in addi-
6 tion to reimbursable full-time equivalent workyears avail-
7 able to the United States Marshals Service, not to exceed
8 4,729 positions and 4,551 full-time equivalent workyears
9 shall be supported from the funds appropriated in this Act
10 for the United States Marshals Service.

11 FEES AND EXPENSES OF WITNESSES

12 For fees and expenses of witnesses, for expenses of
13 contracts for the procurement and supervision of expert
14 witnesses, for private counsel expenses, including ad-
15 vances, such sums as are necessary, to remain available
16 until expended: *Provided*, That not to exceed \$8,000,000
17 may be made available for construction of buildings for
18 protected witness safesites: *Provided further*, That not to
19 exceed \$1,000,000 may be made available for the purchase
20 and maintenance of armored vehicles for transportation
21 of protected witnesses: *Provided further*, That not to ex-
22 ceed \$7,000,000 may be made available for the purchase,
23 installation, maintenance and upgrade of secure tele-
24 communications equipment and a secure automated infor-
25 mation network to store and retrieve the identities and
26 locations of protected witnesses.

1 SALARIES AND EXPENSES, COMMUNITY RELATIONS

2 SERVICE

3 For necessary expenses of the Community Relations
4 Service, \$9,659,000: *Provided*, That notwithstanding sec-
5 tion 105 of this Act, upon a determination by the Attorney
6 General that emergent circumstances require additional
7 funding for conflict resolution and violence prevention ac-
8 tivities of the Community Relations Service, the Attorney
9 General may transfer such amounts to the Community Re-
10 lations Service, from available appropriations for the cur-
11 rent fiscal year for the Department of Justice, as may be
12 necessary to respond to such circumstances: *Provided fur-*
13 *ther*, That any transfer pursuant to the previous proviso
14 shall be treated as a reprogramming 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 ASSETS FORFEITURE FUND

19 For expenses authorized by 28 U.S.C. 524(c)(1)(B),
20 (F), and (G), \$21,468,000, to be derived from the Depart-
21 ment of Justice Assets Forfeiture Fund.

22 INTERAGENCY LAW ENFORCEMENT

23 INTERAGENCY CRIME AND DRUG ENFORCEMENT

24 For necessary expenses for the identification, inves-
25 tigation, and prosecution of individuals associated with the
26 most significant drug trafficking and affiliated money

1 laundering organizations not otherwise provided for, to in-
2 clude inter-governmental agreements with State and local
3 law enforcement agencies engaged in the investigation and
4 prosecution of individuals involved in organized crime drug
5 trafficking, \$506,940,000, of which \$50,000,000 shall re-
6 main available until expended: *Provided*, That any
7 amounts obligated from appropriations under this heading
8 may be used under authorities available to the organiza-
9 tions reimbursed from this appropriation.

10 FEDERAL BUREAU OF INVESTIGATION

11 SALARIES AND EXPENSES

12 For necessary expenses of the Federal Bureau of In-
13 vestigation for detection, investigation, and prosecution of
14 crimes against the United States; including purchase for
15 police-type use of not to exceed 3,868 passenger motor ve-
16 hicles, of which 3,039 will be for replacement only; and
17 not to exceed \$70,000 to meet unforeseen emergencies of
18 a confidential character pursuant to 28 U.S.C. 530C,
19 \$5,741,132,000; of which not to exceed \$150,000,000
20 shall remain available until expended; of which
21 \$2,288,897,000 shall be for counterterrorism investiga-
22 tions, foreign counterintelligence, and other activities re-
23 lated to our national security; and of which not to exceed
24 \$25,000,000 is authorized to be made available for making
25 advances for expenses arising out of contractual or reim-

13 For necessary expenses to construct or acquire build-
14 ings and sites by purchase, or as otherwise authorized by
15 law (including equipment for such buildings); conversion
16 and extension of Federally-owned buildings; and prelimi-
17 nary planning and design of projects; \$20,105,000, to re-
18 main available until expended: *Provided, That*
19 \$10,000,000 shall be available for equipment and associ-
20 ated costs for a permanent central records complex in
21 Frederick County, Virginia.

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character pursuant

1 to 28 U.S.C. 530C; expenses for conducting drug edu-
 2 cation and training programs, including travel and related
 3 expenses for participants in such programs and the dis-
 4 tribution of items of token value that promote the goals
 5 of such programs; and purchase of not to exceed 1,043
 6 passenger motor vehicles, of which 937 will be for replace-
 7 ment only, for police-type use, \$1,706,173,000 (increased
 8 by \$10,000,000); of which not to exceed \$75,000,000 shall
 9 remain available until expended; and of which not to ex-
 10 ceed \$100,000 shall be available for official reception and
 11 representation expenses: *Provided*, That, in addition to re-
 12 imbursable full-time equivalent workyears available to the
 13 Drug Enforcement Administration, not to exceed 8,371
 14 positions and 8,270 full-time equivalent workyears shall
 15 be supported from the funds appropriated in this Act for
 16 the Drug Enforcement Administration.

17 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND

18 EXPLOSIVES

19 SALARIES AND EXPENSES

20 For necessary expenses of the Bureau of Alcohol, To-
 21 bacco, Firearms and Explosives, including the purchase of
 22 not to exceed 822 vehicles for police-type use, of which
 23 650 shall be for replacement only; not to exceed \$25,000
 24 for official reception and representation expenses; for
 25 training of State and local law enforcement agencies with

1 or without reimbursement, including training in connec-
2 tion with the training and acquisition of canines for explo-
3 sives and fire accelerants detection; and for provision of
4 laboratory assistance to State and local law enforcement
5 agencies, with or without reimbursement, \$923,613,000,
6 of which not to exceed \$1,000,000 shall be available for
7 the payment of attorneys' fees as provided by 18 U.S.C.
8 924(d)(2); and of which \$10,000,000 shall remain avail-
9 able until expended: *Provided*, That no funds appropriated
10 herein shall be available for salaries or administrative ex-
11 penses in connection with consolidating or centralizing,
12 within the Department of Justice, the records, or any por-
13 tion thereof, of acquisition and disposition of firearms
14 maintained by Federal firearms licensees: *Provided fur-*
15 *ther*, That no funds appropriated herein shall be used to
16 pay administrative expenses or the compensation of any
17 officer or employee of the United States to implement an
18 amendment or amendments to 27 CFR 178.118 or to
19 change the definition of "Curios or relics" in 27 CFR
20 178.11 or remove any item from ATF Publication
21 5300.11 as it existed on January 1, 1994: *Provided fur-*
22 *ther*, That none of the funds appropriated herein shall be
23 available to investigate or act upon applications for relief
24 from Federal firearms disabilities under 18 U.S.C. 925(c):
25 *Provided further*, That such funds shall be available to in-

1 vestigate and act upon applications filed by corporations
2 for relief from Federal firearms disabilities under section
3 925(c) of title 18, United States Code: *Provided further*,
4 That no funds made available by this or any other Act
5 may be used to transfer the functions, missions, or activi-
6 ties of the Bureau of Alcohol, Tobacco, Firearms and Ex-
7 plosives to other agencies or Departments in fiscal year
8 2006: *Provided further*, That no funds appropriated under
9 this or any other Act with respect to any fiscal year may
10 be used to disclose part or all of the contents of the Fire-
11 arms Trace System database maintained by the National
12 Trace Center of the Bureau of Alcohol, Tobacco, Firearms
13 and Explosives or any information required to be kept by
14 licensees pursuant to section 923(g) of title 18, United
15 States Code, or required to be reported pursuant to para-
16 graphs (3) and (7) of such section 923(g), to anyone other
17 than a Federal, State, or local law enforcement agency or
18 a prosecutor solely in connection with and for use in a
19 bona fide criminal investigation or prosecution and then
20 only such information as pertains to the geographic juris-
21 diction of the law enforcement agency requesting the dis-
22 closure and not for use in any civil action or proceeding
23 other than an action or proceeding commenced by the Bu-
24 reau of Alcohol, Tobacco, Firearms and Explosives, or a
25 review of such an action or proceeding, to enforce the pro-

visions of chapter 44 of such title, and all such data shall be immune from legal process and shall not be subject to subpoena or other discovery in any civil action in a State or Federal court or in any administrative proceeding other than a proceeding commenced by the Bureau of Alcohol, Tobacco, Firearms and Explosives to enforce the provisions of that chapter, or a review of such an action or proceeding; except that this proviso shall not be construed to prevent the disclosure of statistical information concerning total production, importation, and exportation by each licensed importer (as defined in section 921(a)(9) of such title) and licensed manufacturer (as defined in section 921(a)(10) of such title): *Provided further*, That no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: *Provided further*, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code: *Provided further*, That no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is

1 otherwise eligible to receive such a license, and is eligible
2 to report business income or to claim an income tax deduc-
3 tion for business expenses under the Internal Revenue
4 Code of 1986.

5 FEDERAL PRISON SYSTEM

6 SALARIES AND EXPENSES

7 For expenses necessary of the Federal Prison System
8 for the administration, operation, and maintenance of
9 Federal penal and correctional institutions, including pur-
10 chase (not to exceed 768, of which 701 are for replacement
11 only) and hire of law enforcement and passenger motor
12 vehicles, and for the provision of technical assistance and
13 advice on corrections related issues to foreign govern-
14 ments, \$4,895,649,000: *Provided*, That the Attorney Gen-
15 eral may transfer to the Health Resources and Services
16 Administration such amounts as may be necessary for di-
17 rect expenditures by that Administration for medical relief
18 for inmates of Federal penal and correctional institutions:
19 *Provided further*, That the Director of the Federal Prison
20 System, where necessary, may enter into contracts with
21 a fiscal agent/fiscal intermediary claims processor to de-
22 termine the amounts payable to persons who, on behalf
23 of the Federal Prison System, furnish health services to
24 individuals committed to the custody of the Federal Prison
25 System: *Provided further*, That not to exceed \$6,000 shall

1 be available for official reception and representation ex-
2 penses: *Provided further*, That not to exceed \$50,000,000
3 shall remain available for necessary operations until Sep-
4 tember 30, 2007: *Provided further*, That, of the amounts
5 provided for Contract Confinement, not to exceed
6 \$20,000,000 shall remain available until expended to
7 make payments in advance for grants, contracts and reim-
8 bursable agreements, and other expenses authorized by
9 section 501(c) of the Refugee Education Assistance Act
10 of 1980, for the care and security in the United States
11 of Cuban and Haitian entrants: *Provided further*, That the
12 Director of the Federal Prison System may accept donated
13 property and services relating to the operation of the pris-
14 on card program from a not-for-profit entity which has
15 operated such program in the past notwithstanding the
16 fact that such not-for-profit entity furnishes services
17 under contracts to the Federal Prison System relating to
18 the operation of pre-release services, halfway houses or
19 other custodial facilities.

20 BUILDINGS AND FACILITIES

21 For planning, acquisition of sites and construction of
22 new facilities; purchase and acquisition of facilities and re-
23 modeling, and equipping of such facilities for penal and
24 correctional use, including all necessary expenses incident
25 thereto, by contract or force account; and constructing,
26 remodeling, and equipping necessary buildings and facili-

1 ties at existing penal and correctional institutions, includ-
2 ing all necessary expenses incident thereto, by contract or
3 force account, \$70,112,000, to remain available until ex-
4 pended, of which not to exceed \$14,000,000 shall be avail-
5 able to construct areas for inmate work programs: *Pro-*
6 *vided*, That labor of United States prisoners may be used
7 for work performed under this appropriation.

8 FEDERAL PRISON INDUSTRIES, INCORPORATED

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

19 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
20 PRISON INDUSTRIES, INCORPORATED

21 Not to exceed \$3,365,000 of the funds of the corpora-
22 tion shall be available for its administrative expenses, and
23 for services as authorized by 5 U.S.C. 3109, to be com-
24 puted on an accrual basis to be determined in accordance
25 with the corporation's current prescribed accounting sys-
26 tem, and such amounts shall be exclusive of depreciation,

1 payment of claims, and expenditures which such account-
 2 ing system requires to be capitalized or charged to cost
 3 of commodities acquired or produced, including selling and
 4 shipping expenses, and expenses in connection with acqui-
 5 sition, construction, operation, maintenance, improvement,
 6 protection, or disposition of facilities and other property
 7 belonging to the corporation or in which it has an interest.

8 OFFICE ON VIOLENCE AGAINST WOMEN

9 VIOLENCE AGAINST WOMEN PREVENTION AND

10 PROSECUTION PROGRAMS

11 For grants, contracts, cooperative agreements, and
 12 other assistance for the prevention and prosecution of vio-
 13 lence against women as authorized by the Omnibus Crime
 14 Control and Safe Streets Act of 1968 (“the 1968 Act”);
 15 the Violent Crime Control and Law Enforcement Act of
 16 1994 (Public Law 103–322) (“the 1994 Act”); the Vic-
 17 tims of Child Abuse Act of 1990 (“the 1990 Act”); the
 18 Prosecutorial Remedies and Other Tools to End the Ex-
 19 ploitation of Children Today Act of 2003 (Public Law
 20 108–21); the Juvenile Justice and Delinquency Prevention
 21 Act of 1974 (“the 1974 Act”); and the Victims of Traf-
 22 ficking and Violence Protection Act of 2000 (Public Law
 23 106–386); \$387,497,000 (increased by \$2,000,000), in-
 24 cluding amounts for administrative costs, to remain avail-
 25 able until expended: *Provided*, That except as otherwise

1 provided by law, not to exceed three percent of funds made
2 available under this heading may be used for expenses re-
3 lated to evaluation, training and technical assistance: *Pro-*
4 *vided further*, That of the amount provided—

5 (1) \$11,897,000 for the court-appointed special
6 advocate program, as authorized by section 217 of
7 the 1990 Act;

8 (2) \$1,925,000 (increased by \$2,000,000) for
9 child abuse training programs for judicial personnel
10 and practitioners, as authorized by section 222 of
11 the 1990 Act;

12 (3) \$983,000 for grants for televised testimony,
13 as authorized by Part N of the 1968 Act;

14 (4) \$187,308,000 for grants to combat violence
15 against women, as authorized by part T of the 1968
16 Act, of which—

17 (A) \$5,000,000 shall be for the National
18 Institute of Justice for research and evaluation
19 of violence against women;

20 (B) \$10,000,000 shall be for the Office of
21 Juvenile Justice and Delinquency Prevention
22 for the Safe Start Program, as authorized by
23 the 1974 Act; and

24 (C) \$15,000,000 shall be for transitional
25 housing assistance grants for victims of domes-

1 tic violence, stalking or sexual assault as au-
2 thorized by Public Law 108–21;

3 (5) \$63,491,000 for grants to encourage arrest
4 policies as authorized by part U of the 1968 Act;

5 (6) \$39,685,000 for rural domestic violence and
6 child abuse enforcement assistance grants, as au-
7 thorized by section 40295(a) of the 1994 Act;

8 (7) \$4,415,000 for training programs as au-
9 thorized by section 40152 of the 1994 Act, and for
10 related local demonstration projects;

11 (8) \$2,950,000 for grants to improve the stalk-
12 ing and domestic violence databases, as authorized
13 by section 40602 of the 1994 Act;

14 (9) \$9,175,000 to reduce violent crimes against
15 women on campus, as authorized by section 1108(a)
16 of Public Law 106–386;

17 (10) \$39,740,000 for legal assistance for vic-
18 tims, as authorized by section 1201(c) of Public Law
19 106–386;

20 (11) \$4,600,000 for enhancing protection for
21 older and disabled women from domestic violence
22 and sexual assault, as authorized by section 40802
23 of the 1994 Act;

1 (12) \$14,078,000 for the safe havens for chil-
2 dren pilot program, as authorized by section 1301(a)
3 of Public Law 106–386; and

4 (13) \$7,250,000 for education and training to
5 end violence against and abuse of women with dis-
6 abilities, as authorized by section 1402(a) of Public
7 Law 106–386.

8 OFFICE OF JUSTICE PROGRAMS

9 JUSTICE ASSISTANCE

10 For grants, contracts, cooperative agreements, and
11 other assistance authorized by title I of the Omnibus
12 Crime Control and Safe Streets Act of 1968, the Missing
13 Children’s Assistance Act, including salaries and expenses
14 in connection therewith, the Prosecutorial Remedies and
15 Other Tools to end the Exploitation of Children Today Act
16 of 2003 (Public Law 108–21), and the Victims of Crime
17 Act of 1984, \$227,466,000, to remain available until ex-
18 pendent.

19 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

20 For grants, contracts, cooperative agreements, and
21 other assistance authorized by the Violent Crime Control
22 and Law Enforcement Act of 1994 (Public Law 103–322)
23 (“the 1994 Act”); the Omnibus Crime Control and Safe
24 Streets Act of 1968 (“the 1968 Act”); and the Victims
25 of Trafficking and Violence Protection Act of 2000 (Public
26 Law 106–386); and other programs; \$1,001,296,000 (re-

1 duced by \$4,000,000) (increased by \$50,000,000) (in-
2 creased by \$21,947,600) (including amounts for adminis-
3 trative costs, which shall be transferred to and merged
4 with the “Justice Assistance” account): *Provided*, That
5 funding provided under this heading shall remain available
6 until expended, as follows—

7 (1) \$348,466,000 (reduced by \$4,000,000) (in-
8 creased by \$21,947,600) for the Edward Byrne Me-
9 morial Justice Assistance Grant program pursuant
10 to the amendments made by section 201 of H.R.
11 3036 of the 108th Congress, as passed by the House
12 of Representatives on March 30, 2004 (except that
13 the special rules for Puerto Rico established pursu-
14 ant to such amendments shall not apply for purposes
15 of this Act), of which—

16 (A) \$10,000,000 is for the National Insti-
17 tute of Justice in assisting units of local gov-
18 ernment to identify, select, develop, modernize,
19 and purchase new technologies for use by law
20 enforcement; and

21 (B) \$85,000,000 for Boys and Girls Clubs
22 in public housing facilities and other areas in
23 cooperation with State and local law enforce-
24 ment, as authorized by section 401 of Public
25 Law 104–294 (42 U.S.C. 13751 note);

1 (2) \$355,000,000 (increased by \$50,000,000)
2 for the State Criminal Alien Assistance Program, as
3 authorized by section 242(j) of the Immigration and
4 Nationality Act;

5 (3) \$30,000,000 for the Southwest Border
6 Prosecutor Initiative to reimburse State, county,
7 parish, tribal, or municipal governments only for
8 costs associated with the prosecution of criminal
9 cases declined by local United States Attorneys of-
10 fices;

11 (4) \$110,000,000 for discretionary grants au-
12 thorized by subpart 2 of part E, of title I of the
13 1968 Act, notwithstanding the provisions of section
14 511 of said Act;

15 (5) \$10,000,000 for victim services programs
16 for victims of trafficking, as authorized by section
17 107(b)(2) of Public Law 106–386;

18 (6) \$871,000 for the Missing Alzheimer’s Dis-
19 ease Patient Alert Program, as authorized by section
20 240001(c) of the 1994 Act;

21 (7) \$40,000,000 for Drug Courts, as authorized
22 by Part EE of the 1968 Act;

23 (8) \$10,000,000 for a prescription drug moni-
24 toring program;

1 (9) \$40,000,000 for prison rape prevention and
2 prosecution programs, as authorized by the Prison
3 Rape Elimination Act of 2003 (Public Law 108–79),
4 of which \$2,175,000 shall be transferred to the Na-
5 tional Prison Rape Elimination Commission for au-
6 thorized activities;

7 (10) \$25,000,000 for grants for residential sub-
8 stance abuse treatment for State prisoners, as au-
9 thorized by part S of the 1968 Act;

10 (11) \$10,359,000 for a program to improve
11 State and local law enforcement intelligence capabili-
12 ties including antiterrorism training and training to
13 ensure that constitutional rights, civil liberties, civil
14 rights, and privacy interests are protected through-
15 out the intelligence process;

16 (12) \$10,000,000 for a capital litigation im-
17 provement grant program; and

18 (13) \$11,600,000 for a cannabis eradication
19 program to be administered by the Drug Enforce-
20 ment Administration:

21 *Provided*, That, if a unit of local government uses any of
22 the funds made available under this title to increase the
23 number of law enforcement officers, the unit of local gov-
24 ernment will achieve a net gain in the number of law en-

1 enforcement officers who perform nonadministrative public
2 safety service.

3 WEED AND SEED PROGRAM FUND

4 For necessary expenses, including salaries and re-
5 lated expenses of the Executive Office for Weed and Seed,
6 to implement “Weed and Seed” program activities,
7 \$50,000,000, to remain available until September 30,
8 2007, for inter-governmental agreements, including
9 grants, cooperative agreements, and contracts, with State
10 and local law enforcement agencies, non-profit organiza-
11 tions, and agencies of local government engaged in the in-
12 vestigation and prosecution of violent and gang-related
13 crimes and drug offenses in “Weed and Seed” designated
14 communities, and for either reimbursements or transfers
15 to appropriation accounts of the Department of Justice
16 and other Federal agencies which shall be specified by the
17 Attorney General to execute the “Weed and Seed” pro-
18 gram strategy: *Provided*, That funds designated by Con-
19 gress through language for other Department of Justice
20 appropriation accounts for “Weed and Seed” program ac-
21 tivities shall be managed and executed by the Attorney
22 General through the Executive Office for Weed and Seed:
23 *Provided further*, That the Attorney General may direct
24 the use of other Department of Justice funds and per-
25 sonnel in support of “Weed and Seed” program activities
26 only after the Attorney General notifies the Committees

1 on Appropriations of the House of Representatives and the
2 Senate in accordance with section 605 of this Act: *Pro-*
3 *vided further*, That of the funds appropriated for the Exec-
4 utive Office for Weed and Seed, not to exceed \$2,000,000
5 shall be directed for comprehensive community develop-
6 ment training and technical assistance.

7 COMMUNITY ORIENTED POLICING SERVICES

8 For activities authorized by the Violent Crime Con-
9 trol and Law Enforcement Act of 1994 (Public Law 103–
10 322) (including administrative costs), \$520,057,000 (in-
11 creased by \$2,500,000) (increased by \$10,000,000) (in-
12 creased by \$34,000,000), to remain available until ex-
13 pended: *Provided*, That of the funds under this heading,
14 not to exceed \$2,575,000 shall be available for the Office
15 of Justice Programs for reimbursable services associated
16 with programs administered by the Community Oriented
17 Policing Services Office: *Provided further*, That section
18 1703(b) and (c) of the Omnibus Crime Control and Safe
19 Streets Act of 1968 (“the 1968 Act”) shall not apply to
20 non-hiring grants made pursuant to part Q of title I there-
21 of (42 U.S.C. 3796dd et seq.): *Provided further*, That up
22 to \$29,000,000 of balances made available as a result of
23 prior year deobligations may be obligated for program
24 management and administration: *Provided further*, That
25 any balances made available as a result of prior year
26 deobligations in excess of \$29,000,000 shall only be obli-

1 gated in accordance with section 605 of this Act. Of the
2 amounts provided—

3 (1) \$30,000,000 is for the matching grant pro-
4 gram for law enforcement armor vests as authorized
5 by section 2501 of part Y of the 1968 Act, of which
6 not to exceed \$3,000,000 shall be for the National
7 Institute of Justice to test and evaluate vests;

8 (2) \$60,000,000 (increased by \$34,000,000) is
9 for policing initiatives to combat methamphetamine
10 production and trafficking and to enhance policing
11 initiatives in “drug hot spots”;

12 (3) \$120,000,000 is for a law enforcement tech-
13 nologies and interoperable communications program;

14 (4) \$25,000,000 (increased by \$2,500,000) is
15 for grants to upgrade criminal records, as authorized
16 under the Crime Identification Technology Act of
17 1998 (42 U.S.C. 14601);

18 (5) \$10,000,000 is for an offender re-entry pro-
19 gram;

20 (6) \$177,057,000 is for a DNA analysis and
21 capacity enhancement program, and for other State,
22 local and Federal forensic activities;

23 (7) \$38,000,000 is for law enforcement assist-
24 ance to Indian tribes; and

1 (8) \$60,000,000 for a national program to re-
2 duce gang violence.

3 JUVENILE JUSTICE PROGRAMS

4 For grants, contracts, cooperative agreements, and
5 other assistance authorized by the Juvenile Justice and
6 Delinquency Prevention Act of 1974 (“the Act”), and
7 other juvenile justice programs, including salaries and ex-
8 penses in connection therewith to be transferred to and
9 merged with the appropriations for Justice Assistance,
10 \$333,712,000, to remain available until expended, as fol-
11 lows—

12 (1) \$712,000 for concentration of Federal ef-
13 forts, as authorized by section 204 of the Act;

14 (2) \$83,000,000 for State and local programs
15 authorized by section 221 of the Act, including
16 training and technical assistance to assist small,
17 non-profit organizations with the Federal grants
18 process;

19 (3) \$70,000,000 for demonstration projects, as
20 authorized by sections 261 and 262 of the Act;

21 (4) \$5,000,000 for juvenile mentoring pro-
22 grams;

23 (5) \$80,000,000 for delinquency prevention, as
24 authorized by section 505 of the Act, of which—

25 (A) \$10,000,000 shall be for the Tribal
26 Youth Program;

1 (B) \$25,000,000 shall be for a gang resist-
2 ance education and training program; 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 (6) \$5,000,000 for Project Childsafe;

14 (7) \$15,000,000 for the Secure Our Schools
15 Act as authorized by Public Law 106–386;

16 (8) \$15,000,000 for programs authorized by
17 the Victims of Child Abuse Act of 1990; and

18 (9) \$60,000,000 for the Juvenile Accountability
19 Block Grants program as authorized by Public Law
20 107–273 and Guam shall be considered a State:

21 *Provided*, That not more than 10 percent of each amount
22 may be used for research, evaluation, and statistics activi-
23 ties designed to benefit the programs or activities author-
24 ized: *Provided further*, That not more than 2 percent of
25 each amount may be used for training and technical as-

1 sistance: *Provided further*, That the previous two provisos
 2 shall not apply to demonstration projects, as authorized
 3 by sections 261 and 262 of the Act.

4 PUBLIC SAFETY OFFICERS BENEFITS

5 To remain available until expended, for payments au-
 6 thorized by part L of title I of the Omnibus Crime Control
 7 and Safe Streets Act of 1968 (42 U.S.C. 3796), such sums
 8 as are necessary, as authorized by section 6093 of Public
 9 Law 100–690 (102 Stat. 4339–4340); and \$4,884,000, to
 10 remain available until expended for payments as author-
 11 ized by section 1201(b) of said Act; and \$4,064,000 for
 12 educational assistance, as authorized by section 1212 of
 13 the 1968 Act.

14 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

15 SEC. 101. In addition to amounts otherwise made
 16 available in this title for official reception and representa-
 17 tion expenses, a total of not to exceed \$60,000 from funds
 18 appropriated to the Department of Justice in this title
 19 shall be available to the Attorney General for official re-
 20 ception and representation expenses.

21 SEC. 102. None of the funds appropriated by this
 22 title shall be available to pay for an abortion, except where
 23 the life of the mother would be endangered if the fetus
 24 were carried to term, or in the case of rape: *Provided*,
 25 That should this prohibition be declared unconstitutional

1 by a court of competent jurisdiction, this section shall be
2 null and void.

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

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

14 SEC. 105. Not to exceed 5 percent of any appropria-
15 tion made available for the current fiscal year for the De-
16 partment of Justice in this Act may be transferred be-
17 tween such appropriations, but no such appropriation, ex-
18 cept as otherwise specifically provided, shall be increased
19 by more than 10 percent by any such transfers: *Provided*,
20 That any transfer pursuant to this section shall be treated
21 as a reprogramming of funds under section 605 of this
22 Act and shall not be available for obligation except in com-
23 pliance with the procedures set forth in that section.

24 SEC. 106. The Attorney General is authorized to ex-
25 tend through September 30, 2007, the Personnel Manage-

1 ment Demonstration Project transferred to the Attorney
2 General pursuant to section 1115 of the Homeland Secu-
3 rity Act of 2002, Public Law 107–296 (6 U.S.C. 533)
4 without limitation on the number of employees or the posi-
5 tions covered.

6 SEC. 107. None of the funds made available in this
7 Act may be used by the Drug Enforcement Administration
8 to establish a procurement quota following the approval
9 of a new drug application or an abbreviated new drug ap-
10 plication for a controlled substance.

11 SEC. 108. The limitation established in the preceding
12 section shall not apply to any new drug application or ab-
13 breviated new drug application for which the Drug En-
14 forcement Administration has reviewed and provided pub-
15 lic comments on labeling, promotion, risk management
16 plans, and any other documents.

17 SEC. 109. Notwithstanding any other provision of
18 law, Public Law 102–395 section 102(b) shall extend to
19 the Bureau of Alcohol, Tobacco, Firearms and Explosives
20 in the conduct of undercover investigative operations and
21 shall apply without fiscal year limitation with respect to
22 any undercover investigative operation initiated by the Bu-
23 reau of Alcohol, Tobacco, Firearms and Explosives that
24 is necessary for the detection and prosecution of crimes
25 against the United States.

1 SEC. 110. Any funds provided in this Act under “De-
2 partment of Justice” used to implement E-Government
3 Initiatives shall be subject to the procedures set forth in
4 section 605 of this Act.

5 SEC. 111. None of the funds made available to the
6 Department of Justice in this Act may be used for the
7 purpose of transporting an individual who is a prisoner
8 pursuant to conviction for crime under State or Federal
9 law and is classified as a maximum or high security pris-
10 oner, other than to a prison or other facility certified by
11 the Federal Bureau of Prisons as appropriately secure for
12 housing such a prisoner.

13 SEC. 112. (a) None of the funds appropriated by this
14 Act may be used by Federal prisons to purchase cable tele-
15 vision services, to rent or purchase videocassettes, video-
16 cassette recorders, or other audiovisual or electronic equip-
17 ment used primarily for recreational purposes.

18 (b) The preceding sentence does not preclude the
19 renting, maintenance, or purchase of audiovisual or elec-
20 tronic equipment for inmate training, religious, or edu-
21 cational programs.

22 This title may be cited as the “Department of Justice
23 Appropriations Act, 2006”.

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, \$44,779,000,
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, \$62,752,000, 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 \$45,000 per
25 vehicle; obtaining insurance on official motor vehicles; and

1 rental of tie lines, \$406,925,000, of which \$13,000,000
 2 is to be derived from fees to be retained and used by the
 3 International Trade Administration, notwithstanding 31
 4 U.S.C. 3302: *Provided*, That \$47,434,000 shall be for
 5 Manufacturing and Services; \$39,815,000 shall be for
 6 Market Access and Compliance; \$62,134,000 shall be for
 7 the Import Administration of which not less than
 8 \$3,000,000 is for the Office of China Compliance;
 9 \$231,722,000 shall be for the United States and Foreign
 10 Commercial Service; and \$25,820,000 shall be for Execu-
 11 tive Direction and Administration: *Provided further*, That
 12 the provisions of the first sentence of section 105(f) and
 13 all of section 108(c) of the Mutual Educational and Cul-
 14 tural Exchange Act of 1961 (22 U.S.C. 2455(f) and
 15 2458(c)) shall apply in carrying out these activities with-
 16 out regard to section 5412 of the Omnibus Trade and
 17 Competitiveness Act of 1988 (15 U.S.C. 4912); and that
 18 for the purpose of this Act, contributions under the provi-
 19 sions of the Mutual Educational and Cultural Exchange
 20 Act of 1961 shall include payment for assessments for
 21 services provided as part of these activities.

22 BUREAU OF INDUSTRY AND SECURITY

23 OPERATIONS AND ADMINISTRATION

24 For necessary expenses for export administration and
 25 national security activities of the Department of Com-

1 merce, including costs associated with the performance of
2 export administration field activities both domestically and
3 abroad; full medical coverage for dependent members of
4 immediate families of employees stationed overseas; em-
5 ployment of Americans and aliens by contract for services
6 abroad; payment of tort claims, in the manner authorized
7 in the first paragraph of 28 U.S.C. 2672 when such claims
8 arise in foreign countries; not to exceed \$15,000 for offi-
9 cial representation expenses abroad; awards of compensa-
10 tion to informers under the Export Administration Act of
11 1979, and as authorized by 22 U.S.C. 401(b); and pur-
12 chase of passenger motor vehicles for official use and
13 motor vehicles for law enforcement use with special re-
14 quirement vehicles eligible for purchase without regard to
15 any price limitation otherwise established by law,
16 \$77,000,000, to remain available until expended, of which
17 \$14,767,000 shall be for inspections and other activities
18 related to national security: *Provided*, That the provisions
19 of the first sentence of section 105(f) and all of section
20 108(c) of the Mutual Educational and Cultural Exchange
21 Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply
22 in carrying out these activities: *Provided further*, That
23 payments and contributions collected and accepted for ma-
24 terials or services provided as part of such activities may
25 be retained for use in covering the cost of such activities,

1 and for providing information to the public with respect
2 to the export administration and national security activi-
3 ties of the Department of Commerce and other export con-
4 trol programs of the United States and other govern-
5 ments.

6 ECONOMIC DEVELOPMENT ADMINISTRATION

7 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

8 For grants for economic development assistance as
9 provided by the Public Works and Economic Development
10 Act of 1965, and for trade adjustment assistance,
11 \$200,985,000, to remain available until expended.

12 SALARIES AND EXPENSES

13 For necessary expenses of administering the eco-
14 nomic development assistance programs as provided for by
15 law, \$26,584,000: *Provided*, That these funds may be used
16 to monitor projects approved pursuant to title I of the
17 Public Works Employment Act of 1976, title II of the
18 Trade Act of 1974, and the Community Emergency
19 Drought Relief Act of 1977.

20 MINORITY BUSINESS DEVELOPMENT AGENCY

21 MINORITY BUSINESS DEVELOPMENT

22 For necessary expenses of the Department of Com-
23 merce in fostering, promoting, and developing minority
24 business enterprise, including expenses of grants, con-
25 tracts, and other agreements with public or private organi-
26 zations, \$30,024,000.

1 ECONOMIC AND INFORMATION INFRASTRUCTURE

2 ECONOMIC AND STATISTICAL ANALYSIS

3 SALARIES AND EXPENSES

4 For necessary expenses, as authorized by law, of eco-
5 nomic and statistical analysis programs of the Department
6 of Commerce, \$80,304,000, to remain available until Sep-
7 tember 30, 2007.

8 BUREAU OF THE CENSUS

9 SALARIES AND EXPENSES

10 For expenses necessary for collecting, compiling, ana-
11 lyzing, preparing, and publishing statistics, provided for
12 by law, \$208,029,000 (reduced by \$10,000,000).

13 PERIODIC CENSUSES AND PROGRAMS

14 For necessary expenses related to the 2010 decennial
15 census, \$463,596,000 (reduced by \$10,000,000), to re-
16 main available until September 30, 2007: *Provided*, That
17 of the total amount available related to the 2010 decennial
18 census, \$213,849,000 (reduced by \$10,000,000) is for the
19 Re-engineered Design Process for the Short-Form Only
20 Census, \$169,948,000 is for the American Community
21 Survey, and \$79,799,000 is for the Master Address File/
22 Topologically Integrated Geographic Encoding and Ref-
23 erencing (MAF/TIGER) system.

24 In addition, for expenses to collect and publish statis-
25 tics for other periodic censuses and programs provided for
26 by law, \$160,612,000, to remain available until September

1 30, 2007, of which \$72,928,000 is for economic statistics
 2 programs and \$87,684,000 is for demographic statistics
 3 programs: *Provided*, That regarding construction of a fa-
 4 cility at the Suitland Federal Center, quarterly reports re-
 5 garding the expenditure of funds and project planning, de-
 6 sign and cost decisions shall be provided by the Bureau,
 7 in cooperation with the General Services Administration,
 8 to the Committees on Appropriations of the Senate and
 9 the House of Representatives: *Provided further*, That none
 10 of the funds provided in this or any other Act under the
 11 heading “Bureau of the Census, Periodic Censuses and
 12 Programs” shall be used to fund the construction and ten-
 13 ant build-out costs of a facility at the Suitland Federal
 14 Center: *Provided further*, That none of the funds provided
 15 in this or any other Act for any fiscal year may be used
 16 for the collection of Census data on race identification that
 17 does not include “some other race” as a category.

18 NATIONAL TELECOMMUNICATIONS AND INFORMATION

19 ADMINISTRATION

20 SALARIES AND EXPENSES

21 For necessary expenses, as provided for by law, of
 22 the National Telecommunications and Information Ad-
 23 ministration (NTIA), \$17,716,000: *Provided*, That, not-
 24 withstanding 31 U.S.C. 1535(d), the Secretary of Com-
 25 merce shall charge Federal agencies for costs incurred in

1 spectrum management, analysis, and operations, and re-
 2 lated services and such fees shall be retained and used
 3 as offsetting collections for costs of such spectrum serv-
 4 ices, to remain available until expended: *Provided further,*
 5 That the Secretary of Commerce is authorized to retain
 6 and use as offsetting collections all funds transferred, or
 7 previously transferred, from other Government agencies
 8 for all costs incurred in telecommunications research, en-
 9 gineering, and related activities by the Institute for Tele-
 10 communication Sciences of NTIA, in furtherance of its as-
 11 signed functions under this paragraph, and such funds re-
 12 ceived from other Government agencies shall remain avail-
 13 able until expended.

14 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
 15 AND CONSTRUCTION

16 For the administration of the program as authorized
 17 by section 392 of the Communications Act of 1934,
 18 \$2,000,000, to remain available until expended as author-
 19 ized by section 391 of the Act.

20 UNITED STATES PATENT AND TRADEMARK OFFICE
 21 SALARIES AND EXPENSES

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

1 \$1,703,300,000, to remain available until expended: *Pro-*
2 *vided*, That the sum herein appropriated from the general
3 fund shall be reduced as offsetting collections assessed and
4 collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41
5 and 376 are received during fiscal year 2006, so as to re-
6 sult in a fiscal year 2006 appropriation from the general
7 fund estimated at \$0: *Provided further*, That during fiscal
8 year 2006, should the total amount of offsetting fee collec-
9 tions be less than \$1,703,300,000, this amount shall be
10 reduced accordingly: *Provided further*, That not less than
11 657 full-time equivalents, 690 positions and \$85,017,000
12 shall be for the examination of trademark applications;
13 and not less than 6,050 full-time equivalents, 6,304 posi-
14 tions and \$926,356,000 shall be for the examination and
15 searching of patent applications: *Provided further*, That
16 not more than 265 full-time equivalents, 272 positions and
17 \$37,490,000 shall be for the Office of the General Coun-
18 sel: *Provided further*, That not more than 82 full-time
19 equivalents, 83 positions and \$25,393,000 shall be for the
20 Office of the Administrator for External Affairs: *Provided*
21 *further*, That from amounts provided herein, not to exceed
22 \$1,000 shall be made available in fiscal year 2006 for offi-
23 cial reception and representation expenses: *Provided fur-*
24 *ther*, That notwithstanding section 1353 of title 31,
25 United States Code, no employee of the United States

1 Patent and Trademark Office may accept payment or re-
2 imbursement from a non-Federal entity for travel, subsist-
3 ence, or related expenses for the purpose of enabling an
4 employee to attend and participate in a convention, con-
5 ference, or meeting when the entity offering payment or
6 reimbursement is a person or corporation subject to regu-
7 lation by the Office, or represents a person or corporation
8 subject to regulation by the Office, unless the person or
9 corporation is an organization exempt from taxation pur-
10 suant to section 501(c)(3) of the Internal Revenue Code
11 of 1986: *Provided further*, That in fiscal year 2006, from
12 the amounts made available for “Salaries and Expenses”
13 for the United States Patent and Trademark Office
14 (PTO), the amounts necessary to pay: (1) the difference
15 between the percentage of basic pay contributed by the
16 PTO and employees under section 8334(a) of title 5,
17 United States Code, and the normal cost percentage (as
18 defined by section 8331(17) of that title) of basic pay, of
19 employees subject to subchapter III of chapter 83 of that
20 title; and (2) the present value of the otherwise unfunded
21 accruing costs, as determined by the Office of Personnel
22 Management, of post-retirement life insurance and post-
23 retirement health benefits coverage for all PTO employees,
24 shall be transferred to the Civil Service Retirement and
25 Disability Fund, the Employees Life Insurance Fund, and

1 the Employees Health Benefits Fund, as appropriate, and
 2 shall be available for the authorized purposes of those ac-
 3 counts.

4 SCIENCE AND TECHNOLOGY

5 TECHNOLOGY ADMINISTRATION

6 SALARIES AND EXPENSES

7 For necessary expenses for the Under Secretary for
 8 Technology Office of Technology Policy, \$6,460,000.

9 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

10 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

11 For necessary expenses of the National Institute of
 12 Standards and Technology, \$397,744,000, to remain
 13 available until expended, of which not to exceed \$760,000
 14 may be transferred to the “Working Capital Fund”.

15 MANUFACTURING EXTENSION PARTNERSHIPS

16 For necessary expenses of Manufacturing Extension
 17 Partnerships of the National Institute of Standards and
 18 Technology, \$106,000,000, to remain available until ex-
 19 pended.

20 CONSTRUCTION OF RESEARCH FACILITIES

21 For construction of new research facilities, including
 22 architectural and engineering design, and for renovation
 23 and maintenance of existing facilities, not otherwise pro-
 24 vided for the National Institute of Standards and Tech-
 25 nology, as authorized by 15 U.S.C. 278c-278e,
 26 \$45,000,000, to remain available until expended.

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

5 For necessary expenses of activities authorized by law
6 for the National Oceanic and Atmospheric Administration,
7 including maintenance, operation, and hire of aircraft and
8 vessels; grants, contracts, or other payments to nonprofit
9 organizations for the purposes of conducting activities
10 pursuant to cooperative agreements; and relocation of fa-
11 cilities, \$2,444,000,000 (reduced by \$50,000,000), to re-
12 main available until September 30, 2007: *Provided*, That
13 fees and donations received by the National Ocean Service
14 for the management of national marine sanctuaries may
15 be retained and used for the salaries and expenses associ-
16 ated with those activities, notwithstanding 31 U.S.C.
17 3302: *Provided further*, That in addition, \$3,000,000 shall
18 be derived by transfer from the fund entitled “Coastal
19 Zone Management” and in addition \$77,000,000 shall be
20 derived by transfer from the fund entitled “Promote and
21 Develop Fishery Products and Research Pertaining to
22 American Fisheries”: *Provided further*, That of the
23 \$2,543,000,000 (reduced by \$50,000,000) provided for in
24 direct obligations under this heading \$2,444,000,000 (re-
25 duced by \$50,000,000) is appropriated from the General
26 Fund, \$80,000,000 is provided by transfer, and

1 \$19,000,000 is derived from deobligations from prior
2 years: *Provided further*, That no general administrative
3 charge shall be applied against an assigned activity in-
4 cluded in this Act or the report accompanying this Act:
5 *Provided further*, That the total amount available for the
6 National Oceanic and Atmospheric Administration cor-
7 porate services administrative support costs shall not ex-
8 ceed \$189,010,000: *Provided further*, That payments of
9 funds made available under this heading to the Depart-
10 ment of Commerce Working Capital Fund including De-
11 partment of Commerce General Counsel legal services
12 shall not exceed \$40,700,000: *Provided further*, That any
13 deviation from the amounts designated for specific activi-
14 ties in the report accompanying this Act, or 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.

18 In addition, for necessary retired pay expenses under
19 the Retired Serviceman's Family Protection and Survivor
20 Benefits Plan, and for payments for the medical care of
21 retired personnel and their dependents under the Depend-
22 ents Medical Care Act (10 U.S.C. ch. 55), such sums as
23 may be necessary.

24 PROCUREMENT, ACQUISITION AND CONSTRUCTION

25 For procurement, acquisition and construction of
26 capital assets, including alteration and modification costs,

1 of the National Oceanic and Atmospheric Administration,
2 \$936,000,000 to remain available until September 30,
3 2008: *Provided*, That of the amounts provided for the Na-
4 tional Polar-orbiting Operational Environmental Satellite
5 System, funds shall only be made available on a dollar for
6 dollar matching basis with funds provided for the same
7 purpose by the Department of Defense: *Provided further*,
8 That except to the extent expressly prohibited by any
9 other law, the Department of Defense may delegate pro-
10 curement functions related to the National Polar-orbiting
11 Operational Environmental Satellite System to officials of
12 the Department of Commerce pursuant to section 2311
13 of title 10, United States Code: *Provided further*, That any
14 deviation from the amounts designated for specific activi-
15 ties in the report accompanying this Act, or any use of
16 deobligated balances of funds provided under this heading
17 in previous years, shall be subject to the procedures set
18 forth in section 605 of this Act: *Provided further*, That
19 none of the funds provided in this Act or any other Act
20 under the heading “National Oceanic and Atmospheric
21 Administration, Procurement, Acquisition and Construc-
22 tion” shall be used to fund the General Services Adminis-
23 tration’s standard construction and tenant build-out costs
24 of a facility at the Suitland Federal Center.

1 PACIFIC COASTAL SALMON RECOVERY

2 For necessary expenses associated with the restora-
3 tion of Pacific salmon populations, \$50,000,000: *Provided*,
4 That this amount shall be available to fund grants to the
5 States of Washington, Oregon, Idaho, California, and
6 Alaska, and to the Columbia River and Pacific Coastal
7 Tribes for projects necessary for restoration of salmon and
8 steelhead populations that are listed as threatened or en-
9 dangered, or identified by a State as at-risk to be so-listed,
10 for maintaining populations necessary for exercise of tribal
11 treaty fishing rights or native subsistence fishing, or for
12 conservation of Pacific coastal salmon and steelhead habi-
13 tat: *Provided further*, That funds disbursed to States shall
14 be subject to a matching requirement of funds or docu-
15 mented in-kind contributions of at least thirty-three per-
16 cent of the Federal funds: *Provided further*, That, in order
17 to fulfill the matching requirement in the previous proviso,
18 non-Federal contributions of funds pursuant to the pre-
19 vious proviso must be used in direct support of this pro-
20 gram.

21 COASTAL ZONE MANAGEMENT FUND

22 Of amounts collected pursuant to section 308 of the
23 Coastal Zone Management Act of 1972 (16 U.S.C.
24 1456a), not to exceed \$3,000,000 shall be transferred to
25 the “Operations, Research, and Facilities” account to off-
26 set the costs of implementing such Act.

1 FISHERIES FINANCE PROGRAM ACCOUNT

2 For the costs of direct loans, \$60,000, as authorized
3 by the Merchant Marine Act of 1936: *Provided*, That such
4 costs, including the cost of modifying such loans, shall be
5 as defined in the Federal Credit Reform Act of 1990: *Pro-*
6 *vided further*, That these funds are only available to sub-
7 sidize gross obligations for the principal amount of direct
8 loans not to exceed \$5,000,000 for Individual Fishing
9 Quota loans, and not to exceed \$18,900,000 for fishing
10 capacity reduction loans: *Provided further*, That none of
11 the funds made available under this heading may be used
12 for direct loans for any new fishing vessel that will in-
13 crease the harvesting capacity in any United States fish-
14 ery.

15 OTHER

16 DEPARTMENTAL MANAGEMENT

17 SALARIES AND EXPENSES

18 For expenses necessary for the departmental manage-
19 ment of the Department of Commerce provided for by law,
20 including not to exceed \$5,000 for official entertainment,
21 \$47,466,000: *Provided*, That not to exceed 12 full-time
22 equivalents and \$1,621,000 shall be expended for the leg-
23 islative affairs function of the Department.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978 (5 U.S.C. App.), \$22,758,000.

5 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

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

23 SEC. 203. Not to exceed 5 percent of any appropria-
24 tion made available for the current fiscal year for the De-
25 partment of Commerce in this Act may be transferred be-

1 tween such appropriations, but no such appropriation shall
2 be increased by more than 10 percent by any such trans-
3 fers: *Provided*, That any transfer pursuant to this section
4 shall be treated as a reprogramming of funds under sec-
5 tion 605 of this Act and shall not be available for obliga-
6 tion or expenditure except in compliance with the proce-
7 dures set forth in that section: *Provided further*, That the
8 Secretary of Commerce shall notify the Committees on Ap-
9 propriations at least 15 days in advance of the acquisition
10 or disposal of any capital asset (including land, structures,
11 and equipment) not specifically provided for in this or any
12 other Departments of Commerce, Justice, and State, the
13 Judiciary, and Related Agencies Appropriations Act.

14 SEC. 204. Any costs incurred by a department or
15 agency funded under this title resulting from personnel
16 actions taken in response to funding reductions included
17 in this title or from actions taken for the care and protec-
18 tion of loan collateral or grant property shall be absorbed
19 within the total budgetary resources available to such de-
20 partment or agency: *Provided*, That the authority to trans-
21 fer funds between appropriations accounts as may be nec-
22 essary to carry out this section is provided in addition to
23 authorities included elsewhere in this Act: *Provided fur-*
24 *ther*, That use of funds to carry out this section shall be
25 treated as a reprogramming of funds under section 605

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

4 SEC. 205. Any funds provided in this Act under “De-
 5 partment of Commerce” used to implement E-Government
 6 Initiatives shall be subject to the procedures set forth in
 7 section 605 of this Act.

8 This title may be cited as the “Department of Com-
 9 merce and Related Agencies Appropriations Act, 2006”.

10 TITLE III—SCIENCE

11 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

12 For necessary expenses of the Office of Science and
 13 Technology Policy, in carrying out the purposes of the Na-
 14 tional Science and Technology Policy, Organization, and
 15 Priorities Act of 1976 (42 U.S.C. 6601–6671), hire of
 16 passenger motor vehicles, and services as authorized by
 17 5 U.S.C. 3109, not to exceed \$2,500 for official reception
 18 and representation expenses, and rental of conference
 19 rooms in the District of Columbia, \$5,564,000.

20 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

21 SCIENCE, AERONAUTICS AND EXPLORATION

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses, not otherwise provided for,
 24 in the conduct and support of science, aeronautics and ex-
 25 ploration research and development activities, including
 26 research, development, operations, support and services;

1 maintenance; construction of facilities including repair, re-
2 habilitation, revitalization, and modification of facilities,
3 construction of new facilities and additions to existing fa-
4 cilities, facility planning and design, and restoration, and
5 acquisition or condemnation of real property, as author-
6 ized by law; environmental compliance and restoration;
7 space flight, spacecraft control and communications activi-
8 ties including operations, production, and services; pro-
9 gram management; personnel and related costs, including
10 uniforms or allowances therefor, as authorized by 5 U.S.C.
11 5901–5902; travel expenses; purchase and hire of pas-
12 senger motor vehicles; not to exceed \$35,000 for official
13 reception and representation expenses; and purchase,
14 lease, charter, maintenance and operation of mission and
15 administrative aircraft, \$9,725,750,000, to remain avail-
16 able until September 30, 2007, of which amounts as deter-
17 mined by the Administrator for salaries and benefits;
18 training, travel and awards; facility and related costs; in-
19 formation technology services; science, engineering, fabri-
20 cating and testing services; and other administrative serv-
21 ices may be transferred to “Exploration Capabilities” in
22 accordance with section 312(b) of the National Aero-
23 nautics and Space Act of 1958, as amended by Public Law
24 106–377: *Provided*, That any funds provided under this
25 heading used to implement E-Government Initiatives shall

1 be subject to the procedures set forth in section 605 of
2 this Act.

3 EXPLORATION CAPABILITIES

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses, not otherwise provided for,
6 in the conduct and support of exploration capabilities re-
7 search and development activities, including research, de-
8 velopment, operations, support and services; maintenance;
9 construction of facilities including repair, rehabilitation,
10 revitalization and modification of facilities, construction of
11 new facilities and additions to existing facilities, facility
12 planning and design, and acquisition or condemnation of
13 real property, as authorized by law; environmental compli-
14 ance and restoration; space flight, spacecraft control and
15 communications activities including operations, produc-
16 tion, and services; program management; personnel and
17 related costs, including uniforms or allowances therefor,
18 as authorized by 5 U.S.C. 5901–5902; travel expenses;
19 purchase and hire of passenger motor vehicles; not to ex-
20 ceed \$35,000 for official reception and representation ex-
21 penses; and purchase, lease, charter, maintenance and op-
22 eration of mission and administrative aircraft,
23 \$6,712,900,000, to remain available until September 30,
24 2007, of which amounts as determined by the Adminis-
25 trator for salaries and benefits; training, travel and
26 awards; facility and related costs; information technology

1 services; science, engineering, fabricating and testing serv-
2 ices; and other administrative services may be transferred
3 to “Science, Aeronautics and Exploration” in accordance
4 with section 312(b) of the National Aeronautics and Space
5 Act of 1958, as amended by Public Law 106–377: *Pro-*
6 *vided*, That any funds provided under this heading used
7 to implement E-Government Initiatives shall be subject to
8 the procedures set forth in section 605 of this Act.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General in carrying out the Inspector General Act of 1978,
12 as amended, \$32,400,000.

13 ADMINISTRATIVE PROVISIONS

14 Notwithstanding the limitation on the availability of
15 funds appropriated for “Science, Aeronautics and Explo-
16 ration”, or “Exploration Capabilities” by this appropria-
17 tions Act, when any activity has been initiated by the in-
18 currence of obligations for construction of facilities or en-
19 vironmental compliance and restoration activities as au-
20 thorized by law, such amount available for such activity
21 shall remain available until expended. This provision does
22 not apply to the amounts appropriated for institutional
23 minor revitalization and construction of facilities, and in-
24 stitutional facility planning and design.

25 Notwithstanding the limitation on the availability of
26 funds appropriated for “Science, Aeronautics and Explo-

1 ration”, or “Exploration Capabilities” by this appropria-
2 tions Act, the amounts appropriated for construction of
3 facilities shall remain available until September 30, 2008.

4 From amounts made available in this Act for these
5 activities, subject to the operating plan procedures of the
6 House and Senate Committees on Appropriations, the Ad-
7 ministrator may transfer amounts between the “Science,
8 Aeronautics, and Exploration” account and the “Explo-
9 ration Capabilities” account during fiscal year 2006.

10 Funds for announced prizes otherwise authorized
11 shall remain available, without fiscal year limitation, until
12 the prize is claimed or the offer is withdrawn.

13 Funding made available under the headings “Explo-
14 ration Capabilities” and “Science, Aeronautics, and Ex-
15 ploration” in this Act shall be governed by the terms and
16 conditions specified in the statement of managers accom-
17 panying the conference report for this Act.

18 NATIONAL SCIENCE FOUNDATION

19 RESEARCH AND RELATED ACTIVITIES

20 For necessary expenses in carrying out the National
21 Science Foundation Act of 1950, as amended (42 U.S.C.
22 1861–1875), and the Act to establish a National Medal
23 of Science (42 U.S.C. 1880–1881); services as authorized
24 by 5 U.S.C. 3109; maintenance and operation of aircraft
25 and purchase of flight services for research support; acqui-

1 sition of aircraft; \$4,377,520,000 to remain available until
 2 September 30, 2007, of which not to exceed \$425,000,000
 3 shall remain available until expended for Polar research
 4 and operations support, and for reimbursement to other
 5 Federal agencies for operational and science support and
 6 logistical and other related activities for the United States
 7 Antarctic program: *Provided*, That from amounts specified
 8 for Polar research and operations support, the National
 9 Science Foundation may reimburse the Coast Guard for
 10 such sums as determined by the Director of the National
 11 Science Foundation to be necessary to support the Foun-
 12 dation's mission requirements: *Provided further*, That any
 13 reimbursement pursuant to the previous proviso shall be
 14 treated as a reprogramming under section 605 of this Act
 15 and shall not be available for obligation or expenditure ex-
 16 cept in compliance with the procedures set forth in that
 17 section: *Provided further*, That receipts for scientific sup-
 18 port services and materials furnished by the National Re-
 19 search Centers and other National Science Foundation
 20 supported research facilities may be credited to this appro-
 21 priation: *Provided further*, That funds under this heading
 22 may be available for innovation inducement prizes.

23 MAJOR RESEARCH EQUIPMENT AND FACILITIES

24 CONSTRUCTION

25 For necessary expenses for the acquisition, construc-
 26 tion, commissioning, and upgrading of major research

1 equipment, facilities, and other such capital assets pursu-
2 ant to the National Science Foundation Act of 1950, as
3 amended, including authorized travel, \$193,350,000, to
4 remain available until expended.

5 EDUCATION AND HUMAN RESOURCES

6 For necessary expenses in carrying out science and
7 engineering education and human resources programs and
8 activities pursuant to the National Science Foundation
9 Act of 1950, as amended (42 U.S.C. 1861–1875), includ-
10 ing services as authorized by 5 U.S.C. 3109, and rental
11 of conference rooms in the District of Columbia,
12 \$807,000,000, to remain available until September 30,
13 2007.

14 SALARIES AND EXPENSES

15 For salaries and expenses necessary in carrying out
16 the National Science Foundation Act of 1950, as amended
17 (42 U.S.C. 1861–1875); services authorized by 5 U.S.C.
18 3109; hire of passenger motor vehicles; not to exceed
19 \$9,000 for official reception and representation expenses;
20 uniforms or allowances therefor, as authorized by 5 U.S.C.
21 5901–5902; rental of conference rooms in the District of
22 Columbia; and reimbursement of the General Services Ad-
23 ministration for security guard services; \$250,000,000:
24 *Provided*, That contracts may be entered into under “Sala-
25 ries and Expenses” in fiscal year 2006 for maintenance

1 and operation of facilities, and for other services, to be
2 provided during the next fiscal year.

3 OFFICE OF THE NATIONAL SCIENCE BOARD

4 For necessary expenses (including payment of sala-
5 ries, authorized travel, hire of passenger motor vehicles,
6 the rental of conference rooms in the District of Columbia,
7 and the employment of experts and consultants under sec-
8 tion 3109 of title 5, United States Code) involved in car-
9 rying out section 4 of the National Science Foundation
10 Act of 1950 (42 U.S.C. 1863) and Public Law 86–209
11 (42 U.S.C. 1880 et seq.), \$4,000,000: *Provided*, That not
12 more than \$9,000 shall be available for official reception
13 and representation expenses.

14 OFFICE OF INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector
16 General as authorized by the Inspector General Act of
17 1978, as amended, \$11,500,000, to remain available until
18 September 30, 2007.

19 This title may be cited as the “Science Appropria-
20 tions Act, 2006”.

1 TITLE IV—DEPARTMENT OF STATE AND
2 RELATED AGENCY

3 DEPARTMENT OF STATE

4 ADMINISTRATION OF FOREIGN AFFAIRS

5 DIPLOMATIC AND CONSULAR PROGRAMS

6 For necessary expenses of the Department of State
7 and the Foreign Service not otherwise provided for, includ-
8 ing employment, without regard to civil service and classi-
9 fication laws, of persons on a temporary basis (not to ex-
10 ceed \$700,000 of this appropriation), as authorized by
11 section 801 of the United States Information and Edu-
12 cational Exchange Act of 1948; representation to certain
13 international organizations in which the United States
14 participates pursuant to treaties ratified pursuant to the
15 advice and consent of the Senate or specific Acts of Con-
16 gress; arms control, nonproliferation and disarmament ac-
17 tivities as authorized; acquisition by exchange or purchase
18 of passenger motor vehicles as authorized by law; and for
19 expenses of general administration, \$3,747,118,000: *Pro-*
20 *vided*, That not to exceed 71 permanent positions and
21 \$9,804,000 shall be for the Bureau of Legislative Affairs:
22 *Provided further*, That, of the amount made available
23 under this heading, not to exceed \$4,000,000 may be
24 transferred to, and merged with, funds in the “Emer-
25 gencies in the Diplomatic and Consular Service” appro-

1 priations account, to be available only for emergency evac-
2 uations and terrorism rewards: *Provided further*, That, of
3 the amount made available under this heading,
4 \$340,000,000 shall be available only for public diplomacy
5 international information programs: *Provided further*,
6 That of the amount made available under this heading,
7 \$3,000,000 shall be available only for the operations of
8 the Office on Right-Sizing the United States Government
9 Overseas Presence: *Provided further*, That funds available
10 under this heading may be available for a United States
11 Government interagency task force to examine, coordinate
12 and oversee United States participation in the United Na-
13 tions headquarters renovation project: *Provided further*,
14 That no funds may be obligated or expended for proc-
15 essing licenses for the export of satellites of United States
16 origin (including commercial satellites and satellite compo-
17 nents) to the People's Republic of China unless, at least
18 15 days in advance, the Committees on Appropriations of
19 the House of Representatives and the Senate are notified
20 of such proposed action.

21 In addition, not to exceed \$1,469,000 shall be derived
22 from fees collected from other executive agencies for lease
23 or use of facilities located at the International Center in
24 accordance with section 4 of the International Center Act;
25 in addition, as authorized by section 5 of such Act,

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

13 In addition, for the costs of worldwide security up-
14 grades, \$689,523,000, to remain available until expended.

15 CAPITAL INVESTMENT FUND

16 For necessary expenses of the Capital Investment
17 Fund, \$128,263,000 (reduced by \$59,142,000), to remain
18 available until expended, as authorized: *Provided*, That
19 section 135(e) of Public Law 103–236 shall not apply to
20 funds available under this heading.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector
23 General, \$29,983,000, notwithstanding section 209(a)(1)
24 of the Foreign Service Act of 1980 (Public Law 96–465),
25 as it relates to post inspections.

1 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

2 For expenses of educational and cultural exchange
3 programs, as authorized, \$410,400,000, to remain avail-
4 able until expended: *Provided*, That not to exceed
5 \$2,000,000, to remain available until expended, may be
6 credited to this appropriation from fees or other payments
7 received from or in connection with English teaching, edu-
8 cational advising and counseling programs, and exchange
9 visitor programs as authorized.

10 REPRESENTATION ALLOWANCES

11 For representation allowances as authorized,
12 \$8,281,000.

13 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

14 For expenses, not otherwise provided, to enable the
15 Secretary of State to provide for extraordinary protective
16 services, as authorized, \$9,390,000, to remain available
17 until September 30, 2007.

18 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

19 For necessary expenses for carrying out the Foreign
20 Service Buildings Act of 1926 (22 U.S.C. 292–303), pre-
21 serving, maintaining, repairing, and planning for buildings
22 that are owned or directly leased by the Department of
23 State, renovating, in addition to funds otherwise available,
24 the Harry S Truman Building, and carrying out the Dip-
25 lomatic Security Construction Program as authorized,
26 \$603,510,000, to remain available until expended as au-

1 thorized, of which not to exceed \$25,000 may be used for
2 domestic and overseas representation as authorized: *Pro-*
3 *vided*, That none of the funds appropriated in this para-
4 graph shall be available for acquisition of furniture, fur-
5 nishings, or generators for other departments and agen-
6 cies.

7 In addition, for the costs of worldwide security up-
8 grades, acquisition, and construction as authorized,
9 \$910,200,000, to remain available until expended.

10 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
11 SERVICE

12 For expenses necessary to enable the Secretary of
13 State to meet unforeseen emergencies arising in the Diplo-
14 matic and Consular Service, \$10,000,000, to remain avail-
15 able until expended as authorized, of which not to exceed
16 \$1,000,000 may be transferred to and merged with the
17 Repatriation Loans Program Account, subject to the same
18 terms and conditions.

19 REPATRIATION LOANS PROGRAM ACCOUNT

20 For the cost of direct loans, \$712,000, as authorized:
21 *Provided*, That such costs, including the cost of modifying
22 such loans, shall be as defined in section 502 of the Con-
23 gressional Budget Act of 1974. In addition, for adminis-
24 trative expenses necessary to carry out the direct loan pro-
25 gram, \$607,000, which may be transferred to and merged

1 with the Diplomatic and Consular Programs account
2 under Administration of Foreign Affairs.

3 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

4 For necessary expenses to carry out the Taiwan Rela-
5 tions Act (Public Law 96–8), \$19,751,000.

6 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND

7 DISABILITY FUND

8 For payment to the Foreign Service Retirement and
9 Disability Fund, as authorized by law, \$131,700,000.

10 INTERNATIONAL ORGANIZATIONS

11 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

12 For expenses, not otherwise provided for, necessary
13 to meet annual obligations of membership in international
14 multilateral organizations, pursuant to treaties ratified
15 pursuant to the advice and consent of the Senate, conven-
16 tions or specific Acts of Congress, \$1,166,212,000 (re-
17 duced by \$21,947,600): *Provided*, That the Secretary of
18 State shall, at the time of the submission of the Presi-
19 dent’s budget to Congress under section 1105(a) of title
20 31, United States Code, transmit to the Committees on
21 Appropriations of the Senate and of the House of Rep-
22 resentatives the most recent biennial budget prepared by
23 the United Nations for the operations of the United Na-
24 tions: *Provided further*, That the Secretary of State shall
25 notify the Committees on Appropriations at least 15 days
26 in advance (or in an emergency, as far in advance as is

1 practicable) of any United Nations action to increase
2 funding for any United Nations program without identi-
3 fying an offsetting decrease elsewhere in the United Na-
4 tions budget and cause the United Nations budget for the
5 biennium 2006–2007 to exceed the revised United Nations
6 budget level for the biennium 2004–2005 of
7 \$3,695,480,000: *Provided further*, That any payment of
8 arrearages under this title shall be directed toward special
9 activities that are mutually agreed upon by the United
10 States and the respective international organization: *Pro-*
11 *vided further*, That none of the funds appropriated in this
12 paragraph shall be available for a United States contribu-
13 tion to an international organization for the United States
14 share of interest costs made known to the United States
15 Government by such organization for loans incurred on
16 or after October 1, 1984, through external borrowings.

17 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
18 ACTIVITIES

19 For necessary expenses to pay assessed and other ex-
20 penses of international peacekeeping activities directed to
21 the maintenance or restoration of international peace and
22 security, \$1,035,500,000, of which 15 percent shall re-
23 main available until September 30, 2007: *Provided*, That
24 none of the funds made available under this Act shall be
25 obligated or expended for any new or expanded United
26 Nations peacekeeping mission unless, at least 15 days in

1 advance of voting for the new or expanded mission in the
2 United Nations Security Council (or in an emergency as
3 far in advance as is practicable): (1) the Committees on
4 Appropriations of the House of Representatives and the
5 Senate and other appropriate committees of the Congress
6 are notified of the estimated cost and length of the mis-
7 sion, the vital national interest that will be served, and
8 the planned exit strategy; (2) the Committees on Appro-
9 priations of the House of Representatives and the Senate
10 and other appropriate committees of the Congress are no-
11 tified that the United Nations has taken appropriate
12 measures to prevent United Nations employees, contractor
13 personnel, and peacekeeping forces serving in any United
14 Nations peacekeeping mission from trafficking in persons,
15 exploiting victims of trafficking, or committing acts of ille-
16 gal sexual exploitation, and to hold accountable any such
17 individuals who engage in any such acts while partici-
18 pating in the peacekeeping mission; and (3) a reprogram-
19 ming of funds pursuant to section 605 of this Act is sub-
20 mitted, and the procedures therein followed, setting forth
21 the source of funds that will be used to pay for the cost
22 of the new or expanded mission: *Provided further*, That
23 funds shall be available for peacekeeping expenses only
24 upon a certification by the Secretary of State to the appro-
25 priate committees of the Congress that American manu-

1 facturers and suppliers are being given opportunities to
2 provide equipment, services, and material for United Na-
3 tions peacekeeping activities equal to those being given to
4 foreign manufacturers and suppliers: *Provided further,*
5 That none of the funds made available under this heading
6 are available to pay the United States share of the cost
7 of court monitoring that is part of any United Nations
8 peacekeeping mission.

9 INTERNATIONAL COMMISSIONS

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

13 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

14 UNITED STATES AND MEXICO

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

20 SALARIES AND EXPENSES

21 For salaries and expenses, not otherwise provided for,
22 \$27,000,000.

23 CONSTRUCTION

24 For detailed plan preparation and construction of au-
25 thorized projects, \$5,300,000, to remain available until ex-
26 pended, as authorized.

1 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

2 For necessary expenses, not otherwise provided, for
3 the International Joint Commission and the International
4 Boundary Commission, United States and Canada, as au-
5 thorized by treaties between the United States and Can-
6 ada or Great Britain, and for the Border Environment
7 Cooperation Commission as authorized by Public Law
8 103–182, \$9,500,000, of which not to exceed \$9,000 shall
9 be available for representation expenses incurred by the
10 International Joint Commission.

11 INTERNATIONAL FISHERIES COMMISSIONS

12 For necessary expenses for international fisheries
13 commissions, not otherwise provided for, as authorized by
14 law, \$22,000,000: *Provided*, That the United States' share
15 of such expenses may be advanced to the respective com-
16 missions pursuant to 31 U.S.C. 3324.

17 OTHER

18 PAYMENT TO THE ASIA FOUNDATION

19 For a grant to the Asia Foundation, as authorized
20 by the Asia Foundation Act (22 U.S.C. 4402),
21 \$10,000,000, to remain available until expended, as au-
22 thorized.

23 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

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

1 U.S.C. 5204–5205), all interest and earnings accruing to
 2 the Eisenhower Exchange Fellowship Program Trust
 3 Fund on or before September 30, 2006, to remain avail-
 4 able until expended: *Provided*, That none of the funds ap-
 5 propriated herein shall be used to pay any salary or other
 6 compensation, or to enter into any contract providing for
 7 the payment thereof, in excess of the rate authorized by
 8 5 U.S.C. 5376; or for purposes which are not in accord-
 9 ance with OMB Circulars A–110 (Uniform Administrative
 10 Requirements) and A–122 (Cost Principles for Non-profit
 11 Organizations), including the restrictions on compensation
 12 for personal services.

13 ISRAELI ARAB SCHOLARSHIP PROGRAM

14 For necessary expenses of the Israeli Arab Scholar-
 15 ship Program as authorized by section 214 of the Foreign
 16 Relations Authorization Act, Fiscal Years 1992 and 1993
 17 (22 U.S.C. 2452), all interest and earnings accruing to
 18 the Israeli Arab Scholarship Fund on or before September
 19 30, 2006, to remain available until expended.

20 EAST-WEST CENTER

21 To enable the Secretary of State to provide for car-
 22 rying out the provisions of the Center for Cultural and
 23 Technical Interchange Between East and West Act of
 24 1960, by grant to the Center for Cultural and Technical
 25 Interchange Between East and West in the State of Ha-
 26 waii, \$6,000,000: *Provided*, That none of the funds appro-

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

4 NATIONAL ENDOWMENT FOR DEMOCRACY

5 For grants made by the Department of State to the
 6 National Endowment for Democracy as authorized by the
 7 National Endowment for Democracy Act, \$50,000,000, to
 8 remain available until expended.

9 RELATED AGENCY

10 BROADCASTING BOARD OF GOVERNORS

11 INTERNATIONAL BROADCASTING OPERATIONS

12 For expenses necessary to enable the Broadcasting
 13 Board of Governors, as authorized, to carry out inter-
 14 national communication activities, including the purchase,
 15 installation, rent, and improvement of facilities for radio
 16 and television transmission and reception to Cuba, and to
 17 make and supervise grants for radio and television broad-
 18 casting to the Middle East, \$620,000,000: *Provided*, That
 19 of the total amount in this heading, not to exceed \$16,000
 20 may be used for official receptions within the United
 21 States as authorized, not to exceed \$35,000 may be used
 22 for representation abroad as authorized, and not to exceed
 23 \$39,000 may be used for official reception and representa-
 24 tion expenses of Radio Free Europe/Radio Liberty; and
 25 in addition, notwithstanding any other provision of law,
 26 not to exceed \$2,000,000 in receipts from advertising and

1 revenue from business ventures, not to exceed \$500,000
2 in receipts from cooperating international organizations,
3 and not to exceed \$1,000,000 in receipts from privatiza-
4 tion efforts of the Voice of America and the International
5 Broadcasting Bureau, to remain available until expended
6 for carrying out authorized purposes.

7 BROADCASTING CAPITAL IMPROVEMENTS

8 For the purchase, rent, construction, and improve-
9 ment of facilities for radio and television transmission and
10 reception, and purchase and installation of necessary
11 equipment for radio and television transmission and recep-
12 tion as authorized, \$10,893,000, to remain available until
13 expended, as authorized.

14 GENERAL PROVISIONS—DEPARTMENT OF STATE AND
15 RELATED AGENCY

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

22 SEC. 402. Not to exceed 5 percent of any appropria-
23 tion made available for the current fiscal year for the De-
24 partment of State in this Act may be transferred between
25 such appropriations, but no such appropriation, except as
26 otherwise specifically provided, shall be increased by more

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

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

18 SEC. 404. (a) The Senior Policy Operating Group on
19 Trafficking in Persons, established under section 406 of
20 division B of Public Law 108–7 to coordinate agency ac-
21 tivities regarding policies (including grants and grant poli-
22 cies) involving the international trafficking in persons,
23 shall coordinate all such policies related to the activities
24 of traffickers and victims of severe forms of trafficking.

1 (b) None of the funds provided in this or any other
2 Act shall be expended to perform functions that duplicate
3 coordinating responsibilities of the Operating Group.

4 (c) The Operating Group shall continue to report only
5 to the authorities that appointed them pursuant to section
6 406 of division B of Public Law 108–7.

7 SEC. 405. Any funds provided in this Act under “De-
8 partment of State” used to implement E-Government Ini-
9 tiatives shall be subject to the procedures set forth in sec-
10 tion 605 of this Act.

11 SEC. 406. (a) Subsection (f) of section 36 of the State
12 Department Basic Authorities Act of 1956 (22 U.S.C.
13 2708(f)) is amended—

14 (1) by striking “(f) INELIGIBILITY.—An offi-
15 cer” and inserting the following:

16 “(f) INELIGIBILITY.—

17 “(1) IN GENERAL.—Except as provided in para-
18 graph (2), an officer”; and

19 (2) by adding at the end the following new
20 paragraph:

21 “(2) EXCEPTION IN CERTAIN CIR-
22 CUMSTANCES.—The Secretary may pay a reward to
23 an officer or employee of a foreign government (or
24 any entity thereof) who, while in the performance of
25 his or her official duties, furnishes information de-

1 scribed in such subsection, if the Secretary deter-
 2 mines that such payment satisfies the following con-
 3 ditions:

4 “(A) Such payment is appropriate in light
 5 of the exceptional or high-profile nature of the
 6 information furnished pursuant to such sub-
 7 section.

8 “(B) Such payment may aid in furnishing
 9 further information described in such sub-
 10 section.

11 “(C) Such payment is formally requested
 12 by such agency.”.

13 (b) Subsection (b) of such section (22 U.S.C.
 14 2708(b)) is amended in the matter preceding paragraph
 15 (1) by inserting “or to an officer or employee of a foreign
 16 government in accordance with subsection (f)(2)” after
 17 “individual”.

18 This title may be cited as the “Department of State
 19 and Related Agency Appropriations Act, 2006”.

20 TITLE V—RELATED AGENCIES

21 ANTITRUST MODERNIZATION COMMISSION

22 SALARIES AND EXPENSES

23 For necessary expenses of the Antitrust Moderniza-
 24 tion Commission, as authorized by Public Law 107–273,
 25 \$1,172,000, to remain available until expended.

1 COMMISSION FOR THE PRESERVATION OF AMERICA'S
2 HERITAGE ABROAD

3 SALARIES AND EXPENSES

4 For expenses for the Commission for the Preservation
5 of America's Heritage Abroad, \$499,000, as authorized by
6 section 1303 of Public Law 99-83.

7 COMMISSION ON CIVIL RIGHTS

8 SALARIES AND EXPENSES

9 For necessary expenses of the Commission on Civil
10 Rights, including hire of passenger motor vehicles,
11 \$9,096,000: *Provided*, That none of the funds appro-
12 priated in this paragraph shall be used to employ in excess
13 of four full-time individuals under Schedule C of the Ex-
14 cepted Service exclusive of one special assistant for each
15 Commissioner: *Provided further*, That none of the funds
16 appropriated in this paragraph shall be used to reimburse
17 Commissioners for more than 75 billable days, with the
18 exception of the chairperson, who is permitted 125 billable
19 days.

20 COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

21 SALARIES AND EXPENSES

22 For necessary expenses for the United States Com-
23 mission on International Religious Freedom, as authorized
24 by title II of the International Religious Freedom Act of

1 1998 (Public Law 105–292), \$3,200,000, to remain avail-
2 able until expended.

3 COMMISSION ON SECURITY AND COOPERATION IN
4 EUROPE
5 SALARIES AND EXPENSES

6 For necessary expenses of the Commission on Secu-
7 rity and Cooperation in Europe, as authorized by Public
8 Law 94–304, \$2,030,000, to remain available until ex-
9 pended as authorized by section 3 of Public Law 99–7.

10 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
11 PEOPLE’S REPUBLIC OF CHINA
12 SALARIES AND EXPENSES

13 For necessary expenses of the Congressional-Execu-
14 tive Commission on the People’s Republic of China, as au-
15 thorized, \$1,900,000, including not more than \$3,000 for
16 the purpose of official representation, to remain available
17 until expended.

18 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
19 SALARIES AND EXPENSES

20 For necessary expenses of the Equal Employment
21 Opportunity Commission as authorized by title VII of the
22 Civil Rights Act of 1964 (29 U.S.C. 206(d) and 621–634),
23 the Americans with Disabilities Act of 1990, and the Civil
24 Rights Act of 1991, including services as authorized by
25 5 U.S.C. 3109; hire of passenger motor vehicles as author-

1 ized by 31 U.S.C. 1343(b); non-monetary awards to pri-
 2 vate citizens; and not to exceed \$33,000,000 for payments
 3 to State and local enforcement agencies for services to the
 4 Commission pursuant to title VII of the Civil Rights Act
 5 of 1964, sections 6 and 14 of the Age Discrimination in
 6 Employment Act, the Americans with Disabilities Act of
 7 1990, and the Civil Rights Act of 1991, \$331,228,000:
 8 *Provided*, That the Commission is authorized to make
 9 available for official reception and representation expenses
 10 not to exceed \$2,500 from available funds: *Provided fur-*
 11 *ther*, That the Commission may take no action to imple-
 12 ment any workforce repositioning, restructuring, or reor-
 13 ganization until such time as the Committees on Appro-
 14 priations have been notified of such proposals, in accord-
 15 ance with the reprogramming provisions of section 605 of
 16 this Act.

17 FEDERAL COMMUNICATIONS COMMISSION

18 SALARIES AND EXPENSES

19 For necessary expenses of the Federal Communica-
 20 tions Commission, as authorized by law, including uni-
 21 forms and allowances therefor, as authorized by 5 U.S.C.
 22 5901–5902; not to exceed \$4,000 for official reception and
 23 representation expenses; purchase and hire of motor vehi-
 24 cles; special counsel fees; and services as authorized by
 25 5 U.S.C. 3109, \$289,771,000: *Provided*, That

1 \$288,771,000 of offsetting collections shall be assessed
2 and collected pursuant to section 9 of title I of the Com-
3 munications Act of 1934, shall be retained and used for
4 necessary expenses in this appropriation, and shall remain
5 available until expended: *Provided further*, That the sum
6 herein appropriated shall be reduced as such offsetting
7 collections are received during fiscal year 2006 so as to
8 result in a final fiscal year 2006 appropriation estimated
9 at \$1,000,000: *Provided further*, That any offsetting col-
10 lections received in excess of \$288,771,000 in fiscal year
11 2006 shall remain available until expended, but shall not
12 be available for obligation until October 1, 2006: *Provided*
13 *further*, That any funds provided under this heading used
14 to implement E-Government Initiatives shall be subject to
15 the procedures set forth in section 605 of this Act.

16 FEDERAL TRADE COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Federal Trade Com-
19 mission, including uniforms or allowances therefor, as au-
20 thorized by 5 U.S.C. 5901–5902; services as authorized
21 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
22 not to exceed \$2,000 for official reception and representa-
23 tion expenses, \$211,000,000, to remain available until ex-
24 pended: *Provided*, That not to exceed \$300,000 shall be
25 available for use to contract with a person or persons for

1 collection services in accordance with the terms of 31
2 U.S.C. 3718: *Provided further*, That, notwithstanding any
3 other provision of law, not to exceed \$116,000,000 of off-
4 setting collections derived from fees collected for
5 premerger notification filings under the Hart-Scott-Ro-
6 dino Antitrust Improvements Act of 1976 (15 U.S.C.
7 18a), regardless of the year of collection, shall be retained
8 and used for necessary expenses in this appropriation:
9 *Provided further*, That \$23,000,000 in offsetting collec-
10 tions derived from fees sufficient to implement and enforce
11 the Telemarketing Sales Rule, promulgated under the
12 Telephone Consumer Fraud and Abuse Prevention Act
13 (15 U.S.C. 6101 et seq.), shall be credited to this account,
14 and be retained and used for necessary expenses in this
15 appropriation: *Provided further*, That the sum herein ap-
16 propriated from the general fund shall be reduced as such
17 offsetting collections are received during fiscal year 2006,
18 so as to result in a final fiscal year 2006 appropriation
19 from the general fund estimated at not more than
20 \$72,000,000: *Provided further*, That none of the funds
21 made available to the Federal Trade Commission may be
22 used to enforce subsection (e) of section 43 of the Federal
23 Deposit Insurance Act (12 U.S.C. 1831t) or section
24 151(b)(2) of the Federal Deposit Insurance Corporation
25 Improvement Act of 1991 (12 U.S.C. 1831t note).

1 HELP COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the HELP Commission,
4 \$1,000,000, to remain available until expended.

5 LEGAL SERVICES CORPORATION

6 PAYMENT TO THE LEGAL SERVICES CORPORATION

7 For payment to the Legal Services Corporation to
8 carry out the purposes of the Legal Services Corporation
9 Act of 1974, \$330,803,000, of which \$313,683,000 is for
10 basic field programs and required independent audits;
11 \$2,539,000 is for the Office of Inspector General, of which
12 such amounts as may be necessary may be used to conduct
13 additional audits of recipients; \$12,826,000 is for manage-
14 ment and administration; and \$1,755,000 is for client self-
15 help and information technology.

16 ADMINISTRATIVE PROVISION—LEGAL SERVICES
17 CORPORATION

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

1 and 1998 shall be deemed to refer instead to 2005 and
2 2006, respectively.

3 MARINE MAMMAL COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Marine Mammal Com-
6 mission as authorized by title II of Public Law 92-522,
7 \$1,865,000.

8 SECURITIES AND EXCHANGE COMMISSION

9 SALARIES AND EXPENSES

10 For necessary expenses for the Securities and Ex-
11 change Commission, including services as authorized by
12 5 U.S.C. 3109, the rental of space (to include multiple
13 year leases) in the District of Columbia and elsewhere, and
14 not to exceed \$3,000 for official reception and representa-
15 tion expenses, \$888,117,000, to remain available until ex-
16 pended; of which not to exceed \$10,000 may be used to-
17 ward funding a permanent secretariat for the Inter-
18 national Organization of Securities Commissions; and of
19 which not to exceed \$100,000 shall be available for ex-
20 penses for consultations and meetings hosted by the Com-
21 mission with foreign governmental and other regulatory
22 officials, members of their delegations, appropriate rep-
23 resentatives and staff to exchange views concerning devel-
24 opments relating to securities matters, development and
25 implementation of cooperation agreements concerning se-

1 securities matters and provision of technical assistance for
2 the development of foreign securities markets, such ex-
3 penses to include necessary logistic and administrative ex-
4 penses and the expenses of Commission staff and foreign
5 invitees in attendance at such consultations and meetings
6 including: (1) such incidental expenses as meals taken in
7 the course of such attendance; (2) any travel and trans-
8 portation to or from such meetings; and (3) any other re-
9 lated lodging or subsistence: *Provided*, That fees and
10 charges authorized by sections 6(b) of the Securities Ex-
11 change Act of 1933 (15 U.S.C. 77f(b)), and 13(e), 14(g)
12 and 31 of the Securities Exchange Act of 1934 (15 U.S.C.
13 78m(e), 78n(g), and 78ee), shall be credited to this ac-
14 count as offsetting collections: *Provided further*, That not
15 to exceed \$863,117,000 of such offsetting collections shall
16 be available until expended for necessary expenses of this
17 account: *Provided further*, That \$25,000,000 shall be de-
18 rived from prior year unobligated balances from funds pre-
19 viously appropriated to the Securities and Exchange Com-
20 mission: *Provided further*, That the total amount appro-
21 priated under this heading from the general fund for fiscal
22 year 2006 shall be reduced as such offsetting fees are re-
23 ceived so as to result in a final total fiscal year 2006 ap-
24 propriation from the general fund estimated at not more
25 than \$0.

1 SMALL BUSINESS ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses, not otherwise provided for,
4 of the Small Business Administration as authorized by
5 Public Law 108–447, including hire of passenger motor
6 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
7 not to exceed \$3,500 for official reception and representa-
8 tion expenses, \$318,029,000 (reduced by \$13,441,000):
9 *Provided*, That the Administrator is authorized to charge
10 fees to cover the cost of publications developed by the
11 Small Business Administration, and certain loan servicing
12 activities: *Provided further*, That, notwithstanding 31
13 U.S.C. 3302, revenues received from all such activities
14 shall be credited to this account, to be available for car-
15 rying out these purposes without further appropriations:
16 *Provided further*, That, of the funds made available under
17 this heading, \$1,000,000 shall be for the National Vet-
18 erans Business Development Corporation: *Provided fur-*
19 *ther*, That any funds provided under this heading used to
20 implement E-Government Initiatives shall be subject to
21 the procedures set forth in section 605 of this Act.

22 OFFICE OF INSPECTOR GENERAL

23 For necessary expenses of the Office of Inspector
24 General in carrying out the provisions of the Inspector
25 General Act of 1978, \$13,500,000.

1 SURETY BOND GUARANTEES REVOLVING FUND

2 For additional capital for the Surety Bond Guarant-
3 tees Revolving Fund, authorized by the Small Business
4 Investment Act, as amended, \$2,861,000, to remain avail-
5 able until expended.

6 BUSINESS LOANS PROGRAM ACCOUNT

7 For the cost of direct loans, \$1,000,000, to remain
8 available until expended: *Provided*, That such costs, in-
9 cluding the cost of modifying such loans, shall be as de-
10 fined in section 502 of the Congressional Budget Act of
11 1974: *Provided further*, That subject to section 502 of the
12 Congressional Budget Act of 1974, during fiscal year
13 2006 commitments to guarantee loans under section 503
14 of the Small Business Investment Act of 1958, shall not
15 exceed \$6,000,000,000: *Provided further*, That during fis-
16 cal year 2006 commitments for general business loans au-
17 thorized under section 7(a) of the Small Business Act,
18 shall not exceed \$16,500,000,000: *Provided further*, That
19 during fiscal year 2006 commitments to guarantee loans
20 for debentures under section 303(b) of the Small Business
21 Investment Act of 1958, shall not exceed \$3,000,000,000:
22 *Provided further*, That during fiscal year 2006 guarantees
23 of trust certificates authorized by section 5(g) of the Small
24 Business Act shall not exceed a principal amount of
25 \$12,000,000,000.

1 In addition, for administrative expenses to carry out
2 the direct and guaranteed loan programs, \$124,961,000
3 (increased by \$79,132,000), which may be transferred to
4 and merged with the appropriations for Salaries and Ex-
5 penses.

6 DISASTER LOANS PROGRAM ACCOUNT

7 For the cost of direct loans authorized by section 7(b)
8 of the Small Business Act, \$79,538,000, to remain avail-
9 able until expended: *Provided*, That such costs, including
10 the cost of modifying such loans, shall be as defined in
11 section 502 of the Congressional Budget Act of 1974.

12 In addition, for administrative expenses to carry out
13 the direct loan program authorized by section 7(b), of the
14 Small Business Act, \$49,716,000, which may be trans-
15 ferred to and merged with appropriations for Salaries and
16 Expenses, of which \$900,000 is for the Office of Inspector
17 General of the Small Business Administration for audits
18 and reviews of disaster loans and the disaster loan pro-
19 gram and shall be transferred to and merged with appro-
20 priations for the Office of Inspector General; of which
21 \$40,316,000 is for direct administrative expenses of loan
22 making and servicing to carry out the direct loan program,
23 to remain available until expended; and of which
24 \$8,500,000 is for indirect administrative expenses: *Pro-*
25 *vided*, That any amount in excess of \$8,500,000 to be
26 transferred to and merged with appropriations for Salaries

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

6 ADMINISTRATIVE PROVISION—SMALL BUSINESS

7 ADMINISTRATION

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

18 STATE JUSTICE INSTITUTE

19 SALARIES AND EXPENSES

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

1 UNITED STATES-CHINA ECONOMIC AND SECURITY
2 REVIEW COMMISSION
3 SALARIES AND EXPENSES

4 For necessary expenses of the United States-China
5 Economic and Security Review Commission, \$4,000,000,
6 including not more than \$5,000 for the purpose of official
7 representation, to remain available until expended.

8 UNITED STATES INSTITUTE OF PEACE
9 OPERATING EXPENSES

10 For necessary expenses of the United States Institute
11 of Peace as authorized in the United States Institute of
12 Peace Act, \$22,850,000, to remain available until ex-
13 pended.

14 TITLE VI—GENERAL PROVISIONS

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

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

21 SEC. 603. The expenditure of any appropriation
22 under this Act for any consulting service through procure-
23 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
24 to those contracts where such expenditures are a matter
25 of public record and available for public inspection, except

1 where otherwise provided under existing law, or under ex-
2 isting Executive order issued pursuant to existing law.

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

9 SEC. 605. (a) None of the funds provided under this
10 Act, or provided under previous appropriations Acts to the
11 agencies funded by this Act that remain available for obli-
12 gation or expenditure in fiscal year 2006, or provided from
13 any accounts in the Treasury of the United States derived
14 by the collection of fees available to the agencies funded
15 by this Act, shall be available for obligation or expenditure
16 through a reprogramming of funds that: (1) creates new
17 programs; (2) eliminates a program, project, or activity;
18 (3) increases funds or personnel by any means for any
19 project or activity for which funds have been denied or
20 restricted; (4) relocates an office or employees; (5) reorga-
21 nizes or renames offices; (6) reorganizes, programs or ac-
22 tivities; or (7) contracts out or privatizes any functions
23 or activities presently performed by Federal employees;
24 unless the Appropriations Committees of both Houses of

1 Congress are notified 15 days in advance of such re-
2 programming of funds.

3 (b) None of the funds provided under this Act, or
4 provided under previous appropriations Acts to the agen-
5 cies funded by this Act that remain available for obligation
6 or expenditure in fiscal year 2006, or provided from any
7 accounts in the Treasury of the United States derived by
8 the collection of fees available to the agencies funded by
9 this Act, shall be available for obligation or expenditure
10 for activities, programs, or projects through a reprogram-
11 ming of funds in excess of \$500,000 or 10 percent, which-
12 ever is less, that: (1) augments existing programs,
13 projects, or activities; (2) reduces by 10 percent funding
14 for any existing program, project, or activity, or numbers
15 of personnel by 10 percent as approved by Congress; or
16 (3) results from any general savings, including savings
17 from a reduction in personnel, which would result in a
18 change in existing programs, activities, or projects as ap-
19 proved by Congress; unless the Appropriations Commit-
20 tees of both Houses of Congress are notified 15 days in
21 advance of such reprogramming of funds.

22 SEC. 606. None of the funds made available in this
23 Act may be used to implement, administer, or enforce any
24 guidelines of the Equal Employment Opportunity Com-
25 mission covering harassment based on religion, when it is

1 made known to the Federal entity or official to which such
2 funds are made available that such guidelines do not differ
3 in any respect from the proposed guidelines published by
4 the Commission on October 1, 1993 (58 Fed. Reg.
5 51266).

6 SEC. 607. None of the funds made available by this
7 Act may be used for any United Nations undertaking
8 when it is made known to the Federal official having au-
9 thority to obligate or expend such funds that: (1) the
10 United Nations undertaking is a peacekeeping mission; (2)
11 such undertaking will involve United States Armed Forces
12 under the command or operational control of a foreign na-
13 tional; and (3) the President's military advisors have not
14 submitted to the President a recommendation that such
15 involvement is in the national security interests of the
16 United States and the President has not submitted to the
17 Congress such a recommendation.

18 SEC. 608. The Departments of Commerce, Justice,
19 and State, the National Science Foundation, the National
20 Aeronautics and Space Administration, the Federal Com-
21 munications Commission, the Securities and Exchange
22 Commission and the Small Business Administration shall
23 provide to the Committees on Appropriations of the Sen-
24 ate and of the House of Representatives a quarterly ac-
25 counting of the cumulative balances of any unobligated

1 funds that were received by such agency during any pre-
2 vious fiscal year.

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

9 (b) The requirements in subparagraphs (A) and (B)
10 of section 609 of that Act shall continue to apply during
11 fiscal year 2006.

12 SEC. 610. Any costs incurred by a department or
13 agency funded under this Act resulting from personnel ac-
14 tions taken in response to funding reductions included in
15 this Act shall be absorbed within the total budgetary re-
16 sources available to such department or agency: *Provided*,
17 That the authority to transfer funds between appropria-
18 tions accounts as may be necessary to carry out this sec-
19 tion is provided in addition to authorities included else-
20 where in this Act: *Provided further*, That use of funds to
21 carry out this section shall be treated as a reprogramming
22 of funds under section 605 of this Act and shall not be
23 available for obligation or expenditure except in compli-
24 ance with the procedures set forth in that section.

1 SEC. 611. None of the funds provided by this Act
2 shall be available to promote the sale or export of tobacco
3 or tobacco products, or to seek the reduction or removal
4 by any foreign country of restrictions on the marketing
5 of tobacco or tobacco products, except for restrictions
6 which are not applied equally to all tobacco or tobacco
7 products of the same type.

8 SEC. 612. (a) None of the funds appropriated or oth-
9 erwise made available by this Act shall be expended for
10 any purpose for which appropriations are prohibited by
11 section 616 of the Departments of Commerce, Justice, and
12 State, the Judiciary, and Related Agencies Appropriations
13 Act, 1999.

14 (b) The requirements in subsections (b) and (c) of
15 section 616 of that Act shall continue to apply during fis-
16 cal year 2006.

17 SEC. 613. None of the funds appropriated pursuant
18 to this Act or any other provision of law may be used for—

19 (1) the implementation of any tax or fee in con-
20 nection with the implementation of subsection 922(t)
21 of title 18, United States Code; and

22 (2) any system to implement subsection 922(t)
23 of title 18, United States Code, that does not re-
24 quire and result in the destruction of any identifying
25 information submitted by or on behalf of any person

1 who has been determined not to be prohibited from
2 possessing or receiving a firearm no more than 24
3 hours after the system advises a Federal firearms li-
4 censee that possession or receipt of a firearm by the
5 prospective transferee would not violate subsection
6 (g) or (n) of section 922 of title 18, United States
7 Code, or State law.

8 SEC. 614. None of the funds made available in this
9 Act may be used to pay the salaries and expenses of per-
10 sonnel of the Department of Justice to obligate more than
11 \$625,000,000 during fiscal year 2006 from the Fund es-
12 tablished by section 1402 of chapter XIV of title II of
13 Public Law 98–473 (42 U.S.C. 10601).

14 SEC. 615. None of the funds made available to the
15 Department of Justice in this Act may be used to discrimi-
16 nate against or denigrate the religious or moral beliefs of
17 students who participate in programs for which financial
18 assistance is provided from those funds, or of the parents
19 or legal guardians of such students.

20 SEC. 616. None of the funds appropriated or other-
21 wise made available to the Department of State shall be
22 available for the purpose of granting either immigrant or
23 nonimmigrant visas, or both, consistent with the deter-
24 mination of the Secretary of State under section 243(d)
25 of the Immigration and Nationality Act, to citizens, sub-

1 jects, nationals, or residents of countries that the Sec-
2 retary of Homeland Security has determined deny or un-
3 reasonably delay accepting the return of citizens, subjects,
4 nationals, or residents under that section.

5 SEC. 617. None of the funds made available in this
6 Act may be transferred to any department, agency, or in-
7 strumentality of the United States Government, except
8 pursuant to a transfer made by, or transfer authority pro-
9 vided in, this Act or any other appropriation Act.

10 SEC. 618. The Departments of Commerce, Justice,
11 and State, the Securities and Exchange Commission and
12 the Small Business Administration shall, not later than
13 two months after the date of the enactment of this Act,
14 certify that telecommuting opportunities have increased
15 over levels certified to the Committees on Appropriations
16 for fiscal year 2005: *Provided*, That, of the total amounts
17 appropriated to the Departments of Commerce, Justice,
18 and State, the Securities and Exchange Commission and
19 the Small Business Administration, \$5,000,000 shall be
20 available to each only upon such certification: *Provided*
21 *further*, That each Department or agency shall provide
22 quarterly reports to the Committees on Appropriations on
23 the status of telecommuting programs, including the num-
24 ber and percentage of Federal employees eligible for, and
25 participating in, such programs: *Provided further*, That

1 each Department or agency shall maintain a “Telework
2 Coordinator” to be responsible for overseeing the imple-
3 mentation and operations of telecommuting programs, and
4 serve as a point of contact on such programs for the Com-
5 mittees on Appropriations.

6 SEC. 619. The National Aeronautics and Space Ad-
7 ministration and the National Science Foundation shall,
8 not later than two months after the date of the enactment
9 of this Act, certify that telecommuting opportunities are
10 made available to 100 percent of the eligible workforce:
11 *Provided*, That, of the total amounts appropriated to the
12 National Aeronautics and Space Administration and the
13 National Science Foundation, \$5,000,000 shall be avail-
14 able to each agency only upon such certification: *Provided*
15 *further*, That both agencies shall provide quarterly reports
16 to the Committees on Appropriations on the status of tele-
17 commuting programs, including the number of Federal
18 employees eligible for, and participating in, such pro-
19 grams: *Provided further*, That both agencies shall des-
20 ignate a “Telework Coordinator” to be responsible for
21 overseeing the implementation and operations of telecom-
22 muting programs, and serve as a point of contact on such
23 programs for the Committees on Appropriations.

24 SEC. 620. (a) Tracing studies conducted by the Bu-
25 reau of Alcohol, Tobacco, Firearms and Explosives are re-

1 leased without adequate disclaimers regarding the limita-
2 tions of the data.

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

8 (1) Firearm traces are designed to assist law
9 enforcement authorities in conducting investigations
10 by tracking the sale and possession of specific fire-
11 arms. Law enforcement agencies may request fire-
12 arms traces for any reason, and those reasons are
13 not necessarily reported to the Federal Government.
14 Not all firearms used in crime are traced and not all
15 firearms traced are used in crime.

16 (2) Firearms selected for tracing are not chosen
17 for purposes of determining which types, makes or
18 models of firearms are used for illicit purposes. The
19 firearms selected do not constitute a random sample
20 and should not be considered representative of the
21 larger universe of all firearms used by criminals, or
22 any subset of that universe. Firearms are normally
23 traced to the first retail seller, and sources reported
24 for firearms traced do not necessarily represent the

1 sources or methods by which firearms in general are
2 acquired for use in crime.

3 SEC. 621. None of the funds made available in this
4 Act may be used in violation of section 212(a)(10)(C) of
5 the Immigration and Nationality Act.

6 SEC. 622. None of the funds appropriated or other-
7 wise made available under this Act may be used to issue
8 patents on claims directed to or encompassing a human
9 organism.

10 SEC. 623. None of the funds made available in this
11 Act may be used to pay expenses for any United States
12 delegation to any specialized agency, body, or commission
13 of the United Nations if such commission is chaired or
14 presided over by a country, the government of which the
15 Secretary of State has determined, for purposes of section
16 6(j)(1) of the Export Administration Act of 1979 (50
17 U.S.C. App. 2405(j)(1)), has provided support for acts of
18 international terrorism.

19 SEC. 624. (a) Except as provided in subsection (b),
20 a project to construct a diplomatic facility of the United
21 States may not include office space or other accommoda-
22 tions for an employee of a Federal agency or department
23 if the Secretary of State determines that such department
24 or agency has not provided to the Department of State
25 the full amount of funding required by subsection (e) of

1 section 604 of the Secure Embassy Construction and
2 Counterterrorism Act of 1999 (as enacted into law by sec-
3 tion 1000(a)(7) of Public Law 106–113 and contained in
4 appendix G of that Act; 113 Stat. 1501A–453), as amend-
5 ed by section 629 of the Departments of Commerce, Jus-
6 tice, and State, the Judiciary, and Related Agencies Ap-
7 propriations Act, 2005.

8 (b) Notwithstanding the prohibition in subsection (a),
9 a project to construct a diplomatic facility of the United
10 States may include office space or other accommodations
11 for members of the Marine Corps.

12 SEC. 625. None of the funds made available in this
13 Act shall be used in any way whatsoever to support or
14 justify the use of torture by any official or contract em-
15 ployee of the United States Government.

16 SEC. 626. Of the amounts made available in this Act,
17 \$393,616,321 from “Department of State”; \$27,938,072
18 from “Department of Justice”; \$14,107,754 from “De-
19 partment of Commerce”; \$426,314 from “United States
20 Trade Representative”; \$575,116 from “Broadcasting
21 Board of Governors”; \$291,855 from “National Aero-
22 nautics and Space Administration”; and \$79,754 from
23 “National Science Foundation” shall be available for the
24 purposes of implementing the Capital Security Cost Shar-
25 ing program.

1 SEC. 627. None of the funds made available in this
2 Act may be used in contravention of the provisions of sub-
3 sections (e) and (f) of section 301 of the United States
4 Leadership Against HIV/AIDS, Tuberculosis, and Malaria
5 Act of 2003 (Public Law 108–25; 22 U.S.C. 7631(e) and
6 (f)).

7 SEC. 628. None of the funds made available to NASA
8 in this Act may be used for voluntary separation incentive
9 payments as provided for in subchapter II of chapter 35
10 of title 5, United States Code, unless the Administrator
11 of NASA has first certified to Congress that such pay-
12 ments would not result in the loss of skills related to the
13 safety of the Space Shuttle or the International Space Sta-
14 tion or to the conduct of independent safety oversight in
15 the National Aeronautics and Space Administration.

16 SEC. 629. Notwithstanding 40 U.S.C. 524, 571, and
17 572, the Administrator of the National Aeronautics and
18 Space Administration may sell the National Aeronautics
19 and Space Administration-owned property on the Camp
20 Parks Military Reservation, Alameda County, California,
21 and credit the net proceeds of such sales as offsetting col-
22 lections to its Exploration, science and aeronautics ac-
23 count. Such funds shall be available until expended; to be
24 used to replace the facilities at Camp Parks that are still

1 required, to improve other National Aeronautics and
2 Space Administration-owned facilities, or both.

3 SEC. 630. (a) IN GENERAL.—The President of the
4 United States through his designee the Administrator of
5 the National Aeronautics and Space Administration and
6 in consultation with other Federal agencies shall develop
7 a national aeronautics policy to guide the aeronautics pro-
8 grams of the Administration through 2020.

9 (b) CONTENT.—At a minimum, the national aero-
10 nautics policy shall describe—

11 (1) the priority areas of research for aero-
12 nautics through fiscal year 2011;

13 (2) the basis on which and the process by which
14 priorities for ensuing fiscal years will be selected;

15 (3) the facilities and personnel needed to carry
16 out the program through fiscal year 2011; and

17 (4) the budget assumptions on which the na-
18 tional aeronautics policy is based.

19 (c) CONSIDERATIONS.—In developing the national
20 aeronautics policy, the Administrator shall consider the
21 following questions, which shall be discussed in the policy
22 statement—

23 (1) the extent to which NASA should focus on
24 long-term, high-risk research or more incremental
25 research or both and the expected impact on the

1 U.S. aircraft and airline industries of those deci-
2 sions;

3 (2) the extent to which NASA should address
4 military and commercial needs;

5 (3) how NASA will coordinate its aeronautics
6 program with other Federal agencies; and

7 (4) the extent to which NASA will fund univer-
8 sity research and the expected impact of that fund-
9 ing on the supply of U.S. workers for the aero-
10 nautics industry.

11 (d) CONSULTATION.—In developing the national aer-
12 onautics policy, the Administrator shall consult widely
13 with academic and industry experts and with other Fed-
14 eral agencies. The Administrator may enter into an ar-
15 rangement with the National Academy of Sciences to help
16 develop the national aeronautics policy.

17 (e) SCHEDULE.—The Administrator shall submit the
18 new national aeronautics policy to the House and Senate
19 Committees on Appropriations and to the House Com-
20 mittee on Science and the Senate Committee on Com-
21 merce, Science, and Transportation no later than the date
22 on which the President submits the proposed budget for
23 the Federal government for fiscal year 2007 to the Con-
24 gress. The Administrator shall make available to the Con-
25 gress any study done by a non-governmental entity that

1 was used in the development of the national aeronautics
2 policy.

3 SEC. 631. Any funds provided in this Act under “Na-
4 tional Science Foundation” used to implement E-Govern-
5 ment Initiatives shall be subject to the procedures set
6 forth in section 605 of this Act.

7 SEC. 632. (a) Notwithstanding any other provision
8 of law or treaty, none of the funds appropriated or other-
9 wise made available under this Act or any other Act may
10 be expended or obligated by a department, agency, or in-
11 strumentality of the United States to pay administrative
12 expenses or to compensate an officer or employee of the
13 United States in connection with requiring an export li-
14 cense for the export to Canada of components, parts, ac-
15 cessories or attachments for firearms listed in Category
16 I, section 121.1 of title 22, Code of Federal Regulations
17 (International Trafficking in Arms Regulations (ITAR),
18 part 121, as it existed on April 1, 2005) with a total value
19 not exceeding \$500 wholesale in any transaction, provided
20 that the conditions of subsection (b) of this section are
21 met by the exporting party for such articles.

22 (b) The foregoing exemption from obtaining an ex-
23 port license—

24 (1) does not exempt an exporter from filing any
25 Shipper’s Export Declaration or notification letter

1 required by law, or from being otherwise eligible
2 under the laws of the United States to possess, ship,
3 transport, or export the articles enumerated in sub-
4 section (a); and

5 (2) does not permit the export without a license
6 of—

7 (A) fully automatic firearms and compo-
8 nents and parts for such firearms, other than
9 for end use by the Federal Government, or a
10 Provincial or Municipal Government of Canada,
11 or

12 (B) barrels, cylinders, receivers (frames) or
13 complete breech mechanisms for any firearm
14 listed in Category I, other than for end use by
15 the Federal Government, or a Provincial or Mu-
16 nicipal Government of Canada; or

17 (C) articles for export from Canada to an-
18 other foreign destination.

19 (c) In accordance with this section, the District Di-
20 rectors of Customs and postmasters shall permit the per-
21 manent or temporary export without a license of any un-
22 classified articles specified in subsection (a) to Canada for
23 end use in Canada or return to the United States, or tem-
24 porary import of Canadian-origin items from Canada for

1 end use in the United States or return to Canada for a
2 Canadian citizen.

3 (d) The President may require export licenses under
4 this section on a temporary basis if the President deter-
5 mines, upon publication first in the Federal Register, that
6 the Government of Canada has implemented or main-
7 tained inadequate import controls for the articles specified
8 in subsection (a), such that a significant diversion of such
9 articles has and continues to take place for use in inter-
10 national terrorism or in the escalation of a conflict in an-
11 other nation. The President shall terminate the require-
12 ments of a license when reasons for the temporary require-
13 ments have ceased.

14 SEC. 633. Notwithstanding any other provision of
15 law, no department, agency, or instrumentality of the
16 United States receiving appropriated funds under this Act
17 or any other Act shall obligate or expend in any way such
18 funds to pay administrative expenses or the compensation
19 of any officer or employee of the United States to deny
20 any application submitted pursuant to 22 U.S.C.
21 2778(b)(1)(B) and qualified pursuant to 27 CFR Sec.
22 478.112 or .113, for a permit to import United States ori-
23 gin “curios or relics” firearms, parts, or ammunition.

1 SEC. 634. None of the funds made available in this
2 Act may be used to include in any bilateral or multilateral
3 trade agreement the text of—

4 (1) paragraph 2 of Article 16.7 of the United
5 States-Singapore Free Trade Agreement;

6 (2) paragraph 4 of Article 17.9 of the United
7 States-Australia Free Trade Agreement; or

8 (3) paragraph 4 of Article 15.9 of the United
9 States-Morocco Free Trade Agreement.

10 TITLE VII—RESCISSIONS

11 DEPARTMENT OF JUSTICE

12 LEGAL ACTIVITIES

13 ASSETS FORFEITURE FUND

14 (RESCISSION)

15 Of the unobligated balances available under this
16 heading, \$62,000,000 are rescinded.

17 OFFICE OF JUSTICE PROGRAMS

18 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

19 (RESCISSION)

20 Of the unobligated balances available under this
21 heading, \$38,500,000 are rescinded.

22 COMMUNITY ORIENTED POLICING SERVICES

23 (RESCISSION)

24 Of the unobligated balances available under this
25 heading, \$86,500,000 are rescinded.

1 DEPARTMENT OF COMMERCE

2 EMERGENCY STEEL GUARANTEED LOAN PROGRAM

3 ACCOUNT

4 (RESCISSION)

5 Of the unobligated balances available under this
6 heading from prior year appropriations, \$35,000,000 are
7 rescinded.

8 RELATED AGENCIES

9 UNITED STATES-CANADA ALASKA RAIL COMMISSION

10 SALARIES AND EXPENSES

11 (RESCISSION)

12 Of the unobligated balances available under this
13 heading from prior year appropriations, \$2,000,000 are
14 rescinded.

15 TITLE VIII—ADDITIONAL GENERAL

16 PROVISIONS

17 SEC. 801. None of the funds made available in this
18 Act may be used by the United Nations to develop or pub-
19 licize any proposal concerning taxation or fees on any
20 United States person in order to raise revenue for the
21 United Nations or any of its specialized or affiliated agen-
22 cies. None of the funds made available in this Act may
23 be used by the United Nations to implement or impose
24 any such taxation or fee on any United States person.

25 SEC. 802. None of the funds made available by this
26 Act may be used by the National Aeronautics and Space

1 Administration to employ any individual under the title
2 “artist in residence”.

3 SEC. 803. (a) For expenses necessary for enforcing
4 subsections (a) and (b) of section 642 of the Illegal Immi-
5 gration Reform and Immigrant Responsibility Act of 1996
6 (8 U.S.C. 1373), \$1,000,000.

7 (b) The amount otherwise provided in this Act for
8 “DEPARTMENT OF JUSTICE—LEGAL ACTIVITIES—
9 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES”
10 is hereby reduced by \$1,000,000.

11 SEC. 804. None of the funds made available in this
12 Act may be used to deny the production of safety reports
13 regarding the NASA Space Shuttle program and the
14 International Space Station.

15 SEC. 805. None of the funds appropriated in this Act
16 may be used to enforce the judgment of the United States
17 District Court for the Southern District of Indiana in the
18 case of Russelburg v. Gibson County, decided January 31,
19 2005.

20 SEC. 806. None of the funds made available in this
21 Act may be used to make an application under section 501
22 of the Foreign Intelligence Surveillance Act of 1978 (50
23 U.S.C. 1861) for an order requiring the production of li-
24 brary circulation records, library patron lists, book sales
25 records, or book customer lists.

1 SEC. 807. None of the funds made available in this
2 Act may be used in contravention of the following laws
3 enacted or regulations promulgated to implement the
4 United Nations Convention Against Torture and Other
5 Cruel, Inhuman or Degrading Treatment or Punishment
6 (done at New York on December 10, 1984):

7 (1) Section 2340A of title 18, United States
8 Code.

9 (2) Section 2242 of the Foreign Affairs Reform
10 and Restructuring Act of 1998 (division G of Public
11 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231
12 note) and any regulations prescribed thereto, includ-
13 ing regulations under part 208 of title 8, Code of
14 Federal Regulations, and part 95 of title 22, Code
15 of Federal Regulations.

16 This Act may be cited as the “Science, State, Justice,
17 Commerce, and Related Agencies Appropriations Act,
18 2006”.

Passed the House of Representatives June 16, 2005.

Attest:

Clerk.

109TH CONGRESS
1ST SESSION

H. R. 2862

AN ACT

Making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.