

***In the Senate of the United States,***

*November 5, 2009.*

*Resolved*, That the bill from the House of Representatives (H.R. 2847) entitled “An Act making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 *That the following sums are appropriated, out of any*  
2 *money in the Treasury not otherwise appropriated, for the*  
3 *fiscal year ending September 30, 2010, and for other pur-*  
4 *poses, namely:*

5

*TITLE I*

6

*DEPARTMENT OF COMMERCE*

7

*INTERNATIONAL TRADE ADMINISTRATION*

8

*OPERATIONS AND ADMINISTRATION*

9

*For necessary expenses for international trade activi-*

10 *ties of the Department of Commerce provided for by law,*

1 *and for engaging in trade promotional activities abroad,*  
2 *including expenses of grants and cooperative agreements for*  
3 *the purpose of promoting exports of United States firms,*  
4 *without regard to 44 U.S.C. 3702 and 3703; full medical*  
5 *coverage for dependent members of immediate families of*  
6 *employees stationed overseas and employees temporarily*  
7 *posted overseas; travel and transportation of employees of*  
8 *the International Trade Administration between two points*  
9 *abroad, without regard to 49 U.S.C. 40118; employment of*  
10 *Americans and aliens by contract for services; rental of*  
11 *space abroad for periods not exceeding 10 years, and ex-*  
12 *penses of alteration, repair, or improvement; purchase or*  
13 *construction of temporary demountable exhibition struc-*  
14 *tures for use abroad; payment of tort claims, in the manner*  
15 *authorized in the first paragraph of 28 U.S.C. 2672 when*  
16 *such claims arise in foreign countries; not to exceed*  
17 *\$327,000 for official representation expenses abroad; pur-*  
18 *chase of passenger motor vehicles for official use abroad, not*  
19 *to exceed \$45,000 per vehicle; obtaining insurance on offi-*  
20 *cial motor vehicles; and rental of tie lines, \$455,704,000,*  
21 *to remain available until September 30, 2011, of which*  
22 *\$9,439,000 is to be derived from fees to be retained and used*  
23 *by the International Trade Administration, notwith-*  
24 *standing 31 U.S.C. 3302: Provided, That not less than*  
25 *\$49,530,000 shall be for Manufacturing and Services; not*

1 *less than \$43,212,000 shall be for Market Access and Com-*  
2 *pliance; not less than \$68,290,000 shall be for the Import*  
3 *Administration; not less than \$257,938,000 shall be for the*  
4 *Trade Promotion and United States and Foreign Commer-*  
5 *cial Service; and not less than \$27,295,000 shall be for Ex-*  
6 *ecutive Direction and Administration: Provided further,*  
7 *That the provisions of the first sentence of section 105(f)*  
8 *and all of section 108(c) of the Mutual Educational and*  
9 *Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and*  
10 *2458(c)) shall apply in carrying out these activities without*  
11 *regard to section 5412 of the Omnibus Trade and Competi-*  
12 *tiveness Act of 1988 (15 U.S.C. 4912); and that for the pur-*  
13 *pose of this Act, contributions under the provisions of the*  
14 *Mutual Educational and Cultural Exchange Act of 1961*  
15 *shall include payment for assessments for services provided*  
16 *as part of these activities: Provided further, That negotia-*  
17 *tions shall be conducted within the World Trade Organiza-*  
18 *tion to recognize the right of members to distribute monies*  
19 *collected from antidumping and countervailing duties: Pro-*  
20 *vided further, That negotiations shall be conducted within*  
21 *the World Trade Organization consistent with the negoti-*  
22 *ating objectives contained in the Trade Act of 2002, Public*  
23 *Law 107–210, to maintain strong U.S. remedies laws, cor-*  
24 *rect the problem of overreaching by World Trade Organiza-*  
25 *tion Panels and Appellate Body, and prevent the creation*

1 of obligation never negotiated or expressly agreed to by the  
2 United States: Provided further, That within the amounts  
3 appropriated, \$1,500,000 shall be used for the projects, and  
4 in the amounts, specified in the table entitled “Congression-  
5 ally designated projects” in the report of the Committee on  
6 Appropriations of the Senate to accompany this Act.

7 *BUREAU OF INDUSTRY AND SECURITY*

8 *OPERATIONS AND ADMINISTRATION*

9 *For necessary expenses for export administration and*  
10 *national security activities of the Department of Commerce,*  
11 *including costs associated with the performance of export*  
12 *administration field activities both domestically and*  
13 *abroad; full medical coverage for dependent members of im-*  
14 *mediate families of employees stationed overseas; employ-*  
15 *ment of Americans and aliens by contract for services*  
16 *abroad; payment of tort claims, in the manner authorized*  
17 *in the first paragraph of 28 U.S.C. 2672 when such claims*  
18 *arise in foreign countries; not to exceed \$15,000 for official*  
19 *representation expenses abroad; awards of compensation to*  
20 *informers under the Export Administration Act of 1979,*  
21 *and as authorized by 22 U.S.C. 401(b); and purchase of*  
22 *passenger motor vehicles for official use and motor vehicles*  
23 *for law enforcement use with special requirement vehicles*  
24 *eligible for purchase without regard to any price limitation*  
25 *otherwise established by law, \$100,342,000, to remain avail-*

1 able until expended, of which \$14,767,000 shall be for in-  
2 spections and other activities related to national security:  
3 Provided, That the provisions of the first sentence of section  
4 105(f) and all of section 108(c) of the Mutual Educational  
5 and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and  
6 2458(c)) shall apply in carrying out these activities: Pro-  
7 vided further, That payments and contributions collected  
8 and accepted for materials or services provided as part of  
9 such activities may be retained for use in covering the cost  
10 of such activities, and for providing information to the pub-  
11 lic with respect to the export administration and national  
12 security activities of the Department of Commerce and other  
13 export control programs of the United States and other gov-  
14 ernments.

15 *ECONOMIC DEVELOPMENT ADMINISTRATION*

16 *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*

17 *For grants for economic development assistance as pro-*  
18 *vided by the Public Works and Economic Development Act*  
19 *of 1965, and for trade adjustment assistance, \$200,000,000,*  
20 *to remain available until expended: Provided, That of the*  
21 *amounts provided, no more than \$4,000,000 may be trans-*  
22 *ferred to “Economic Development Administration, Salaries*  
23 *and Expenses” to conduct management oversight and ad-*  
24 *ministration of public works grants.*



1 *BUREAU OF THE CENSUS*2 *SALARIES AND EXPENSES*

3 *For expenses necessary for collecting, compiling, ana-*  
4 *lyzing, preparing, and publishing statistics, provided for by*  
5 *law, \$259,024,000.*

6 *PERIODIC CENSUSES AND PROGRAMS*

7 *For necessary expenses to collect and publish statistics*  
8 *for periodic censuses and programs provided for by law,*  
9 *\$7,065,707,000, to remain available until September 30,*  
10 *2011: Provided, That none of the funds provided in this*  
11 *or any other Act for any fiscal year may be used for the*  
12 *collection of census data on race identification that does not*  
13 *include “some other race” as a category: Provided further,*  
14 *That from amounts provided herein, funds may be used for*  
15 *additional promotion, outreach, and marketing activities.*

16 *NATIONAL TELECOMMUNICATIONS AND INFORMATION*17 *ADMINISTRATION*18 *SALARIES AND EXPENSES*

19 *For necessary expenses, as provided for by law, of the*  
20 *National Telecommunications and Information Adminis-*  
21 *tration (NTIA), \$19,999,000, to remain available until*  
22 *September 30, 2011: Provided, That, notwithstanding 31*  
23 *U.S.C. 1535(d), the Secretary of Commerce shall charge*  
24 *Federal agencies for costs incurred in spectrum manage-*  
25 *ment, analysis, operations, and related services, and such*

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

12 *PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND*  
13 *CONSTRUCTION*

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

1        *UNITED STATES PATENT AND TRADEMARK OFFICE*2                                *SALARIES AND EXPENSES*

3        *For necessary expenses of the United States Patent and*  
4 *Trademark Office (USPTO) provided for by law, including*  
5 *defense of suits instituted against the Under Secretary of*  
6 *Commerce for Intellectual Property and Director of the*  
7 *United States Patent and Trademark Office,*  
8 *\$1,930,361,000, to remain available until expended: Pro-*  
9 *vided, That the sum herein appropriated from the general*  
10 *fund shall be reduced as offsetting collections assessed and*  
11 *collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and*  
12 *376 are received during fiscal year 2010, so as to result*  
13 *in a fiscal year 2010 appropriation from the general fund*  
14 *estimated at \$0: Provided further, That during fiscal year*  
15 *2010, should the total amount of offsetting fee collections*  
16 *be less than \$1,930,361,000, this amount shall be reduced*  
17 *accordingly: Provided further, That of the amount received*  
18 *in excess of \$1,930,361,000 in fiscal year 2010, in an*  
19 *amount up to \$100,000,000 shall remain until expended:*  
20 *Provided further, That from amounts provided herein, not*  
21 *to exceed \$1,000 shall be made available in fiscal year 2010*  
22 *for official reception and representation expenses: Provided*  
23 *further, That of the amounts provided to the USPTO within*  
24 *this account, \$25,000,000 shall not become available for ob-*  
25 *ligation until the Director of the USPTO has completed a*

1 *comprehensive review of the assumptions behind the patent*  
2 *examiner expectancy goals and adopted a revised set of ex-*  
3 *pectancy goals for patent examination: Provided further,*  
4 *That in fiscal year 2010 from the amounts made available*  
5 *for “Salaries and Expenses” for the USPTO, the amounts*  
6 *necessary to pay: (1) the difference between the percentage*  
7 *of basic pay contributed by the USPTO and employees*  
8 *under section 8334(a) of title 5, United States Code, and*  
9 *the normal cost percentage (as defined by section 8331(17)*  
10 *of that title) of basic pay, of employees subject to subchapter*  
11 *III of chapter 83 of that title; and (2) the present value*  
12 *of the otherwise unfunded accruing costs, as determined by*  
13 *the Office of Personnel Management, of post-retirement life*  
14 *insurance and post-retirement health benefits coverage for*  
15 *all USPTO employees, shall be transferred to the Civil Serv-*  
16 *ice Retirement and Disability Fund, the Employees Life In-*  
17 *surance Fund, and the Employees Health Benefits Fund,*  
18 *as appropriate, and shall be available for the authorized*  
19 *purposes of those accounts: Provided further, That sections*  
20 *801, 802, and 803 of division B, Public Law 108–447 shall*  
21 *remain in effect during fiscal year 2010: Provided further,*  
22 *That the Director may, this year, reduce by regulation fees*  
23 *payable for documents in patent and trademark matters,*  
24 *in connection with the filing of documents filed electroni-*  
25 *cally in a form prescribed by the Director: Provided further,*

1 *That \$2,000,000 shall be transferred to “Office of Inspector*  
2 *General” for activities associated with carrying out inves-*  
3 *tigations and audits related to the USPTO.*

4 *NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY*  
5 *SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES*

6 *For necessary expenses of the National Institute of*  
7 *Standards and Technology, \$520,300,000, to remain avail-*  
8 *able until expended, of which not to exceed \$9,000,000 may*  
9 *be transferred to the “Working Capital Fund”: Provided,*  
10 *That not to exceed \$5,000 shall be for official reception and*  
11 *representation expenses: Provided further, That within the*  
12 *amounts appropriated, \$10,500,000 shall be used for the*  
13 *projects, and in the amounts, specified in the table entitled*  
14 *“Congressionally designated projects” in the report of the*  
15 *Committee on Appropriations of the Senate to accompany*  
16 *this Act.*

17 *INDUSTRIAL TECHNOLOGY SERVICES*

18 *For necessary expenses of the Hollings Manufacturing*  
19 *Extension Partnership of the National Institute of Stand-*  
20 *ards and Technology, \$124,700,000, to remain available*  
21 *until expended. In addition, for necessary expenses of the*  
22 *Technology Innovation Program of the National Institute*  
23 *of Standards and Technology, \$69,900,000, to remain*  
24 *available until expended.*

1                    *CONSTRUCTION OF RESEARCH FACILITIES*

2                    *For construction of new research facilities, including*  
3 *architectural and engineering design, and for renovation*  
4 *and maintenance of existing facilities, not otherwise pro-*  
5 *vided for the National Institute of Standards and Tech-*  
6 *nology, as authorized by 15 U.S.C. 278c–278e,*  
7 *\$163,900,000, to remain available until expended: Pro-*  
8 *vided, That within the amounts appropriated, \$47,000,000*  
9 *shall be used for the projects, and in the amounts, specified*  
10 *in the table entitled “Congressionally designated projects”*  
11 *in the report of the Committee on Appropriations of the*  
12 *Senate to accompany this Act: Provided further, That the*  
13 *Secretary of Commerce shall include in the budget justifica-*  
14 *tion materials that the Secretary submits to Congress in*  
15 *support of the Department of Commerce budget (as sub-*  
16 *mitted with the budget of the President under section*  
17 *1105(a) of title 31, United States Code) an estimate for each*  
18 *National Institute of Standards and Technology construc-*  
19 *tion project having a total multi-year program cost of more*  
20 *than \$5,000,000 and simultaneously the budget justification*  
21 *materials shall include an estimate of the budgetary re-*  
22 *quirements for each such project for each of the five subse-*  
23 *quent fiscal years.*

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

4 For necessary expenses of activities authorized by law  
5 for the National Oceanic and Atmospheric Administration,  
6 including maintenance, operation, and hire of aircraft and  
7 vessels; grants, contracts, or other payments to nonprofit  
8 organizations for the purposes of conducting activities pur-  
9 suant to cooperative agreements; and relocation of facilities,  
10 \$3,301,131,000, to remain available until September 30,  
11 2011, except for funds provided for cooperative enforcement,  
12 which shall remain available until September 30, 2012:  
13 Provided, That fees and donations received by the National  
14 Ocean Service for the management of national marine sanc-  
15 tuaries may be retained and used for the salaries and ex-  
16 penses associated with those activities, notwithstanding 31  
17 U.S.C. 3302: Provided further, That in addition,  
18 \$3,000,000 shall be derived by transfer from the fund enti-  
19 tled "Coastal Zone Management" and in addition  
20 \$104,600,000 shall be derived by transfer from the fund en-  
21 titled "Promote and Develop Fishery Products and Re-  
22 search Pertaining to American Fisheries": Provided fur-  
23 ther, That of the \$3,304,131,000 provided for in direct obli-  
24 gations under this heading \$3,301,131,000 is appropriated  
25 from the general fund, \$3,000,000 is provided by transfer:

1 *Provided further, That the total amount available for the*  
2 *National Oceanic and Atmospheric Administration cor-*  
3 *porate services administrative support costs shall not exceed*  
4 *\$226,809,000: Provided further, That payments of funds*  
5 *made available under this heading to the Department of*  
6 *Commerce Working Capital Fund including Department of*  
7 *Commerce General Counsel legal services shall not exceed*  
8 *\$36,583,000: Provided further, That within the amounts*  
9 *appropriated, \$57,725,000 shall be used for the projects,*  
10 *and in the amounts, specified in the table entitled “Congres-*  
11 *sionally designated projects” in the report of the Committee*  
12 *on Appropriations of the Senate to accompany this Act:*  
13 *Provided further, That any deviation from the amounts des-*  
14 *ignated for specific activities in the report accompanying*  
15 *this Act, or any use of deobligated balances of funds pro-*  
16 *vided under this heading in previous years, shall be subject*  
17 *to the procedures set forth in section 505 of this Act: Pro-*  
18 *vided further, That in allocating grants under sections 306*  
19 *and 306A of the Coastal Zone Management Act of 1972,*  
20 *as amended, no coastal State shall receive more than 5 per-*  
21 *cent or less than 1 percent of increased funds appropriated*  
22 *over the previous fiscal year.*

23 *In addition, for necessary retired pay expenses under*  
24 *the Retired Serviceman’s Family Protection and Survivor*  
25 *Benefits Plan, and for payments for the medical care of*

1 *retired personnel and their dependents under the Depend-*  
2 *ents Medical Care Act (10 U.S.C. 55), such sums as may*  
3 *be necessary.*

4 *PROCUREMENT, ACQUISITION AND CONSTRUCTION*

5 *For procurement, acquisition and construction of cap-*  
6 *ital assets, including alteration and modification costs, of*  
7 *the National Oceanic and Atmospheric Administration,*  
8 *\$1,397,685,000, to remain available until September 30,*  
9 *2012, except funds provided for construction of facilities*  
10 *which shall remain available until expended: Provided,*  
11 *That of the amounts provided for the National Polar-orbit-*  
12 *ing Operational Environmental Satellite System, funds*  
13 *shall only be made available on a dollar-for-dollar matching*  
14 *basis with funds provided for the same purpose by the De-*  
15 *partment of Defense: Provided further, That except to the*  
16 *extent expressly prohibited by any other law, the Depart-*  
17 *ment of Defense may delegate procurement functions related*  
18 *to the National Polar-orbiting Operational Environmental*  
19 *Satellite System to officials of the Department of Commerce*  
20 *pursuant to section 2311 of title 10, United States Code:*  
21 *Provided further, That any deviation from the amounts des-*  
22 *ignated for specific activities in the report accompanying*  
23 *this Act, or any use of deobligated balances of funds pro-*  
24 *vided under this heading in previous years, shall be subject*  
25 *to the procedures set forth in section 505 of this Act: Pro-*

1 *vided further, That the Secretary of Commerce is authorized*  
2 *to enter into a lease, at no cost to the United States Govern-*  
3 *ment, with the Regents of the University of Alabama for*  
4 *a term of not less than 55 years, with two successive options*  
5 *each of 5 years, for land situated on the campus of Univer-*  
6 *sity of Alabama in Tuscaloosa to house the Cooperative In-*  
7 *stitute and Research Center for Southeast Weather and Hy-*  
8 *drology: Provided further, That within the amounts appro-*  
9 *priated, \$19,000,000 shall be used for the projects, and in*  
10 *the amounts, specified in the table entitled “Congressionally*  
11 *designated projects” in the report of the Committee on Ap-*  
12 *propriations of the Senate to accompany this Act.*

13 *PACIFIC COASTAL SALMON RECOVERY*

14 *For necessary expenses associated with the restoration*  
15 *of Pacific salmon populations, \$80,000,000, to remain*  
16 *available until September 30, 2011: Provided, That of the*  
17 *funds provided herein the Secretary of Commerce may issue*  
18 *grants to the States of Washington, Oregon, Idaho, Nevada,*  
19 *California, and Alaska, and federally recognized tribes of*  
20 *the Columbia River and Pacific Coast for projects necessary*  
21 *for conservation of salmon and steelhead populations that*  
22 *are listed as threatened or endangered, or identified by a*  
23 *State as at-risk to be so-listed, for maintaining populations*  
24 *necessary for exercise of tribal treaty fishing rights or na-*  
25 *tive subsistence fishing, or for conservation of Pacific coast-*

1 *al salmon and steelhead habitat, based on guidelines to be*  
2 *developed by the Secretary of Commerce: Provided further,*  
3 *That funds disbursed to States shall be subject to a match-*  
4 *ing requirement of funds or documented in-kind contribu-*  
5 *tions of at least 33 percent of the Federal funds.*

6 *COASTAL ZONE MANAGEMENT FUND*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *Of amounts collected pursuant to section 308 of the*  
9 *Coastal Zone Management Act of 1972 (16 U.S.C. 1456a),*  
10 *not to exceed \$3,000,000 shall be transferred to the “Oper-*  
11 *ations, Research, and Facilities” account to offset the costs*  
12 *of implementing such Act.*

13 *FISHERIES FINANCE PROGRAM ACCOUNT*

14 *Subject to section 502 of the Congressional Budget Act*  
15 *of 1974, during fiscal year 2010, obligations of direct loans*  
16 *may not exceed \$16,000,000 for Individual Fishing Quota*  
17 *loans and not to exceed \$59,000,000 for traditional direct*  
18 *loans as authorized by the Merchant Marine Act of 1936:*  
19 *Provided, That none of the funds made available under this*  
20 *heading may be used for direct loans for any new fishing*  
21 *vessel that will increase the harvesting capacity in any*  
22 *United States fishery.*

1                    *DEPARTMENTAL MANAGEMENT*2                    *SALARIES AND EXPENSES*

3            *For expenses necessary for the departmental manage-*  
4 *ment of the Department of Commerce provided for by law,*  
5 *including not to exceed \$5,000 for official reception and*  
6 *representation, \$61,000,000: Provided, That the Secretary,*  
7 *within 120 days of enactment of this Act, shall provide a*  
8 *report to the Committee on Appropriations of the Senate*  
9 *that audits and evaluates all decision documents and ex-*  
10 *penditures by the Bureau of the Census as they relate to*  
11 *the 2010 Census: Provided further, That of the amounts pro-*  
12 *vided to the Secretary within this account, \$5,000,000 shall*  
13 *not become available for obligation until the Secretary cer-*  
14 *tifies to the Committee on Appropriations of the Senate that*  
15 *the Bureau of the Census has followed and met all standards*  
16 *and best practices, and all Office of Management and Budg-*  
17 *et guidelines related to information technology projects and*  
18 *contract management.*

19            *HERBERT C. HOOVER BUILDING RENOVATION AND*20            *MODERNIZATION*

21            *For expenses necessary, including blast windows, for*  
22 *the renovation and modernization of the Herbert C. Hoover*  
23 *Building, \$22,500,000, to remain available until expended.*

## 1                   OFFICE OF INSPECTOR GENERAL

2           *For necessary expenses of the Office of Inspector Gen-*  
3 *eral in carrying out the provisions of the Inspector General*  
4 *Act of 1978 (5 U.S.C. App.), \$27,000,000.*

5           GENERAL PROVISIONS—DEPARTMENT OF COMMERCE  
6                   (INCLUDING TRANSFER OF FUNDS)

7           *SEC. 101. During the current fiscal year, applicable*  
8 *appropriations and funds made available to the Depart-*  
9 *ment of Commerce by this Act shall be available for the*  
10 *activities specified in the Act of October 26, 1949 (15 U.S.C.*  
11 *1514), to the extent and in the manner prescribed by the*  
12 *Act, and, notwithstanding 31 U.S.C. 3324, may be used for*  
13 *advanced payments not otherwise authorized only upon the*  
14 *certification of officials designated by the Secretary of Com-*  
15 *merce that such payments are in the public interest.*

16           *SEC. 102. 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 hire*  
19 *of passenger motor vehicles as authorized by 31 U.S.C. 1343*  
20 *and 1344; services as authorized by 5 U.S.C. 3109; and uni-*  
21 *forms or allowances therefor, as authorized by law (5 U.S.C.*  
22 *5901–5902).*

23           *SEC. 103. Not to exceed 5 percent of any appropriation*  
24 *made available for the current fiscal year for the Depart-*  
25 *ment of Commerce in this Act may be transferred between*

1 *such appropriations, but no such appropriation shall be in-*  
2 *creased by more than 10 percent by any such transfers: Pro-*  
3 *vided, That any transfer pursuant to this section shall be*  
4 *treated as a reprogramming of funds under section 505 of*  
5 *this Act and shall not be available for obligation or expendi-*  
6 *ture except in compliance with the procedures set forth in*  
7 *that section: Provided further, That the Secretary of Com-*  
8 *merce shall notify the Committees on Appropriations at*  
9 *least 15 days in advance of the acquisition or disposal of*  
10 *any capital asset (including land, structures, and equip-*  
11 *ment) not specifically provided for in this Act or any other*  
12 *law appropriating funds for the Department of Commerce:*  
13 *Provided further, That for the National Oceanic and Atmos-*  
14 *pheric Administration this section shall provide for trans-*  
15 *fers among appropriations made only to the National Oce-*  
16 *anic and Atmospheric Administration and such appropria-*  
17 *tions may not be transferred and reprogrammed to other*  
18 *Department of Commerce bureaus and appropriation ac-*  
19 *counts.*

20 *SEC. 104. Any costs incurred by a department or agen-*  
21 *cy funded under this title resulting from personnel actions*  
22 *taken in response to funding reductions included in this*  
23 *title or from actions taken for the care and protection of*  
24 *loan collateral or grant property shall be absorbed within*  
25 *the total budgetary resources available to such department*

1 *or agency: Provided, That the authority to transfer funds*  
2 *between appropriations accounts as may be necessary to*  
3 *carry out this section is provided in addition to authorities*  
4 *included elsewhere in this Act: Provided further, That use*  
5 *of funds to carry out this section shall be treated as a re-*  
6 *programming of funds under section 505 of this Act and*  
7 *shall not be available for obligation or expenditure except*  
8 *in compliance with the procedures set forth in that section.*

9       *SEC. 105. The requirements set forth by section 112*  
10 *of division B of Public Law 110–161 are hereby adopted*  
11 *by reference.*

12       *SEC. 106. Notwithstanding any other law, the Sec-*  
13 *retary may furnish services (including but not limited to*  
14 *utilities, telecommunications, and security services) nec-*  
15 *essary to support the operation, maintenance, and improve-*  
16 *ment of space that persons, firms or organizations are au-*  
17 *thorized pursuant to the Public Buildings Cooperative Use*  
18 *Act of 1976 or other authority to use or occupy in the Her-*  
19 *bert C. Hoover Building, Washington, DC, or other build-*  
20 *ings, the maintenance, operation, and protection of which*  
21 *has been delegated to the Secretary from the Administrator*  
22 *of General Services pursuant to the Federal Property and*  
23 *Administrative Services Act of 1949, as amended, on a re-*  
24 *imbursable or non-reimbursable basis. Amounts received as*  
25 *reimbursement for services provided under this section or*

1 *the authority under which the use or occupancy of the space*  
2 *is authorized, up to \$200,000, shall be credited to the appro-*  
3 *priation or fund which initially bears the costs of such serv-*  
4 *ices.*

5 *SEC. 107. With the consent of the President, the Sec-*  
6 *retary of Commerce shall represent the United States Gov-*  
7 *ernment in negotiating and monitoring international*  
8 *agreements regarding fisheries, marine mammals, or sea*  
9 *turtles: Provided, That the Secretary of Commerce shall be*  
10 *responsible for the development and interdepartmental co-*  
11 *ordination of the policies of the United States with respect*  
12 *to the international negotiations and agreements referred*  
13 *to in this section.*

14 *SEC. 108. Section 101(k) of the Emergency Steel Loan*  
15 *Guarantee Act of 1999 (15 U.S.C. 1841 note) is amended*  
16 *by striking “2009” and inserting “2011”.*

17 *SEC. 109. Nothing in this title shall be construed to*  
18 *prevent a grant recipient from deterring child pornography,*  
19 *copyright infringement, or any other unlawful activity over*  
20 *its networks.*

21 *SEC. 110. The National Marine Fisheries Service is*  
22 *authorized to accept land, buildings, equipment, and other*  
23 *contributions including funding, from public and private*  
24 *sources, which shall be available until expended without fur-*

1 *ther appropriation to conduct work associated with existing*  
2 *authorities.*

3 *This title may be cited as the “Department of Com-*  
4 *merce Appropriations Act, 2010”.*

5 *TITLE II*

6 *DEPARTMENT OF JUSTICE*

7 *GENERAL ADMINISTRATION*

8 *SALARIES AND EXPENSES*

9 *For expenses necessary for the administration of the*  
10 *Department of Justice, \$118,488,000, of which not to exceed*  
11 *\$4,000,000 for security and construction of Department of*  
12 *Justice facilities shall remain available until expended:*  
13 *Provided, That the Attorney General is authorized to trans-*  
14 *fer funds appropriated within General Administration to*  
15 *any office in this account: Provided further, That*  
16 *\$18,693,000 is for Department Leadership; \$8,101,000 is*  
17 *for Intergovernmental Relations/External Affairs;*  
18 *\$12,715,000 is for Executive Support/Professional Respon-*  
19 *sibility; and \$78,979,000 is for the Justice Management Di-*  
20 *vision: Provided further, That any change in amounts spec-*  
21 *ified in the preceding proviso greater than 5 percent shall*  
22 *be submitted for approval to the House and Senate Commit-*  
23 *tees on Appropriations consistent with the terms of section*  
24 *505 of this Act: Provided further, That this transfer author-*

1 *ity is in addition to transfers authorized under section 505*  
2 *of this Act.*

3 *JUSTICE INFORMATION SHARING TECHNOLOGY*

4 *For necessary expenses for information sharing tech-*  
5 *nology, including planning, development, deployment and*  
6 *departmental direction, \$95,000,000, to remain available*  
7 *until expended, of which \$21,132,000 is for the unified fi-*  
8 *nancial management system.*

9 *TACTICAL LAW ENFORCEMENT WIRELESS COMMUNICATIONS*

10 *For the costs of developing and implementing a na-*  
11 *tion-wide Integrated Wireless Network supporting Federal*  
12 *law enforcement communications, and for the costs of oper-*  
13 *ations and maintenance of existing Land Mobile Radio leg-*  
14 *acy systems, \$206,143,000, to remain available until ex-*  
15 *pended: Provided, That the Attorney General shall transfer*  
16 *to this account all funds made available to the Department*  
17 *of Justice for the purchase of portable and mobile radios:*  
18 *Provided further, That any transfer made under the pre-*  
19 *ceding proviso shall be subject to section 505 of this Act.*

20 *ADMINISTRATIVE REVIEW AND APPEALS*

21 *For expenses necessary for the administration of par-*  
22 *don and clemency petitions and immigration-related activi-*  
23 *ties, \$300,685,000, of which \$4,000,000 shall be derived by*  
24 *transfer from the Executive Office for Immigration Review*

1 *fees deposited in the “Immigration Examinations Fee” ac-*  
2 *count.*

3 *DETENTION TRUSTEE*

4 *For necessary expenses of the Federal Detention Trust-*  
5 *ee, \$1,438,663,000, to remain available until expended: Pro-*  
6 *vided, That the Trustee shall be responsible for managing*  
7 *the Justice Prisoner and Alien Transportation System:*  
8 *Provided further, That not to exceed \$5,000,000 shall be*  
9 *considered “funds appropriated for State and local law en-*  
10 *forcement assistance” pursuant to 18 U.S.C. 4013(b).*

11 *OFFICE OF INSPECTOR GENERAL*

12 *For necessary expenses of the Office of Inspector Gen-*  
13 *eral, \$84,368,000, including not to exceed \$10,000 to meet*  
14 *unforeseen emergencies of a confidential character, of which*  
15 *\$2,000,000 is designated as being for overseas deployments*  
16 *and other activities pursuant to sections 401(c)(4) and*  
17 *423(a)(1) of S. Con. Res. 13 (111th Congress), the concur-*  
18 *rent resolution on the budget for fiscal year 2010.*

19 *UNITED STATES PAROLE COMMISSION*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses of the United States Parole*  
22 *Commission as authorized, \$12,859,000.*



1 *the current fiscal year for the Department of Justice, as*  
2 *may be necessary to respond to such circumstances: Pro-*  
3 *vided further, That any transfer pursuant to the previous*  
4 *proviso shall be treated as a reprogramming under section*  
5 *505 of this Act and shall not be available for obligation*  
6 *or expenditure except in compliance with the procedures set*  
7 *forth in that section: Provided further, That of the amount*  
8 *appropriated, such sums as may be necessary shall be avail-*  
9 *able to reimburse the Office of Personnel Management for*  
10 *salaries and expenses associated with the election moni-*  
11 *toring program under section 8 of the Voting Rights Act*  
12 *of 1965 (42 U.S.C. 1973f): Provided further, That of the*  
13 *amounts provided under this heading for the election moni-*  
14 *toring program \$3,390,000 shall remain available until ex-*  
15 *pended.*

16 *In addition, for reimbursement of expenses of the De-*  
17 *partment of Justice associated with processing cases under*  
18 *the National Childhood Vaccine Injury Act of 1986, not to*  
19 *exceed \$7,833,000, to be appropriated from the Vaccine In-*  
20 *jury Compensation Trust Fund.*

21 *SALARIES AND EXPENSES, ANTITRUST DIVISION*

22 *For expenses necessary for the enforcement of antitrust*  
23 *and kindred laws, \$163,170,000, to remain available until*  
24 *expended: Provided, That notwithstanding any other provi-*  
25 *sion of law, fees collected for premerger notification filings*

1 *under the Hart-Scott-Rodino Antitrust Improvements Act*  
2 *of 1976 (15 U.S.C. 18a), regardless of the year of collection*  
3 *(and estimated to be \$102,000,000 in fiscal year 2010),*  
4 *shall be retained and used for necessary expenses in this*  
5 *appropriation, and shall remain available until expended:*  
6 *Provided further, That the sum herein appropriated from*  
7 *the general fund shall be reduced as such offsetting collec-*  
8 *tions are received during fiscal year 2010, so as to result*  
9 *in a final fiscal year 2010 appropriation from the general*  
10 *fund estimated at \$61,170,000.*

11 *SALARIES AND EXPENSES, UNITED STATES ATTORNEYS*

12 *For necessary expenses of the Offices of the United*  
13 *States Attorneys, including inter-governmental and cooper-*  
14 *ative agreements, \$1,926,003,000: Provided, That of the*  
15 *total amount appropriated, not to exceed \$8,000 shall be*  
16 *available for official reception and representation expenses:*  
17 *Provided further, That not to exceed \$25,000,000 shall re-*  
18 *main available until expended: Provided further, That of*  
19 *the amount provided under this heading, not less than*  
20 *\$36,980,000 shall be used for salaries and expenses for as-*  
21 *sistant U.S. Attorneys to carry out section 704 of the Adam*  
22 *Walsh Child Protection and Safety Act of 2006 (Public Law*  
23 *109–248) concerning the prosecution of offenses relating to*  
24 *the sexual exploitation of children.*

1                    *UNITED STATES TRUSTEE SYSTEM FUND*

2            *For necessary expenses of the United States Trustee*  
3 *Program, as authorized, \$224,488,000, to remain available*  
4 *until expended and to be derived from the United States*  
5 *Trustee System Fund: Provided, That notwithstanding any*  
6 *other provision of law, deposits to the Fund shall be avail-*  
7 *able in such amounts as may be necessary to pay refunds*  
8 *due depositors: Provided further, That, notwithstanding*  
9 *any other provision of law, \$210,000,000 of offsetting collec-*  
10 *tions pursuant to 28 U.S.C. 589a(b) shall be retained and*  
11 *used for necessary expenses in this appropriation and shall*  
12 *remain available until expended: Provided further, That the*  
13 *sum herein appropriated from the Fund shall be reduced*  
14 *as such offsetting collections are received during fiscal year*  
15 *2010, so as to result in a final fiscal year 2010 appropria-*  
16 *tion from the Fund estimated at \$9,488,000.*

17            *SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT*  
18    *COMMISSION*

19            *For expenses necessary to carry out the activities of*  
20 *the Foreign Claims Settlement Commission, including serv-*  
21 *ices as authorized by section 3109 of title 5, United States*  
22 *Code, \$2,117,000.*

23    *FEES AND EXPENSES OF WITNESSES*

24            *For fees and expenses of witnesses, for expenses of con-*  
25 *tracts for the procurement and supervision of expert wit-*

1 nesses, for private counsel expenses, including advances,  
2 and for expenses of foreign counsel, \$168,300,000, to remain  
3 available until expended: Provided, That not to exceed  
4 \$10,000,000 may be made available for construction of  
5 buildings for protected witness safesites: Provided further,  
6 That not to exceed \$3,000,000 may be made available for  
7 the purchase and maintenance of armored and other vehi-  
8 cles for witness security caravans: Provided further, That  
9 not to exceed \$11,000,000 may be made available for the  
10 purchase, installation, maintenance, and upgrade of secure  
11 telecommunications equipment and a secure automated in-  
12 formation network to store and retrieve the identities and  
13 locations of protected witnesses.

14 SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

15 For necessary expenses of the Community Relations  
16 Service, \$11,479,000: Provided, That notwithstanding sec-  
17 tion 205 of this Act, upon a determination by the Attorney  
18 General that emergent circumstances require additional  
19 funding for conflict resolution and violence prevention ac-  
20 tivities of the Community Relations Service, the Attorney  
21 General may transfer such amounts to the Community Re-  
22 lations Service, from available appropriations for the cur-  
23 rent fiscal year for the Department of Justice, as may be  
24 necessary to respond to such circumstances: Provided fur-  
25 ther, That any transfer pursuant to the preceding proviso

1 *shall be treated as a reprogramming under section 505 of*  
2 *this Act and shall not be available for obligation or expendi-*  
3 *ture except in compliance with the procedures set forth in*  
4 *that section.*

5 *ASSETS FORFEITURE FUND*

6 *For expenses authorized by 28 U.S.C. 524(c)(1)(B),*  
7 *(F), and (G), \$20,990,000, to be derived from the Depart-*  
8 *ment of Justice Assets Forfeiture Fund.*

9 *UNITED STATES MARSHALS SERVICE*

10 *SALARIES AND EXPENSES*

11 *For necessary expenses of the United States Marshals*  
12 *Service, \$1,125,763,000; of which not to exceed \$30,000*  
13 *shall be available for official reception and representation*  
14 *expenses; of which not to exceed \$4,000,000 shall remain*  
15 *available until expended for information technology sys-*  
16 *tems.*

17 *CONSTRUCTION*

18 *For construction in space controlled, occupied or uti-*  
19 *lized by the United States Marshals Service for prisoner*  
20 *holding and related support, \$26,625,000, to remain avail-*  
21 *able until expended; and of which not less than \$12,625,000*  
22 *shall be available for the costs of courthouse security equip-*  
23 *ment, including furnishings, relocations, and telephone sys-*  
24 *tems and cabling.*

1                    *NATIONAL SECURITY DIVISION*2                    *SALARIES AND EXPENSES*

3            *For expenses necessary to carry out the activities of*  
4 *the National Security Division, \$87,938,000; of which not*  
5 *to exceed \$5,000,000 for information technology systems*  
6 *shall remain available until expended: Provided, That not-*  
7 *withstanding section 205 of this Act, upon a determination*  
8 *by the Attorney General that emergent circumstances re-*  
9 *quire additional funding for the activities of the National*  
10 *Security Division, the Attorney General may transfer such*  
11 *amounts to this heading from available appropriations for*  
12 *the current fiscal year for the Department of Justice, as*  
13 *may be necessary to respond to such circumstances: Pro-*  
14 *vided further, That any transfer pursuant to the preceding*  
15 *proviso shall be treated as a reprogramming under section*  
16 *505 of this Act and shall not be available for obligation*  
17 *or expenditure except in compliance with the procedures set*  
18 *forth in that section.*

19                    *INTERAGENCY LAW ENFORCEMENT*20                    *INTERAGENCY CRIME AND DRUG ENFORCEMENT*

21            *For necessary expenses for the identification, inves-*  
22 *tigation, and prosecution of individuals associated with the*  
23 *most significant drug trafficking and affiliated money*  
24 *laundering organizations not otherwise provided for, to in-*  
25 *clude inter-governmental agreements with State and local*

1 *law enforcement agencies engaged in the investigation and*  
2 *prosecution of individuals involved in organized crime drug*  
3 *trafficking, \$515,000,000, of which \$50,000,000 shall re-*  
4 *main available until expended: Provided, That any*  
5 *amounts obligated from appropriations under this heading*  
6 *may be used under authorities available to the organiza-*  
7 *tions reimbursed from this appropriation.*

8 *FEDERAL BUREAU OF INVESTIGATION*

9 *SALARIES AND EXPENSES*

10 *For necessary expenses of the Federal Bureau of Inves-*  
11 *tigation for detection, investigation, and prosecution of*  
12 *crimes against the United States; \$7,668,622,000, of which*  
13 *\$101,066,000 is designated as being for overseas deploy-*  
14 *ments and other activities pursuant to sections 401(c)(4)*  
15 *and 423(a)(1) of S. Con. Res. 13 (111th Congress), the con-*  
16 *current resolution on the budget for fiscal year 2010; and*  
17 *of which not to exceed \$150,000,000 shall remain available*  
18 *until expended: Provided, That not to exceed \$205,000 shall*  
19 *be available for official reception and representation ex-*  
20 *penses: Provided further, That notwithstanding section 205*  
21 *of this Act, the Director of the Federal Bureau of Investiga-*  
22 *tion, upon a determination that additional funding is nec-*  
23 *essary to carry out construction of the Biometrics Tech-*  
24 *nology Center, may transfer from amounts available for*  
25 *“Salaries and Expenses” to amounts available for “Con-*

1 *struction” up to \$30,000,000 in fees collected to defray ex-*  
2 *penses for the automation of fingerprint identification and*  
3 *criminal justice information services and associated costs:*  
4 *Provided further, That any transfer made pursuant to the*  
5 *previous proviso shall be subject to section 505 of this Act.*

6 *CONSTRUCTION*

7 *For all necessary expenses, to include the cost of equip-*  
8 *ment, furniture, and information technology requirements,*  
9 *related to construction or acquisition of buildings, facilities*  
10 *and sites by purchase, or as otherwise authorized by law;*  
11 *conversion, modification and extension of federally owned*  
12 *buildings; and preliminary planning and design of projects;*  
13 *\$244,915,000, to remain available until expended.*

14 *DRUG ENFORCEMENT ADMINISTRATION*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses of the Drug Enforcement Ad-*  
17 *ministration, including not to exceed \$70,000 to meet un-*  
18 *foreseen emergencies of a confidential character pursuant*  
19 *to 28 U.S.C. 530C; and expenses for conducting drug edu-*  
20 *cation and training programs, including travel and related*  
21 *expenses for participants in such programs and the dis-*  
22 *tribution of items of token value that promote the goals of*  
23 *such programs, \$2,014,682,000; of which \$10,000,000 is des-*  
24 *ignated as being for overseas deployments and other activi-*  
25 *ties pursuant to sections 401(c)(4) and 423(a)(1) of S. Con.*



1 *maintained by Federal firearms licensees: Provided further,*  
2 *That no funds appropriated herein shall be used to pay ad-*  
3 *ministrative expenses or the compensation of any officer or*  
4 *employee of the United States to implement an amendment*  
5 *or amendments to 27 CFR 478.118 or to change the defini-*  
6 *tion of “Curios or relics” in 27 CFR 478.11 or remove any*  
7 *item from ATF Publication 5300.11 as it existed on Janu-*  
8 *ary 1, 1994: Provided further, That none of the funds ap-*  
9 *propriated herein shall be available to investigate or act*  
10 *upon applications for relief from Federal firearms disabil-*  
11 *ities under 18 U.S.C. 925(c): Provided further, That such*  
12 *funds shall be available to investigate and act upon appli-*  
13 *cations filed by corporations for relief from Federal fire-*  
14 *arms disabilities under section 925(c) of title 18, United*  
15 *States Code: Provided further, That no funds made avail-*  
16 *able by this or any other Act may be used to transfer the*  
17 *functions, missions, or activities of the Bureau of Alcohol,*  
18 *Tobacco, Firearms and Explosives to other agencies or De-*  
19 *partments in fiscal year 2010: Provided further, That, be-*  
20 *ginning in fiscal year 2010 and thereafter, no funds appro-*  
21 *priated under this or any other Act may be used to disclose*  
22 *part or all of the contents of the Firearms Trace System*  
23 *database maintained by the National Trace Center of the*  
24 *Bureau of Alcohol, Tobacco, Firearms and Explosives or*  
25 *any information required to be kept by licensees pursuant*

1 to section 923(g) of title 18, United States Code, or required  
2 to be reported pursuant to paragraphs (3) and (7) of such  
3 section 923(g), except to: (1) a Federal, State, local, tribal,  
4 or foreign law enforcement agency, or a Federal, State, or  
5 local prosecutor; or (2) a foreign law enforcement agency  
6 solely in connection with or for use in a criminal investiga-  
7 tion or prosecution; or solely in connection with and for  
8 use in a criminal investigation or prosecution; or (3) a Fed-  
9 eral agency for a national security or intelligence purpose;  
10 unless such disclosure of such data to any of the entities  
11 described in (1), (2) or (3) of this proviso would compromise  
12 the identity of any undercover law enforcement officer or  
13 confidential informant, or interfere with any case under in-  
14 vestigation; and no person or entity described in (1), (2)  
15 or (3) shall knowingly or publicly disclose such data; and  
16 all such data shall be immune from legal process, shall not  
17 be subject to subpoena or other discovery, shall be inadmis-  
18 sible in evidence, and shall not be used, relied on, or dis-  
19 closed in any manner, nor shall testimony or other evidence  
20 be permitted based on the data, in a civil action in any  
21 State (including the District of Columbia) or Federal court  
22 or in an administrative proceeding other than a proceeding  
23 commenced by the Bureau of Alcohol, Tobacco, Firearms  
24 and Explosives to enforce the provisions of chapter 44 of  
25 such title, or a review of such an action or proceeding; ex-

1 *cept that this proviso shall not be construed to prevent: (A)*  
2 *the disclosure of statistical information concerning total*  
3 *production, importation, and exportation by each licensed*  
4 *importer (as defined in section 921(a)(9) of such title) and*  
5 *licensed manufacturer (as defined in section 921(a)(10) of*  
6 *such title); (B) the sharing or exchange of such information*  
7 *among and between Federal, State, local, or foreign law en-*  
8 *forcement agencies, Federal, State, or local prosecutors, and*  
9 *Federal national security, intelligence, or counterterrorism*  
10 *officials; or (C) the publication of annual statistical reports*  
11 *on products regulated by the Bureau of Alcohol, Tobacco,*  
12 *Firearms and Explosives, including total production, im-*  
13 *portation, and exportation by each licensed importer (as*  
14 *so defined) and licensed manufacturer (as so defined), or*  
15 *statistical aggregate data regarding firearms traffickers and*  
16 *trafficking channels, or firearms misuse, felons, and traf-*  
17 *ficking investigations: Provided further, That no funds*  
18 *made available by this or any other Act shall be expended*  
19 *to promulgate or implement any rule requiring a physical*  
20 *inventory of any business licensed under section 923 of title*  
21 *18, United States Code: Provided further, That no funds*  
22 *under this Act may be used to electronically retrieve infor-*  
23 *mation gathered pursuant to 18 U.S.C. 923(g)(4) by name*  
24 *or any personal identification code: Provided further, That*  
25 *no funds authorized or made available under this or any*

1 *other Act may be used to deny any application for a license*  
2 *under section 923 of title 18, United States Code, or renewal*  
3 *of such a license due to a lack of business activity, provided*  
4 *that the applicant is otherwise eligible to receive such a li-*  
5 *cence, and is eligible to report business income or to claim*  
6 *an income tax deduction for business expenses under the*  
7 *Internal Revenue Code of 1986.*

8 *CONSTRUCTION*

9 *For necessary expenses to construct or acquire build-*  
10 *ings and sites to purchase, or as otherwise authorized by*  
11 *law (including equipment for such buildings); conversion*  
12 *and extension of federally owned buildings; and prelimi-*  
13 *nary planning and design of projects; \$6,000,000, to remain*  
14 *until expended.*

15 *FEDERAL PRISON SYSTEM*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses of the Federal Prison System*  
18 *for the administration, operation, and maintenance of Fed-*  
19 *eral penal and correctional institutions, including purchase*  
20 *(not to exceed 831, of which 743 are for replacement only)*  
21 *and hire of law enforcement and passenger motor vehicles,*  
22 *and for the provision of technical assistance and advice on*  
23 *corrections related issues to foreign governments,*  
24 *\$5,979,831,000, of which \$10,500,000 is designated as being*  
25 *for overseas deployments and other activities pursuant to*

1 *sections 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th*  
2 *Congress), the concurrent resolution on the budget for fiscal*  
3 *year 2010: Provided, That the Attorney General may trans-*  
4 *fer to the Health Resources and Services Administration*  
5 *such amounts as may be necessary for direct expenditures*  
6 *by that Administration for medical relief for inmates of*  
7 *Federal penal and correctional institutions: Provided fur-*  
8 *ther, That the Director of the Federal Prison System, where*  
9 *necessary, may enter into contracts with a fiscal agent or*  
10 *fiscal intermediary claims processor to determine the*  
11 *amounts payable to persons who, on behalf of the Federal*  
12 *Prison System, furnish health services to individuals com-*  
13 *mitted to the custody of the Federal Prison System: Pro-*  
14 *vided further, That not to exceed \$6,000 shall be available*  
15 *for official reception and representation expenses: Provided*  
16 *further, That not to exceed \$50,000,000 shall remain avail-*  
17 *able for necessary operations until September 30, 2011:*  
18 *Provided further, That, of the amounts provided for con-*  
19 *tract confinement, not to exceed \$20,000,000 shall remain*  
20 *available until expended to make payments in advance for*  
21 *grants, contracts and reimbursable agreements, and other*  
22 *expenses authorized by section 501(c) of the Refugee Edu-*  
23 *cation Assistance Act of 1980 (8 U.S.C. 1522 note), for the*  
24 *care and security in the United States of Cuban and Hai-*  
25 *tian entrants: Provided further, That the Director of the*

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

8 *BUILDINGS AND FACILITIES*

9 *For planning, acquisition of sites and construction of*  
10 *new facilities; purchase and acquisition of facilities and re-*  
11 *modeling, and equipping of such facilities for penal and*  
12 *correctional use, including all necessary expenses incident*  
13 *thereto, by contract or force account; and constructing, re-*  
14 *modeling, and equipping necessary buildings and facilities*  
15 *at existing penal and correctional institutions, including*  
16 *all necessary expenses incident thereto, by contract or force*  
17 *account, \$99,155,000, to remain available until expended,*  
18 *of which not less than \$73,769,000 shall be available only*  
19 *for modernization, maintenance and repair, and of which*  
20 *not to exceed \$14,000,000 shall be available to construct*  
21 *areas for inmate work programs: Provided, That labor of*  
22 *United States prisoners may be used for work performed*  
23 *under this appropriation.*

1            *FEDERAL PRISON INDUSTRIES, INCORPORATED*

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

12            *LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL*  
13                            *PRISON INDUSTRIES, INCORPORATED*

14            *Not to exceed \$2,700,000 of the funds of the Federal*  
15 *Prison Industries, Incorporated shall be available for its ad-*  
16 *ministrative expenses, and for services as authorized by sec-*  
17 *tion 3109 of title 5, United States Code, to be computed*  
18 *on an accrual basis to be determined in accordance with*  
19 *the corporation's current prescribed accounting system, and*  
20 *such amounts shall be exclusive of depreciation, payment*  
21 *of claims, and expenditures which such accounting system*  
22 *requires to be capitalized or charged to cost of commodities*  
23 *acquired or produced, including selling and shipping ex-*  
24 *penses, and expenses in connection with acquisition, con-*  
25 *struction, operation, maintenance, improvement, protec-*

1 *tion, or disposition of facilities and other property belong-*  
 2 *ing to the corporation or in which it has an interest.*

3 *STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES*

4 *OFFICE ON VIOLENCE AGAINST WOMEN*

5 *VIOLENCE AGAINST WOMEN PREVENTION AND*

6 *PROSECUTION PROGRAMS*

7 *For grants, contracts, cooperative agreements, and*  
 8 *other assistance for the prevention and prosecution of vio-*  
 9 *lence against women, as authorized by the Omnibus Crime*  
 10 *Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et*  
 11 *seq.) (“the 1968 Act”); the Violent Crime Control and Law*  
 12 *Enforcement Act of 1994 (Public Law 103–322) (“the 1994*  
 13 *Act”); the Victims of Child Abuse Act of 1990 (Public Law*  
 14 *101–647) (“the 1990 Act”); the Prosecutorial Remedies and*  
 15 *Other Tools to end the Exploitation of Children Today Act*  
 16 *of 2003 (Public Law 108–21); the Juvenile Justice and De-*  
 17 *linquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.)*  
 18 *(“the 1974 Act”); the Victims of Trafficking and Violence*  
 19 *Protection Act of 2000 (Public Law 106–386) (“the 2000*  
 20 *Act”); and the Violence Against Women and Department*  
 21 *of Justice Reauthorization Act of 2005 (Public Law 109–*  
 22 *162) (“the 2005 Act”); and for related victims services,*  
 23 *\$435,000,000, to remain available until expended: Pro-*  
 24 *vided, That except as otherwise provided by law, not to ex-*  
 25 *ceed 3 percent of funds made available under this heading*

1 *may be used for expenses related to evaluation, training,*  
2 *and technical assistance: Provided further, That of the*  
3 *amount provided (which shall be by transfer, for programs*  
4 *administered by the Office of Justice Programs)—*

5           (1) *\$15,000,000 for the court-appointed special*  
6 *advocate program, as authorized by section 217 of the*  
7 *1990 Act;*

8           (2) *\$2,500,000 for child abuse training programs*  
9 *for judicial personnel and practitioners, as authorized*  
10 *by section 222 of the 1990 Act;*

11           (3) *\$200,000,000 for grants to combat violence*  
12 *against women, as authorized by part T of the 1968*  
13 *Act, of which—*

14                   (A) *\$18,000,000 shall be for transitional*  
15 *housing assistance grants for victims of domestic*  
16 *violence, stalking or sexual assault as authorized*  
17 *by section 40299 of the 1994 Act; and*

18                   (B) *\$2,000,000 shall be for the National In-*  
19 *stitute of Justice for research and evaluation of*  
20 *violence against women and related issues ad-*  
21 *dressed by grant programs of the Office on Vio-*  
22 *lence Against Women;*

23           (4) *\$60,000,000 for grants to encourage arrest*  
24 *policies as authorized by part U of the 1968 Act;*

1           (5) \$15,000,000 for sexual assault victims assist-  
2           ance, as authorized by section 41601 of the 1994 Act;

3           (6) \$41,000,000 for rural domestic violence and  
4           child abuse enforcement assistance grants, as author-  
5           ized by section 40295 of the 1994 Act;

6           (7) \$3,000,000 for training programs as author-  
7           ized by section 40152 of the 1994 Act, and for related  
8           local demonstration projects;

9           (8) \$3,000,000 for grants to improve the stalking  
10          and domestic violence databases, as authorized by sec-  
11          tion 40602 of the 1994 Act;

12          (9) \$9,500,000 for grants to reduce violent crimes  
13          against women on campus, as authorized by section  
14          304 of the 2005 Act;

15          (10) \$45,000,000 for legal assistance for victims,  
16          as authorized by section 1201 of the 2000 Act;

17          (11) \$4,250,000 for enhanced training and serv-  
18          ices to end violence against and abuse of women in  
19          later life, as authorized by section 40802 of the 1994  
20          Act;

21          (12) \$14,000,000 for the safe havens for children  
22          program, as authorized by section 1301 of the 2000  
23          Act;

24          (13) \$6,750,000 for education and training to  
25          end violence against and abuse of women with dis-

1       abilities, as authorized by section 1402 of the 2000  
2       Act;

3               (14) \$3,000,000 for an engaging men and youth  
4       in prevention program, as authorized by section  
5       41305 of the 1994 Act;

6               (15) \$1,000,000 for analysis and research on vio-  
7       lence against Indian women, as authorized by section  
8       904 of the 2005 Act;

9               (16) \$1,000,000 for tracking of violence against  
10       Indian women, as authorized by section 905 of the  
11       2005 Act;

12               (17) \$3,500,000 for services to advocate and re-  
13       spond to youth, as authorized by section 41201 of the  
14       1994 Act;

15               (18) \$3,000,000 for grants to assist children and  
16       youth exposed to violence, as authorized by section  
17       41303 of the 1994 Act;

18               (19) \$3,000,000 for the court training and im-  
19       provements program, as authorized by section 41002  
20       of the 1994 Act;

21               (20) \$500,000 for the National Resource Center  
22       on Workplace Responses to assist victims of domestic  
23       violence, as authorized by section 41501 of the 1994  
24       Act; and

1           (21) \$1,000,000 for grants for televised testi-  
2           mony, as authorized by part N of title I of the 1968  
3           Act.

4                            OFFICE OF JUSTICE PROGRAMS

5                                    JUSTICE ASSISTANCE

6           For grants, contracts, cooperative agreements, and  
7           other assistance authorized by title I of the Omnibus Crime  
8           Control and Safe Streets Act of 1968; the Missing Children's  
9           Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial  
10          Remedies and Other Tools to end the Exploitation of Chil-  
11          dren Today Act of 2003 (Public Law 108-21); the Justice  
12          for All Act of 2004 (Public Law 108-405); the Violence  
13          Against Women and Department of Justice Reauthorization  
14          Act of 2005 (Public Law 109-162); the Second Chance Act  
15          of 2007 (Public Law 110-199); the Victims of Child Abuse  
16          Act of 1990 (Public Law 101-647); the Victims of Crime  
17          Act of 1984 (Public Law 98-473); the Adam Walsh Child  
18          Protection and Safety Act of 2006 (Public Law 109-248);  
19          the PROTECT Our Children Act of 2008 (Public Law 110-  
20          401); subtitle D of title II of the Homeland Security Act  
21          of 2002 (Public Law 107-296), which may include research  
22          and development; and other programs (including the State-  
23          wide Automated Victim Notification Program);  
24          \$215,000,000, to remain available until expended, of which:

1           (1) \$40,000,000 is for criminal justice statistics  
2           programs, pursuant to part C of the 1968 Act, of  
3           which \$35,000,000 is for the National Crime Victim-  
4           ization Survey;

5           (2) \$48,000,000 is for research, development, and  
6           evaluation programs;

7           (3) \$12,000,000 is for the Statewide Victim Noti-  
8           fication System of the Bureau of Justice Assistance;

9           (4) \$45,000,000 is for the Regional Information  
10          System Sharing System, as authorized by part M of  
11          title I of the 1968 Act; and

12          (5) \$70,000,000 is for the Missing Children's  
13          Program.

14          STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

15          For grants, contracts, cooperative agreements, and  
16          other assistance authorized by the Violent Crime Control  
17          and Law Enforcement Act of 1994 (Public Law 103–322)  
18          (“the 1994 Act”); the Omnibus Crime Control and Safe  
19          Streets Act of 1968 (“the 1968 Act”); the Justice for All  
20          Act of 2004 (Public Law 108–405); the Victims of Child  
21          Abuse Act of 1990 (Public Law 101–647) (“the 1990 Act”);  
22          the Trafficking Victims Protection Reauthorization Act of  
23          2005 (Public Law 109–164); the Violence Against Women  
24          and Department of Justice Reauthorization Act of 2005  
25          (Public Law 109–162); the Adam Walsh Child Protection

1 *and Safety Act of 2006 (Public Law 109–248); the Second*  
2 *Chance Act of 2007 (Public Law 110–199); and the Victims*  
3 *of Trafficking and Violence Protection Act of 2000 (Public*  
4 *Law 106–386); and other programs; \$1,159,000,000, to re-*  
5 *main available until expended as follows:*

6           (1) *\$510,000,000 for the Edward Byrne Memo-*  
7 *rial Justice Assistance Grant program as authorized*  
8 *by subpart 1 of part E of title I of the 1968 Act, (ex-*  
9 *cept that section 1001(c), and the special rules for*  
10 *Puerto Rico under section 505(g), of the 1968 Act,*  
11 *shall not apply for purposes of this Act), of which*  
12 *\$5,000,000 is for use by the National Institute of Jus-*  
13 *tice in assisting units of local government to identify,*  
14 *select, develop, modernize, and purchase new tech-*  
15 *nologies for use by law enforcement, \$2,000,000 is for*  
16 *a program to improve State and local law enforce-*  
17 *ment intelligence capabilities including anti-ter-*  
18 *rorism training and training to ensure that constitu-*  
19 *tional rights, civil liberties, civil rights, and privacy*  
20 *interests are protected throughout the intelligence*  
21 *process, \$10,000,000 is to support the Nationwide*  
22 *Pegasus Program in coordination with the National*  
23 *Sheriff’s Association, for rural and non-urban law en-*  
24 *forcement databases and connectivity to enhance in-*  
25 *formation sharing technology capacity, and*

1       \$10,000,000 is for implementation of a student loan  
2       repayment assistance program pursuant to section  
3       952 of Public Law 110–315;

4               (2) \$178,500,000 for discretionary grants to im-  
5       prove the functioning of the criminal justice system,  
6       to prevent or combat juvenile delinquency, and to as-  
7       sist victims of crime (other than compensation): Pro-  
8       vided, That within the amounts appropriated,  
9       \$178,500,000 shall be used for the projects, and in the  
10       amounts specified in the table entitled “Congression-  
11       ally designated projects” in the report of the Com-  
12       mittee on Appropriations of the Senate to accompany  
13       this Act;

14              (3) \$40,000,000 for competitive grants to im-  
15       prove the functioning of the criminal justice system,  
16       to prevent or combat juvenile delinquency, and to as-  
17       sist victims of crime (other than compensation) of  
18       which \$8,000,000 shall be available for the SMART  
19       Office activities and \$2,000,000 shall be available for  
20       grants to States and local law enforcement agencies  
21       as authorized by section 5 of Public Law 110–344;

22              (4) \$2,000,000 for the purposes described in the  
23       Missing Alzheimer’s Disease Patient Alert Program  
24       (section 240001 of the 1994 Act);

1           (5) \$15,000,000 for victim services programs for  
2 victims of trafficking, as authorized by section  
3 107(b)(2) of Public Law 106–386 and for programs  
4 authorized under Public Law 109–164;

5           (6) \$40,000,000 for Drug Courts, as authorized  
6 by section 1001(25)(A) of title I of the 1968 Act;

7           (7) \$5,000,000 for prison rape prevention and  
8 prosecution and other programs, as authorized by the  
9 Prison Rape Elimination Act of 2003 (Public Law  
10 108–79);

11           (8) \$20,000,000 for grants for Residential Sub-  
12 stance Abuse Treatment for State Prisoners, as au-  
13 thorized by part S of title I of the 1968 Act;

14           (9) \$50,000,000 for offender re-entry programs,  
15 as authorized by the Second Chance Act of 2007 (Pub-  
16 lic Law 110–199), of which \$25,000,000 is for grants  
17 for adult and juvenile offender State, tribal and local  
18 reentry demonstration projects, \$15,000,000 is for  
19 grants for mentoring and transitional services and  
20 \$5,000,000 is for family-based substance abuse treat-  
21 ment;

22           (10) \$5,500,000 for the Capital Litigation Im-  
23 provement Grant Program, as authorized by section  
24 426 of Public Law 108–405;

1           (11) \$10,000,000 for mental health courts and  
2           adult and juvenile collaboration program grants, as  
3           authorized by parts V and HH of title I of the 1968  
4           Act, and the Mentally Ill Offender Treatment and  
5           Crime Reduction Reauthorization and Improvement  
6           Act of 2008 (Public Law 110–416);

7           (12) \$30,000,000 for assistance to Indian tribes,  
8           of which—

9                   (A) \$10,000,000 shall be available for  
10                  grants under section 20109 of subtitle A of title  
11                  II of the 1994 Act;

12                   (B) \$10,000,000 shall be available for the  
13                  Tribal Courts Initiative;

14                   (C) \$7,000,000 shall be available for tribal  
15                  alcohol and substance abuse reduction assistance  
16                  grants; and

17                   (D) \$3,000,000 shall be available for train-  
18                  ing and technical assistance and civil and crimi-  
19                  nal legal assistance as authorized by title I of  
20                  Public Law 106–559;

21           (13) \$228,000,000 for the State Criminal Alien  
22           Assistance Program, as authorized by section  
23           241(i)(5) of the Immigration and Nationality Act (8  
24           U.S.C. 1231(i)(5)); and

1           (14) \$25,000,000 for the Border Prosecutor Ini-  
2           tiative to reimburse State, county, parish, tribal, or  
3           municipal governments for costs associated with the  
4           prosecution of criminal cases declined by local offices  
5           of the United States Attorneys: Provided, That no less  
6           than \$20,000,000 shall be for prosecution efforts on  
7           the Southern border: Provided further, That no less  
8           than \$5,000,000 shall be for prosecution efforts on the  
9           Northern border:  
10          Provided, That, if a unit of local government uses any of  
11          the funds made available under this heading to increase the  
12          number of law enforcement officers, the unit of local govern-  
13          ment will achieve a net gain in the number of law enforce-  
14          ment officers who perform nonadministrative public safety  
15          service.

16                                   WEED AND SEED PROGRAM FUND

17          For necessary expenses, including salaries and related  
18          expenses of the Office of Weed and Seed Strategies,  
19          \$20,000,000, to remain available until expended, as author-  
20          ized by section 103 of title I of the Omnibus Crime Control  
21          and Safe Streets Act of 1968.

22                                   JUVENILE JUSTICE PROGRAMS

23          For grants, contracts, cooperative agreements, and  
24          other assistance authorized by the Juvenile Justice and De-  
25          linquency Prevention Act of 1974 (“the 1974 Act”), the Om-

1 *nibus Crime Control and Safe Streets Act of 1968 (“the*  
2 *1968 Act”), the Violence Against Women and Department*  
3 *of Justice Reauthorization Act of 2005 (Public Law 109–*  
4 *162), the Missing Children’s Assistance Act (42 U.S.C. 5771*  
5 *et seq.); the Prosecutorial Remedies and Other Tools to end*  
6 *the Exploitation of Children Today Act of 2003 (Public*  
7 *Law 108–21); the Victims of Child Abuse Act of 1990 (Pub-*  
8 *lic Law 101–647); the Adam Walsh Child Protection and*  
9 *Safety Act of 2006 (Public Law 109–248); the PROTECT*  
10 *Our Children Act of 2008 (Public Law 110–401), and other*  
11 *juvenile justice programs, \$407,000,000, to remain avail-*  
12 *able until expended as follows:*

13           (1) *\$75,000,000 for programs authorized by sec-*  
14 *tion 221 of the 1974 Act, and for training and tech-*  
15 *nical assistance to assist small, non-profit organiza-*  
16 *tions with the Federal grants process: Provided, That*  
17 *no less than \$5,000,000 shall be for the Safe Start*  
18 *Program, as authorized by the 1974 Act;*

19           (2) *\$82,000,000 for grants and projects, as au-*  
20 *thorized by sections 261 and 262 of the 1974 Act:*  
21 *Provided, That within the amounts appropriated,*  
22 *\$82,000,000 shall be used for the projects, and in the*  
23 *amounts, specified in the table entitled “Congression-*  
24 *ally designated projects” in the report of the Com-*

1 *mittee on Appropriations of the Senate to accompany*  
2 *this Act;*

3 (3) *\$100,000,000 for youth mentoring grants;*

4 (4) *\$65,000,000 for delinquency prevention, as*  
5 *authorized by section 505 of the 1974 Act, of which,*  
6 *pursuant to sections 261 and 262 thereof—*

7 (A) *\$25,000,000 shall be for the Tribal*  
8 *Youth Program;*

9 (B) *\$10,000,000 shall be for a gang edu-*  
10 *cation initiative; and*

11 (C) *\$25,000,000 shall be for grants of*  
12 *\$360,000 to each State and \$4,840,000 shall be*  
13 *available for discretionary grants, for programs*  
14 *and activities to enforce State laws prohibiting*  
15 *the sale of alcoholic beverages to minors or the*  
16 *purchase or consumption of alcoholic beverages*  
17 *by minors, for prevention and reduction of con-*  
18 *sumption of alcoholic beverages by minors, and*  
19 *for technical assistance and training;*

20 (5) *\$25,000,000 for programs authorized by the*  
21 *Victims of Child Abuse Act of 1990; and*

22 (6) *\$60,000,000 for the Juvenile Accountability*  
23 *Block Grants program as authorized by part R of*  
24 *title I of the 1968 Act and Guam shall be considered*  
25 *a State:*

1 *Provided, That not more than 10 percent of each amount*  
2 *may be used for research, evaluation, and statistics activi-*  
3 *ties designed to benefit the programs or activities author-*  
4 *ized: Provided further, That not more than 2 percent of each*  
5 *amount may be used for training and technical assistance:*  
6 *Provided further, That the previous two provisos shall not*  
7 *apply to grants and projects authorized by sections 261 and*  
8 *262 of the 1974 Act.*

9 *PUBLIC SAFETY OFFICER BENEFITS*

10 *For payments and expenses authorized under section*  
11 *1001(a)(4) of title I of the Omnibus Crime Control and Safe*  
12 *Streets Act of 1968 (42 U.S.C. 3796), such sums as are nec-*  
13 *essary (including amounts for administrative costs, which*  
14 *amounts shall be paid to the “Salaries and Expenses” ac-*  
15 *count); and \$5,000,000 for payments authorized by section*  
16 *1201(b) of such Act; and \$4,100,000 for educational assist-*  
17 *ance, as authorized by section 1218 of such Act, to remain*  
18 *available until expended.*

19 *COMMUNITY ORIENTED POLICING SERVICES*

20 *For activities authorized by the Violent Crime Control*  
21 *and Law Enforcement Act of 1994 (Public Law 103–322);*  
22 *the Omnibus Crime Control and Safe Streets Act of 1968*  
23 *(“the 1968 Act”); the Violence Against Women and Depart-*  
24 *ment of Justice Reauthorization Act of 2005 (Public Law*  
25 *109–162); subtitle D of title II of the Homeland Security*

1 *Act of 2002 (Public Law 107–296), which may include re-*  
2 *search and development; and the USA PATRIOT Improve-*  
3 *ment and Reauthorization Act of 2005 (Public Law 109–*  
4 *177); the NICS Improvement Amendments Act of 2007*  
5 *(Public Law 110–180); the Adam Walsh Child Protection*  
6 *and Safety Act of 2006 (Public Law 109–248) (the “Adam*  
7 *Walsh Act”); and the Justice for All Act of 2004 (Public*  
8 *Law 108–405), \$658,500,000, to remain available until ex-*  
9 *pended: Provided, That any balances made available*  
10 *through prior year deobligations shall only be available in*  
11 *accordance with section 505 of this Act. Of the amount pro-*  
12 *vided (which shall be by transfer, for programs adminis-*  
13 *tered by the Office of Justice Programs)—*

14           (1) *\$30,000,000 for the matching grant program*  
15 *for law enforcement armor vests, as authorized by sec-*  
16 *tion 2501 of title I of the 1968 Act: Provided, That*  
17 *\$1,500,000 is transferred directly to the National In-*  
18 *stitute of Standards and Technology’s Office of Law*  
19 *Enforcement Standards from the Community Ori-*  
20 *ented Policing Services Office for research, testing,*  
21 *and evaluation programs;*

22           (2) *\$39,500,000 for grants to entities described*  
23 *in section 1701 of title I of the 1968 Act, to address*  
24 *public safety and methamphetamine manufacturing,*  
25 *sale, and use in hot spots as authorized by section 754*

1 of Public Law 109–177, and for other anti-meth-  
2 amphetamine-related activities: Provided, That with-  
3 in the amounts appropriated, \$34,500,000 shall be  
4 used for the projects, and in the amounts, specified in  
5 the table entitled “Congressionally designated  
6 projects” in the report of the Committee on Appro-  
7 priations of the Senate to accompany this Act;

8 (3) \$187,000,000 for a law enforcement tech-  
9 nologies and interoperable communications program,  
10 and related law enforcement and public safety equip-  
11 ment: Provided, That within the amounts appro-  
12 priated, \$187,000,000 shall be used for the projects,  
13 and in the amounts, specified in the table entitled  
14 “Congressionally designated projects” in the report of  
15 the Committee on Appropriations of the Senate to ac-  
16 company this Act;

17 (4) \$10,000,000 for grants to assist States and  
18 tribal governments as authorized by the NICS Im-  
19 provements Amendments Act of 2007 (Public Law  
20 110–180);

21 (5) \$10,000,000 for grants to upgrade criminal  
22 records, as authorized under the Crime Identification  
23 Technology Act of 1998 (42 U.S.C. 14601);

24 (6) \$166,000,000 for DNA related and forensic  
25 programs and activities as follows:

1           (A) \$151,000,000 for a DNA analysis and  
2           capacity enhancement program and for other  
3           local, State, and Federal forensic activities in-  
4           cluding the purposes of section 2 of the DNA  
5           Analysis Backlog Elimination Act of 2000 (the  
6           Debbie Smith DNA Backlog Grant Program);

7           (B) \$5,000,000 for the purposes described in  
8           the Kirk Bloodsworth Post-Conviction DNA Test-  
9           ing Program (Public Law 108–405, section 412);

10          (C) \$5,000,000 for Sexual Assault Forensic  
11          Exam Program Grants as authorized by Public  
12          Law 108–405, section 304; and

13          (D) \$5,000,000 for DNA Training and  
14          Education for Law Enforcement, Correctional  
15          Personnel, and Court Officers as authorized by  
16          Public Law 108–405, section 303;

17          (7) \$20,000,000 for improving tribal law enforce-  
18          ment, including equipment and training;

19          (8) \$15,000,000 for programs to reduce gun  
20          crime and gang violence;

21          (9) \$10,000,000 for training and technical as-  
22          sistance;

23          (10) \$20,000,000 for a national grant program  
24          the purpose of which is to assist State and local law  
25          enforcement to locate, arrest and prosecute child sex-

1 *ual predators and exploiters, and to enforce sex of-*  
2 *fender registration laws described in section 1701(b)*  
3 *of the 1968 Act, of which:*

4 *(A) \$5,000,000 for sex offender management*  
5 *assistance as authorized by the Adam Walsh Act*  
6 *and the Violent Crime Control Act of 1994 (Pub-*  
7 *lic Law 103–322); and*

8 *(B) \$1,000,000 for the National Sex Of-*  
9 *fender Public Registry;*

10 *(11) \$16,000,000 for expenses authorized by part*  
11 *AA of the 1968 Act (Secure our Schools);*

12 *(12) \$35,000,000 for Paul Coverdell Forensic*  
13 *Science Improvement Grants under part BB of title*  
14 *I of the 1968 Act; and*

15 *(13) \$100,000,000 for grants under section 1701*  
16 *of title I of the 1968 Act (42 U.S.C. 3796dd) for the*  
17 *hiring and rehiring of additional career law enforce-*  
18 *ment officers under part Q of such title notwith-*  
19 *standing subsections (g) and (i) of such section and*  
20 *notwithstanding 42 U.S.C. 3796dd–3(c).*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses, not elsewhere specified in this*  
23 *title, for management and administration of programs*  
24 *within the Office on Violence Against Women, the Office*  
25 *of Justice Programs and the Community Oriented Policing*

1 *Services Office, \$179,000,000, of which not to exceed*  
2 *\$15,708,000 shall be available for the Office on Violence*  
3 *Against Women; not to exceed \$125,830,000 shall be avail-*  
4 *able for the Office of Justice Programs; not to exceed*  
5 *\$37,462,000 shall be available for the Community Oriented*  
6 *Policing Services Office: Provided, That, notwithstanding*  
7 *section 109 of title I of Public Law 90–351, an additional*  
8 *amount, not to exceed \$21,000,000 shall be available for au-*  
9 *thorized activities of the Office of Audit, Assessment, and*  
10 *Management: Provided further, That the total amount*  
11 *available for management and administration of such pro-*  
12 *grams shall not exceed \$200,000,000.*

13 *GENERAL PROVISIONS—DEPARTMENT OF JUSTICE*

14 *SEC. 201. In addition to amounts otherwise made*  
15 *available in this title for official reception and representa-*  
16 *tion expenses, a total of not to exceed \$75,000 from funds*  
17 *appropriated to the Department of Justice in this title shall*  
18 *be available to the Attorney General for official reception*  
19 *and representation expenses.*

20 *SEC. 202. None of the funds appropriated by this title*  
21 *shall be available to pay for an abortion, except where the*  
22 *life of the mother would be endangered if the fetus were car-*  
23 *ried to term, or in the case of rape: Provided, That should*  
24 *this prohibition be declared unconstitutional by a court of*  
25 *competent jurisdiction, this section shall be null and void.*

1       *SEC. 203. None of the funds appropriated under this*  
2 *title shall be used to require any person to perform, or fa-*  
3 *cilitate in any way the performance of, any abortion.*

4       *SEC. 204. Nothing in the preceding section shall re-*  
5 *move the obligation of the Director of the Bureau of Prisons*  
6 *to provide escort services necessary for a female inmate to*  
7 *receive such service outside the Federal facility: Provided,*  
8 *That nothing in this section in any way diminishes the*  
9 *effect of section 203 intended to address the philosophical*  
10 *beliefs of individual employees of the Bureau of Prisons.*

11       *SEC. 205. Not to exceed 5 percent of any appropriation*  
12 *made available for the current fiscal year for the Depart-*  
13 *ment of Justice in this Act may be transferred between such*  
14 *appropriations, but no such appropriation, except as other-*  
15 *wise specifically provided, shall be increased by more than*  
16 *10 percent by any such transfers: Provided, That any trans-*  
17 *fer pursuant to this section shall be treated as a reprogram-*  
18 *ming of funds under section 505 of this Act and shall not*  
19 *be available for obligation except in compliance with the*  
20 *procedures set forth in that section.*

21       *SEC. 206. The Attorney General is authorized to extend*  
22 *through September 30, 2011, the Personnel Management*  
23 *Demonstration Project transferred to the Attorney General*  
24 *pursuant to section 1115 of the Homeland Security Act of*

1 2002, *Public Law 107–296 (6 U.S.C. 533) without limita-*  
2 *tion on the number of employees or the positions covered.*

3       *SEC. 207. Notwithstanding any other provision of law,*  
4 *Public Law 102–395 section 102(b) shall extend to the Bu-*  
5 *reau of Alcohol, Tobacco, Firearms and Explosives in the*  
6 *conduct of undercover investigative operations and shall*  
7 *apply without fiscal year limitation with respect to any*  
8 *undercover investigative operation by the Bureau of Alco-*  
9 *hol, Tobacco, Firearms and Explosives that is necessary for*  
10 *the detection and prosecution of crimes against the United*  
11 *States.*

12       *SEC. 208. None of the funds made available to the De-*  
13 *partment of Justice in this Act may be used for the purpose*  
14 *of transporting an individual who is a prisoner pursuant*  
15 *to conviction for crime under State or Federal law and is*  
16 *classified as a maximum or high security prisoner, other*  
17 *than to a prison or other facility certified by the Federal*  
18 *Bureau of Prisons as appropriately secure for housing such*  
19 *a prisoner.*

20       *SEC. 209. (a) None of the funds appropriated by this*  
21 *Act may be used by Federal prisons to purchase cable tele-*  
22 *vision services, to rent or purchase videocassettes, video-*  
23 *cassette recorders, or other audiovisual or electronic equip-*  
24 *ment used primarily for recreational purposes.*

1       **(b)** *The preceding sentence does not preclude the rent-*  
2 *ing, maintenance, or purchase of audiovisual or electronic*  
3 *equipment for inmate training, religious, or educational*  
4 *programs.*

5       **SEC. 210.** *None of the funds made available under this*  
6 *title shall be obligated or expended for Sentinel, or for any*  
7 *other major new or enhanced information technology pro-*  
8 *gram having total estimated development costs in excess of*  
9 *\$100,000,000, unless the Deputy Attorney General and the*  
10 *investment review board certify to the Committees on Ap-*  
11 *propriations that the information technology program has*  
12 *appropriate program management and contractor oversight*  
13 *mechanisms in place, and that the program is compatible*  
14 *with the enterprise architecture of the Department of Jus-*  
15 *tice.*

16       **SEC. 211.** *The notification thresholds and procedures*  
17 *set forth in section 505 of this Act shall apply to deviations*  
18 *from the amounts designated for specific activities in this*  
19 *Act and accompanying statement, and to any use of*  
20 *deobligated balances of funds provided under this title in*  
21 *previous years.*

22       **SEC. 212.** *None of the funds appropriated by this Act*  
23 *may be used to plan for, begin, continue, finish, process,*  
24 *or approve a public-private competition under the Office*  
25 *of Management and Budget Circular A-76 or any successor*

1 *administrative regulation, directive, or policy for work per-*  
2 *formed by employees of the Bureau of Prisons or of Federal*  
3 *Prison Industries, Incorporated.*

4 *SEC. 213. Notwithstanding any other provision of law,*  
5 *no funds shall be available for the salary, benefits, or ex-*  
6 *penses of any United States Attorney assigned dual or addi-*  
7 *tional responsibilities by the Attorney General or his des-*  
8 *ignee that exempt that United States Attorney from the*  
9 *residency requirements of 28 U.S.C. 545.*

10 *SEC. 214. None of the funds appropriated in this or*  
11 *any other Act shall be obligated for the initiation of a future*  
12 *phase of the Federal Bureau of Investigation's Sentinel pro-*  
13 *gram until the Attorney General certifies to the Committees*  
14 *on Appropriations that existing phases currently under*  
15 *contract for development or fielding have completed a ma-*  
16 *jority of the work for that phase under the performance*  
17 *measurement baseline validated by the integrated baseline*  
18 *review conducted in 2008: Provided, That this restriction*  
19 *does not apply to planning and design activities for future*  
20 *phases: Provided further, That the Bureau will notify the*  
21 *Committees on Appropriations of any significant changes*  
22 *to the baseline.*

23 *SEC. 215. In addition to any amounts that otherwise*  
24 *may be available (or authorized to be made available) by*  
25 *law, with respect to funds appropriated by this Act under*

1 *the headings “Justice Assistance”, “State and Local Law*  
2 *Enforcement Assistance”, “Weed and Seed”, “Juvenile Jus-*  
3 *tice Programs”, and “Community Oriented Policing Serv-*  
4 *ices”—*

5           (1) *Up to 3 percent of funds made available to*  
6 *the Office of Justice Programs for grants or reim-*  
7 *bursement may be used to provide training and tech-*  
8 *nical assistance; and*

9           (2) *Up to 1 percent of funds made available to*  
10 *such Office for formula grants under such headings*  
11 *may be used for research or statistical purposes by the*  
12 *National Institute of Justice or the Bureau of Justice*  
13 *Statistics, pursuant to, respectively, sections 201 and*  
14 *202, and sections 301 and 302 of title I of Public*  
15 *Law 90–351.*

16       *SEC. 216. Section 5759(e) of title 5, United States*  
17 *Code, is amended by striking subsection (e).*

18       *SEC. 217. (a) The Attorney General shall submit quar-*  
19 *terly reports to the Inspector General of the Department of*  
20 *Justice regarding the costs and contracting procedures re-*  
21 *lating to each conference held by the Department of Justice*  
22 *during fiscal year 2010 for which the cost to the Govern-*  
23 *ment was more than \$20,000.*

1       (b) *Each report submitted under subsection (a) shall*  
2 *include, for each conference described in that subsection held*  
3 *during the applicable quarter—*

4           (1) *a description of the subject of and number of*  
5 *participants attending that conference;*

6           (2) *a detailed statement of the costs to the Gov-*  
7 *ernment relating to that conference, including—*

8               (A) *the cost of any food or beverages;*

9               (B) *the cost of any audio-visual services;*

10           *and*

11               (C) *a discussion of the methodology used to*  
12 *determine which costs relate to that conference;*

13           *and*

14           (3) *a description of the contracting procedures*  
15 *relating to that conference, including—*

16               (A) *whether contracts were awarded on a*  
17 *competitive basis for that conference; and*

18               (B) *a discussion of any cost comparison*  
19 *conducted by the Department of Justice in evalu-*  
20 *ating potential contractors for that conference.*

21       SEC. 218. (a) *Subchapter IV of chapter 57 of title 5,*  
22 *United States Code, is amended by adding at the end of*  
23 *the following:*

1 **“§5761. Foreign language proficiency pay awards for**  
 2 **the Federal Bureau of Investigation**

3 *“The Director of the Federal Bureau of Investigation*  
 4 *may, under regulations prescribed by the Director, pay a*  
 5 *cash award of up to 10 percent of basic pay to any Bureau*  
 6 *employee who maintains proficiency in a language or lan-*  
 7 *guages critical to the mission or who uses one or more for-*  
 8 *ign languages in the performance of official duties.”.*

9 *(b) The analysis for chapter 57 of title 5, United States*  
 10 *Code, is amended by adding at the end the following:*

*“5761. Foreign language proficiency pay awards for the Federal Bureau of Inves-*  
*tigation.”*

11 *SEC. 219. The Attorney General is authorized to waive*  
 12 *the application of 42 U.S.C. 3755(d)(2)(A) with respect to*  
 13 *grants made to units of local government pursuant to 42*  
 14 *U.S.C. 3755(d)(1), if such units of local government were*  
 15 *eligible to receive such grants under the transitional rule*  
 16 *in 42 U.S.C. 3755(d)(2)(B).*

17 *This title may be cited as the “Department of Justice*  
 18 *Appropriations Act, 2010”.*

19 **TITLE III**

20 **SCIENCE**

21 **OFFICE OF SCIENCE AND TECHNOLOGY POLICY**

22 *For necessary expenses of the Office of Science and*  
 23 *Technology Policy, in carrying out the purposes of the Na-*  
 24 *tional Science and Technology Policy, Organization, and*

1 *Priorities Act of 1976 (42 U.S.C. 6601–6671), hire of pas-*  
2 *senger motor vehicles, and services as authorized by 5*  
3 *U.S.C. 3109, not to exceed \$2,500 for official reception and*  
4 *representation expenses, and rental of conference rooms in*  
5 *the District of Columbia, \$6,154,000.*

6 *NATIONAL AERONAUTICS AND SPACE ADMINISTRATION*

7 *SCIENCE*

8 *For necessary expenses, not otherwise provided for, in*  
9 *the conduct and support of science research and develop-*  
10 *ment activities, including research, development, oper-*  
11 *ations, support, and services; maintenance; construction of*  
12 *facilities including repair, rehabilitation, revitalization,*  
13 *and modification of facilities, construction of new facilities*  
14 *and additions to existing facilities, facility planning and*  
15 *design, and restoration, and acquisition or condemnation*  
16 *of real property, as authorized by law; environmental com-*  
17 *pliance and restoration; space flight, spacecraft control, and*  
18 *communications activities; program management; per-*  
19 *sonnel and related costs, including uniforms or allowances*  
20 *therefor, as authorized by 5 U.S.C. 5901–5902; travel ex-*  
21 *penses; purchase and hire of passenger motor vehicles; and*  
22 *purchase, lease, charter, maintenance, and operation of*  
23 *mission and administrative aircraft, \$4,517,000,000, to re-*  
24 *main available until September 30, 2011.*

1 *AERONAUTICS*

2 *For necessary expenses, not otherwise provided for, in*  
3 *the conduct and support of aeronautics research and devel-*  
4 *opment activities, including research, development, oper-*  
5 *ations, support, and services; maintenance; construction of*  
6 *facilities including repair, rehabilitation, revitalization,*  
7 *and modification of facilities, construction of new facilities*  
8 *and additions to existing facilities, facility planning and*  
9 *design, and restoration, and acquisition or condemnation*  
10 *of real property, as authorized by law; environmental com-*  
11 *pliance and restoration; space flight, spacecraft control, and*  
12 *communications activities; program management; per-*  
13 *sonnel and related costs, including uniforms or allowances*  
14 *therefor, as authorized by 5 U.S.C. 5901–5902; travel ex-*  
15 *penses; purchase and hire of passenger motor vehicles; and*  
16 *purchase, lease, charter, maintenance, and operation of*  
17 *mission and administrative aircraft, \$507,000,000, to re-*  
18 *main available until September 30, 2011.*

19 *EXPLORATION*

20 *For necessary expenses, not otherwise provided for, in*  
21 *the conduct and support of exploration research and devel-*  
22 *opment activities, including research, development, oper-*  
23 *ations, support, and services; maintenance; construction of*  
24 *facilities including repair, rehabilitation, revitalization,*  
25 *and modification of facilities, construction of new facilities*

1 *and additions to existing facilities, facility planning and*  
2 *design, and restoration, and acquisition or condemnation*  
3 *of real property, as authorized by law; environmental com-*  
4 *pliance and restoration; space flight, spacecraft control, and*  
5 *communications activities; program management, per-*  
6 *sonnel and related costs, including uniforms or allowances*  
7 *therefor, as authorized by 5 U.S.C. 5901–5902; travel ex-*  
8 *penses; purchase and hire of passenger motor vehicles; and*  
9 *purchase, lease, charter, maintenance, and operation of*  
10 *mission and administrative aircraft, \$3,940,400,000, to re-*  
11 *main available until September 30, 2011.*

12 *SPACE OPERATIONS*

13 *For necessary expenses, not otherwise provided for, in*  
14 *the conduct and support of space operations research and*  
15 *development activities, including research, development, op-*  
16 *erations, support and services; space flight, spacecraft con-*  
17 *trol and communications activities including operations,*  
18 *production, and services; maintenance; construction of fa-*  
19 *cilities including repair, rehabilitation, revitalization and*  
20 *modification of facilities, construction of new facilities and*  
21 *additions to existing facilities, facility planning and de-*  
22 *sign, and restoration, and acquisition or condemnation of*  
23 *real property, as authorized by law; environmental compli-*  
24 *ance and restoration; program management; personnel and*  
25 *related costs, including uniforms or allowances therefor, as*

1 *authorized by 5 U.S.C. 5901–5902; travel expenses; pur-*  
2 *chase and hire of passenger motor vehicles; and purchase,*  
3 *lease, charter, maintenance and operation of mission and*  
4 *administrative aircraft, \$6,161,600,000, to remain avail-*  
5 *able until September 30, 2011.*

6 *EDUCATION*

7 *For necessary expenses, not otherwise provided for, in*  
8 *carrying out aerospace and aeronautical education research*  
9 *and development activities, including research, develop-*  
10 *ment, operations, support, and services; program manage-*  
11 *ment; personnel and related costs, uniforms or allowances*  
12 *therefor, as authorized by 5 U.S.C. 5901–5902; travel ex-*  
13 *penses; purchase and hire of passenger motor vehicles; and*  
14 *purchase, lease, charter, maintenance, and operation of*  
15 *mission and administrative aircraft, \$140,100,000, to re-*  
16 *main available until September 30, 2011.*

17 *CROSS AGENCY SUPPORT*

18 *For necessary expenses, not otherwise provided for, in*  
19 *the conduct and support of science, aeronautics, explo-*  
20 *ration, space operations and education research and devel-*  
21 *opment activities, including research, development, oper-*  
22 *ations, support, and services; maintenance; construction of*  
23 *facilities including repair, rehabilitation, revitalization,*  
24 *and modification of facilities, construction of new facilities*  
25 *and additions to existing facilities, facility planning and*

1 *design, and restoration, and acquisition or condemnation*  
2 *of real property, as authorized by law; environmental com-*  
3 *pliance and restoration; space flight, spacecraft control, and*  
4 *communications activities; program management; per-*  
5 *sonnel and related costs, including uniforms or allowances*  
6 *therefor, as authorized by 5 U.S.C. 5901–5902; travel ex-*  
7 *penses; purchase and hire of passenger motor vehicles; not*  
8 *to exceed \$70,000 for official reception and representation*  
9 *expenses; and purchase, lease, charter, maintenance, and*  
10 *operation of mission and administrative aircraft,*  
11 *\$3,383,500,000, to remain available until September 30,*  
12 *2011: Provided, That within the amounts appropriated*  
13 *\$47,000,000 shall be used for the projects, and in the*  
14 *amounts, specified in the table entitled “Congressionally*  
15 *designated projects” in the report of the Committee on Ap-*  
16 *propriations of the Senate to accompany this Act.*

17 *OFFICE OF INSPECTOR GENERAL*

18 *For necessary expenses of the Office of Inspector Gen-*  
19 *eral in carrying out the Inspector General Act of 1978,*  
20 *\$36,400,000, to remain available until September 30, 2011.*

21 *ADMINISTRATIVE PROVISIONS*

22 *Notwithstanding the limitation on the duration of*  
23 *availability of funds appropriated to the National Aero-*  
24 *nautics and Space Administration for any account in this*  
25 *Act, except for “Office of Inspector General”, when any ac-*

1 tivity has been initiated by the incurrence of obligations  
2 for environmental compliance and restoration activities as  
3 authorized by law, such amount available for such activity  
4 shall remain available until expended.

5       Notwithstanding the limitation on the availability of  
6 funds appropriated to the National Aeronautics and Space  
7 Administration for any account in this Act, except for “Of-  
8 fice of Inspector General”, the amounts appropriated for  
9 construction of facilities shall remain available until Sep-  
10 tember 30, 2014.

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

14       Not to exceed 5 percent of any appropriation made  
15 available for the current fiscal year for the National Aero-  
16 nautics and Space Administration in this Act may be  
17 transferred between such appropriations, but no such ap-  
18 propriation, except as otherwise specifically provided, shall  
19 be increased by more than 10 percent by any such transfers.  
20 Any transfer pursuant to this provision shall be treated as  
21 a reprogramming of funds under section 505 of this Act  
22 and shall not be available for obligation except in compli-  
23 ance with the procedures set forth in that section.

24       Notwithstanding any other provision of law, no funds  
25 shall be used to implement any Reduction in Force or other

1 *involuntary separations (except for cause) by the National*  
2 *Aeronautics and Space Administration prior to September*  
3 *30, 2010.*

4 *The unexpired balances of the Science, Aeronautics,*  
5 *and Exploration account, for activities for which funds are*  
6 *provided under this Act, may be transferred to the new ac-*  
7 *counts established in this Act that provide such activity.*  
8 *Balances so transferred shall be merged with the funds in*  
9 *the newly established accounts, but shall be available under*  
10 *the same terms, conditions and period of time as previously*  
11 *appropriated.*

12 *Funding designations and minimum funding require-*  
13 *ments contained in any other Act shall not be applicable*  
14 *to funds appropriated by this title for the National Aero-*  
15 *nautics and Space Administration.*

16 *NATIONAL SCIENCE FOUNDATION*  
17 *RESEARCH AND RELATED ACTIVITIES*  
18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For necessary expenses in carrying out the National*  
20 *Science Foundation Act of 1950, as amended (42 U.S.C.*  
21 *1861–1875), and the Act to establish a National Medal of*  
22 *Science (42 U.S.C. 1880–1881); services as authorized by*  
23 *5 U.S.C. 3109; maintenance and operation of aircraft and*  
24 *purchase of flight services for research support; acquisition*  
25 *of aircraft; and authorized travel; \$5,618,000,000, to re-*

1 *main available until September 30, 2011, of which not to*  
2 *exceed \$570,000,000 shall remain available until expended*  
3 *for polar research and operations support, and for reim-*  
4 *bursement to other Federal agencies for operational and*  
5 *science support and logistical and other related activities*  
6 *for the United States Antarctic program: Provided, That*  
7 *from funds specified in the fiscal year 2010 budget request*  
8 *for icebreaking services, \$54,000,000 shall be transferred to*  
9 *the U.S. Coast Guard “Operating Expenses”: Provided fur-*  
10 *ther, That receipts for scientific support services and mate-*  
11 *rials furnished by the National Research Centers and other*  
12 *National Science Foundation supported research facilities*  
13 *may be credited to this appropriation: Provided further,*  
14 *That not less than \$147,800,000 shall be available for ac-*  
15 *tivities authorized by section 7002(c)(2)(A)(iv) of Public*  
16 *Law 110–69.*

17 *MAJOR RESEARCH EQUIPMENT AND FACILITIES*

18 *CONSTRUCTION*

19 *For necessary expenses for the acquisition, construc-*  
20 *tion, commissioning, and upgrading of major research*  
21 *equipment, facilities, and other such capital assets pursuant*  
22 *to the National Science Foundation Act of 1950, as amend-*  
23 *ed (42 U.S.C. 1861–1875), including authorized travel,*  
24 *\$122,290,000, to remain available until expended.*

1                    *EDUCATION AND HUMAN RESOURCES*

2            *For necessary expenses in carrying out science and en-*  
3 *gineering education and human resources programs and ac-*  
4 *tivities pursuant to the National Science Foundation Act*  
5 *of 1950, as amended (42 U.S.C. 1861–1875), including*  
6 *services as authorized by 5 U.S.C. 3109, authorized travel,*  
7 *and rental of conference rooms in the District of Columbia,*  
8 *\$857,760,000, to remain available until September 30,*  
9 *2011: Provided, That not less than \$55,000,000 shall be*  
10 *available until expended for activities authorized by section*  
11 *7030 of Public Law 110–69.*

12                    *AGENCY OPERATIONS AND AWARD MANAGEMENT*

13            *For agency operations and award management nec-*  
14 *essary in carrying out the National Science Foundation Act*  
15 *of 1950, as amended (42 U.S.C. 1861–1875); services au-*  
16 *thorized by 5 U.S.C. 3109; hire of passenger motor vehicles;*  
17 *not to exceed \$9,000 for official reception and representa-*  
18 *tion expenses; uniforms or allowances therefor, as author-*  
19 *ized by 5 U.S.C. 5901–5902; rental of conference rooms in*  
20 *the District of Columbia; and reimbursement of the Depart-*  
21 *ment of Homeland Security for security guard services;*  
22 *\$300,370,000: Provided, That contracts may be entered into*  
23 *under this heading in fiscal year 2010 for maintenance and*  
24 *operation of facilities, and for other services, to be provided*  
25 *during the next fiscal year.*

1                    *OFFICE OF THE NATIONAL SCIENCE BOARD*

2            *For necessary expenses (including payment of salaries,*  
3 *authorized travel, hire of passenger motor vehicles, the rent-*  
4 *al of conference rooms in the District of Columbia, and the*  
5 *employment of experts and consultants under section 3109*  
6 *of title 5, United States Code) involved in carrying out sec-*  
7 *tion 4 of the National Science Foundation Act of 1950, as*  
8 *amended (42 U.S.C. 1863) and Public Law 86–209 (42*  
9 *U.S.C. 1880 et seq.), \$4,340,000: Provided, That not to ex-*  
10 *ceed \$2,500 shall be available for official reception and rep-*  
11 *resentation expenses.*

12                    *OFFICE OF INSPECTOR GENERAL*

13            *For necessary expenses of the Office of Inspector Gen-*  
14 *eral as authorized by the Inspector General Act of 1978,*  
15 *as amended, \$14,000,000.*

16            *This title may be cited as the “Science Appropriations*  
17 *Act, 2010”.*

18                    *TITLE IV*19                    *RELATED AGENCIES*20                    *COMMISSION ON CIVIL RIGHTS*21                    *SALARIES AND EXPENSES*

22            *For necessary expenses of the Commission on Civil*  
23 *Rights, including hire of passenger motor vehicles,*  
24 *\$9,400,000: Provided, That none of the funds appropriated*  
25 *in this paragraph shall be used to employ in excess of four*

1 *full-time individuals under Schedule C of the Excepted*  
 2 *Service exclusive of one special assistant for each Commis-*  
 3 *sioner: Provided further, That none of the funds appro-*  
 4 *riated in this paragraph shall be used to reimburse Com-*  
 5 *missioners for more than 75 billable days, with the excep-*  
 6 *tion of the chairperson, who is permitted 125 billable days.*

7 *EQUAL EMPLOYMENT OPPORTUNITY COMMISSION*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses of the Equal Employment Op-*  
 10 *portunity Commission as authorized by title VII of the*  
 11 *Civil Rights Act of 1964, the Age Discrimination in Em-*  
 12 *ployment Act of 1967, the Equal Pay Act of 1963, the Amer-*  
 13 *icans with Disabilities Act of 1990, the Civil Rights Act*  
 14 *of 1991, the Genetic Information Non-Discrimination Act*  
 15 *(GINA) of 2008 (Public Law 110–23); the ADA Amend-*  
 16 *ments Act of 2008 (Public Law 110–325), and the Lilly*  
 17 *Ledbetter Fair Pay Act of 2009 (Public Law 111–2), in-*  
 18 *cluding services as authorized by 5 U.S.C. 3109; hire of pas-*  
 19 *senger motor vehicles as authorized by 31 U.S.C. 1343(b);*  
 20 *nonmonetary awards to private citizens; and not to exceed*  
 21 *\$30,000,000 for payments to State and local enforcement*  
 22 *agencies for authorized services to the Commission,*  
 23 *\$367,303,000: Provided, That the Commission is authorized*  
 24 *to make available for official reception and representation*  
 25 *expenses not to exceed \$2,500 from available funds: Pro-*

1 *vided further, That the Commission may take no action to*  
2 *implement any workforce repositioning, restructuring, or*  
3 *reorganization until such time as the House and Senate*  
4 *Committees on Appropriations have been notified of such*  
5 *proposals, in accordance with the reprogramming require-*  
6 *ments of section 505 of this Act: Provided further, That the*  
7 *Chair is authorized to accept and use any gift or donation*  
8 *to carry out the work of the Commission.*

9 *INTERNATIONAL TRADE COMMISSION*

10 *SALARIES AND EXPENSES*

11 *For necessary expenses of the International Trade*  
12 *Commission, including hire of passenger motor vehicles,*  
13 *and services as authorized by 5 U.S.C. 3109, and not to*  
14 *exceed \$2,500 for official reception and representation ex-*  
15 *penses, \$82,700,000, to remain available until expended.*

16 *LEGAL SERVICES CORPORATION*

17 *PAYMENT TO THE LEGAL SERVICES CORPORATION*

18 *For payment to the Legal Services Corporation to*  
19 *carry out the purposes of the Legal Services Corporation*  
20 *Act of 1974, \$400,000,000, of which \$374,600,000 is for*  
21 *basic field programs and required independent audits;*  
22 *\$4,000,000 is for the Office of Inspector General, of which*  
23 *such amounts as may be necessary may be used to conduct*  
24 *additional audits of recipients; \$17,000,000 is for manage-*  
25 *ment and grants oversight; \$3,400,000 is for client self-help*

1 *and information technology; and \$1,000,000 is for loan re-*  
2 *payment assistance: Provided, That the Legal Services Cor-*  
3 *poration may continue to provide locality pay to officers*  
4 *and employees at a rate no greater than that provided by*  
5 *the Federal Government to Washington, DC-based employ-*  
6 *ees as authorized by 5 U.S.C. 5304, notwithstanding section*  
7 *1005(d) of the Legal Services Corporation Act, 42 U.S.C.*  
8 *2996(d).*

9 *ADMINISTRATIVE PROVISION—LEGAL SERVICES*

10 *CORPORATION*

11 *None of the funds appropriated in this Act to the Legal*  
12 *Services Corporation shall be expended for any purpose pro-*  
13 *hibited or limited by, or contrary to any of the provisions*  
14 *of, sections 501, 502, 503, 504, 505, and 506 of Public Law*  
15 *105–119, and all funds appropriated in this Act to the*  
16 *Legal Services Corporation shall be subject to the same*  
17 *terms and conditions set forth in such sections, except that*  
18 *all references in sections 502 and 503 to 1997 and 1998*  
19 *shall be deemed to refer instead to 2009 and 2010, respec-*  
20 *tively.*

21 *MARINE MAMMAL COMMISSION*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses of the Marine Mammal Com-*  
24 *mission as authorized by title II of Public Law 92–522,*  
25 *\$3,250,000.*

1 *OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE*  
2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the Office of the United*  
4 *States Trade Representative, including the hire of passenger*  
5 *motor vehicles and the employment of experts and consult-*  
6 *ants as authorized by 5 U.S.C. 3109, \$48,326,000, of which*  
7 *\$1,000,000 shall remain available until expended: Provided,*  
8 *That not to exceed \$124,000 shall be available for official*  
9 *reception and representation expenses: Provided further,*  
10 *That negotiations shall be conducted within the World*  
11 *Trade Organization to recognize the right of members to*  
12 *distribute monies collected from antidumping and counter-*  
13 *vailing duties: Provided further, That negotiations shall be*  
14 *conducted within the World Trade Organization consistent*  
15 *with the negotiating objectives contained in the Trade Act*  
16 *of 2002, Public Law 107–210 to maintain strong U.S. rem-*  
17 *edies laws, correct the problem of overreaching by World*  
18 *Trade Organization Panels and Appellate Body, and pre-*  
19 *vent the creation of obligation never negotiated or expressly*  
20 *agreed to by the United States.*

21 *STATE JUSTICE INSTITUTE*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses of the State Justice Institute,*  
24 *as authorized by the State Justice Institute Authorization*  
25 *Act of 1984 (42 U.S.C. 10701 et. seq.) \$5,000,000, of which*

1 \$500,000 shall remain available until September 30, 2011:  
2 Provided, That not to exceed \$3,000 shall be available for  
3 official reception and representation expenses.

4 *TITLE V*

5 *GENERAL PROVISIONS*

6 *SEC. 501. No part of any appropriation contained in*  
7 *this Act shall be used for publicity or propaganda purposes*  
8 *not authorized by the Congress.*

9 *SEC. 502. No part of any appropriation contained in*  
10 *this Act shall remain available for obligation beyond the*  
11 *current fiscal year unless expressly so provided herein.*

12 *SEC. 503. The expenditure of any appropriation under*  
13 *this Act for any consulting service through procurement*  
14 *contract, pursuant to 5 U.S.C. 3109, shall be limited to*  
15 *those contracts where such expenditures are a matter of pub-*  
16 *lic record and available for public inspection, except where*  
17 *otherwise provided under existing law, or under existing*  
18 *Executive order issued pursuant to existing law.*

19 *SEC. 504. If any provision of this Act or the applica-*  
20 *tion of such provision to any person or circumstances shall*  
21 *be held invalid, the remainder of the Act and the applica-*  
22 *tion of each provision to persons or circumstances other*  
23 *than those as to which it is held invalid shall not be affected*  
24 *thereby.*

1        *SEC. 505. (a) None of the funds provided under this*  
2 *Act, or provided under previous appropriations Acts to the*  
3 *agencies funded by this Act that remain available for obli-*  
4 *gation or expenditure in fiscal year 2009, or provided from*  
5 *any accounts in the Treasury of the United States derived*  
6 *by the collection of fees available to the agencies funded by*  
7 *this Act, shall be available for obligation or expenditure*  
8 *through the reprogramming of funds that:*

9            *(1) creates or initiates a new program, project or*  
10 *activity;*

11            *(2) eliminates a program, project or activity,*  
12 *unless the House and Senate Committees on Appro-*  
13 *propriations are notified 15 days in advance of such re-*  
14 *programming of funds;*

15            *(3) increases funds or personnel by any means*  
16 *for any project or activity for which funds have been*  
17 *denied or restricted by this Act, unless the House and*  
18 *Senate Committees on Appropriations are notified 15*  
19 *days in advance of such reprogramming of funds;*

20            *(4) relocates an office or employees, unless the*  
21 *House and Senate Committees on Appropriations are*  
22 *notified 15 days in advance of such reprogramming*  
23 *of funds;*

24            *(5) reorganizes or renames offices, programs or*  
25 *activities, unless the House and Senate Committees*

1        *on Appropriations are notified 15 days in advance of*  
2        *such reprogramming of funds;*

3            *(6) contracts out or privatizes any functions or*  
4        *activities presently performed by Federal employees,*  
5        *unless the House and Senate Committees on Appro-*  
6        *priations are notified 15 days in advance of such re-*  
7        *programming of funds;*

8            *(7) proposes to use funds directed for a specific*  
9        *activity by either the House or Senate Committee on*  
10       *Appropriations for a different purpose, unless the*  
11       *House and Senate Committees on Appropriations are*  
12       *notified 15 days in advance of such reprogramming*  
13       *of funds;*

14           *(8) augments funds for existing programs,*  
15       *projects or activities in excess of \$500,000 or 10 per-*  
16       *cent, whichever is less, or reduces by 10 percent fund-*  
17       *ing for any program, project or activity, or numbers*  
18       *of personnel by 10 percent as approved by Congress,*  
19       *unless the House and Senate Committees on Appro-*  
20       *priations are notified 15 days in advance of such re-*  
21       *programming of funds; or*

22           *(9) results from any general savings, including*  
23       *savings from a reduction in personnel, which would*  
24       *result in a change in existing programs, projects or*  
25       *activities as approved by Congress, unless the House*

1        *and Senate Committees on Appropriations are noti-*  
2        *fied 15 days in advance of such reprogramming of*  
3        *funds.*

4        *(b) None of the funds provided under this Act, or pro-*  
5        *vided under previous appropriations Acts to the agencies*  
6        *funded by this Act that remain available for obligation or*  
7        *expenditure in fiscal year 2010, or provided from any ac-*  
8        *counts in the Treasury of the United States derived by the*  
9        *collection of fees available to the agencies funded by this*  
10       *Act, shall be available for obligation or expenditure through*  
11       *the reprogramming of funds after August 1, except in ex-*  
12       *traordinary circumstances, and only after the House and*  
13       *Senate Committees on Appropriations are notified 30 days*  
14       *in advance of such reprogramming of funds.*

15       *SEC. 506. Hereafter, none of the funds made available*  
16       *in this or any other Act may be used to implement, admin-*  
17       *ister, or enforce any guidelines of the Equal Employment*  
18       *Opportunity Commission covering harassment based on re-*  
19       *ligion, when it is made known to the Federal entity or offi-*  
20       *cial to which such funds are made available that such*  
21       *guidelines do not differ in any respect from the proposed*  
22       *guidelines published by the Commission on October 1, 1993*  
23       *(58 Fed. Reg. 51266).*

24       *SEC. 507. If it has been finally determined by a court*  
25       *or Federal agency that any person intentionally affixed a*

1 label bearing a “Made in America” inscription, or any in-  
2 scription with the same meaning, to any product sold in  
3 or shipped to the United States that is not made in the  
4 United States, the person shall be ineligible to receive any  
5 contract or subcontract made with funds made available in  
6 this Act, pursuant to the debarment, suspension, and ineli-  
7 gibility procedures described in sections 9.400 through  
8 9.409 of title 48, Code of Federal Regulations.

9       SEC. 508. The Departments of Commerce and Justice,  
10 the National Science Foundation, and the National Aero-  
11 nautics and Space Administration, shall provide to the  
12 House and Senate Committees on Appropriations a quar-  
13 terly accounting of the cumulative balances of any unobli-  
14 gated funds that were received by such agency during any  
15 previous fiscal year.

16       SEC. 509. Any costs incurred by a department or agen-  
17 cy funded under this Act resulting from, or to prevent, per-  
18 sonnel actions taken in response to funding reductions in-  
19 cluded in this Act shall be absorbed within the total budg-  
20 etary resources available to such department or agency:  
21 Provided, That the authority to transfer funds between ap-  
22 propriations accounts as may be necessary to carry out this  
23 section is provided in addition to authorities included else-  
24 where in this Act: Provided further, That use of funds to  
25 carry out this section shall be treated as a reprogramming

1 *of funds under section 505 of this Act and shall not be avail-*  
2 *able for obligation or expenditure except in compliance with*  
3 *the procedures set forth in that section.*

4       *SEC. 510. None of the funds provided by this Act shall*  
5 *be available to promote the sale or export of tobacco or to-*  
6 *bacco products, or to seek the reduction or removal by any*  
7 *foreign country of restrictions on the marketing of tobacco*  
8 *or tobacco products, except for restrictions which are not*  
9 *applied equally to all tobacco or tobacco products of the*  
10 *same type.*

11       *SEC. 511. None of the funds appropriated pursuant*  
12 *to this Act or any other provision of law may be used for—*

13               *(1) the implementation of any tax or fee in con-*  
14 *nection with the implementation of subsection 922(t)*  
15 *of title 18, United States Code; and*

16               *(2) any system to implement subsection 922(t) of*  
17 *title 18, United States Code, that does not require and*  
18 *result in the destruction of any identifying informa-*  
19 *tion submitted by or on behalf of any person who has*  
20 *been determined not to be prohibited from possessing*  
21 *or receiving a firearm no more than 24 hours after*  
22 *the system advises a Federal firearms licensee that*  
23 *possession or receipt of a firearm by the prospective*  
24 *transferee would not violate subsection (g) or (n) of*

1        *section 922 of title 18, United States Code, or State*  
2        *law.*

3        *SEC. 512. None of the funds made available in this*  
4        *Act may be used to pay the salaries and expenses of per-*  
5        *sonnel of the Department of Justice to obligate more than*  
6        *\$705,000,000 during fiscal year 2010 from the fund estab-*  
7        *lished by section 1402 of chapter XIV of title II of Public*  
8        *Law 98–473 (42 U.S.C. 10601): Provided, That hereafter*  
9        *the availability of funds under section 1402(d)(3) to im-*  
10       *prove services shall be understood to mean availability for*  
11       *pay or salary, including benefits for the same.*

12       *SEC. 513. None of the funds made available to the De-*  
13       *partment of Justice in this Act may be used to discriminate*  
14       *against or denigrate the religious or moral beliefs of stu-*  
15       *dents who participate in programs for which financial as-*  
16       *sistance is provided from those funds, or of the parents or*  
17       *legal guardians of such students.*

18       *SEC. 514. None of the funds made available in this*  
19       *Act may be transferred to any department, agency, or in-*  
20       *strumentality of the United States Government, except pur-*  
21       *suant to a transfer made by, or transfer authority provided*  
22       *in, this Act or any other appropriations Act.*

23       *SEC. 515. Any funds provided in this Act used to im-*  
24       *plement E-Government Initiatives shall be subject to the*  
25       *procedures set forth in section 505 of this Act.*

1        *SEC. 516. (a) Tracing studies conducted by the Bureau*  
2 *of Alcohol, Tobacco, Firearms and Explosives are released*  
3 *without adequate disclaimers regarding the limitations of*  
4 *the data.*

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

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

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

1        *for firearms traced do not necessarily represent the*  
2        *sources or methods by which firearms in general are*  
3        *acquired for use in crime.*

4        *SEC. 517. (a) The Inspectors General of the Depart-*  
5        *ment of Commerce, the Department of Justice, the National*  
6        *Aeronautics and Space Administration, the National*  
7        *Science Foundation, and the Legal Services Corporation*  
8        *shall conduct audits, pursuant to the Inspector General Act*  
9        *(5 U.S.C. App.), of grants or contracts for which funds are*  
10       *appropriated by this Act, and shall submit reports to Con-*  
11       *gress on the progress of such audits, which may include pre-*  
12       *liminary findings and a description of areas of particular*  
13       *interest, within 180 days after initiating such an audit and*  
14       *every 180 days thereafter until any such audit is completed.*

15       *(b) Within 60 days after the date on which an audit*  
16       *described in subsection (a) by an Inspector General is com-*  
17       *pleted, the Secretary, Attorney General, Administrator, Di-*  
18       *rector, or President, as appropriate, shall make the results*  
19       *of the audit available to the public on the Internet website*  
20       *maintained by the Department, Administration, Founda-*  
21       *tion, or Corporation, respectively. The results shall be made*  
22       *available in redacted form to exclude—*

23                *(1) any matter described in section 552(b) of*  
24        *title 5, United States Code; and*

1           (2) *sensitive personal information for any indi-*  
2           *vidual, the public access to which could be used to*  
3           *commit identity theft or for other inappropriate or*  
4           *unlawful purposes.*

5           (c) *A grant or contract funded by amounts appro-*  
6           *priated by this Act may not be used for the purpose of de-*  
7           *fraying the costs of a banquet or conference that is not di-*  
8           *rectly and programmatically related to the purpose for*  
9           *which the grant or contract was awarded, such as a banquet*  
10          *or conference held in connection with planning, training,*  
11          *assessment, review, or other routine purposes related to a*  
12          *project funded by the grant or contract.*

13          (d) *Any person awarded a grant or contract funded*  
14          *by amounts appropriated by this Act shall submit a state-*  
15          *ment to the Secretary of Commerce, the Attorney General,*  
16          *the Administrator, Director, or President, as appropriate,*  
17          *certifying that no funds derived from the grant or contract*  
18          *will be made available through a subcontract or in any*  
19          *other manner to another person who has a financial interest*  
20          *in the person awarded the grant or contract.*

21          (e) *The provisions of the preceding subsections of this*  
22          *section shall take effect 30 days after the date on which the*  
23          *Director of the Office of Management and Budget, in con-*  
24          *sultation with the Director of the Office of Government Eth-*  
25          *ics, determines that a uniform set of rules and requirements,*

1 *substantially similar to the requirements in such sub-*  
2 *sections, consistently apply under the executive branch eth-*  
3 *ics program to all Federal departments, agencies, and enti-*  
4 *ties.*

5 *SEC. 518. None of the funds appropriated or otherwise*  
6 *made available under this Act may be used to issue patents*  
7 *on claims directed to or encompassing a human organism.*

8 *SEC. 519. None of the funds made available in this*  
9 *Act shall be used in any way whatsoever to support or jus-*  
10 *tify the use of torture by any official or contract employee*  
11 *of the United States Government.*

12 *SEC. 520. (a) Notwithstanding any other provision of*  
13 *law or treaty, none of the funds appropriated or otherwise*  
14 *made available under this Act or any other Act may be*  
15 *expended or obligated by a department, agency, or instru-*  
16 *mentality of the United States to pay administrative ex-*  
17 *penses or to compensate an officer or employee of the United*  
18 *States in connection with requiring an export license for*  
19 *the export to Canada of components, parts, accessories or*  
20 *attachments for firearms listed in Category I, section 121.1*  
21 *of title 22, Code of Federal Regulations (International Traf-*  
22 *ficking in Arms Regulations (ITAR), part 121, as it existed*  
23 *on April 1, 2005) with a total value not exceeding \$500*  
24 *wholesale in any transaction, provided that the conditions*

1 *of subsection (b) of this section are met by the exporting*  
2 *party for such articles.*

3 *(b) The foregoing exemption from obtaining an export*  
4 *license—*

5 *(1) does not exempt an exporter from filing any*  
6 *Shipper's Export Declaration or notification letter re-*  
7 *quired by law, or from being otherwise eligible under*  
8 *the laws of the United States to possess, ship, trans-*  
9 *port, or export the articles enumerated in subsection*  
10 *(a); and*

11 *(2) does not permit the export without a license*  
12 *of—*

13 *(A) fully automatic firearms and compo-*  
14 *nents and parts for such firearms, other than for*  
15 *end use by the Federal Government, or a Provin-*  
16 *cial or Municipal Government of Canada;*

17 *(B) barrels, cylinders, receivers (frames) or*  
18 *complete breech mechanisms for any firearm list-*  
19 *ed in Category I, other than for end use by the*  
20 *Federal Government, or a Provincial or Munic-*  
21 *ipal Government of Canada; or*

22 *(C) articles for export from Canada to an-*  
23 *other foreign destination.*

24 *(c) In accordance with this section, the District Direc-*  
25 *tors of Customs and postmasters shall permit the permanent*

1 *or temporary export without a license of any unclassified*  
2 *articles specified in subsection (a) to Canada for end use*  
3 *in Canada or return to the United States, or temporary*  
4 *import of Canadian-origin items from Canada for end use*  
5 *in the United States or return to Canada for a Canadian*  
6 *citizen.*

7       *(d) The President may require export licenses under*  
8 *this section on a temporary basis if the President deter-*  
9 *mines, upon publication first in the Federal Register, that*  
10 *the Government of Canada has implemented or maintained*  
11 *inadequate import controls for the articles specified in sub-*  
12 *section (a), such that a significant diversion of such articles*  
13 *has and continues to take place for use in international*  
14 *terrorism or in the escalation of a conflict in another na-*  
15 *tion. The President shall terminate the requirements of a*  
16 *license when reasons for the temporary requirements have*  
17 *ceased.*

18       *SEC. 521. Notwithstanding any other provision of law,*  
19 *no department, agency, or instrumentality of the United*  
20 *States receiving appropriated funds under this Act or any*  
21 *other Act shall obligate or expend in any way such funds*  
22 *to pay administrative expenses or the compensation of any*  
23 *officer or employee of the United States to deny any appli-*  
24 *cation submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and*  
25 *qualified pursuant to 27 CFR section 478.112 or .113, for*

1 *a permit to import United States origin “curios or relics”*  
2 *firearms, parts, or ammunition.*

3 *SEC. 522. None of the funds made available in this*  
4 *Act may be used to include in any new bilateral or multi-*  
5 *lateral trade agreement the text of—*

6 *(1) paragraph 2 of article 16.7 of the United*  
7 *States-Singapore Free Trade Agreement;*

8 *(2) paragraph 4 of article 17.9 of the United*  
9 *States-Australia Free Trade Agreement; or*

10 *(3) paragraph 4 of article 15.9 of the United*  
11 *States-Morocco Free Trade Agreement.*

12 *SEC. 523. None of the funds made available in this*  
13 *Act may be used to authorize or issue a national security*  
14 *letter in contravention of any of the following laws author-*  
15 *izing the Federal Bureau of Investigation to issue national*  
16 *security letters: The Right to Financial Privacy Act; The*  
17 *Electronic Communications Privacy Act; The Fair Credit*  
18 *Reporting Act; The National Security Act of 1947; USA*  
19 *PATRIOT Act; and the laws amended by these Acts.*

20 *SEC. 524. If at any time during any quarter, the pro-*  
21 *gram manager of a project within the jurisdiction of the*  
22 *Departments of Commerce or Justice, the National Aero-*  
23 *navitics and Space Administration, or the National Science*  
24 *Foundation totaling more than \$75,000,000 has reasonable*  
25 *cause to believe that the total program cost has increased*

1 *by 10 percent, the program manager shall immediately in-*  
2 *form the Secretary, Administrator, or Director. The Sec-*  
3 *retary, Administrator, or Director shall notify the House*  
4 *and Senate Committees on Appropriations within 30 days*  
5 *in writing of such increase, and shall include in such notice:*  
6 *the date on which such determination was made; a state-*  
7 *ment of the reasons for such increases; the action taken and*  
8 *proposed to be taken to control future cost growth of the*  
9 *project; changes made in the performance or schedule mile-*  
10 *stones and the degree to which such changes have contrib-*  
11 *uted to the increase in total program costs or procurement*  
12 *costs; new estimates of the total project or procurement*  
13 *costs; and a statement validating that the project's manage-*  
14 *ment structure is adequate to control total project or pro-*  
15 *curement costs.*

16 *SEC. 525. Funds appropriated by this Act, or made*  
17 *available by the transfer of funds in this Act, for intelligence*  
18 *or intelligence related activities are deemed to be specifi-*  
19 *cally authorized by the Congress for purposes of section 504*  
20 *of the National Security Act of 1947 (50 U.S.C. 414) during*  
21 *fiscal year 2010 until the enactment of the Intelligence Au-*  
22 *thorization Act for fiscal year 2010.*

23 *SEC. 526. The Departments, agencies, and commis-*  
24 *sions funded under this Act, shall establish and maintain*  
25 *on the homepages of their Internet websites—*

1           (1) a direct link to the Internet websites of their  
2           Offices of Inspectors General; and

3           (2) a mechanism on the Offices of Inspectors  
4           General website by which individuals may anony-  
5           mously report cases of waste, fraud, or abuse with re-  
6           spect to those Departments, agencies, and commis-  
7           sions.

8           SEC. 527. None of the funds appropriated or otherwise  
9           made available by this Act may be used to enter into a  
10          contract in an amount greater than \$5,000,000 or to award  
11          a grant in excess of such amount unless the prospective con-  
12          tractor or grantee certifies in writing to the agency award-  
13          ing the contract or grant that, to the best of its knowledge  
14          and belief, the contractor or grantee has filed all Federal  
15          tax returns required during the three years preceding the  
16          certification, has not been convicted of a criminal offense  
17          under the Internal Revenue Code of 1986, and has not, more  
18          than 90 days prior to certification, been notified of any  
19          unpaid Federal tax assessment for which the liability re-  
20          mains unsatisfied, unless the assessment is the subject of  
21          an installment agreement or offer in compromise that has  
22          been approved by the Internal Revenue Service and is not  
23          in default, or the assessment is the subject of a non-frivolous  
24          administrative or judicial proceeding.

1        *SEC. 528. None of the funds appropriated or otherwise*  
2 *made available in this Act may be used in a manner that*  
3 *is inconsistent with the principal negotiating objective of*  
4 *the United States with respect to trade remedy laws to pre-*  
5 *serve the ability of the United States—*

6            (1) *to enforce vigorously its trade laws, including*  
7 *antidumping, countervailing duty, and safeguard*  
8 *laws;*

9            (2) *to avoid agreements that—*

10            (A) *lessen the effectiveness of domestic and*  
11 *international disciplines on unfair trade, espe-*  
12 *cially dumping and subsidies; or*

13            (B) *lessen the effectiveness of domestic and*  
14 *international safeguard provisions, in order to*  
15 *ensure that United States workers, agricultural*  
16 *producers, and firms can compete fully on fair*  
17 *terms and enjoy the benefits of reciprocal trade*  
18 *concessions; and*

19            (3) *to address and remedy market distortions*  
20 *that lead to dumping and subsidization, including*  
21 *overcapacity, cartelization, and market-access bar-*  
22 *riers.*

23        *SEC. 529. None of the funds made available in this*  
24 *Act may be used to purchase first class or premium airline*

1 *travel in contravention of sections 301–10.122 through 301–*  
2 *10.124 of title 41 of the Code of Federal Regulations.*

3 *SEC. 530. None of the funds made available in this*  
4 *Act may be used to send or otherwise pay for the attendance*  
5 *of more than 50 employees from a Federal department or*  
6 *agency at any single conference occurring outside the*  
7 *United States.*

8 *(RESCISSIONS)*

9 *SEC. 531. (a) Of the unobligated balances available to*  
10 *the Department of Justice from prior appropriations, the*  
11 *following funds are hereby rescinded, not later than Sep-*  
12 *tember 30, 2010, from the following accounts in the speci-*  
13 *fied amounts:*

14 *(1) “Legal Activities, Assets Forfeiture Fund”,*  
15 *\$379,000,000, of which \$136,000,000 shall be perma-*  
16 *nently rescinded and returned to the general fund;*

17 *(2) “Office of Justice Programs”, \$42,000,000;*  
18 *and*

19 *(3) “Community Oriented Policing Services”,*  
20 *\$40,000,000.*

21 *(b) The Department of Justice shall, within 30 days*  
22 *of enactment of this Act, submit to the Committee on Appro-*  
23 *priations of the House of Representatives and the Senate*  
24 *a report specifying the amount of each rescission made pur-*  
25 *suant to this section.*

1       (c) *The recissions contained in this section shall not*  
2 *apply to funds provided in this Act.*

3       SEC. 532. *Section 504(a) of the Departments of Com-*  
4 *merce, Justice, and State, the Judiciary, and Related Agen-*  
5 *cies Appropriations Act, 1996 (as contained in Public Law*  
6 *104–134) is amended:*

7           (1) *in subsection (a), in the matter preceding*  
8 *paragraph (1), by inserting after “)” the following:*  
9 *“that uses Federal funds (or funds from any source*  
10 *with regard to paragraphs (14) and (15)) in a man-*  
11 *ner”;*

12           (2) *by striking subsection (d); and*

13           (3) *by redesignating subsections (e) and (f) as*  
14 *subsections (d) and (e), respectively.*

15       SEC. 533. *None of the funds made available under this*  
16 *Act may be distributed to the Association of Community*  
17 *Organizations for Reform Now (ACORN) or its subsidi-*  
18 *aries.*

19       REVIEW AND AUDIT OF ACORN FEDERAL FUNDING

20       SEC. 534. (a) *REVIEW AND AUDIT.—The Comptroller*  
21 *General of the United States shall conduct a review and*  
22 *audit of Federal funds received by the Association of Com-*  
23 *munity Organizations for Reform Now (referred to in this*  
24 *section as “ACORN”) or any subsidiary or affiliate of*  
25 *ACORN to determine—*

1           (1) *whether any Federal funds were misused*  
2 *and, if so, the total amount of Federal funds involved*  
3 *and how such funds were misused;*

4           (2) *what steps, if any, have been taken to recover*  
5 *any Federal funds that were misused;*

6           (3) *what steps should be taken to prevent the*  
7 *misuse of any Federal funds; and*

8           (4) *whether all necessary steps have been taken*  
9 *to prevent the misuse of any Federal funds.*

10       (b) *REPORT.*—*Not later than 180 days after the date*  
11 *of enactment of this Act, the Comptroller General shall sub-*  
12 *mit to Congress a report on the results of the audit required*  
13 *under subsection (a), along with recommendations for Fed-*  
14 *eral agency reforms.*

15       *This Act may be cited as the “Commerce, Justice,*  
16 *Science, and Related Agencies Appropriations Act, 2010”.*

Attest:

*Secretary.*



11<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H.R. 2847**

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**AMENDMENT**