

# Union Calendar No. 73

111TH CONGRESS  
1ST SESSION

# H. R. 2847

[Report No. 111-149]

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.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2009

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

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## A BILL

Making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes.

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

1 fiscal year ending September 30, 2010, and for other pur-  
2 poses, namely:

3 TITLE I

4 DEPARTMENT OF COMMERCE

5 INTERNATIONAL TRADE ADMINISTRATION

6 OPERATIONS AND ADMINISTRATION

7 For necessary expenses for international trade activi-  
8 ties of the Department of Commerce provided for by law,  
9 and for engaging in trade promotional activities abroad,  
10 including expenses of grants and cooperative agreements  
11 for the purpose of promoting exports of United States  
12 firms, without regard to 44 U.S.C. 3702 and 3703; full  
13 medical coverage for dependent members of immediate  
14 families of employees stationed overseas and employees  
15 temporarily posted overseas; travel and transportation of  
16 employees of the International Trade Administration be-  
17 tween two points abroad, without regard to 49 U.S.C.  
18 40118; employment of Americans and aliens by contract  
19 for services; rental of space abroad for periods not exceed-  
20 ing 10 years, and expenses of alteration, repair, or im-  
21 provement; purchase or construction of temporary de-  
22 mountable exhibition structures for use abroad; payment  
23 of tort claims, in the manner authorized in the first para-  
24 graph of 28 U.S.C. 2672 when such claims arise in foreign  
25 countries; not to exceed \$327,000 for official representa-

tion expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed \$45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, \$444,504,000, to remain available until September 30, 2011, of which \$9,439,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: *Provided*, That not less than \$7,000,000 shall be for the Office of China Compliance, and not less than \$4,400,000 shall be for the China Countervailing Duty Group: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities: *Provided further*, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties: *Provided further*, That negotiations shall be conducted within the World Trade Organization

1 consistent with the negotiating objectives contained in the  
2 Trade Act of 2002, Public Law 107–210: *Provided further*,  
3 That within the amounts appropriated, \$3,715,000 shall  
4 be used for the projects, and in the amounts, specified in  
5 the table titled “Congressionally-designated items” in the  
6 report of the Committee on Appropriations of the House  
7 of Representatives to accompany this Act.

8 BUREAU OF INDUSTRY AND SECURITY

9 OPERATIONS AND ADMINISTRATION

10 For necessary expenses for export administration and  
11 national security activities of the Department of Com-  
12 merce, including costs associated with the performance of  
13 export administration field activities both domestically and  
14 abroad; full medical coverage for dependent members of  
15 immediate families of employees stationed overseas; em-  
16 ployment of Americans and aliens by contract for services  
17 abroad; payment of tort claims, in the manner authorized  
18 in the first paragraph of 28 U.S.C. 2672 when such claims  
19 arise in foreign countries; not to exceed \$15,000 for offi-  
20 cial representation expenses abroad; awards of compensa-  
21 tion to informers under the Export Administration Act of  
22 1979, and as authorized by 22 U.S.C. 401(b); and pur-  
23 chase of passenger motor vehicles for official use and  
24 motor vehicles for law enforcement use with special re-  
25 quirement vehicles eligible for purchase without regard to

1 any price limitation otherwise established by law,  
2 \$100,342,000, to remain available until expended, of  
3 which \$14,767,000 shall be for inspections and other ac-  
4 tivities related to national security: *Provided*, That the  
5 provisions of the first sentence of section 105(f) and all  
6 of section 108(c) of the Mutual Educational and Cultural  
7 Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c))  
8 shall apply in carrying out these activities: *Provided fur-*  
9 *ther*, That payments and contributions collected and ac-  
10 cepted for materials or services provided as part of such  
11 activities may be retained for use in covering the cost of  
12 such activities, and for providing information to the public  
13 with respect to the export administration and national se-  
14 curity activities of the Department of Commerce and other  
15 export control programs of the United States and other  
16 governments.

17 ECONOMIC DEVELOPMENT ADMINISTRATION

18 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

19 For grants for economic development assistance as  
20 provided by the Public Works and Economic Development  
21 Act of 1965, and for trade adjustment assistance,  
22 \$255,000,000, to remain available until expended.

23 SALARIES AND EXPENSES

24 For necessary expenses of administering the eco-  
25 nomic development assistance programs as provided for by

1 law, \$38,000,000: *Provided*, That these funds may be used  
2 to monitor projects approved pursuant to title I of the  
3 Public Works Employment Act of 1976, title II of the  
4 Trade Act of 1974, and the Community Emergency  
5 Drought Relief Act of 1977.

6 MINORITY BUSINESS DEVELOPMENT AGENCY

7 MINORITY BUSINESS DEVELOPMENT

8 For necessary expenses of the Department of Com-  
9 merce in fostering, promoting, and developing minority  
10 business enterprise, including expenses of grants, con-  
11 tracts, and other agreements with public or private organi-  
12 zations, \$31,000,000: *Provided*, That within the amounts  
13 appropriated, \$900,000 shall be used for the projects, and  
14 in the amounts, specified in the table titled “Congression-  
15 ally-designated items” in the report of the Committee on  
16 Appropriations of the House of Representatives to accom-  
17 pany this Act.

18 ECONOMIC AND STATISTICAL ANALYSIS

19 SALARIES AND EXPENSES

20 For necessary expenses, as authorized by law, of eco-  
21 nomic and statistical analysis programs of the Department  
22 of Commerce, \$97,255,000, to remain available until Sep-  
23 tember 30, 2011.

## 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  
5 by law, \$259,024,000.

## 6 PERIODIC CENSUSES AND PROGRAMS

7 For necessary expenses to collect and publish statis-  
8 ties for periodic censuses and programs provided for by  
9 law, \$7,115,707,000, of which \$206,000,000 shall be de-  
10 rived from available unobligated balances previously ap-  
11 propriated under this heading, to remain available until  
12 September 30, 2011: *Provided*, That none of the funds  
13 provided in this or any other Act for any fiscal year may  
14 be used for the collection of census data on race identifica-  
15 tion that does not include “some other race” as a category:  
16 *Provided further*, That from amounts provided herein,  
17 funds may be used for additional promotion, outreach, and  
18 marketing activities.

## 19 NATIONAL TELECOMMUNICATIONS AND INFORMATION

## 20 ADMINISTRATION

## 21 SALARIES AND EXPENSES

22 For necessary expenses, as provided for by law, of  
23 the National Telecommunications and Information Ad-  
24 ministration (NTIA), \$19,999,000, to remain available  
25 until September 30, 2011: *Provided*, That, notwith-

1 standing 31 U.S.C. 1535(d), the Secretary of Commerce  
2 shall charge Federal agencies for costs incurred in spec-  
3 trum management, analysis, operations, and related serv-  
4 ices, and such fees shall be retained and used as offsetting  
5 collections for costs of such spectrum services, to remain  
6 available until expended: *Provided further*, That the Sec-  
7 retary of Commerce is authorized to retain and use as off-  
8 setting collections all funds transferred, or previously  
9 transferred, from other Government agencies for all costs  
10 incurred in telecommunications research, engineering, and  
11 related activities by the Institute for Telecommunication  
12 Sciences of NTIA, in furtherance of its assigned functions  
13 under this paragraph, and such funds received from other  
14 Government agencies shall remain available until ex-  
15 pended.

16 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING  
17 AND CONSTRUCTION

18 For the administration of grants, authorized by sec-  
19 tion 392 of the Communications Act of 1934,  
20 \$20,000,000, to remain available until expended as au-  
21 thorized by section 391 of the Act: *Provided*, That not to  
22 exceed \$2,000,000 shall be available for program adminis-  
23 tration as authorized by section 391 of the Act: *Provided*  
24 *further*, That, notwithstanding the provisions of section  
25 391 of the Act, the prior year unobligated balances may



1 be made available for grants for projects for which appli-  
2 cations have been submitted and approved during any fis-  
3 cal year.

4 UNITED STATES PATENT AND TRADEMARK OFFICE  
5 SALARIES AND EXPENSES

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

tion expenses: *Provided further*, That in fiscal year 2010  
and hereafter, from the amounts made available for “Salaries and Expenses” for the USPTO, the amounts necessary to pay: (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) of basic pay, of employees subject to subchapter III of chapter 83 of that title; and (2) the present value of the otherwise unfunded accruing costs, as determined by the Office of Personnel Management, of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees, shall be transferred to the Civil Service Retirement and Disability Fund, the Employees Life Insurance Fund, and the Employees Health Benefits Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That sections 801, 802, and 803 of division B, Public Law 108–447 shall remain in effect during fiscal year 2010: *Provided further*, That the Director may, this year, reduce by regulation fees payable for documents in patent and trademark matters, in connection with the filing of documents filed electronically in a form prescribed by the Director: *Provided further*, That from the amounts provided herein, no less than \$4,000,000 shall be available

1 only for the USPTO contribution in a cooperative or joint  
2 agreement or agreements with a non-profit organization  
3 or organizations, successfully audited within the previous  
4 year, and with previous experience in such programs, to  
5 conduct policy studies, including studies relating to activi-  
6 ties of United Nations Specialized agencies and other  
7 international organizations, as well as conferences and  
8 other development programs, in support of fair inter-  
9 national protection of intellectual property rights.

10 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY  
11 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

12 For necessary expenses of the National Institute of  
13 Standards and Technology, \$510,000,000, to remain  
14 available until expended, of which not to exceed  
15 \$9,000,000 may be transferred to the “Working Capital  
16 Fund”: *Provided*, That not to exceed \$10,000 shall be for  
17 official reception and representation expenses.

18 INDUSTRIAL TECHNOLOGY SERVICES

19 For necessary expenses of the Hollings Manufac-  
20 turing Extension Partnership of the National Institute of  
21 Standards and Technology, \$124,700,000, to remain  
22 available until expended. In addition, for necessary ex-  
23 penses of the Technology Innovation Program of the Na-  
24 tional Institute of Standards and Technology,  
25 \$69,900,000, to remain 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 \$76,500,000, to remain available until expended, of which  
8 \$20,000,000 is for a competitive construction grant pro-  
9 gram for research science buildings: *Provided further*,  
10 That the Secretary of Commerce shall include in the budg-  
11 et justification materials that the Secretary submits to  
12 Congress in support of the Department of Commerce  
13 budget (as submitted with the budget of the President  
14 under section 1105(a) of title 31, United States Code) an  
15 estimate for each National Institute of Standards and  
16 Technology construction project having a total multi-year  
17 program cost of more than \$5,000,000 and simultaneously  
18 the budget justification materials shall include an estimate  
19 of the budgetary requirements for each such project for  
20 each of the five subsequent fiscal years.

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

5 For necessary expenses of activities authorized by law  
6 for the National Oceanic and Atmospheric Administration,  
7 including maintenance, operation, and hire of aircraft and  
8 vessels; grants, contracts, or other payments to nonprofit  
9 organizations for the purposes of conducting activities  
10 pursuant to cooperative agreements; and relocation of fa-  
11 cilities, \$3,198,793,000, to remain available until Sep-  
12 tember 30, 2011, except for funds provided for cooperative  
13 enforcement, which shall remain available until September  
14 30, 2012: *Provided*, That fees and donations received by  
15 the National Ocean Service for the management of na-  
16 tional marine sanctuaries may be retained and used for  
17 the salaries and expenses associated with those activities,  
18 notwithstanding 31 U.S.C. 3302: *Provided further*, That  
19 in addition, \$3,000,000 shall be derived by transfer from  
20 the fund entitled “Coastal Zone Management” and in ad-  
21 dition \$104,600,000 shall be derived by transfer from the  
22 fund entitled “Promote and Develop Fishery Products and  
23 Research Pertaining to American Fisheries”: *Provided*  
24 *further*, That of the \$3,317,393,000 provided for in direct  
25 obligations under this heading \$3,198,793,000 is appro-

1 priated from the general fund, \$107,600,000 is provided  
2 by transfer, and \$11,000,000 is derived from recoveries  
3 of prior year obligations: *Provided further*, That the total  
4 amount available for the National Oceanic and Atmos-  
5 pheric Administration corporate services administrative  
6 support costs shall not exceed \$228,549,000: *Provided fur-*  
7 *ther*, That payments of funds made available under this  
8 heading to the Department of Commerce Working Capital  
9 Fund including Department of Commerce General Coun-  
10 sel legal services shall not exceed \$41,944,000: *Provided*  
11 *further*, That any deviation from the amounts designated  
12 for specific activities in the report accompanying this Act,  
13 or any use of deobligated balances of funds provided under  
14 this heading in previous years, shall be subject to the pro-  
15 cedures set forth in section 505 of this Act: *Provided fur-*  
16 *ther*, That in allocating grants under sections 306 and  
17 306A of the Coastal Zone Management Act of 1972, as  
18 amended, no coastal State shall receive more than 5 per-  
19 cent or less than 1 percent of increased funds appro-  
20 priated over the previous fiscal year: *Provided further*,  
21 That within the amounts appropriated, \$37,500,000 shall  
22 be used for the projects, and in the amounts, specified in  
23 the table titled “Congressionally-designated items” in the  
24 report of the Committee on Appropriations of the House  
25 of Representatives to accompany this Act.

1       In addition, for necessary retired pay expenses under  
2 the Retired Serviceman's Family Protection and Survivor  
3 Benefits Plan, and for payments for the medical care of  
4 retired personnel and their dependents under the Depend-  
5 ents Medical Care Act (10 U.S.C. 55), such sums as may  
6 be necessary.

7       PROCUREMENT, ACQUISITION AND CONSTRUCTION

8       For procurement, acquisition and construction of  
9 capital assets, including alteration and modification costs,  
10 of the National Oceanic and Atmospheric Administration,  
11 \$1,409,148,000, to remain available until September 30,  
12 2012, except funds provided for construction of facilities  
13 which shall remain available until expended: *Provided*,  
14 That of the \$1,411,148,000 provided for in direct obliga-  
15 tions under this heading \$1,409,148,000 is appropriated  
16 from the general fund and \$2,000,000 is provided from  
17 recoveries of prior year obligations: *Provided further*, That  
18 except to the extent expressly prohibited by any other law,  
19 the Department of Defense may delegate procurement  
20 functions related to the National Polar-orbiting Oper-  
21 ational Environmental Satellite System to officials of the  
22 Department of Commerce pursuant to section 2311 of title  
23 10, United States Code: *Provided further*, That any devi-  
24 ation from the amounts designated for specific activities  
25 in the report accompanying this Act, or any use of

1 deobligated balances of funds provided under this heading  
 2 in previous years, shall be subject to the procedures set  
 3 forth in section 505 of this Act: *Provided further*, That  
 4 the Secretary of Commerce shall include in budget jus-  
 5 tification materials that the Secretary submits to Congress  
 6 in support of the Department of Commerce budget (as  
 7 submitted with the budget of the President under section  
 8 1105(a) of title 31, United States Code) an estimate for  
 9 each National Oceanic and Atmospheric Administration  
 10 Procurement, Acquisition, or Construction project having  
 11 a total of more than \$5,000,000 and simultaneously the  
 12 budget justification shall include an estimate of the budg-  
 13 etary requirements for each such project for each of the  
 14 five subsequent fiscal years.

15 COASTAL ZONE MANAGEMENT FUND

16 (INCLUDING TRANSFER OF FUNDS)

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

22 FISHERIES FINANCE PROGRAM ACCOUNT

23 Subject to section 502 of the Congressional Budget  
 24 Act of 1974, during fiscal year 2009, obligations of direct  
 25 loans may not exceed \$8,000,000 for Individual Fishing



1 Quota loans and not to exceed \$59,000,000 for traditional  
2 direct loans as authorized by the Merchant Marine Act  
3 of 1936: *Provided*, That none of the funds made available  
4 under this heading may be used for direct loans for any  
5 new fishing vessel that will increase the harvesting capac-  
6 ity in any United States fishery.

7 DEPARTMENTAL MANAGEMENT

8 SALARIES AND EXPENSES

9 For expenses necessary for the departmental manage-  
10 ment of the Department of Commerce provided for by law,  
11 including not to exceed \$5,000 for official entertainment,  
12 \$60,000,000: *Provided*, That the Secretary, within 30  
13 days of enactment of this Act, shall provide a report to  
14 the Committees on Appropriations that audits and evalu-  
15 ates all decision documents and expenditures by the Bu-  
16 reau of the Census as they relate to the 2010 Census: *Pro-*  
17 *vided further*, That of the amounts provided to the Sec-  
18 retary within this account, \$5,000,000 shall not become  
19 available for obligation until the Secretary certifies to the  
20 House and Senate Committees on Appropriations that the  
21 Bureau of the Census has followed and met all standards  
22 and best practices, and all Office of Management and  
23 Budget guidelines related to information technology  
24 projects and contract management.

7 OFFICE OF INSPECTOR GENERAL

11 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE  
12 (INCLUDING TRANSFER OF FUNDS)

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for

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

5       SEC. 103. Not to exceed 5 percent of any appropria-  
6 tion made available for the current fiscal year for the De-  
7 partment of Commerce in this Act may be transferred be-  
8 tween such appropriations, but no such appropriation shall  
9 be increased by more than 10 percent by any such trans-  
10 fers: *Provided*, That any transfer pursuant to this section  
11 shall be treated as a reprogramming of funds under sec-  
12 tion 505 of this Act and shall not be available for obliga-  
13 tion or expenditure except in compliance with the proce-  
14 dures set forth in that section: *Provided further*, That the  
15 Secretary of Commerce shall notify the Committees on Ap-  
16 propriations at least 15 days in advance of the acquisition  
17 or disposal of any capital asset (including land, structures,  
18 and equipment) not specifically provided for in this Act  
19 or any other law appropriating funds for the Department  
20 of Commerce: *Provided further*, That for the National Oce-  
21 anic and Atmospheric Administration this section shall  
22 provide for transfers among appropriations made only to  
23 the National Oceanic and Atmospheric Administration  
24 and such appropriations may not be transferred and re-

1 programmed to other Department of Commerce bureaus  
2 and appropriation accounts.

3       SEC. 104. Any costs incurred by a department or  
4 agency funded under this title resulting from personnel  
5 actions taken in response to funding reductions included  
6 in this title or from actions taken for the care and protec-  
7 tion of loan collateral or grant property shall be absorbed  
8 within the total budgetary resources available to such de-  
9 partment or agency: *Provided*, That the authority to trans-  
10 fer funds between appropriations accounts as may be nec-  
11 essary to carry out this section is provided in addition to  
12 authorities included elsewhere in this Act: *Provided fur-*  
13 *ther*, That use of funds to carry out this section shall be  
14 treated as a reprogramming of funds under section 505  
15 of this Act and shall not be available for obligation or ex-  
16 penditure except in compliance with the procedures set  
17 forth in that section.

18       SEC. 105. The requirements set forth by section 112  
19 of division B of Public Law 110–161 are hereby adopted  
20 by reference.

21       SEC. 106. Notwithstanding any other law, the Sec-  
22 retary may furnish services (including but not limited to  
23 utilities, telecommunications, and security services) nec-  
24 essary to support the operation, maintenance, and im-  
25 provement of space that persons, firms or organizations

1 are authorized pursuant to the Public Buildings Coopera-  
2 tive Use Act of 1976 or other authority to use or occupy  
3 in the Herbert C. Hoover Building, Washington, DC, or  
4 other buildings, the maintenance, operation, and protec-  
5 tion of which has been delegated to the Secretary from  
6 the Administrator of General Services pursuant to the  
7 Federal Property and Administrative Services Act of  
8 1949, as amended, on a reimbursable or non-reimbursable  
9 basis. Amounts received as reimbursement for services  
10 provided under this section or the authority under which  
11 the use or occupancy of the space is authorized, up to  
12 \$200,000, shall be credited to the appropriation or fund  
13 which initially bears the costs of such services.

14       SEC. 107. The Administration of the National Oce-  
15 anic and Atmospheric Administration is authorized to use,  
16 with their consent, with reimbursement and subject to the  
17 limits of available appropriations, the land, services, equip-  
18 ment, personnel, and facilities of any department, agency  
19 or instrumentality of the United States, or of any state,  
20 local government, Indian tribal government, Territory or  
21 possession, or of any political subdivision thereof, or of  
22 any foreign government or international organization for  
23 purposes related to carrying out the responsibilities of any  
24 statute administered by the National Oceanic and Atmos-  
25 pheric Administration.

## DEPARTMENT OF JUSTICE

## SALARIES AND EXPENSES

•HR 2847 RH

## 1 NATIONAL DRUG INTELLIGENCE CENTER

2 For necessary expenses of the National Drug Intel-  
3 ligence Center, \$44,023,000, of which \$2,000,000 shall be  
4 for reimbursement of Air Force personnel for the National  
5 Drug Intelligence Center to support the Department of  
6 Defense's counter-drug intelligence responsibilities: *Pro-*  
7 *vided*, That the National Drug Intelligence Center shall  
8 maintain the personnel and technical resources to provide  
9 timely support to law enforcement authorities and the in-  
10 telligence community by conducting document and com-  
11 puter exploitation of materials collected in Federal, State,  
12 and local law enforcement activity associated with counter-  
13 drug, counterterrorism, and national security investiga-  
14 tions and operations.

## 15 JUSTICE INFORMATION SHARING TECHNOLOGY

16 For necessary expenses for information sharing tech-  
17 nology, including planning, development, deployment and  
18 departmental direction, \$109,417,000, to remain available  
19 until expended, of which not less than \$21,132,000 is for  
20 the unified financial management system.

## 21 TACTICAL LAW ENFORCEMENT WIRELESS

## 22 COMMUNICATIONS

23 For the costs of developing and implementing a na-  
24 tion-wide Integrated Wireless Network supporting Federal  
25 law enforcement communications, and for the costs of op-

1 erations and maintenance of existing Land Mobile Radio  
2 legacy systems, \$205,143,000, to remain available until  
3 expended: *Provided*, That the Attorney General shall  
4 transfer to this account all funds made available to the  
5 Department of Justice for the purchase of portable and  
6 mobile radios: *Provided further*, That any transfer made  
7 under the preceding proviso shall be subject to section 505  
8 of this Act.

9 ADMINISTRATIVE REVIEW AND APPEALS

10 For expenses necessary for the administration of par-  
11 don and clemency petitions and immigration-related activi-  
12 ties, \$300,685,000, of which \$4,000,000 shall be derived  
13 by transfer from the Executive Office for Immigration Re-  
14 view fees deposited in the “Immigration Examinations  
15 Fee” account.

16 DETENTION TRUSTEE

17 For necessary expenses of the Federal Detention  
18 Trustee, \$1,438,663,000, to remain available until ex-  
19 pended: *Provided*, That the Trustee shall be responsible  
20 for managing the Justice Prisoner and Alien Transpor-  
21 tation System: *Provided further*, That not to exceed  
22 \$5,000,000 shall be considered “funds appropriated for  
23 State and local law enforcement assistance” pursuant to  
24 18 U.S.C. 4013(b).



## 1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector  
3 General, \$84,368,000, including not to exceed \$10,000 to  
4 meet unforeseen emergencies of a confidential character.

## 5 UNITED STATES PAROLE COMMISSION

## 6 SALARIES AND EXPENSES

7 For necessary expenses of the United States Parole  
8 Commission as authorized, \$12,859,000.

## 9 LEGAL ACTIVITIES

## 10 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

11 For expenses necessary for the legal activities of the  
12 Department of Justice, not otherwise provided for, includ-  
13 ing not to exceed \$20,000 for expenses of collecting evi-  
14 dence, to be expended under the direction of, and to be  
15 accounted for solely under the certificate of, the Attorney  
16 General; and rent of private or Government-owned space  
17 in the District of Columbia, \$875,097,000, of which not  
18 to exceed \$10,000,000 for litigation support contracts  
19 shall remain available until expended: *Provided*, That of  
20 the total amount appropriated, not to exceed \$10,000 shall  
21 be available to the United States National Central Bu-  
22 reau, INTERPOL, for official reception and representa-  
23 tion expenses: *Provided further*, That notwithstanding sec-  
24 tion 205 of this Act, upon a determination by the Attorney  
25 General that emergent circumstances require additional

1 funding for litigation activities of the Civil Division, the  
2 Attorney General may transfer such amounts to “Salaries  
3 and Expenses, General Legal Activities” from available  
4 appropriations for the current fiscal year for the Depart-  
5 ment of Justice, as may be necessary to respond to such  
6 circumstances: *Provided further*, That any transfer pursu-  
7 ant to the previous proviso shall be treated as a re-  
8 programming under section 505 of this Act and shall not  
9 be available for obligation or expenditure except in compli-  
10 ance with the procedures set forth in that section: *Pro-*  
11 *vided further*, That of the amount appropriated, such sums  
12 as may be necessary shall be available to reimburse the  
13 Office of Personnel Management for salaries and expenses  
14 associated with the election monitoring program under  
15 section 8 of the Voting Rights Act of 1965 (42 U.S.C.  
16 1973f): *Provided further*, That of the amounts provided  
17 under this heading for the election monitoring program  
18 \$3,390,000, shall remain available until expended.

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

## 1 SALARIES AND EXPENSES, ANTITRUST DIVISION

2 For expenses necessary for the enforcement of anti-  
3 trust and kindred laws, \$163,170,000, to remain available  
4 until expended: *Provided*, That notwithstanding any other  
5 provision of law, fees collected for premerger notification  
6 filings under the Hart-Scott-Rodino Antitrust Improve-  
7 ments Act of 1976 (15 U.S.C. 18a), regardless of the year  
8 of collection (and estimated to be \$102,000,000 in fiscal  
9 year 2010), shall be retained and used for necessary ex-  
10 penses in this appropriation, and shall remain available  
11 until expended: *Provided further*, That the sum herein ap-  
12 propriated from the general fund shall be reduced as such  
13 offsetting collections are received during fiscal year 2010,  
14 so as to result in a final fiscal year 2010 appropriation  
15 from the general fund estimated at \$61,170,000.

## 16 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

17 For necessary expenses of the Offices of the United  
18 States Attorneys, including inter-governmental and coop-  
19 erative agreements, \$1,934,003,000: *Provided*, That of the  
20 total amount appropriated, not to exceed \$8,000 shall be  
21 available for official reception and representation ex-  
22 penses: *Provided further*, That not to exceed \$25,000,000  
23 shall remain available until expended: *Provided further*,  
24 That of the amount provided under this heading, not less  
25 than \$36,980,000 shall be used for salaries and expenses

1 for assistant U.S. Attorneys to carry out section 704 of  
2 the Adam Walsh Child Protection and Safety Act of 2006  
3 (Public Law 109–248) concerning the prosecution of of-  
4 fenses relating to the sexual exploitation of children: *Pro-*  
5 *vided further*, That of the amount provided under this  
6 heading, \$6,000,000 is for salaries and expenses for new  
7 assistant U.S. Attorneys to carry out additional prosecu-  
8 tions of serious crimes in Indian Country.

9 UNITED STATES TRUSTEE SYSTEM FUND

10 For necessary expenses of the United States Trustee  
11 Program, as authorized, \$224,488,000, to remain avail-  
12 able until expended and to be derived from the United  
13 States Trustee System Fund: *Provided*, That notwith-  
14 standing any other provision of law, deposits to the Fund  
15 shall be available in such amounts as may be necessary  
16 to pay refunds due depositors: *Provided further*, That, not-  
17 withstanding any other provision of law, \$210,000,000 of  
18 offsetting collections pursuant to 28 U.S.C. 589a(b) shall  
19 be retained and used for necessary expenses in this appro-  
20 priation and shall remain available until expended: *Pro-*  
21 *vided further*, That the sum herein appropriated from the  
22 Fund shall be reduced as such offsetting collections are  
23 received during fiscal year 2009, so as to result in a final  
24 fiscal year 2009 appropriation from the Fund estimated  
25 at \$9,488,000.

## 1 SALARIES AND EXPENSES, FOREIGN CLAIMS

## 2 SETTLEMENT COMMISSION

3 For expenses necessary to carry out the activities of  
4 the Foreign Claims Settlement Commission, including  
5 services as authorized by section 3109 of title 5, United  
6 States Code, \$2,117,000.

## 7 FEES AND EXPENSES OF WITNESSES

8 For fees and expenses of witnesses, for expenses of  
9 contracts for the procurement and supervision of expert  
10 witnesses, for private counsel expenses, including ad-  
11 vances, and for expenses of foreign counsel, \$168,300,000,  
12 to remain available until expended, of which not to exceed  
13 \$10,000,000 is for construction of buildings for protected  
14 witness safesites; not to exceed \$3,000,000 is for the pur-  
15 chase and maintenance of armored and other vehicles for  
16 witness security caravans; and not to exceed \$11,000,000  
17 may be made available for the purchase, installation,  
18 maintenance, and upgrade of secure telecommunications  
19 equipment and a secure automated information network  
20 to store and retrieve the identities and locations of pro-  
21 tected witnesses.

## 22 SALARIES AND EXPENSES, COMMUNITY RELATIONS

## 23 SERVICE

24 For necessary expenses of the Community Relations  
25 Service, \$11,479,000: *Provided*, That notwithstanding sec-

tion 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

#### ASSETS FORFEITURE FUND

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

#### UNITED STATES MARSHALS SERVICE

##### SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, \$1,138,388,000; of which not to exceed \$30,000 shall be available for official reception and representation expenses; of which not to exceed \$4,000,000 shall remain available until expended for information technology systems; and of which not less than \$12,625,000

1 shall be available for the costs of courthouse security  
2 equipment, including furnishings, relocations, and tele-  
3 phone systems and cabling, and shall remain available  
4 until expended.

5 CONSTRUCTION

6 For construction in space controlled, occupied or uti-  
7 lized by the United States Marshals Service for prisoner  
8 holding and related support, \$14,000,000, to remain avail-  
9 able until expended.

10 NATIONAL SECURITY DIVISION

11 SALARIES AND EXPENSES

12 For expenses necessary to carry out the activities of  
13 the National Security Division, \$87,938,000; of which not  
14 to exceed \$5,000,000 for information technology systems  
15 shall remain available until expended: *Provided*, That not-  
16 withstanding section 205 of this Act, upon a determina-  
17 tion by the Attorney General that emergent circumstances  
18 require additional funding for the activities of the National  
19 Security Division, the Attorney General may transfer such  
20 amounts to this heading from available appropriations for  
21 the current fiscal year for the Department of Justice, as  
22 may be necessary to respond to such circumstances: *Pro-*  
23 *vided further*, That any transfer pursuant to the preceding  
24 proviso shall be treated as a reprogramming under section  
25 505 of this Act and shall not be available for obligation

1 or expenditure except in compliance with the procedures  
 2 set forth in that section.

### 3 INTERAGENCY LAW ENFORCEMENT

#### 4 INTERAGENCY CRIME AND DRUG ENFORCEMENT

5 For necessary expenses for the identification, inves-  
 6 tigation, and prosecution of individuals associated with the  
 7 most significant drug trafficking and affiliated money  
 8 laundering organizations not otherwise provided for, to in-  
 9 clude inter-governmental agreements with State and local  
 10 law enforcement agencies engaged in the investigation and  
 11 prosecution of individuals involved in organized crime drug  
 12 trafficking, \$528,569,000, of which \$50,000,000 shall re-  
 13 main available until expended: *Provided*, That any  
 14 amounts obligated from appropriations under this heading  
 15 may be used under authorities available to the organiza-  
 16 tions reimbursed from this appropriation.

### 17 FEDERAL BUREAU OF INVESTIGATION

#### 18 SALARIES AND EXPENSES

19 For necessary expenses of the Federal Bureau of In-  
 20 vestigation for detection, investigation, and prosecution of  
 21 crimes against the United States, \$7,718,741,000, of  
 22 which \$101,066,000 is designated as being for overseas  
 23 deployments and other activities pursuant to section  
 24 423(a)(1) of S. Con. Res. 13 (111th Congress), the con-  
 25 current resolution on the budget for fiscal year 2010; and



1 of which not to exceed \$150,000,000 shall remain avail-  
2 able until expended: *Provided*, That not to exceed  
3 \$205,000 shall be available for official reception and rep-  
4 resentation expenses.

5 CONSTRUCTION

6 For necessary expenses to construct or acquire build-  
7 ings and sites by purchase, or as otherwise authorized by  
8 law (including equipment for such buildings); conversion  
9 and extension of federally owned buildings; and prelimi-  
10 nary planning and design of projects; \$132,796,000, to  
11 remain available until expended.

12 DRUG ENFORCEMENT ADMINISTRATION

13 SALARIES AND EXPENSES

14 For necessary expenses of the Drug Enforcement Ad-  
15 ministration, including not to exceed \$70,000 to meet un-  
16 foreseen emergencies of a confidential character pursuant  
17 to 28 U.S.C. 530C; and expenses for conducting drug edu-  
18 cation and training programs, including travel and related  
19 expenses for participants in such programs and the dis-  
20 tribution of items of token value that promote the goals  
21 of such programs, \$2,019,682,000; of which not to exceed  
22 \$75,000,000 shall remain available until expended; and of  
23 which not to exceed \$100,000 shall be available for official  
24 reception and representation expenses.

1       BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND  
2                               EXPLOSIVES  
3                               SALARIES AND EXPENSES

4       For necessary expenses of the Bureau of Alcohol, To-  
5   bacco, Firearms and Explosives, not to exceed \$40,000 for  
6   official reception and representation expenses; for training  
7   of State and local law enforcement agencies with or with-  
8   out reimbursement, including training in connection with  
9   the training and acquisition of canines for explosives and  
10  fire accelerants detection; and for provision of laboratory  
11  assistance to State and local law enforcement agencies,  
12  with or without reimbursement, \$1,105,772,000, of which  
13  not to exceed \$1,000,000 shall be available for the pay-  
14  ment of attorneys' fees as provided by section 924(d)(2)  
15  of title 18, United States Code; and of which not to exceed  
16  \$10,000,000 shall remain available until expended: *Pro-*  
17 *vided*, That no funds appropriated herein shall be available  
18  for salaries or administrative expenses in connection with  
19  consolidating or centralizing, within the Department of  
20  Justice, the records, or any portion thereof, of acquisition  
21  and disposition of firearms maintained by Federal fire-  
22  arms licensees: *Provided further*, That no funds appro-  
23  priated herein shall be used to pay administrative expenses  
24  or the compensation of any officer or employee of the  
25  United States to implement an amendment or amend-

1 ments to 27 CFR 478.118 or to change the definition of  
2 “Curios or relics” in 27 CFR 478.11 or remove any item  
3 from ATF Publication 5300.11 as it existed on January  
4 1, 1994: *Provided further*, That none of the funds appro-  
5 priated herein shall be available to investigate or act upon  
6 applications for relief from Federal firearms disabilities  
7 under 18 U.S.C. 925(c): *Provided further*, That such funds  
8 shall be available to investigate and act upon applications  
9 filed by corporations for relief from Federal firearms dis-  
10 abilities under section 925(c) of title 18, United States  
11 Code: *Provided further*, That no funds made available by  
12 this or any other Act may be used to transfer the func-  
13 tions, missions, or activities of the Bureau of Alcohol, To-  
14 bacco, Firearms and Explosives to other agencies or De-  
15 partments in fiscal year 2010: *Provided further*, That, be-  
16 ginning in fiscal year 2010 and thereafter, no funds ap-  
17 propriated under this or any other Act may be used to  
18 disclose part or all of the contents of the Firearms Trace  
19 System database maintained by the National Trace Center  
20 of the Bureau of Alcohol, Tobacco, Firearms and Explo-  
21 sives or any information required to be kept by licensees  
22 pursuant to section 923(g) of title 18, United States Code,  
23 or required to be reported pursuant to paragraphs (3) and  
24 (7) of such section 923(g), except to: (1) a Federal, State,  
25 local, or tribal law enforcement agency, or a Federal,

1 State, or local prosecutor; or (2) a foreign law enforcement  
2 agency solely in connection with or for use in a criminal  
3 investigation or prosecution; or (3) a Federal agency for  
4 a national security or intelligence purpose; unless such dis-  
5 closure of such data to any of the entities described in  
6 (1), (2) or (3) of this proviso would compromise the iden-  
7 tity of any undercover law enforcement officer or confiden-  
8 tial informant, or interfere with any case under investiga-  
9 tion; and no person or entity described in (1), (2) or (3)  
10 shall knowingly and publicly disclose such data; and all  
11 such data shall be immune from legal process, shall not  
12 be subject to subpoena or other discovery, shall be inad-  
13 missible in evidence, and shall not be used, relied on, or  
14 disclosed in any manner, nor shall testimony or other evi-  
15 dence be permitted based on the data, in a civil action  
16 in any State (including the District of Columbia) or Fed-  
17 eral court or in an administrative proceeding other than  
18 a proceeding commenced by the Bureau of Alcohol, To-  
19 bacco, Firearms and Explosives to enforce the provisions  
20 of chapter 44 of such title, or a review of such an action  
21 or proceeding; except that this proviso shall not be con-  
22 strued to prevent: (A) the disclosure of statistical informa-  
23 tion concerning total production, importation, and expor-  
24 tation by each licensed importer (as defined in section  
25 921(a)(9) of such title) and licensed manufacturer (as de-

1 fined in section 921(a)(10) of such title); (B) the sharing  
2 or exchange of such information among and between Fed-  
3 eral, State, local, or foreign law enforcement agencies,  
4 Federal, State, or local prosecutors, and Federal national  
5 security, intelligence, or counterterrorism officials; or (C)  
6 the publication of annual statistical reports on products  
7 regulated by the Bureau of Alcohol, Tobacco, Firearms  
8 and Explosives, including total production, importation,  
9 and exportation by each licensed importer (as so defined)  
10 and licensed manufacturer (as so defined), or statistical  
11 aggregate data regarding firearms traffickers and traf-  
12 ficking channels, or firearms misuse, felons, and traf-  
13 ficking investigations: *Provided further*, That no funds  
14 made available by this or any other Act shall be expended  
15 to promulgate or implement any rule requiring a physical  
16 inventory of any business licensed under section 923 of  
17 title 18, United States Code: *Provided further*, That no  
18 funds under this Act may be used to electronically retrieve  
19 information gathered pursuant to 18 U.S.C. 923(g)(4) by  
20 name or any personal identification code: *Provided further*,  
21 That no funds authorized or made available under this or  
22 any other Act may be used to deny any application for  
23 a license under section 923 of title 18, United States Code,  
24 or renewal of such a license due to a lack of business activ-  
25 ity, provided that the applicant is otherwise eligible to re-

1 ceive such a license, and is eligible to report business in-  
 2 come or to claim an income tax deduction for business ex-  
 3 penses under the Internal Revenue Code of 1986.

#### 4 FEDERAL PRISON SYSTEM

#### 5 SALARIES AND EXPENSES

6 For necessary expenses of the Federal Prison System  
 7 for the administration, operation, and maintenance of  
 8 Federal penal and correctional institutions, including pur-  
 9 chase (not to exceed 831, of which 743 are for replacement  
 10 only) and hire of law enforcement and passenger motor  
 11 vehicles, and for the provision of technical assistance and  
 12 advice on corrections related issues to foreign govern-  
 13 ments, \$6,077,231,000: *Provided*, That the Attorney Gen-  
 14 eral may transfer to the Health Resources and Services  
 15 Administration such amounts as may be necessary for di-  
 16 rect expenditures by that Administration for medical relief  
 17 for inmates of Federal penal and correctional institutions:  
 18 *Provided further*, That the Director of the Federal Prison  
 19 System, where necessary, may enter into contracts with  
 20 a fiscal agent or fiscal intermediary claims processor to  
 21 determine the amounts payable to persons who, on behalf  
 22 of the Federal Prison System, furnish health services to  
 23 individuals committed to the custody of the Federal Prison  
 24 System: *Provided further*, That not to exceed \$6,000 shall  
 25 be available for official reception and representation ex-

1 penses: *Provided further*, That not to exceed \$50,000,000  
2 shall remain available for necessary operations until Sep-  
3 tember 30, 2011: *Provided further*, That, of the amounts  
4 provided for contract confinement, not to exceed  
5 \$20,000,000 shall remain available until expended to  
6 make payments in advance for grants, contracts and reim-  
7 bursable agreements, and other expenses authorized by  
8 section 501(c) of the Refugee Education Assistance Act  
9 of 1980 (8 U.S.C. 1522 note), for the care and security  
10 in the United States of Cuban and Haitian entrants: *Pro-*  
11 *vided further*, That the Director of the Federal Prison Sys-  
12 tem may accept donated property and services relating to  
13 the operation of the prison card program from a not-for-  
14 profit entity which has operated such program in the past  
15 notwithstanding the fact that such not-for-profit entity  
16 furnishes services under contracts to the Federal Prison  
17 System relating to the operation of pre-release services,  
18 halfway houses, or other custodial facilities.

19 BUILDINGS AND FACILITIES

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

1 ties at existing penal and correctional institutions, includ-  
2 ing all necessary expenses incident thereto, by contract or  
3 force account, \$96,744,000, to remain available until ex-  
4 pended, of which not less than \$71,358,000 shall be avail-  
5 able only for modernization, maintenance and repair, and  
6 of which not to exceed \$14,000,000 shall be available to  
7 construct areas for inmate work programs: *Provided*, That  
8 labor of United States prisoners may be used for work  
9 performed under this appropriation.

10 FEDERAL PRISON INDUSTRIES, INCORPORATED

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

21 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL

22 PRISON INDUSTRIES, INCORPORATED

23 Not to exceed \$2,700,000 of the funds of the Federal  
24 Prison Industries, Incorporated shall be available for its  
25 administrative expenses, and for services as authorized by



1 section 3109 of title 5, United States Code, to be com-  
2 puted on an accrual basis to be determined in accordance  
3 with the corporation's current prescribed accounting sys-  
4 tem, and such amounts shall be exclusive of depreciation,  
5 payment of claims, and expenditures which such account-  
6 ing system requires to be capitalized or charged to cost  
7 of commodities acquired or produced, including selling and  
8 shipping expenses, and expenses in connection with acqui-  
9 sition, construction, operation, maintenance, improvement,  
10 protection, or disposition of facilities and other property  
11 belonging to the corporation or in which it has an interest.

12 STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

13 OFFICE ON VIOLENCE AGAINST WOMEN

14 VIOLENCE AGAINST WOMEN PREVENTION AND

15 PROSECUTION PROGRAMS

16 For grants, contracts, cooperative agreements, and  
17 other assistance for the prevention and prosecution of vio-  
18 lence against women, as authorized by the Omnibus Crime  
19 Control and Safe Streets Act of 1968 (42 U.S.C. 3711  
20 et seq.) ("the 1968 Act"); the Violent Crime Control and  
21 Law Enforcement Act of 1994 (Public Law 103-322)  
22 ("the 1994 Act"); the Victims of Child Abuse Act of 1990  
23 (Public Law 101-647) ("the 1990 Act"); the Prosecu-  
24 torial Remedies and Other Tools to end the Exploitation  
25 of Children Today Act of 2003 (Public Law 108-21); the

1 Juvenile Justice and Delinquency Prevention Act of 1974  
2 (42 U.S.C. 5601 et seq.) (“the 1974 Act”); the Victims  
3 of Trafficking and Violence Protection Act of 2000 (Public  
4 Law 106–386) (“the 2000 Act”); and the Violence  
5 Against Women and Department of Justice Reauthoriza-  
6 tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);  
7 and for related victims services, \$400,000,000, to remain  
8 available until expended: *Provided*, That except as other-  
9 wise provided by law, not to exceed 3 percent of funds  
10 made available under this heading may be used for ex-  
11 penses related to evaluation, training, and technical assist-  
12 ance: *Provided further*, That of the amount provided

13 (1) \$200,000,000 for grants to combat violence  
14 against women, as authorized by part T of the 1968  
15 Act, of which—

16 (A) \$18,000,000 shall be for transitional  
17 housing assistance grants for victims of domes-  
18 tic violence, stalking or sexual assault as au-  
19 thorized by section 40299 of the 1994 Act; and

20 (B) \$3,000,000 shall be for the National  
21 Institute of Justice for research and evaluation  
22 of violence against women and related issues  
23 addressed by grant programs of the Office on  
24 Violence Against Women;

1           (2) \$60,000,000 for grants to encourage arrest  
2 policies as authorized by part U of the 1968 Act;

3           (3) \$13,000,000 for sexual assault victims as-  
4 sistance, as authorized by section 41601 of the 1994  
5 Act;

6           (4) \$41,000,000 for rural domestic violence and  
7 child abuse enforcement assistance grants, as au-  
8 thorized by section 40295 of the 1994 Act;

9           (5) \$9,500,000 for grants to reduce violent  
10 crimes against women on campus, as authorized by  
11 section 304 of the 2005 Act;

12           (6) \$37,000,000 for legal assistance for victims,  
13 as authorized by section 1201 of the 2000 Act;

14           (7) \$4,250,000 for enhanced training and serv-  
15 ices to end violence against and abuse of women in  
16 later life, as authorized by section 40802 of the  
17 1994 Act;

18           (8) \$14,000,000 for the safe havens for chil-  
19 dren program, as authorized by section 1301 of the  
20 2000 Act;

21           (9) \$6,750,000 for education and training to  
22 end violence against and abuse of women with dis-  
23 abilities, as authorized by section 1402 of the 2000  
24 Act;

1           (10) \$3,000,000 for an engaging men and  
2       youth in prevention program, as authorized by sec-  
3       tion 41305 of the 1994 Act;

4           (11) \$1,000,000 for tracking of violence against  
5       Indian women, as authorized by section 905 of the  
6       2005 Act;

7           (12) \$3,500,000 for services to advocate and  
8       respond to youth, as authorized by section 41201 of  
9       the 1994 Act;

10          (13) \$3,000,000 for grants to assist children  
11       and youth exposed to violence, as authorized by sec-  
12       tion 41303 of the 1994 Act;

13          (14) \$3,000,000 for the court training and im-  
14       provements program, as authorized by section 41002  
15       of the 1994 Act;

16          (15) \$1,000,000 for the National Resource  
17       Center on Workplace Responses to assist victims of  
18       domestic violence, as authorized by section 41501 of  
19       the 1994 Act.

20                       OFFICE OF JUSTICE PROGRAMS

21                               SALARIES AND EXPENSES

22       For necessary expenses, not elsewhere specified in  
23       this 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 Polic-

1 ing Services Office, \$192,388,000, of which not to exceed  
 2 \$15,708,000 shall be available for transfer to the Office  
 3 on Violence Against Women; of which not to exceed  
 4 \$139,218,000 shall be available for the Office of Justice  
 5 Programs; and of which not to exceed \$37,462,000 shall  
 6 be available for transfer to the Community Oriented Polic-  
 7 ing Services Office: *Provided*, That, notwithstanding sec-  
 8 tion 109 of title I of Public Law 90–351, an additional  
 9 amount, not to exceed \$21,000,000 shall be available for  
 10 authorized activities of the Office of Audit, Assessment,  
 11 and Management: *Provided further*, That the total amount  
 12 available for management and administration of such pro-  
 13 grams shall not exceed \$213,388,000.

#### 14 JUSTICE ASSISTANCE

15 For grants, contracts, cooperative agreements, and  
 16 other assistance authorized by title I of the Omnibus  
 17 Crime Control and Safe Streets Act of 1968 “the 1968  
 18 Act”; the Juvenile Justice and Delinquency Prevention  
 19 Act of 1974 “the 1974 Act”; the Missing Children’s As-  
 20 sistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial  
 21 Remedies and Other Tools to end the Exploitation of Chil-  
 22 dren Today Act of 2003 (Public Law 108–21); the Justice  
 23 for All Act of 2004 (Public Law 108–405); the Violence  
 24 Against Women and Department of Justice Reauthoriza-  
 25 tion Act of 2005 (Public Law 109–162); the Victims of

1 Child Abuse Act of 1990 (Public Law 101–647); the Sec-  
2 ond Chance Act of 2007 (Public Law 110–199); the Vic-  
3 tims of Crime Act of 1984 (Public Law 98–473); the  
4 Adam Walsh Child Protection and Safety Act of 2006  
5 (Public Law 109–248); the PROTECT Our Children Act  
6 of 2008 (Public Law 110–401); subtitle D of title II of  
7 the Homeland Security Act of 2002 (Public Law 107–  
8 296), which may include research and development; and  
9 other programs (including the Statewide Automated Vic-  
10 tim Notification Program); \$226,000,000, to remain avail-  
11 able until expended, of which:

12 (1) \$60,000,000 is for criminal justice statistics  
13 programs, and other activities, as authorized by title  
14 I of part C of the 1968 Act, of which \$41,000,000  
15 is for the National Crime Victimization Survey; and

16 (2) \$48,000,000 is for research, development,  
17 and evaluation programs, and other activities as au-  
18 thorized by part B of title I of the 1968 Act;

19 (3) 12,000,000 is for the Statewide Victim No-  
20 tification System of the Bureau of Justice Assist-  
21 ance;

22 (4) \$45,000,000 is for the Regional Informa-  
23 tion Sharing System, as authorized by part M of  
24 title I of the 1968 Act; and

1           (5) \$61,000,000 is for the Missing Children’s  
2       Program, as authorized by sections 404(b) and  
3       405(a) of the 1974 Act.

4       STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

5       For grants, contracts, cooperative agreements, and  
6 other assistance authorized by the Violent Crime Control  
7 and Law Enforcement Act of 1994 (Public Law 103–322)  
8 (“the 1994 Act”); the Omnibus Crime Control and Safe  
9 Streets Act of 1968 (“the 1968 Act”); the Justice for All  
10 Act of 2004 (Public Law 108–405); the Victims of Child  
11 Abuse Act of 1990 (Public Law 101–647) (“the 1990  
12 Act”); the Trafficking Victims Protection Reauthorization  
13 Act of 2005 (Public Law 109–164); the Violence Against  
14 Women and Department of Justice Reauthorization Act  
15 of 2005 (Public Law 109–162); the Adam Walsh Child  
16 Protection and Safety Act of 2006 (Public Law 109–248);  
17 and the Victims of Trafficking and Violence Protection  
18 Act of 2000 (Public Law 106–386); the Second Chance  
19 Act of 2007 (Public Law 110–199); the Prioritizing Re-  
20 sources and Organization for Intellectual Property Act of  
21 2008 (Public Law 110–403); and other programs;  
22 \$1,312,500,000, to remain available until expended as fol-  
23 lows:

24           (1) \$529,000,000 for the Edward Byrne Memo-  
25       rial Justice Assistance Grant program as authorized

1 by subpart 1 of part E of title I of the 1968 Act,  
2 (except that section 1001(c), and the special rules  
3 for Puerto Rico under section 505(g), of the 1968  
4 Act, as amended, shall not apply for purposes of this  
5 Act), of which \$5,000,000 is for use by the National  
6 Institute of Justice in assisting units of local govern-  
7 ment to identify, select, develop, modernize, and pur-  
8 chase new technologies for use by law enforcement,  
9 \$2,000,000 is for a program to improve State and  
10 local law enforcement intelligence capabilities includ-  
11 ing antiterrorism training and training to ensure  
12 that constitutional rights, civil liberties, civil rights,  
13 and privacy interests are protected throughout the  
14 intelligence process, and \$10,000,000 is for activities  
15 related to comprehensive criminal justice reform and  
16 recidivism reduction efforts by States:

17 (2) \$300,000,000 for the State Criminal Alien  
18 Assistance Program, as authorized by section  
19 241(i)(5) of the Immigration and Nationality Act (8  
20 U.S.C. 1231(i)(5));

21 (3) \$30,000,000 for the Southwest Border  
22 Prosecutor Initiative to reimburse State, county,  
23 parish, tribal, or municipal governments for costs as-  
24 sociated with the prosecution of criminal cases de-



1       clined by local offices of the United States Attor-  
2       neys;

3           (4) \$124,000,000 for discretionary grants to  
4       improve the functioning of the criminal justice sys-  
5       tem, to prevent or combat juvenile delinquency, and  
6       to assist victims of crime (other than compensation)  
7       which shall be used for the projects, and in the  
8       amounts specified in the table titled “Congression-  
9       ally-designated Items” in the report of the Com-  
10      mittee on Appropriations of the House of Represent-  
11      atives to accompany this Act ;

12          (5) \$40,000,000 for competitive grants to im-  
13      prove the functioning of the criminal justice system,  
14      to prevent or combat juvenile delinquency, and to as-  
15      sist victims of crime (other than compensation);

16          (6) \$2,000,000 for the purposes described in  
17      the Missing Alzheimer’s Disease Patient Alert Pro-  
18      gram (section 240001 of the 1994 Act);

19          (7) \$10,000,000 for victim services programs  
20      for victims of trafficking, as authorized by section  
21      107(b)(2) of Public Law 106–386 and for programs  
22      authorized under Public Law 109–164;

23          (8) \$45,000,000 for Drug Courts, as authorized  
24      by section 1001(25)(A) of title I of the 1968 Act;

1           (9) \$7,000,000 for a program to monitor pre-  
2       scription drugs and scheduled listed chemical prod-  
3       ucts;

4           (10) \$15,000,000 for prison rape prevention  
5       and prosecution and other programs, as authorized  
6       by the Prison Rape Elimination Act of 2003 (Public  
7       Law 108–79);

8           (11) \$30,000,000 for grants for Residential  
9       Substance Abuse Treatment for State Prisoners, as  
10      authorized by part S of title I of the 1968 Act;

11          (12) \$5,500,000 for the Capital Litigation Im-  
12      provement Grant Program, as authorized by section  
13      426 of Public Law 108–405, and for grants for  
14      wrongful conviction review;

15          (13) \$12,000,000 for mental health courts and  
16      adult and juvenile collaboration program grants, as  
17      authorized by parts V and HH of title I of the 1968  
18      Act, and the Mentally Ill Offender Treatment and  
19      Crime Reduction Reauthorization and Improvement  
20      Act of 2008 (Public Law 110–416);

21          (14) \$47,000,000 for assistance to Indian  
22      tribes, of which—

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

1 (B) \$25,000,000 shall be available for the  
2 Tribal Courts Initiative; and

3 (C) \$12,000,000 shall be available for trib-  
4 al alcohol and substance abuse reduction assist-  
5 ance grants;

6 (15) \$20,000,000 for economic, high technology  
7 and Internet crime prevention grants, as authorized  
8 by Section 401 of Public Law 110–403;

9 (16) \$15,000,000 for the court-appointed spe-  
10 cial advocate program, as authorized by section 217  
11 of the 1990 Act;

12 (17) \$2,500,000 for child abuse training pro-  
13 grams for judicial personnel and practitioners, as  
14 authorized by section 222 of the 1990 Act;

15 (18) \$3,000,000 for grants to improve the  
16 stalking and domestic violence database, as author-  
17 ized by section 40602 of the 1994 Act;

18 (19) \$1,000,000 for analysis and research on  
19 violence against Indian women, as authorized by sec-  
20 tion 904 of the 2005 Act;

21 (20) \$3,500,000 for training programs as au-  
22 thorized by section 40152 of the 1994 Act, and for  
23 related local domonstration projects;

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           (22) \$15,000,000 for programs to reduce gun  
5       crime and gang violence;

6           (23) \$25,000,000 for the matching grant pro-  
7       gram for law enforcement armor vests, as authorized  
8       by section 2501 of title I of the 1968 Act: *Provided*,  
9       That \$1,500,000 is for related research, testing, and  
10      evaluation programs;

11          (24) \$20,000,000 for grants to assist State and  
12      tribal governments as authorized by the NICS im-  
13      provement Amendment Act of 2007 (Public Law  
14      110–180); and

15          (25) \$10,000,000 for the National Criminal  
16      History Improvement program for grants to upgrade  
17      criminal records:

18 *Provided*, That if a unit of local government uses any of  
19 the funds made available under this heading to increase  
20 the number of law enforcement officers, the unit of local  
21 government will achieve a net gain in the number of law  
22 enforcement officers who perform non-administrative pub-  
23 lic sector safety service.

## WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Office of Weed and Seed Strategies, \$15,000,000, to remain available until expended, as authorized by section 103 of title I of the Omnibus Crime Control and Safe Streets Act of 1968.

## JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 (“the 1974 Act”), the Omnibus Crime Control and Safe Streets Act of 1968 (“the 1968 Act”), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162), the Missing Children’s Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Victims of Child Abuse Act of 1990 (Public Law 101–647); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248); the PROTECT Our Children Act of 2008 (Public Law 110–401), and other juvenile justice programs, \$385,000,000, to remain available until expended as follows:

(1) \$75,000,000 for programs authorized by section 221 of the 1974 Act, and for training and

1 technical assistance to assist small, non-profit orga-  
2 nizations with the Federal grants process;

3 (2) \$68,000,000 for grants and projects, as au-  
4 thorized by sections 261 and 262 of the 1974 Act  
5 which shall be used for the projects, and in the  
6 amounts, specified in the table titled “Congressional-  
7 ally-designated items” in the report of the Com-  
8 mittee on Appropriations of the House of Represent-  
9 atives to accompany this Act;

10 (3) \$80,000,000 for youth mentoring grants;

11 (4) \$62,000,000 for delinquency prevention, as  
12 authorized by section 505 of the 1974 Act, of which,  
13 pursuant to sections 261 and 262 thereof—

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

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

18 (C) \$25,000,000 shall be for grants of  
19 \$360,000 to each State and \$4,840,000 shall be  
20 available for discretionary grants, for programs  
21 and activities to enforce State laws prohibiting  
22 the sale of alcoholic beverages to minors or the  
23 purchase or consumption of alcoholic beverages  
24 by minors, for prevention and reduction of con-

1           sumption of alcoholic beverages by minors, and  
2           for technical assistance and training;

3           (5) \$20,000,000 for programs authorized by  
4           the Victims of Child Abuse Act of 1990; and

5           (6) \$55,000,000 for the Juvenile Accountability  
6           Block Grants program as authorized by part R of  
7           title I of the 1968 Act and Guam shall be considered  
8           a State:

9           (7) \$18,000,000 for Community-based violence  
10          prevention initiatives; and—

11          (8) \$7,000,000 for the Safe Start Program, as  
12          authorized by the 1974 Act:

13       *Provided*, That not more than 10 percent of each amount  
14       may be used for research, evaluation, and statistics activi-  
15       ties designed to benefit the programs or activities author-  
16       ized: *Provided further*, That not more than 2 percent of  
17       each amount may be used for training and technical as-  
18       sistance: *Provided further*, That the previous two provisos  
19       shall not apply to grants and projects authorized by sec-  
20       tions 261 and 262 of the 1974 Act.

21                   PUBLIC SAFETY OFFICER BENEFITS

22       For payments and expenses authorized under section  
23       1001(a)(4) of title I of the Omnibus Crime Control and  
24       Safe Streets Act of 1968 , such sums as are necessary  
25       (including amounts for administrative costs, which

1 amounts shall be paid to the “Salaries and Expenses” ac-  
2 count), to remain available until expended; and  
3 \$5,000,000 for payments authorized by section 1201(b)  
4 of such Act to remain available until expended; and  
5 \$4,100,000 for educational assistance, as authorized by  
6 section 1218 of such Act to remain available until ex-  
7 pended.

#### 8 COMMUNITY ORIENTED POLICING SERVICES

9 For activities authorized by the Violent Crime Con-  
10 trol and Law Enforcement Act of 1994 (Public Law 103–  
11 322); the Omnibus Crime Control and Safe Streets Act  
12 of 1968 (“the 1968 Act”); the Violence Against Women  
13 and Department of Justice Reauthorization Act of 2005  
14 (Public Law 109–162); subtitle D of title II of the Home-  
15 land Security Act of 2002 (Public Law 107–296), which  
16 may include research and development; and the USA PA-  
17 TRIOT Improvement and Reauthorization Act of 2005  
18 (Public Law 109–177); the Second Chance Act of 2007  
19 (Public Law 110–199); the NICS Improvement Amend-  
20 ments Act of 2007 (Public Law 110–180); the Adam  
21 Walsh Child Protection and Safety Act of 2006 (Public  
22 Law 109–248) (the “Adam Walsh Act”); and the Justice  
23 for All Act of 2004 (Public Law 108–405), \$802,000,000,  
24 to remain available until expended: *Provided*, That any  
25 balances made available through prior year deobligations



1 shall only be available in accordance with section 505 of  
2 this Act. Of the amount provided (which shall be by trans-  
3 fer, for programs administered by the Office of Justice  
4 Programs)—

5           (1) \$32,000,000 for grants to entities described  
6           in section 1701 of title I of the 1968 Act, to address  
7           public safety and methamphetamine manufacturing,  
8           sale, and use in hot spots, and for other anti-meth-  
9           amphetamine-related activities: *Provided*, That with-  
10          in the amounts appropriated, \$17,900,000 shall be  
11          used for the projects, and in the amounts, specified  
12          in the table titled “Congressionally-designated  
13          Items” in the report of Committee on Appropria-  
14          tions of the House of Representatives to accompany  
15          this Act: *Provided further* That within the amounts  
16          appropriated, \$10,000,000 shall be transferred to  
17          the Drug Enforcement Administration upon enact-  
18          ment of this Act: *Provided further*, That within the  
19          amounts appropriated, \$5,000,000 is for anti-meth-  
20          amphetamine-related activities in Indian Country;

21           (2) \$123,000,000 is for a law enforcement tech-  
22          nologies and interoperable communications program,  
23          and related law enforcement and public safety equip-  
24          ment which shall be used for the projects, and in the  
25          amounts, specified in the table titled “Congression-

1 ally-designated items” in the report of the Com-  
2 mittee on Appropriations of the House of Represent-  
3 atives to accompany this Act;

4 (3) \$100,000,000 for offender re-entry pro-  
5 grams, as authorized by the Second Chance Act of  
6 2007 (Public Law 110–199), of which \$37,000,000  
7 is for grants for adult and juvenile offender state  
8 and local re-entry demonstration projects,  
9 \$15,000,000 is for grants for mentoring and transi-  
10 tional services, \$10,000,000 is for re-entry courts,  
11 \$7,500,000 is for family-based substance abuse  
12 treatment, \$2,500,000 is for evaluation and im-  
13 provement of education at prisons, jails, and juvenile  
14 facilities, \$5,000,000 is for technology careers train-  
15 ing demonstration grants, \$13,000,000 is for of-  
16 fender reentry substance abuse and criminal justice  
17 collaboration, and \$10,000,000 is for prisoner re-  
18 entry research;

19 (4) \$151,000,000 for DNA related and forensic  
20 programs and activities as follows:

21 (A) \$146,000,000 for a DNA analysis and  
22 capacity enhancement program and for other  
23 local, state, and Federal forensic activities in-  
24 cluding the purposes of section 2 of the DNA  
25 Analysis Backlog Elimination Act of 2000 (the

1 Debbie Smith DNA Backlog Grant Program);  
2 and

3 (B) \$5,000,000 for the purposes described  
4 in the Kirk Bloodsworth Post-Conviction DNA  
5 Testing Program (Public Law 108–405, section  
6 412);

7 (5) \$40,000,000 for improving tribal law en-  
8 forcement, including equipment and training;

9 (6) \$14,000,000 for Community Policing Devel-  
10 opment activities;

11 (7) \$28,000,000 for a national grant program  
12 the purpose of which is to assist State and local law  
13 enforcement to locate, arrest and prosecute child  
14 sexual predators and exploiters, and to enforce sex  
15 offender registration laws described in section  
16 1701(b) of the 1968 Act, of which:

17 (A) \$15,000,000 is for sex offender man-  
18 agement assistance as authorized by the Adam  
19 Walsh Act and the Violent Crime Control Act  
20 of 1994 (Public Law 103–322); and

21 (B) \$1,000,000 is for the National Sex Of-  
22 fender Public Registry;

23 (8) \$16,000,000 for expenses authorized by  
24 part AA of the 1968 Act (Secure our Schools); and

1           (9) \$298,000,000 for grants under section 1701  
2       of title I of the 1968 Act (42 U.S.C. 3796dd) for  
3       the hiring and rehiring of additional career law en-  
4       forcement officers under part Q of such title  
5       notwithstanding subsection (g) and (i) of such sec-  
6       tion and notwithstanding 42 U.S.C. 3796dd-3(c).

7       GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

8       SEC. 201. In addition to amounts otherwise made  
9       available in this title for official reception and representa-  
10      tion expenses, a total of not to exceed \$75,000 from funds  
11      appropriated to the Department of Justice in this title  
12      shall be available to the Attorney General for official re-  
13      ception and representation expenses.

14      SEC. 202. None of the funds appropriated by this  
15      title shall be available to pay for an abortion, except where  
16      the life of the mother would be endangered if the fetus  
17      were carried to term, or in the case of rape: *Provided*,  
18      That should this prohibition be declared unconstitutional  
19      by a court of competent jurisdiction, this section shall be  
20      null and void.

21      SEC. 203. None of the funds appropriated under this  
22      title shall be used to require any person to perform, or  
23      facilitate in any way the performance of, any abortion.

24      SEC. 204. Nothing in the preceding section shall re-  
25      move the obligation of the Director of the Bureau of Pris-

1 ons to provide escort services necessary for a female in-  
2 mate to receive such service outside the Federal facility:  
3 *Provided*, That nothing in this section in any way dimin-  
4 ishes the effect of section 203 intended to address the phil-  
5 osophical beliefs of individual employees of the Bureau of  
6 Prisons.

7       SEC. 205. Not to exceed 5 percent of any appropria-  
8 tion made available for the current fiscal year for the De-  
9 partment of Justice in this Act may be transferred be-  
10 tween such appropriations, but no such appropriation, ex-  
11 cept as otherwise specifically provided, shall be increased  
12 by more than 10 percent by any such transfers: *Provided*,  
13 That any transfer pursuant to this section shall be treated  
14 as a reprogramming of funds under section 505 of this  
15 Act and shall not be available for obligation except in com-  
16 pliance with the procedures set forth in that section.

17       SEC. 206. The Attorney General is authorized to ex-  
18 tend through September 30, 2011, the Personnel Manage-  
19 ment Demonstration Project transferred to the Attorney  
20 General pursuant to section 1115 of the Homeland Secu-  
21 rity Act of 2002, Public Law 107–296 (6 U.S.C. 533)  
22 without limitation on the number of employees or the posi-  
23 tions covered.

24       SEC. 207. Notwithstanding any other provision of  
25 law, Public Law 102–395 section 102(b) shall extend to

1 the Bureau of Alcohol, Tobacco, Firearms and Explosives  
2 in the conduct of undercover investigative operations and  
3 shall apply without fiscal year limitation with respect to  
4 any undercover investigative operation by the Bureau of  
5 Alcohol, Tobacco, Firearms and Explosives that is nec-  
6 essary for the detection and prosecution of crimes against  
7 the United States.

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

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

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

1        SEC. 210. None of the funds made available under  
2 this title shall be obligated or expended for Sentinel, or  
3 for any other major new or enhanced information tech-  
4 nology program having total estimated development costs  
5 in excess of \$100,000,000, unless the Deputy Attorney  
6 General and the investment review board certify to the  
7 Committees on Appropriations that the information tech-  
8 nology program has appropriate program management  
9 and contractor oversight mechanisms in place, and that  
10 the program is compatible with the enterprise architecture  
11 of the Department of Justice.

12        SEC. 211. The notification thresholds and procedures  
13 set forth in section 505 of this Act shall apply to devi-  
14 ations from the amounts designated for specific activities  
15 in this Act and accompanying statement, and to any use  
16 of deobligated balances of funds provided under this title  
17 in previous years.

18        SEC. 212. None of the funds appropriated by this Act  
19 may be used to plan for, begin, continue, finish, process,  
20 or approve a public-private competition under the Office  
21 of Management and Budget Circular A-76 or any suc-  
22 cessor administrative regulation, directive, or policy for  
23 work performed by employees of the Bureau of Prisons  
24 or of Federal Prison Industries, Incorporated.

1        SEC. 213. Notwithstanding any other provision of  
2 law, no funds shall be available for the salary, benefits,  
3 or expenses of any United States Attorney assigned dual  
4 or additional responsibilities by the Attorney General or  
5 his designee that exempt that United States Attorney  
6 from the residency requirements of 28 U.S.C. 545.

7        SEC. 214. None of the funds appropriated in this or  
8 any other Act shall be obligated for the initiation of a fu-  
9 ture phase of the Federal Bureau of Investigation's Sen-  
10 tinel program until the Attorney General certifies to the  
11 Committees on Appropriations that existing phases cur-  
12 rently under contract for development or fielding have  
13 completed a majority of the work for that phase under  
14 the performance measurement baseline validated by the  
15 integrated baseline review conducted in 2008: *Provided*,  
16 That this restriction does not apply to planning and design  
17 activities for future phases: *Provided further*, That the Bu-  
18 reau will notify the Committees on Appropriations of any  
19 significant changes to the baseline.

20        SEC. 215. In addition to any amounts that otherwise  
21 may be available (or authorized to be made available) by  
22 law, with respect to funds appropriated by this Act under  
23 the headings for "Justice Assistance", "State and Local  
24 Law Enforcement Assistance", "Weed and Seed", "Juve-



1 nile Justice Programs”, and “Community Oriented Policing Services”—

3 (a) Up to three percent of funds made available  
4 to the office of Justice Programs for grants or reimbursement may be used to provide training and technical assistance; and

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

14 SEC. 216. The Attorney General may, upon request  
15 by a grantee, waive the requirements of paragraph (1) of  
16 section 2976(g) of the Omnibus Crime Control and Safe  
17 Streets Act of 1968 (42 U.S.C. 3797w(g)(1)) with respect  
18 to funds appropriated in this or any other Act making appropriations for fiscal year 2009 and 2010 for Adult and  
19 Juvenile Offender State and Local Reentry Demonstration  
20 Projects authorized under part FF of such Act of 1968.

22 SEC. 217. Section 5759 of title 5, United States  
23 Code, is amended by striking subsection (e).

1 SEC. 218. (a) Subchapter IV of chapter 57 of title  
 2 5, United States Code, is amended by adding at the end  
 3 the following:

4 **“§ 5761. Foreign language proficiency pay awards for**  
 5 **the Federal Bureau of Investigation**

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

12 (b) The analysis for chapter 57 of title 5, United  
 13 States Code, is amended by adding at the end the fol-  
 14 lowing:

“5761. Foreign language proficiency pay awards for the Federal Bureau of In-  
 vestigation.”.

15 This title may be cited as the “Department of Justice  
 16 Appropriations Act, 2010”.

17 **TITLE III**

18 **SCIENCE**

19 **OFFICE OF SCIENCE AND TECHNOLOGY POLICY**

20 For necessary expenses of the Office of Science and  
 21 Technology Policy, in carrying out the purposes of the Na-  
 22 tional Science and Technology Policy, Organization, and  
 23 Priorities Act of 1976 (42 U.S.C. 6601–6671), hire of  
 24 passenger motor vehicles, and services as authorized by

1 5 U.S.C. 3109, not to exceed \$2,800 for official reception  
2 and representation expenses, and rental of conference  
3 rooms in the District of Columbia, \$7,154,000.

4 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION  
5 SCIENCE

6 For necessary expenses, not otherwise provided for,  
7 in the conduct and support of science research and devel-  
8 opment activities, including research, development, oper-  
9 ations, support, and services; maintenance; space flight,  
10 spacecraft control, and communications activities; pro-  
11 gram management; personnel and related costs, including  
12 uniforms or allowances therefor, as authorized by 5 U.S.C.  
13 5901–5902; travel expenses; purchase and hire of pas-  
14 senger motor vehicles; and purchase, lease, charter, main-  
15 tenance, and operation of mission and administrative air-  
16 craft, \$4,496,100,000, of which not to exceed  
17 \$450,000,000 shall remain available until September 30,  
18 2011.

19 AERONAUTICS

20 For necessary expenses, not otherwise provided for,  
21 in the conduct and support of aeronautics research and  
22 development activities, including research, development,  
23 operations, support, and services; maintenance; space  
24 flight, spacecraft control, and communications activities;  
25 program management; personnel and related costs, includ-

1 ing uniforms or allowances therefor, as authorized by 5  
2 U.S.C. 5901–5902; travel expenses; purchase and hire of  
3 passenger motor vehicles; and purchase, lease, charter,  
4 maintenance, and operation of mission and administrative  
5 aircraft, \$501,000,000, of which not to exceed  
6 \$50,000,000 shall remain available until September 30,  
7 2011.

8 EXPLORATION

9 For necessary expenses, not otherwise provided for,  
10 in the conduct and support of exploration research and  
11 development activities, including research, development,  
12 operations, support, and services; maintenance; space  
13 flight, spacecraft control, and communications activities;  
14 program management, personnel and related costs, includ-  
15 ing uniforms or allowances therefor, as authorized by 5  
16 U.S.C. 5901–5902; travel expenses; purchase and hire of  
17 passenger motor vehicles; and purchase, lease, charter,  
18 maintenance, and operation of mission and administrative  
19 aircraft, \$3,293,200,000, of which not to exceed  
20 \$330,000,000 shall remain available until September 30,  
21 2011.

22 SPACE OPERATIONS

23 For necessary expenses, not otherwise provided for,  
24 in the conduct and support of space operations research  
25 and development activities, including research, develop-

1 ment, operations, support and services; space flight, space-  
 2 craft control and communications activities including oper-  
 3 ations, production, and services; maintenance; program  
 4 management; personnel and related costs, including uni-  
 5 forms or allowances therefor, as authorized by 5 U.S.C.  
 6 5901–5902; travel expenses; purchase and hire of pas-  
 7 senger motor vehicles; and purchase, lease, charter, main-  
 8 tenance and operation of mission and administrative air-  
 9 craft, \$6,097,300,000, of which not to exceed  
 10 \$610,000,000 shall remain available until September 30,  
 11 2011: *Provided*, That of the amounts provided under this  
 12 heading, \$3,157,100,000 shall be for Space Shuttle oper-  
 13 ations, production, research, development, and support,  
 14 \$2,267,000,000 shall be for International Space Station  
 15 operations, production, research, development, and sup-  
 16 port, and \$496,500,000 shall be for Space and Flight Sup-  
 17 port.

#### 18 EDUCATION

19 For necessary expenses, not otherwise provided for,  
 20 in carrying out aerospace and aeronautical education re-  
 21 search and development activities, including research, de-  
 22 velopment, operations, support, and services; program  
 23 management; personnel and related costs, uniforms or al-  
 24 lowances therefor, as authorized by 5 U.S.C. 5901–5902;  
 25 travel expenses; purchase and hire of passenger motor ve-

hicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$175,000,000, to remain available until September 30, 2011.

#### CROSS AGENCY SUPPORT

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$70,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$3,164,000,000: *Provided*, That \$2,182,900,000 shall be available for center management and operations: *Provided further*, That notwithstanding 42 U.S.C. 2459j, proceeds from enhanced use leases that may be made available for obligation for fiscal year 2010 shall not exceed \$0: *Provided further*, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pur-

1 suant to 42 U.S.C. 2459j: *Provided further*, That not less  
2 than \$50,000,000 shall be available for independent  
3 verification and validation activities: *Provided further*,  
4 That within the amounts appropriated \$15,700,000 shall  
5 be used for the projects, and in the amounts, specified in  
6 the table titled “Congressionally-designated Items” in the  
7 report of the Committee on Appropriations of the House  
8 of Representatives to accompany this Act.

9 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND  
10 REMEDIATION

11 For necessary expenses for construction of facilities  
12 including repair, rehabilitation, revitalization, and modi-  
13 fication of facilities, construction of new facilities and ad-  
14 ditions to existing facilities, facility planning and design,  
15 and restoration, and acquisition or condemnation of real  
16 property, as authorized by law, and environmental compli-  
17 ance and restoration, \$441,700,000, to remain available  
18 until September 30, 2015: *Provided*, That within the  
19 funds provided, \$12,600,000 shall be available to support  
20 science research and development activities; \$69,900,000  
21 shall be available to support exploration research and de-  
22 velopment activities; \$26,800,000 shall be available to  
23 support space operations research and development activi-  
24 ties; and \$332,400,000 shall be available for cross agency  
25 support activities.

1                   OFFICE OF INSPECTOR GENERAL

2           For necessary expenses of the Office of Inspector  
3 General in carrying out the Inspector General Act of 1978,  
4 \$35,000,000.

5                   ADMINISTRATIVE PROVISIONS

6           Funds for announced prizes otherwise authorized  
7 shall remain available, without fiscal year limitation, until  
8 the prize is claimed or the offer is withdrawn.

9           Not to exceed 5 percent of any appropriation made  
10 available for the current fiscal year for the National Aero-  
11 nautics and Space Administration in this Act may be  
12 transferred between such appropriations, but no such ap-  
13 propriation, except as otherwise specifically provided, shall  
14 be increased by more than 10 percent by any such trans-  
15 fers. Any transfer pursuant to this provision shall be treat-  
16 ed as a reprogramming of funds under section 505 of this  
17 Act and shall not be available for obligation except in com-  
18 pliance with the procedures set forth in that section.

19           Notwithstanding any other provision of law, no  
20 funds shall be used to implement by Reduction in Force  
21 or other involuntary separations (except for cause) by the  
22 National Aeronautics and Space Administration prior to  
23 September 30, 2010.

24           The unexpired balances of the Science, Aeronautics,  
25 and Exploration account, for activities for which funds are



1 provided under this Act, may be transferred to the new  
2 accounts established in this Act that provide such activity.  
3 Balances so transferred shall be merged with the funds  
4 in the newly established accounts, but shall be available  
5 under the same terms, conditions and period of time as  
6 previously appropriated.

7 NATIONAL SCIENCE FOUNDATION

8 RESEARCH AND RELATED ACTIVITIES

9 For necessary expenses in carrying out the National  
10 Science Foundation Act of 1950, as amended (42 U.S.C.  
11 1861–1875), and the Act to establish a National Medal  
12 of Science (42 U.S.C. 1880–1881); services as authorized  
13 by 5 U.S.C. 3109; maintenance and operation of aircraft  
14 and purchase of flight services for research support; acqui-  
15 sition of aircraft; and authorized travel; \$5,642,110,000,  
16 to remain available until September 30, 2011, of which  
17 not to exceed \$570,000,000 shall remain available until  
18 expended for polar research and operations support, and  
19 for reimbursement to other Federal agencies for oper-  
20 ational and science support and logistical and other re-  
21 lated activities for the United States Antarctic program:  
22 *Provided*, That from funds specified in the fiscal year  
23 2010 budget request for icebreaking services, up to  
24 \$54,000,000 shall be available for the procurement of  
25 polar icebreaking services: *Provided further*, That the Na-

1 tional Science Foundation shall only reimburse the Coast  
2 Guard for such sums as are agreed to according to the  
3 existing memorandum of agreement: *Provided further*,  
4 That receipts for scientific support services and materials  
5 furnished by the National Research Centers and other Na-  
6 tional Science Foundation supported research facilities  
7 may be credited to this appropriation: *Provided further*,  
8 That not less than \$147,120,000 shall be available for ac-  
9 tivities authorized by section 7002(b)(2)(A)(iv) of Public  
10 Law 110–69.

11 MAJOR RESEARCH EQUIPMENT AND FACILITIES

12 CONSTRUCTION

13 For necessary expenses for the acquisition, construc-  
14 tion, commissioning, and upgrading of major research  
15 equipment, facilities, and other such capital assets pursu-  
16 ant to the National Science Foundation Act of 1950, as  
17 amended (42 U.S.C. 1861–1875), including authorized  
18 travel, \$114,290,000, to remain available until expended:  
19 *Provided*, That none of the funds may be used to reim-  
20 burse the Judgment fund.

21 EDUCATION AND HUMAN RESOURCES

22 For necessary expenses in carrying out science, math-  
23 ematics and engineering education and human resources  
24 programs and activities pursuant to the National Science  
25 Foundation Act of 1950, as amended (42 U.S.C. 1861–

1 1875), including services as authorized by 5 U.S.C. 3109,  
2 authorized travel, and rental of conference rooms in the  
3 District of Columbia, \$862,900,000, to remain available  
4 until September 30, 2011: *Provided further*, That not less  
5 than \$65,000,000 shall be available until expended for ac-  
6 tivities authorized by section 7030 of Public Law 110–  
7 69.

8 AGENCY OPERATIONS AND AWARD MANAGEMENT

9 For agency operations and award management nec-  
10 essary in carrying out the National Science Foundation  
11 Act of 1950, as amended (42 U.S.C. 1861–1875); services  
12 authorized by 5 U.S.C. 3109; hire of passenger motor ve-  
13 hicles; not to exceed \$9,200 for official reception and rep-  
14 resentation expenses; uniforms or allowances therefor, as  
15 authorized by 5 U.S.C. 5901–5902; rental of conference  
16 rooms in the District of Columbia; and reimbursement of  
17 the Department of Homeland Security for security guard  
18 services; \$299,870,000: *Provided*, That contracts may be  
19 entered into under this heading in fiscal year 2010 for  
20 maintenance and operation of facilities, and for other serv-  
21 ices, to be provided during the next fiscal year.

22 OFFICE OF THE NATIONAL SCIENCE BOARD

23 For necessary expenses (including payment of sala-  
24 ries, authorized travel, hire of passenger motor vehicles,  
25 the rental of conference rooms in the District of Columbia,

1 and the employment of experts and consultants under sec-  
2 tion 3109 of title 5, United States Code) involved in car-  
3 rying out section 4 of the National Science Foundation  
4 Act of 1950, as amended (42 U.S.C. 1863) and Public  
5 Law 86-209 (42 U.S.C. 1880 et seq.), \$4,340,000: *Pro-*  
6 *vided*, That not to exceed \$2,800 shall be available for offi-  
7 cial reception and representation expenses.

8 OFFICE OF INSPECTOR GENERAL

9 For necessary expenses of the Office of Inspector  
10 General as authorized by the Inspector General Act of  
11 1978, as amended, \$13,000,000.

12 This title may be cited as the “Science Appropria-  
13 tions Act, 2010”.

14 TITLE IV

15 RELATED AGENCIES

16 COMMISSION ON CIVIL RIGHTS

17 SALARIES AND EXPENSES

18 For necessary expenses of the Commission on Civil  
19 Rights, including hire of passenger motor vehicles,  
20 \$9,400,000: *Provided*, That none of the funds appro-  
21 priated in this paragraph shall be used to employ in excess  
22 of four full-time individuals under Schedule C of the Ex-  
23 cepted Service exclusive of one special assistant for each  
24 Commissioner: *Provided further*, That none of the funds  
25 appropriated in this paragraph shall be used to reimburse

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

4       EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
5                               SALARIES AND EXPENSES

6       For necessary expenses of the Equal Employment  
7 Opportunity Commission as authorized by title VII of the  
8 Civil Rights Act of 1964, the Age Discrimination in Em-  
9 ployment Act of 1967, the Equal Pay Act of 1963, the  
10 Americans with Disabilities Act of 1990, the Civil Rights  
11 Act of 1991, the Genetic Information Non-Discrimination  
12 Act (GINA) of 2008 (P.L. 110–233), the ADA Amend-  
13 ments Act of 2008 (P.L. 110–325), and the Lilly  
14 Ledbetter Fair Pay Act of 2009 (P.L. 111–2), including  
15 services as authorized by 5 U.S.C. 3109; hire of passenger  
16 motor vehicles as authorized by 31 U.S.C. 1343(b); non-  
17 monetary awards to private citizens; and not to exceed  
18 \$26,000,000 for payments to State and local enforcement  
19 agencies for authorized services to the Commission,  
20 \$367,303,000: *Provided*, That the Commission is author-  
21 ized to make available for official reception and represen-  
22 tation expenses not to exceed \$2,500 from available funds:  
23 *Provided further*, That the Commission may take no action  
24 to implement any workforce repositioning, restructuring,  
25 or reorganization until such time as the House and Senate

1 Committees on Appropriations have been notified of such  
2 proposals, in accordance with the reprogramming require-  
3 ments of section 505 of this Act: *Provided further*, That  
4 the Chair is authorized to accept and use any gift or dona-  
5 tion to carry out the work of the Commission.

6 INTERNATIONAL TRADE COMMISSION

7 SALARIES AND EXPENSES

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

13 LEGAL SERVICES CORPORATION

14 PAYMENT TO THE LEGAL SERVICES CORPORATION

15 For payment to the Legal Services Corporation to  
16 carry out the purposes of the Legal Services Corporation  
17 Act of 1974, \$440,000,000, of which \$414,400,000 is for  
18 basic field programs and required independent audits;  
19 \$4,200,000 is for the Office of Inspector General, of which  
20 such amounts as may be necessary may be used to conduct  
21 additional audits of recipients; \$17,000,000 is for manage-  
22 ment and grants oversight; \$3,400,000 is for client self-  
23 help and information technology; and \$1,000,000 is for  
24 loan repayment assistance: *Provided*, That the Legal Serv-  
25 ices Corporation may continue to provide locality pay to

1 officers and employees at a rate no greater than that pro-  
2 vided by the Federal Government to Washington, DC-  
3 based employees as authorized by 5 U.S.C. 5304, notwith-  
4 standing section 1005(d) of the Legal Services Corpora-  
5 tion Act, 42 U.S.C. 2996(d).

6 ADMINISTRATIVE PROVISION—LEGAL SERVICES  
7 CORPORATION

8 None of the funds appropriated in this Act to the  
9 Legal Services Corporation shall be expended for any pur-  
10 pose prohibited or limited by, or contrary to any of the  
11 provisions of, sections 501, 502, 503, 504, 505, and 506  
12 of Public Law 105–119, and all funds appropriated in this  
13 Act to the Legal Services Corporation shall be subject to  
14 the same terms and conditions set forth in such sections,  
15 except that all references in sections 502 and 503 to 1997  
16 and 1998 shall be deemed to refer instead to 2009 and  
17 2010, respectively.

18 MARINE MAMMAL COMMISSION

19 SALARIES AND EXPENSES

20 For necessary expenses of the Marine Mammal Com-  
21 mission as authorized by title II of Public Law 92–522,  
22 \$3,300,000.

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

4       For necessary expenses of the Office of the United  
5 States Trade Representative, including the hire of pas-  
6 senger motor vehicles and the employment of experts and  
7 consultants as authorized by 5 U.S.C. 3109, \$48,326,000,  
8 of which \$1,000,000 shall remain available until expended:  
9 *Provided*, That not to exceed \$124,000 shall be available  
10 for official reception and representation expenses: *Pro-*  
11 *vided further*, That negotiations shall be conducted within  
12 the World Trade Organization to recognize the right of  
13 members to distribute monies collected from antidumping  
14 and countervailing duties: *Provided further*, That negotia-  
15 tions shall be conducted within the World Trade Organiza-  
16 tion consistent with the negotiating objectives contained  
17 in the Trade Act of 2002, Public Law 107–210.

18           STATE JUSTICE INSTITUTE

19                   SALARIES AND EXPENSES

20       For necessary expenses of the State Justice Institute,  
21 as authorized by the State Justice Institute Authorization  
22 Act of 1984 (42 U.S.C. 10701 et seq.) \$5,131,000, of  
23 which \$250,000 shall remain available until September 30,  
24 2011: *Provided*, That not to exceed \$2,500 shall be avail-  
25 able for official reception and representation expenses.



## TITLE V

## GENERAL PROVISIONS

1  
2  
3 SEC. 501. No part of any appropriation contained in  
4 this Act shall be used for publicity or propaganda purposes  
5 not authorized by the Congress.

6 SEC. 502. No part of any appropriation contained in  
7 this Act shall remain available for obligation beyond the  
8 current fiscal year unless expressly so provided herein.

9 SEC. 503. The expenditure of any appropriation  
10 under this Act for any consulting service through procure-  
11 ment contract, pursuant to 5 U.S.C. 3109, shall be limited  
12 to those contracts where such expenditures are a matter  
13 of public record and available for public inspection, except  
14 where otherwise provided under existing law, or under ex-  
15 isting Executive order issued pursuant to existing law.

16 SEC. 504. If any provision of this Act or the applica-  
17 tion of such provision to any person or circumstances shall  
18 be held invalid, the remainder of the Act and the applica-  
19 tion of each provision to persons or circumstances other  
20 than those as to which it is held invalid shall not be af-  
21 fected thereby.

22 SEC. 505. (a) None of the funds provided under this  
23 Act, or provided under previous appropriations Acts to the  
24 agencies funded by this Act that remain available for obli-  
25 gation or expenditure in fiscal year 2010, or provided from

1 any accounts in the Treasury of the United States derived  
2 by the collection of fees available to the agencies funded  
3 by this Act, shall be available for obligation or expenditure  
4 through the reprogramming of funds that:

5 (1) creates or initiates a new program, project or ac-  
6 tivity;

7 (2) eliminates a program, project or activity, unless  
8 the House and Senate Committees on Appropriations are  
9 notified 15 days in advance of such reprogramming of  
10 funds;

11 (3) increases funds or personnel by any means for  
12 any project or activity for which funds have been denied  
13 or restricted by this Act, unless the House and Senate  
14 Committees on Appropriations are notified 15 days in ad-  
15 vance of such reprogramming of funds;

16 (4) relocates an office or employees, unless the House  
17 and Senate Committees on Appropriations are notified 15  
18 days in advance of such reprogramming of funds;

19 (5) reorganizes or renames offices, programs or ac-  
20 tivities, unless the House and Senate Committees on Ap-  
21 propriations are notified 15 days in advance of such re-  
22 programming of funds;

23 (6) contracts out or privatizes any functions or activi-  
24 ties presently performed by Federal employees, unless the

1 House and Senate Committees on Appropriations are noti-  
2 fied 15 days in advance of such reprogramming of funds;

3 (7) proposes to use funds directed for a specific activ-  
4 ity by either the House or Senate Committee on Appro-  
5 priations for a different purpose, unless the House and  
6 Senate Committees on Appropriations are notified 15 days  
7 in advance of such reprogramming of funds;

8 (8) augments funds for existing programs, projects  
9 or activities in excess of \$500,000 or 10 percent, which-  
10 ever is less, or reduces by 10 percent funding for any pro-  
11 gram, project or activity, or numbers of personnel by 10  
12 percent as approved by Congress, unless the House and  
13 Senate Committees on Appropriations are notified 15 days  
14 in advance of such reprogramming of funds; or

15 (9) results from any general savings, including sav-  
16 ings from a reduction in personnel, which would result in  
17 a change in existing programs, projects or activities as ap-  
18 proved by Congress, unless the House and Senate Com-  
19 mittees on Appropriations are notified 15 days in advance  
20 of such reprogramming of funds.

21 (b) None of the funds in provided under this Act, or  
22 provided under previous appropriations Acts to the agen-  
23 cies funded by this Act that remain available for obligation  
24 or expenditure in fiscal year 2010, or provided from any  
25 accounts in the Treasury of the United States derived by

1 the collection of fees available to the agencies funded by  
2 this Act, shall be available for obligation or expenditure  
3 through the reprogramming of funds after August 1, ex-  
4 cept in extraordinary circumstances, and only after the  
5 House and Senate Committees on Appropriations are noti-  
6 fied 30 days in advance of such reprogramming of funds.

7       SEC. 506. Hereafter, none of the funds made avail-  
8 able in this or any other Act may be used to implement,  
9 administer, or enforce any guidelines of the Equal Em-  
10 ployment Opportunity Commission covering harassment  
11 based on religion, when it is made known to the Federal  
12 entity or official to which such funds are made available  
13 that such guidelines do not differ in any respect from the  
14 proposed guidelines published by the Commission on Octo-  
15 ber 1, 1993 (58 Fed. Reg. 51266).

16       SEC. 507. If it has been finally determined by a court  
17 or Federal agency that any person intentionally affixed a  
18 label bearing a “Made in America” inscription, or any in-  
19 scription with the same meaning, to any product sold in  
20 or shipped to the United States that is not made in the  
21 United States, the person shall be ineligible to receive any  
22 contract or subcontract made with funds made available  
23 in this Act, pursuant to the debarment, suspension, and  
24 ineligibility procedures described in sections 9.400 through  
25 9.409 of title 48, Code of Federal Regulations.

1        SEC. 508. The Departments of Commerce and Jus-  
2        tice, the National Science Foundation, and the National  
3        Aeronautics and Space Administration, shall provide to  
4        the House and Senate Committees on Appropriations a  
5        quarterly accounting of the cumulative balances of any un-  
6        obligated funds that were received by such agency during  
7        any previous fiscal year.

8        SEC. 509. Any costs incurred by a department or  
9        agency funded under this Act resulting from, or to pre-  
10       vent, personnel actions taken in response to funding re-  
11       ductions included in this Act shall be absorbed within the  
12       total budgetary resources available to such department or  
13       agency: *Provided*, That the authority to transfer funds be-  
14       tween appropriations accounts as may be necessary to  
15       carry out this section is provided in addition to authorities  
16       included elsewhere in this Act: *Provided further*, That use  
17       of funds to carry out this section shall be treated as a  
18       reprogramming of funds under section 505 of this Act and  
19       shall not be available for obligation or expenditure except  
20       in compliance with the procedures set forth in that section.

21       SEC. 510. None of the funds provided by this Act  
22       shall be available to promote the sale or export of tobacco  
23       or tobacco products, or to seek the reduction or removal  
24       by any foreign country of restrictions on the marketing  
25       of tobacco or tobacco products, except for restrictions

1 which are not applied equally to all tobacco or tobacco  
2 products of the same type.

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

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

8 (2) any system to implement subsection 922(t)  
9 of title 18, United States Code, that does not re-  
10 quire and result in the destruction of any identifying  
11 information submitted by or on behalf of any person  
12 who has been determined not to be prohibited from  
13 possessing or receiving a firearm no more than 24  
14 hours after the system advises a Federal firearms li-  
15 censee that possession or receipt of a firearm by the  
16 prospective transferee would not violate subsection  
17 (g) or (n) of section 922 of title 18, United States  
18 Code, or State law.

19 SEC. 512. None of the funds made available in this  
20 Act may be used to pay the salaries and expenses of per-  
21 sonnel of the Department of Justice to obligate more than  
22 \$700,000,000 during fiscal year 2010 from the fund es-  
23 tablished by section 1402 of chapter XIV of title II of  
24 Public Law 98–473 (42 U.S.C. 10601).

1        SEC. 513. None of the funds made available to the  
2 Department of Justice in this Act may be used to discrimi-  
3 nate against or denigrate the religious or moral beliefs of  
4 students who participate in programs for which financial  
5 assistance is provided from those funds, or of the parents  
6 or legal guardians of such students.

7        SEC. 514. None of the funds made available in this  
8 Act may be transferred to any department, agency, or in-  
9 strumentality of the United States Government, except  
10 pursuant to a transfer made by, or transfer authority pro-  
11 vided in, this Act or any other appropriations Act.

12       SEC. 515. Any funds provided in this Act used to im-  
13 plement E-Government Initiatives shall be subject to the  
14 procedures set forth in section 505 of this Act.

15       SEC. 516. (a) Tracing studies conducted by the Bu-  
16 reau of Alcohol, Tobacco, Firearms and Explosives are re-  
17 leased without adequate disclaimers regarding the limita-  
18 tions of the data.

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

24                (1) Firearm traces are designed to assist law  
25 enforcement authorities in conducting investigations

1 by tracking the sale and possession of specific fire-  
2 arms. Law enforcement agencies may request fire-  
3 arms traces for any reason, and those reasons are  
4 not necessarily reported to the Federal Government.  
5 Not all firearms used in crime are traced and not all  
6 firearms traced are used in crime.

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

18 SEC. 517. (a) The Inspectors General of the Depart-  
19 ment of Commerce, the Department of Justice, the Na-  
20 tional Aeronautics and Space Administration, the Na-  
21 tional Science Foundation, and the Legal Services Cor-  
22 poration shall conduct audits, pursuant to the Inspector  
23 General Act (5 U.S.C. App.), of grants or contracts for  
24 which funds are appropriated by this Act, and shall submit  
25 reports to Congress on the progress of such audits, which



1 may include preliminary findings and a description of  
2 areas of particular interest, within 180 days after initi-  
3 ating such an audit and every 180 days thereafter until  
4 any such audit is completed.

5 (b) Within 60 days after the date on which an audit  
6 described in subsection (a) by an Inspector General is  
7 completed, the Secretary, Attorney General, Adminis-  
8 trator, Director, or President, as appropriate, shall make  
9 the results of the audit available to the public on the Inter-  
10 net website maintained by the Department, Administra-  
11 tion, Foundation, or Corporation, respectively. The results  
12 shall be made available in redacted form to exclude—

13 (1) any matter described in section 552(b) of  
14 title 5, United States Code; and

15 (2) sensitive personal information for any indi-  
16 vidual, the public access to which could be used to  
17 commit identity theft or for other inappropriate or  
18 unlawful purposes.

19 (c) A grant or contract funded by amounts appro-  
20 priated by this Act may not be used for the purpose of  
21 defraying the costs of a banquet or conference that is not  
22 directly and programmatically related to the purpose for  
23 which the grant or contract was awarded, such as a ban-  
24 quet or conference held in connection with planning, train-

1 ing, assessment, review, or other routine purposes related  
2 to a project funded by the grant or contract.

3 (d) Any person awarded a grant or contract funded  
4 by amounts appropriated by this Act shall submit a state-  
5 ment to the Secretary of Commerce, the Attorney General,  
6 the Administrator, Director, or President, as appropriate,  
7 certifying that no funds derived from the grant or contract  
8 will be made available through a subcontract or in any  
9 other manner to another person who has a financial inter-  
10 est in the person awarded the grant or contract.

11 (e) The provisions of the preceding subsections of this  
12 section shall take effect 30 days after the date on which  
13 the Director of the Office of Management and Budget, in  
14 consultation with the Director of the Office of Government  
15 Ethics, determines that a uniform set of rules and require-  
16 ments, substantially similar to the requirements in such  
17 subsections, consistently apply under the executive branch  
18 ethics program to all Federal departments, agencies, and  
19 entities.

20 SEC. 518. None of the funds appropriated or other-  
21 wise made available under this Act may be used to issue  
22 patents on claims directed to or encompassing a human  
23 organism.

24 SEC. 519. None of the funds made available in this  
25 Act shall be used in any way whatsoever to support or

1 justify the use of torture by any official or contract em-  
2 ployee of the United States Government.

3       SEC. 520. (a) Notwithstanding any other provision  
4 of law or treaty, none of the funds appropriated or other-  
5 wise made available under this Act or any other Act may  
6 be expended or obligated by a department, agency, or in-  
7 strumentality of the United States to pay administrative  
8 expenses or to compensate an officer or employee of the  
9 United States in connection with requiring an export li-  
10 cense for the export to Canada of components, parts, ac-  
11 cessories or attachments for firearms listed in Category  
12 I, section 121.1 of title 22, Code of Federal Regulations  
13 (International Trafficking in Arms Regulations (ITAR),  
14 part 121, as it existed on April 1, 2005) with a total value  
15 not exceeding \$500 wholesale in any transaction, provided  
16 that the conditions of subsection (b) of this section are  
17 met by the exporting party for such articles.

18       (b) The foregoing exemption from obtaining an ex-  
19 port license—

20               (1) does not exempt an exporter from filing any  
21 Shipper's Export Declaration or notification letter  
22 required by law, or from being otherwise eligible  
23 under the laws of the United States to possess, ship,  
24 transport, or export the articles enumerated in sub-  
25 section (a); and

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

3           (A) fully automatic firearms and compo-  
4       nents and parts for such firearms, other than  
5       for end use by the Federal Government, or a  
6       Provincial or Municipal Government of Canada;

7           (B) barrels, cylinders, receivers (frames) or  
8       complete breech mechanisms for any firearm  
9       listed in Category I, other than for end use by  
10      the Federal Government, or a Provincial or Mu-  
11      nicipal Government of Canada; or

12          (C) articles for export from Canada to an-  
13      other foreign destination.

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

22      (d) The President may require export licenses under  
23      this section on a temporary basis if the President deter-  
24      mines, upon publication first in the Federal Register, that  
25      the Government of Canada has implemented or main-

1   tained inadequate import controls for the articles specified  
2   in subsection (a), such that a significant diversion of such  
3   articles has and continues to take place for use in inter-  
4   national terrorism or in the escalation of a conflict in an-  
5   other nation. The President shall terminate the require-  
6   ments of a license when reasons for the temporary require-  
7   ments have ceased.

8       SEC. 521. Notwithstanding any other provision of  
9   law, no department, agency, or instrumentality of the  
10  United States receiving appropriated funds under this Act  
11  or any other Act shall obligate or expend in any way such  
12  funds to pay administrative expenses or the compensation  
13  of any officer or employee of the United States to deny  
14  any application submitted pursuant to 22 U.S.C.  
15  2778(b)(1)(B) and qualified pursuant to 27 CFR section  
16  478.112 or .113, for a permit to import United States ori-  
17  gin “curios or relics” firearms, parts, or ammunition.

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

21           (1) paragraph 2 of article 16.7 of the United  
22       States-Singapore Free Trade Agreement;

23           (2) paragraph 4 of article 17.9 of the United  
24       States-Australia Free Trade Agreement; or

1           (3) paragraph 4 of article 15.9 of the United  
2       States-Morocco Free Trade Agreement.

3       SEC. 523. None of the funds made available in this  
4 Act may be used to authorize or issue a national security  
5 letter in contravention of any of the following laws author-  
6 izing the Federal Bureau of Investigation to issue national  
7 security letters: The Right to Financial Privacy Act; The  
8 Electronic Communications Privacy Act; The Fair Credit  
9 Reporting Act; The National Security Act of 1947; USA  
10 PATRIOT Act; and the laws amended by these Acts.

11       SEC. 524. If at any time during any quarter, the pro-  
12 gram manager of a project within the jurisdiction of the  
13 Departments of Commerce or Justice, the National Aero-  
14 nautics and Space Administration, or the National Science  
15 Foundation totaling more than \$75,000,000 has reason-  
16 able cause to believe that the total program cost has in-  
17 creased by 10 percent, the program manager shall imme-  
18 diately inform the Secretary, Administrator, or Director.  
19 The Secretary, Administrator, or Director shall notify the  
20 House and Senate Committees on Appropriations within  
21 30 days in writing of such increase, and shall include in  
22 such notice: the date on which such determination was  
23 made; a statement of the reasons for such increases; the  
24 action taken and proposed to be taken to control future  
25 cost growth of the project; changes made in the perform-

1   ance or schedule milestones and the degree to which such  
2   changes have contributed to the increase in total program  
3   costs or procurement costs; new estimates of the total  
4   project or procurement costs; and a statement validating  
5   that the project's management structure is adequate to  
6   control total project or procurement costs.

7       SEC. 525. Funds appropriated by this Act, or made  
8   available by the transfer of funds in this Act, for intel-  
9   ligence or intelligence related activities are deemed to be  
10  specifically authorized by the Congress for purposes of sec-  
11  tion 504 of the National Security Act of 1947 (50 U.S.C.  
12  414) during fiscal year 2010 until the enactment of the  
13  Intelligence Authorization Act for fiscal year 2010.

14       SEC. 526. The Departments, agencies, and commis-  
15  sions funded under this Act, shall establish and maintain  
16  on the homepages of their Internet websites—

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

19           (2) a mechanism on the Offices of Inspectors  
20       General website by which individuals may anony-  
21       mously report cases of waste, fraud, or abuse with  
22       respect to those Departments, agencies, and commis-  
23       sions.

24       SEC. 527. None of the funds appropriated or other-  
25  wise made available by this Act may be used to enter into

1 a contract in an amount greater than \$5,000,000 or to  
2 award a grant in excess of such amount unless the pro-  
3 spective contractor or grantee certifies in writing to the  
4 agency awarding the contract or grant that, to the best  
5 of its knowledge and belief, the contractor or grantee has  
6 filed all Federal tax returns required during the three  
7 years preceding the certification, has not been convicted  
8 of a criminal offense under the Internal Revenue Code of  
9 1986, and has not, more than 90 days prior to certifi-  
10 cation, been notified of any unpaid Federal tax assessment  
11 for which the liability remains unsatisfied, unless the as-  
12 sessment is the subject of an installment agreement or  
13 offer in compromise that has been approved by the Inter-  
14 nal Revenue Service and is not in default, or the assess-  
15 ment is the subject of a non-frivolous administrative or  
16 judicial proceeding.

17 SEC. 528. None of the funds appropriated or other-  
18 wise made available in this Act may be used in a manner  
19 that is inconsistent with the principal negotiating objective  
20 of the United States with respect to trade remedy laws  
21 to preserve the ability of the United States—

22 (1) to enforce vigorously its trade laws, includ-  
23 ing antidumping, countervailing duty, and safeguard  
24 laws;

25 (2) to avoid agreements that—



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

(3) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.

## 14 (RESCISSIONS)

SEC. 529. (a) Of the unobligated balances available to the Department of Justice from prior appropriations, the following funds are hereby rescinded, not later than September 30, 2010, from the following accounts in the specified amounts:

20 (1) “Legal Activities, Assets Forfeiture Fund”,  
21 \$285,000,000;

(2) “Federal Bureau of Investigation, Salaries  
and Expenses”, \$50,000,000;

24 (3) “Federal Bureau of Investigation, Construc-  
25 tion”, \$80,822,000;

1           (4) “Office of Justice Programs”, \$42,000,000;  
2       and

3           (5) “Community Oriented Policing Services”,  
4       \$40,000,000.

5       (b) Within 30 days of enactment of this Act, the De-  
6       partment of Justice shall submit to the Committees on  
7       Appropriations of the House of Representatives and the  
8       Senate a report specifying the amount of each rescission  
9       made pursuant to this section.

10       (c) The rescissions contained in this section shall not  
11       apply to funds provided in this Act.

12       SEC. 530. None of the funds made available in this  
13       Act may be used to purchase first class or premium airline  
14       travel in contravention of sections 301–10.122 through  
15       301–10.124 of title 41 of the Code of Federal Regulations.

16       SEC. 531. None of the funds made available in this  
17       Act may be used to send or otherwise pay for the attend-  
18       ance of more than 50 employees from a Federal depart-  
19       ment or agency at any single conference occurring outside  
20       the United States.

21       SEC. 532. (a) None of the funds made available in  
22       this or any prior Act may be used to release an individual  
23       who is detained, as of April 30, 2009, at Naval Station,  
24       Guantanamo Bay, Cuba, into the continental United  
25       States, Alaska, Hawaii, or the District of Columbia.

1       (b) None of the funds made available in this or any  
2 prior Act may be used to transfer an individual who is  
3 detained, as of April 30, 2009, at the Naval Station,  
4 Guantanamo Bay, Cuba, into the continental United  
5 States, Alaska, Hawaii, or the District of Columbia, for  
6 the purposes of detaining or prosecuting such individual  
7 until 2 months after the plan detailed in subsection (c)  
8 is received.

9       (c) The President shall submit to the Congress, in  
10 writing, a comprehensive plan regarding the proposed dis-  
11 position of each individual who is detained, as of April 30,  
12 2009, at Naval Station, Guantanamo Bay, Cuba, who is  
13 not covered under subsection (d). Such plan shall include,  
14 at a minimum, each of the following for each such indi-  
15 vidual:

16           (1) The findings of an analysis regarding any  
17 risk to the national security of the United States  
18 that is posed by the transfer of the individual.

19           (2) The costs associated with not transferring  
20 the individual in question.

21           (3) The legal rationale and associated court de-  
22 mands for transfer.

23           (4) A certification by the President that any  
24 risk described in paragraph (1) has been mitigated,

1 together with a full description of the plan for such  
2 mitigation.

3 (5) A certification by the President that the  
4 President has submitted to the Governor and legisla-  
5 ture of the State to which the President intends to  
6 transfer the individual a certification in writing at  
7 least 30 days prior to such transfer (together with  
8 supporting documentation and justification) that the  
9 individual does not pose a security risk tot he United  
10 States.

11 (d) None of the funds made available in this or any  
12 prior Act may be used to transfer or release an individual  
13 detained at Naval Station, Guantanamo Bay, Cuba, as of  
14 April 30, 2009, to the country of such individual's nation-  
15 ality or last habitual residence or to any other country  
16 other than the United States, unless the President submits  
17 to the Congress, in writing, at least 30 days prior to such  
18 transfer or release, the following information:

19 (1) The name of any individual to be trans-  
20 ferred or released and the country to which such in-  
21 dividual is to be transferred or released.

22 (2) An assessment of any risk to the national  
23 security of the United States or its citizens, includ-  
24 ing members of the Armed Services or the United

1 States, that is posed by such transfer or released  
2 and the actions taken to mitigate such risk

3 (3) The terms of any agreement with another  
4 country for acceptance of such individual, including  
5 the amount of any financial assistance related to  
6 such agreement.

7 SEC. 533. Section 504(a) of the Departments of  
8 Commerce, Justice, and State, the Judiciary, and Related  
9 Agencies Appropriations Act, 1996 (as contained in Public  
10 Law 104–134) is amended by striking paragraph (13).

11 SEC. 534. Notwithstanding any other provision of  
12 law, to the extent that the Attorney General (or a des-  
13 ignee) authorizes or approves, if a law enforcement or cor-  
14 rections officer employed by the Department of Justice  
15 dies while performing official duties or as a result of the  
16 performance of official duties, the Department of Justice  
17 may pay from Government funds the qualified relocation  
18 expenses of the immediate dependent family of the em-  
19 ployee, and the expenses of preparing and transporting the  
20 remains of the deceased.

21 This Act may be cited as the “Commerce, Justice,  
22 Science, and Related Agencies Appropriations Act, 2010”.

**Union Calendar No. 73**

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

**H. R. 2847**

[Report No. 111-149]

**A BILL**

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.

JUNE 12, 2009

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