

105TH CONGRESS
1ST SESSION

H. R. 2267

IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 1997

Received

AN ACT

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 fiscal year ending September 30, 1998, and for other pur-
4 poses, namely:

5 TITLE I—DEPARTMENT OF JUSTICE

6 GENERAL ADMINISTRATION

7 SALARIES AND EXPENSES

8 For expenses necessary for the administration of the
9 Department of Justice, \$76,199,000, of which not to ex-
10 ceed \$3,317,000 is for the Facilities Program 2000, to
11 remain available until expended: *Provided*, That not to ex-
12 ceed 43 permanent positions and 44 full-time equivalent
13 workyears and \$7,860,000 shall be expended for the De-
14 partment Leadership Program exclusive of augmentation
15 that occurred in these offices in fiscal year 1997: *Provided*
16 *further*, That not to exceed 41 permanent positions and
17 48 full-time equivalent workyears and \$4,660,000 shall be
18 expended for the Offices of Legislative Affairs and Public
19 Affairs: *Provided further*, That the latter two aforemen-
20 tioned offices shall not be augmented by personnel details,
21 temporary transfers of personnel on either a reimbursable
22 or non-reimbursable basis or any other type of formal or
23 informal transfer or reimbursement of personnel or funds
24 on either a temporary or long-term basis.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Attorney General, \$20,000,000, to remain available until expended, to reimburse any Department of Justice organization for: (1) the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of any domestic or international terrorist incident; (2) the costs of providing support to counter, investigate or prosecute domestic or international terrorism, including payment of rewards in connection with these activities; and (3) the costs of conducting a terrorism threat assessment of Federal agencies and their facilities: *Provided*, That funds provided under this heading shall be available only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration related activities, \$66,700,000.

VIOLENT CRIME REDUCTION PROGRAMS, ADMINISTRATIVE

REVIEW AND APPEALS

For activities authorized by section 130005 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended, \$59,000,000, to re-

1 main available until expended, which shall be derived from
2 the Violent Crime Reduction Trust Fund.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, as amended, \$33,211,000 (increased
7 by \$2,000,000); including not to exceed \$10,000 to meet
8 unforeseen emergencies of a confidential character, to be
9 expended under the direction of, and to be accounted for
10 solely under the certificate of, the Attorney General; and
11 for the acquisition, lease, maintenance, and operation of
12 motor vehicles, without regard to the general purchase
13 price limitation for the current fiscal year: *Provided*, That
14 up to one-tenth of one percent of the Department of Jus-
15 tice's allocation from the Violent Crime Reduction Trust
16 Fund grant programs may be transferred at the discretion
17 of the Attorney General to this account for the audit or
18 other review of such grant programs, as authorized by sec-
19 tion 130005 of the Violent Crime Control and Law En-
20 forcement Act of 1994 (Public Law 103–322).

21 UNITED STATES PAROLE COMMISSION

22 SALARIES AND EXPENSES

23 For necessary expenses of the United States Parole
24 Commission as authorized by law, \$4,799,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses, necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia; \$445,000,000 (increased by \$300,000), of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the funds available in this appropriation, not to exceed \$17,525,000 shall remain available until expended for office automation systems for the legal divisions covered by this appropriation, and for the United States Attorneys, the Antitrust Division, and offices funded through “Salaries and Expenses”, General Administration: *Provided further*, That of the total amount appropriated, not to exceed \$1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986,

1 as amended, not to exceed \$4,028,000, to be appropriated
2 from the Vaccine Injury Compensation Trust Fund.

3 VIOLENT CRIME REDUCTION PROGRAMS, GENERAL LEGAL
4 ACTIVITIES

5 For the expeditious deportation of denied asylum ap-
6 plicants, as authorized by section 130005 of the Violent
7 Crime Control and Law Enforcement Act of 1994 (Public
8 Law 103–322), as amended, \$7,969,000, to remain avail-
9 able until expended, which shall be derived from the Vio-
10 lent Crime Reduction Trust Fund.

11 SALARIES AND EXPENSES, ANTITRUST DIVISION

12 For expenses necessary for the enforcement of anti-
13 trust and kindred laws, \$84,542,000 (reduced by
14 \$6,000,000): *Provided*, That notwithstanding any other
15 provision of law, not to exceed \$70,000,000 of offsetting
16 collections derived from fees collected for premerger notifi-
17 cation filings under the Hart-Scott-Rodino Antitrust Im-
18 provements Act of 1976 (15 U.S.C. 18(a)) shall be re-
19 tained and used for necessary expenses in this appropria-
20 tion, and shall remain available until expended: *Provided*
21 *further*, That the sum herein appropriated from the Gen-
22 eral Fund shall be reduced as such offsetting collections
23 are received during fiscal year 1998, so as to result in
24 a final fiscal year 1998 appropriation from the General
25 Fund estimated at not more than \$14,542,000 (reduced
26 by \$6,000,000): *Provided further*, That any fees received

1 in excess of \$70,000,000 in fiscal year 1998 shall remain
2 available until expended, but shall not be available for obli-
3 gation until October 1, 1998.

4 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

5 For necessary expenses of the Office of the United
6 States Attorneys, including intergovernmental and cooper-
7 ative agreements, \$973,000,000; of which not to exceed
8 \$2,500,000 shall be available until September 30, 1999,
9 for (1) training personnel in debt collection, (2) locating
10 debtors and their property, (3) paying the net costs of sell-
11 ing property, and (4) tracking debts owed to the United
12 States Government: *Provided*, That of the total amount
13 appropriated, not to exceed \$8,000 shall be available for
14 official reception and representation expenses: *Provided*
15 *further*, That not to exceed \$10,000,000 of those funds
16 available for automated litigation support contracts shall
17 remain available until expended: *Provided further*, That,
18 in addition to reimbursable full-time equivalent workyears
19 available to the Office of the United States Attorneys, not
20 to exceed 9,010 positions and 9,116 full-time equivalent
21 workyears shall be supported from the funds appropriated
22 in this Act for the United States Attorneys: *Provided fur-*
23 *ther*, That not to exceed \$6,000,000 for office moves, ex-
24 pansions and renovations shall remain available until Sep-
25 tember 30, 1999: *Provided further*, That not to exceed
26 \$1,200,000 for the design, development and implementa-

tion of an information systems strategy for D.C. Superior Court shall remain available until expended.

VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES

ATTORNEYS

For activities authorized by sections 40114, 130005, 190001(b), 190001(d), and 250005 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended, and section 815 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132), \$62,828,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized by 28 U.S.C. 589a(a), \$107,950,000, to remain available until expended and to be derived from the United States Trustee System Fund: *Provided*, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, \$107,950,000 of offsetting collections derived from fees collected pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and remain available until expended: *Provided further*, That the sum herein appropriated from the

1 Fund shall be reduced as such offsetting collections are
2 received during fiscal year 1998, so as to result in a final
3 fiscal year 1998 appropriation from the Fund estimated
4 at \$0: *Provided further*, That any such fees collected in
5 excess of \$107,950,000 in fiscal year 1998 shall remain
6 available until expended but shall not be available for obli-
7 gation until October 1, 1998.

8 SALARIES AND EXPENSES, FOREIGN CLAIMS

9 SETTLEMENT COMMISSION

10 For expenses necessary to carry out the activities of
11 the Foreign Claims Settlement Commission, including
12 services as authorized by 5 U.S.C. 3109, \$1,226,000.

13 SALARIES AND EXPENSES, UNITED STATES MARSHALS

14 SERVICE

15 For necessary expenses of the United States Mar-
16 shals Service, including the acquisition, lease, mainte-
17 nance, and operation of vehicles and aircraft, and the pur-
18 chase of passenger motor vehicles for police-type use, with-
19 out regard to the general purchase price limitation for the
20 current fiscal year, \$462,944,000, as authorized by 28
21 U.S.C. 561(i); of which not to exceed \$6,000 shall be
22 available for official reception and representation ex-
23 penses; and of which not to exceed \$4,000,000 for develop-
24 ment, implementation, maintenance and support, and
25 training for an automated prisoner information system,
26 and not to exceed \$2,200,000 to support the Justice Pris-

1 oner and Alien Transportation System shall remain avail-
2 able until expended: *Provided*, That, for fiscal year 1998
3 and thereafter, the service of maintaining and transport-
4 ing State, local, or territorial prisoners shall be considered
5 a specialized or technical service for purposes of 31 U.S.C.
6 6505, and any prisoners so transported shall be considered
7 persons (transported for other than commercial purposes)
8 whose presence is associated with the performance of a
9 governmental function for purposes of 49 U.S.C. 40102.

10 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES

11 MARSHALS SERVICE

12 For activities authorized by section 190001(b) of the
13 Violent Crime Control and Law Enforcement Act of 1994
14 (Public Law 103–322), as amended, \$25,553,000, to re-
15 main available until expended, which shall be derived from
16 the Violent Crime Reduction Trust Fund.

17 FEDERAL PRISONER DETENTION

18 For expenses, related to United States prisoners in
19 the custody of the United States Marshals Service as au-
20 thorized in 18 U.S.C. 4013, but not including expenses
21 otherwise provided for in appropriations available to the
22 Attorney General, \$405,262,000, as authorized by 28
23 U.S.C. 561(i), to remain available until expended.

24 FEES AND EXPENSES OF WITNESSES

25 For expenses, mileage, compensation, and per diems
26 of witnesses, for expenses of contracts for the procurement

1 and supervision of expert witnesses, for private counsel ex-
2 penses, and for per diems in lieu of subsistence, as author-
3 ized by law, including advances, \$75,000,000, to remain
4 available until expended; of which not to exceed
5 \$4,750,000 may be made available for planning, construc-
6 tion, renovations, maintenance, remodeling, and repair of
7 buildings, and the purchase of equipment incident thereto,
8 for protected witness safesites; of which not to exceed
9 \$1,000,000 may be made available for the purchase and
10 maintenance of armored vehicles for transportation of pro-
11 tected witnesses; and of which not to exceed \$4,000,000
12 may be made available for the purchase, installation and
13 maintenance of a secure, automated information network
14 to store and retrieve the identities and locations of pro-
15 tected witnesses.

16 SALARIES AND EXPENSES, COMMUNITY RELATIONS

17 SERVICE

18 For necessary expenses of the Community Relations
19 Service, established by title X of the Civil Rights Act of
20 1964, \$5,319,000 and, in addition, up to \$2,000,000 of
21 funds made available to the Department of Justice in this
22 Act may be transferred by the Attorney General to this
23 account: *Provided*, That notwithstanding any other provi-
24 sion of law, upon a determination by the Attorney General
25 that emergent circumstances require additional funding
26 for conflict prevention and resolution activities of the

1 Community Relations Service, the Attorney General may
2 transfer such amounts to the Community Relations Serv-
3 ice, from available appropriations for the current fiscal
4 year for the Department of Justice, as may be necessary
5 to respond to such circumstances: *Provided further*, That
6 any transfer pursuant to the previous proviso shall be
7 treated as a reprogramming under section 605 of this Act
8 and shall not be available for obligation or expenditure ex-
9 cept in compliance with the procedures set forth in that
10 section.

11 ASSETS FORFEITURE FUND

12 For expenses authorized by 28 U.S.C.
13 524(c)(1)(A)(ii), (B), (F), and (G), as amended,
14 \$23,000,000, to be derived from the Department of Jus-
15 tice Assets Forfeiture Fund.

16 RADIATION EXPOSURE COMPENSATION

17 ADMINISTRATIVE EXPENSES

18 For necessary administrative expenses in accordance
19 with the Radiation Exposure Compensation Act,
20 \$2,000,000. Further, for the foregoing purposes during
21 fiscal year 1999, \$2,000,000.

22 PAYMENT TO RADIATION EXPOSURE COMPENSATION

23 TRUST FUND

24 For payments to the Radiation Exposure Compensa-
25 tion Trust Fund, \$4,381,000. Further, for the foregoing
26 purposes during fiscal year 1999, \$29,000,000.

1 INTERAGENCY LAW ENFORCEMENT

2 INTERAGENCY CRIME AND DRUG ENFORCEMENT

3 For necessary expenses for the detection, investiga-
4 tion, and prosecution of individuals involved in organized
5 crime drug trafficking not otherwise provided for, to in-
6 clude intergovernmental agreements with State and local
7 law enforcement agencies engaged in the investigation and
8 prosecution of individuals involved in organized crime drug
9 trafficking, \$294,967,000, of which \$50,000,000 shall re-
10 main available until expended: *Provided*, That any
11 amounts obligated from appropriations under this heading
12 may be used under authorities available to the organiza-
13 tions reimbursed from this appropriation: *Provided fur-*
14 *ther*, That any unobligated balances remaining available
15 at the end of the fiscal year shall revert to the Attorney
16 General for reallocation among participating organizations
17 in succeeding fiscal years, subject to the reprogramming
18 procedures described in section 605 of this Act.

19 FEDERAL BUREAU OF INVESTIGATION

20 SALARIES AND EXPENSES

21 For necessary expenses of the Federal Bureau of In-
22 vestigation for detection, investigation, and prosecution of
23 crimes against the United States; including purchase for
24 police-type use of not to exceed 3,094 passenger motor ve-
25 hicles, of which 2,270 will be for replacement only, without

1 regard to the general purchase price limitation for the cur-
2 rent fiscal year, and hire of passenger motor vehicles; ac-
3 quisition, lease, maintenance, and operation of aircraft;
4 and not to exceed \$70,000 to meet unforeseen emergencies
5 of a confidential character, to be expended under the di-
6 rection of, and to be accounted for solely under the certifi-
7 cate of, the Attorney General, \$2,706,944,000; of which
8 not to exceed \$50,000,000 for automated data processing
9 and telecommunications and technical investigative equip-
10 ment and not to exceed \$1,000,000 for undercover oper-
11 ations shall remain available until September 30, 1999;
12 of which not less than \$147,081,000 shall be for
13 counterterrorism investigations, foreign counterintel-
14 ligence, and other activities related to our national secu-
15 rity; of which not to exceed \$98,400,000 shall remain
16 available until expended; of which not to exceed
17 \$10,000,000 is authorized to be made available for making
18 advances for expenses arising out of contractual or reim-
19 bursable agreements with State and local law enforcement
20 agencies while engaged in cooperative activities related to
21 violent crime, terrorism, organized crime, and drug inves-
22 tigation; and of which \$1,500,000 shall be available to
23 maintain an independent program office dedicated solely
24 to the relocation of the Criminal Justice Information Serv-
25 ices Division and the automation of fingerprint identifica-

tion services: *Provided*, That not to exceed \$45,000 shall be available for official reception and representation expenses: *Provided further*, That no funds in this Act may be used to provide ballistics imaging equipment to any State or local authority which has obtained similar equipment through a Federal grant or subsidy unless the State or local authority agrees to return that equipment or to repay that grant or subsidy to the Federal Government.

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended (“the 1994 Act”), and the Antiterrorism and Effective Death Penalty Act of 1996 (“the Antiterrorism Act”), \$179,121,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which \$102,127,000 shall be for activities authorized by section 190001(c) of the 1994 Act and section 811 of the Antiterrorism Act; \$57,994,000 shall be for activities authorized by section 190001(b) of the 1994 Act; \$4,000,000 shall be for training and investigative assistance authorized by section 210501 of the 1994 Act; \$9,500,000 shall be for grants to States, as authorized by section 811(b) of the Antiterrorism Act; and \$5,500,000 shall be for establishing DNA quality-assurance and proficiency-testing standards, establishing an index to facilitate law enforcement

1 exchange of DNA identification information, and related
2 activities authorized by section 210501 of the 1994 Act.

3 TELECOMMUNICATIONS CARRIER COMPLIANCE FUND

4 As authorized by section 110 of the Communications
5 Assistance for Law Enforcement Act (47 U.S.C. 1009),
6 \$50,000,000 is appropriated for purposes of national secu-
7 rity, without fiscal year limitation, to the Department of
8 Justice Telecommunications Carrier Compliance Fund, for
9 payments pursuant to section 401 of such Act (47 U.S.C.
10 1021).

11 CONSTRUCTION

12 For necessary expenses to construct or acquire build-
13 ings and sites by purchase, or as otherwise authorized by
14 law (including equipment for such buildings); conversion
15 and extension of federally-owned buildings; and prelimi-
16 nary planning and design of projects; \$38,506,000, to re-
17 main available until expended.

18 DRUG ENFORCEMENT ADMINISTRATION

19 SALARIES AND EXPENSES

20 For necessary expenses of the Drug Enforcement Ad-
21 ministration, including not to exceed \$70,000 to meet un-
22 foreseen emergencies of a confidential character, to be ex-
23 pended under the direction of, and to be accounted for
24 solely under the certificate of, the Attorney General; ex-
25 penses for conducting drug education and training pro-
26 grams, including travel and related expenses for partici-

1 pants in such programs and the distribution of items of
2 token value that promote the goals of such programs; pur-
3 chase of not to exceed 1,602 passenger motor vehicles, of
4 which 1,410 will be for replacement only, for police-type
5 use without regard to the general purchase price limitation
6 for the current fiscal year; and acquisition, lease, mainte-
7 nance, and operation of aircraft; \$814,463,000, of which
8 not to exceed \$1,800,000 for research and \$15,000,000
9 for transfer to the Drug Diversion Control Fee Account
10 for operating expenses shall remain available until ex-
11 pended, and of which not to exceed \$4,000,000 for pur-
12 chase of evidence and payments for information, not to
13 exceed \$10,000,000 for contracting for automated data
14 processing and telecommunications equipment, and not to
15 exceed \$2,000,000 for laboratory equipment, \$4,000,000
16 for technical equipment, and \$2,000,000 for aircraft re-
17 placement retrofit and parts, shall remain available until
18 September 30, 1999; and of which not to exceed \$50,000
19 shall be available for official reception and representation
20 expenses.

21 VIOLENT CRIME REDUCTION PROGRAMS

22 For activities authorized by sections 180104 and
23 190001(b) of the Violent Crime Control and Law Enforce-
24 ment Act of 1994 (Public Law 103–322), as amended,
25 and section 814 of the Antiterrorism and Effective Death
26 Penalty Act of 1996 (Public Law 104–132),

1 \$310,037,000, to remain available until expended, which
2 shall be derived from the Violent Crime Reduction Trust
3 Fund.

4 CONSTRUCTION

5 For necessary expenses to construct or acquire build-
6 ings and sites by purchase, or as otherwise authorized by
7 law (including equipment for such buildings); conversion
8 and extension of federally-owned buildings; and prelimi-
9 nary planning and design of projects; \$5,500,000, to re-
10 main available until expended.

11 IMMIGRATION AND NATURALIZATION SERVICE

12 SALARIES AND EXPENSES

13 For expenses, not otherwise provided for, necessary
14 for the administration and enforcement of the laws relat-
15 ing to immigration, naturalization, and alien registration,
16 including not to exceed \$50,000 to meet unforeseen emer-
17 gencies of a confidential character, to be expended under
18 the direction of, and to be accounted for solely under the
19 certificate of, the Attorney General; purchase for police
20 type use (not to exceed 2,904, of which 1,711 are for re-
21 placement only), without regard to the general purchase
22 price limitation for the current fiscal year, and hire of pas-
23 senger motor vehicles; acquisition, lease, maintenance and
24 operation of aircraft; research related to immigration en-
25 forcement; and for the care and housing of Federal detain-
26 ees held in the joint Immigration and Naturalization Serv-

1 ice and United States Marshals Service's Buffalo Deten-
2 tion Facility; \$1,609,441,000 (reduced by \$3,000,000); of
3 which not to exceed \$400,000 for research shall remain
4 available until expended; of which not to exceed
5 \$10,000,000 shall be available for costs associated with
6 the training program for basic officer training, and
7 \$5,000,000 is for payments or advances arising out of con-
8 tractual or reimbursable agreements with State and local
9 law enforcement agencies while engaged in cooperative ac-
10 tivities related to immigration; and of which not to exceed
11 \$5,000,000 is to fund or reimburse other Federal agencies
12 for the costs associated with the care, maintenance, and
13 repatriation of smuggled illegal aliens: *Provided*, That
14 none of the funds available to the Immigration and Natu-
15 ralization Service shall be available to pay any employee
16 overtime pay in an amount in excess of \$30,000 during
17 the calendar year beginning January 1, 1998: *Provided*
18 *further*, That uniforms may be purchased without regard
19 to the general purchase price limitation for the current
20 fiscal year: *Provided further*, That not to exceed \$5,000
21 shall be available for official reception and representation
22 expenses: *Provided further*, That none of the funds pro-
23 vided in this or any other Act shall be used for the contin-
24 ued operation of the San Clemente and Temecula check-
25 points unless the checkpoints are open and traffic is being

1 checked on a continuous 24-hour basis: *Provided further*,
2 That not to exceed 32 permanent positions and 32 full-
3 time equivalent workyears and \$3,101,000 shall be ex-
4 pended for the Office of Legislative Affairs and Public Af-
5 fairs: *Provided further*, That the latter two aforementioned
6 offices shall not be augmented by personnel details, tem-
7 porary transfers of personnel on either a reimbursable or
8 non-reimbursable basis or any other type of formal or in-
9 formal transfer or reimbursement of personnel or funds
10 on either a temporary or long-term basis: *Provided further*,
11 That, during fiscal year 1998 and each fiscal year there-
12 after, none of the funds appropriated or otherwise made
13 available to the Immigration and Naturalization Service
14 may be used to accept, process, or forward to the Federal
15 Bureau of Investigation any FD-258 fingerprint card, for
16 the purpose of conducting criminal background checks for
17 any benefit under the Immigration and Nationality Act,
18 which has been prepared by, or received from, any individ-
19 ual or entity other than an office of the Immigration and
20 Naturalization Service or State or local law enforcement
21 agency and beginning on June 1, 1998 and each fiscal
22 year thereafter only an office of the Immigration and Nat-
23 uralization Service may accept, process or forward FD-
24 258 fingerprint cards to the Federal Bureau of Investiga-
25 tion for any of these applications which require an inter-

1 view: *Provided further*, That, during fiscal year 1998 and
2 each fiscal year thereafter, none of the funds appropriated
3 or otherwise made available to the Immigration and Natu-
4 ralization Service shall be used to complete adjudication
5 of an application for naturalization unless the Immigra-
6 tion and Naturalization Service has received confirmation
7 from the Federal Bureau of Investigation that a full crimi-
8 nal background check has been completed, except for those
9 exempted by regulation as of January 1, 1997: *Provided*
10 *further*, That the number of positions filled through non-
11 career appointment at the Immigration and Naturaliza-
12 tion Service, for which funding is provided in this Act or
13 is otherwise made available to the Immigration and Natu-
14 ralization Service, shall not exceed four permanent posi-
15 tions and four full-time equivalent workyears: *Provided*
16 *further*, That notwithstanding any other provision of law,
17 during fiscal year 1998, the Attorney General is author-
18 ized and directed to impose disciplinary action, including
19 termination of employment, pursuant to policies and pro-
20 cedures applicable to employees of the Federal Bureau of
21 Investigation, for any employee of the Immigration and
22 Naturalization Service who violates policies and proce-
23 dures set forth by the Department of Justice relative to
24 the granting of citizenship or who willfully deceives the
25 Congress or Department Leadership on any matter.

1 VIOLENT CRIME REDUCTION PROGRAMS

2 For activities authorized by sections 130002,
3 130005, 130006, 130007, and 190001(b) of the Violent
4 Crime Control and Law Enforcement Act of 1994 (Public
5 Law 103–322), as amended, and section 813 of the
6 Antiterrorism and Effective Death Penalty Act of 1996
7 (Public Law 104–132), \$690,957,000, to remain available
8 until expended, which will be derived from the Violent
9 Crime Reduction Trust Fund.

10 CONSTRUCTION

11 For planning, construction, renovation, equipping,
12 and maintenance of buildings and facilities necessary for
13 the administration and enforcement of the laws relating
14 to immigration, naturalization, and alien registration, not
15 otherwise provided for, \$70,959,000, to remain available
16 until expended.

17 FEDERAL PRISON SYSTEM

18 SALARIES AND EXPENSES

19 For expenses necessary for the administration, oper-
20 ation, and maintenance of Federal penal and correctional
21 institutions, including purchase (not to exceed 834, of
22 which 599 are for replacement only) and hire of law en-
23 forcement and passenger motor vehicles, and for the provi-
24 sion of technical assistance and advice on corrections re-
25 lated issues to foreign governments, \$2,869,642,000 (re-
26 duced by \$42,000,000): *Provided*, That the Attorney Gen-

1 eral may transfer to the Health Resources and Services
2 Administration such amounts as may be necessary for di-
3 rect expenditures by that Administration for medical relief
4 for inmates of Federal penal and correctional institutions:
5 *Provided further*, That the Director of the Federal Prison
6 System (FPS), where necessary, may enter into contracts
7 with a fiscal agent/fiscal intermediary claims processor to
8 determine the amounts payable to persons who, on behalf
9 of the FPS, furnish health services to individuals commit-
10 ted to the custody of the FPS: *Provided further*, That uni-
11 forms may be purchased without regard to the general
12 purchase price limitation for the current fiscal year: *Pro-*
13 *vided further*, That not to exceed \$6,000 shall be available
14 for official reception and representation expenses: *Pro-*
15 *vided further*, That not to exceed \$90,000,000 for the acti-
16 vation of new facilities shall remain available until Sep-
17 tember 30, 1999: *Provided further*, That of the amounts
18 provided for Contract Confinement, not to exceed
19 \$20,000,000 shall remain available until expended to
20 make payments in advance for grants, contracts and reim-
21 bursable agreements, and other expenses authorized by
22 section 501(c) of the Refugee Education Assistance Act
23 of 1980, as amended, for the care and security in the
24 United States of Cuban and Haitian entrants: *Provided*
25 *further*, That notwithstanding section 4(d) of the Service

1 Contract Act of 1965 (41 U.S.C. 353(d)), FPS may enter
2 into contracts and other agreements with private entities
3 for periods of not to exceed 3 years and 7 additional option
4 years for the confinement of Federal prisoners.

5 VIOLENT CRIME REDUCTION PROGRAMS

6 For substance abuse treatment in Federal prisons as
7 authorized by section 32001(e) of the Violent Crime Con-
8 trol and Law Enforcement Act of 1994 (Public Law 103-
9 322), as amended, \$26,135,000, to remain available until
10 expended, which shall be derived from the Violent Crime
11 Reduction Trust Fund.

12 BUILDINGS AND FACILITIES

13 For planning, acquisition of sites and construction of
14 new facilities; leasing the Oklahoma City Airport Trust
15 Facility; purchase and acquisition of facilities and remod-
16 eling, and equipping of such facilities for penal and correc-
17 tional use, including all necessary expenses incident there-
18 to, by contract or force account; and constructing, remod-
19 eling, and equipping necessary buildings and facilities at
20 existing penal and correctional institutions, including all
21 necessary expenses incident thereto, by contract or force
22 account; \$255,133,000, to remain available until ex-
23 pended, of which not to exceed \$14,074,000 shall be avail-
24 able to construct areas for inmate work programs: *Pro-*
25 *vided*, That labor of United States prisoners may be used
26 for work performed under this appropriation: *Provided*

1 *further*, That not to exceed 10 percent of the funds appro-
2 priated to “Buildings and Facilities” in this Act or any
3 other Act may be transferred to “Salaries and Expenses”,
4 Federal Prison System, upon notification by the Attorney
5 General to the Committees on Appropriations of the
6 House of Representatives and the Senate in compliance
7 with provisions set forth in section 605 of this Act: *Pro-*
8 *vided further*, That, of the total amount appropriated, not
9 to exceed \$2,300,000 shall be available for the renovation
10 and construction of United States Marshals Service pris-
11 oner-holding facilities.

12 FEDERAL PRISON INDUSTRIES, INCORPORATED

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

23 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL

24 PRISON INDUSTRIES, INCORPORATED

25 Not to exceed \$3,490,000 of the funds of the corpora-
26 tion shall be available for its administrative expenses, and

1 for services as authorized by 5 U.S.C. 3109, 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 the said ac-
6 counting system requires to be capitalized or charged to
7 cost of commodities acquired or produced, including sell-
8 ing and shipping expenses, and expenses in connection
9 with acquisition, construction, operation, maintenance, im-
10 provement, protection, or disposition of facilities and other
11 property belonging to the corporation or in which it has
12 an interest.

13 OFFICE OF JUSTICE PROGRAMS

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, as amended,
18 and the Missing Children's Assistance Act, as amended,
19 including salaries and expenses in connection therewith,
20 and with the Victims of Crime Act of 1984, as amended,
21 and sections 819 and 821 of the Antiterrorism and Effec-
22 tive Death Penalty Act of 1996, \$162,500,000, to remain
23 available until expended, as authorized by section 1001 of
24 title I of the Omnibus Crime Control and Safe Streets Act,
25 as amended by Public Law 102-534 (106 Stat. 3524); of

1 which \$25,000,000 is for the National Sexual Offender
2 Registry.

3 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

4 For grants, contracts, cooperative agreements, and
5 other assistance authorized by part E of title I of the Om-
6 nibus Crime Control and Safe Streets Act of 1968, as
7 amended, for State and Local Narcotics Control and Jus-
8 tice Assistance Improvements, notwithstanding the provi-
9 sions of section 511 of said Act, \$538,000,000, to remain
10 available until expended, as authorized by section 1001 of
11 title I of said Act, as amended by Public Law 102–534
12 (106 Stat. 3524), of which \$46,500,000 shall be available
13 to carry out the provisions of chapter A of subpart 2 of
14 part E of title I of said Act, for discretionary grants under
15 the Edward Byrne Memorial State and Local Law En-
16 forcement Assistance Programs.

17 VIOLENT CRIME REDUCTION PROGRAMS, STATE AND
18 LOCAL LAW ENFORCEMENT ASSISTANCE

19 For assistance (including amounts for administrative
20 costs for management and administration, which amounts
21 shall be transferred to and merged with the “Justice As-
22 sistance” account) authorized by the Violent Crime Con-
23 trol and Law Enforcement Act of 1994 (Public Law 103–
24 322), as amended (“the 1994 Act”); the Omnibus Crime
25 Control and Safe Streets Act of 1968, as amended (“the
26 1968 Act”); and the Victims of Child Abuse Act of 1990,

1 as amended (“the 1990 Act”); \$2,437,150,000, to remain
2 available until expended, which shall be derived from the
3 Violent Crime Reduction Trust Fund; of which
4 \$523,000,000 shall be for Local Law Enforcement Block
5 Grants, pursuant to H.R. 728 as passed by the House of
6 Representatives on February 14, 1995, except that for
7 purposes of this Act, the Commonwealth of Puerto Rico
8 shall be considered a “unit of local government” as well
9 as a “State”, for the purposes set forth in paragraphs (A),
10 (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728
11 and for establishing crime prevention programs involving
12 cooperation between community residents and law enforce-
13 ment personnel in order to control, detect, or investigate
14 crime or the prosecution of criminals: *Provided*, That no
15 funds provided under this heading may be used as match-
16 ing funds for any other Federal grant program: *Provided*
17 *further*, That \$20,000,000 of this amount shall be for
18 Boys and Girls Clubs in public housing facilities and other
19 areas in cooperation with State and local law enforcement:
20 *Provided further*, That funds may also be used to defray
21 the costs of indemnification insurance for law enforcement
22 officers; of which \$45,000,000 shall be for grants to up-
23 grade criminal records, as authorized by section 106(b)
24 of the Brady Handgun Violence Prevention Act of 1993,
25 as amended, and section 4(b) of the National Child Pro-

1 tection Act of 1993; of which \$13,500,000 shall be avail-
2 able as authorized by section 1001 of title I of the 1968
3 Act, to carry out the provisions of subpart 1, part E of
4 title I of the 1968 Act notwithstanding section 511 of said
5 Act, for the Edward Byrne Memorial State and Local Law
6 Enforcement Assistance Programs; of which
7 \$420,000,000 shall be for the State Criminal Alien Assist-
8 ance Program, as authorized by section 242(j) of the Im-
9 migration and Nationality Act, as amended; of which
10 \$722,500,000 shall be for Violent Offender Incarceration
11 and Truth in Sentencing Incentive Grants pursuant to
12 subtitle A of title II of the 1994 Act, of which
13 \$180,000,000 shall be available for payments to States for
14 incarceration of criminal aliens, and of which \$25,000,000
15 shall be available for the Cooperative Agreement Program:
16 *Provided further*, That funds made available for Violent
17 Offender Incarceration and Truth in Sentencing Incentive
18 Grants to the State of California may, at the discretion
19 of the recipient, be used for payments for the incarceration
20 of criminal aliens; of which \$7,000,000 shall be for the
21 Court Appointed Special Advocate Program, as authorized
22 by section 218 of the 1990 Act; of which \$2,000,000 shall
23 be for Child Abuse Training Programs for Judicial Per-
24 sonnel and Practitioners, as authorized by section 224 of
25 the 1990 Act; of which \$160,000,000 shall be for Grants

1 to Combat Violence Against Women, to States, units of
2 local government, and Indian tribal governments, as au-
3 thorized by section 1001(a)(18) of the 1968 Act: *Provided*
4 *further*, That, of these funds, \$7,000,000 shall be provided
5 to the National Institute of Justice for research and eval-
6 uation of violence against women and \$853,000 shall be
7 provided to the Office of the United States Attorney for
8 the District of Columbia for domestic violence programs
9 in D.C. Superior Court; of which \$115,750,000 shall be
10 for Grants to Encourage Arrest Policies to States, units
11 of local government, and Indian tribal governments, as au-
12 thorized by section 1001(a)(19) of the 1968 Act, including
13 \$56,750,000 which shall be used exclusively for the pur-
14 pose of strengthening civil and criminal legal assistance
15 programs for victims of domestic violence; of which
16 \$15,000,000 shall be for Rural Domestic Violence and
17 Child Abuse Enforcement Assistance Grants, as author-
18 ized by section 40295 of the 1994 Act; of which
19 \$2,000,000 shall be for training programs to assist proba-
20 tion and parole officers who work with released sex offend-
21 ers, as authorized by section 40152(c) of the 1994 Act;
22 of which \$1,000,000 shall be for grants for televised testi-
23 mony, as authorized by section 1001(a)(7) of the 1968
24 Act; of which \$2,750,000 shall be for national stalker and
25 domestic violence reduction, as authorized by section

1 40603 of the 1994 Act; of which \$63,000,000 shall be for
2 grants for residential substance abuse treatment for State
3 prisoners, as authorized by section 1001(a)(17) of the
4 1968 Act; of which \$10,000,000 shall be for grants to
5 States and units of local government for projects to im-
6 prove DNA analysis, as authorized by section 1001(a)(22)
7 of the 1968 Act; of which \$900,000 shall be for the Miss-
8 ing Alzheimer's Disease Patient Alert Program, as author-
9 ized by section 240001(c) of the 1994 Act; of which
10 \$750,000 shall be for Motor Vehicle Theft Prevention Pro-
11 grams, as authorized by section 220002(h) of the 1994
12 Act; of which \$30,000,000 shall be for Drug Courts, as
13 authorized by title V of the 1994 Act; of which \$1,000,000
14 shall be for Law Enforcement Family Support Programs,
15 as authorized by section 1001(a)(21) of the 1968 Act; of
16 which \$300,000,000 shall be for Juvenile Accountability
17 Block Grants to become available only upon enactment of
18 an authorization for this program; and of which
19 \$2,000,000 shall be for public awareness programs ad-
20 dressing marketing scams aimed at senior citizens, as au-
21 thorized by section 250005(3) of the 1994 Act: *Provided*
22 *further*, That funds made available in fiscal year 1998
23 under subpart 1 of part E of title I of the 1968 Act may
24 be obligated for programs to assist States in the litigation
25 processing of death penalty Federal habeas corpus peti-

1 tions and for drug testing initiatives: *Provided further*,
 2 That if a unit of local government uses any of the funds
 3 made available under this title to increase the number of
 4 law enforcement officers, the unit of local government will
 5 achieve a net gain in the number of law enforcement offi-
 6 cers who perform nonadministrative public safety service.

7 WEED AND SEED PROGRAM FUND

8 For necessary expenses, including salaries and relat-
 9 ed expenses of the Executive Office for Weed and Seed,
 10 to implement “Weed and Seed” program activities,
 11 \$40,000,000, which shall be obligated by July 1, 1998,
 12 for intergovernmental agreements, including grants, coop-
 13 erative agreements, and contracts, with State and local
 14 law enforcement agencies engaged in the investigation and
 15 prosecution of violent crimes and drug offenses in “Weed
 16 and Seed” designated communities, and for either reim-
 17 bursements or transfers to appropriation accounts of the
 18 Department of Justice and other Federal agencies which
 19 shall be specified by the Attorney General to execute the
 20 “Weed and Seed” program strategy: *Provided*, That funds
 21 designated by Congress through language for other De-
 22 partment of Justice appropriation accounts for “Weed and
 23 Seed” program activities shall be managed and executed
 24 by the Attorney General through the Executive Office for
 25 Weed and Seed: *Provided further*, That the Attorney Gen-
 26 eral may direct the use of other Department of Justice

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

6 COMMUNITY ORIENTED POLICING SERVICES

7 VIOLENT CRIME REDUCTION PROGRAMS

8 For activities authorized by the Violent Crime Con-
9 trol and Law Enforcement Act of 1994, Public Law 103–
10 322 (“the 1994 Act”) (including administrative costs),
11 \$1,400,000,000, to remain available until expended, which
12 shall be derived from the Violent Crime Reduction Trust
13 Fund, for Public Safety and Community Policing Grants
14 pursuant to title I of the 1994 Act: *Provided*, That not
15 to exceed 186 permanent positions and 186 full-time
16 equivalent workyears and \$20,553,000 shall be expended
17 for program management and administration: *Provided*
18 *further*, That of the unobligated balances available in this
19 program, \$100,000,000 shall be used for innovative com-
20 munity policing programs, of which \$34,000,000 shall be
21 used for a law enforcement technology program,
22 \$1,000,000 shall be used for police recruitment programs
23 authorized under subtitle H of title III of the 1994 Act,
24 \$35,000,000 shall be used for policing initiatives in drug

1 “hot spots”, and \$30,000,000 shall be used for policing
2 initiatives to combat methamphetamine trafficking.

3 In addition, for programs of Police Corps education,
4 training and service as set forth in sections 200101–
5 200113 of the Violent Crime Control and Law Enforce-
6 ment Act of 1994 (Public Law 103–322), \$20,000,000,
7 to remain available until expended, which shall be derived
8 from the Violent Crime Reduction Trust Fund.

9 JUVENILE JUSTICE PROGRAMS

10 For grants, contracts, cooperative agreements, and
11 other assistance authorized by the Juvenile Justice and
12 Delinquency Prevention Act of 1974, as amended, includ-
13 ing salaries and expenses in connection therewith to be
14 transferred and merged with the appropriations for Jus-
15 tice Assistance, \$225,922,000 (increased by \$750,000), to
16 remain available until expended: *Provided*, That these
17 funds shall be available for obligation and expenditure
18 upon enactment of reauthorization legislation for the Ju-
19 venile Justice and Delinquency Prevention Act of 1974
20 (H.R. 1818 or comparable legislation).

21 In addition, for grants, contracts, cooperative agree-
22 ments, and other assistance, \$5,000,000 to remain avail-
23 able until expended, for developing, testing, and dem-
24 onstrating programs designed to reduce drug use among
25 juveniles.

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

6 PUBLIC SAFETY OFFICERS BENEFITS

7 To remain available until expended, for payments au-
8 thorized by part L of title I of the Omnibus Crime Control
9 and Safe Streets Act of 1968 (42 U.S.C. 3796), as amend-
10 ed, such sums as are necessary, as authorized by section
11 6093 of Public Law 100–690 (102 Stat. 4339–4340); and
12 \$2,000,000 for the Federal Law Enforcement Education
13 Assistance Program, as authorized by section 1212 of said
14 Act.

15 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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

24 SEC. 102. Authorities contained in the Department
25 of Justice Appropriation Authorization Act, Fiscal Year
26 1980 (Public Law 96–132, 93 Stat. 1040 (1979)), as

1 amended, shall remain in effect until the termination date
2 of this Act or until the effective date of a Department
3 of Justice Appropriation Authorization Act, whichever is
4 earlier.

5 SEC. 103. None of the funds appropriated by this
6 title shall be available to pay for an abortion, except where
7 the life of the mother would be endangered if the fetus
8 were carried to term, or in the case of rape: *Provided*,
9 That should this prohibition be declared unconstitutional
10 by a court of competent jurisdiction, this section shall be
11 null and void.

12 SEC. 104. None of the funds appropriated under this
13 title shall be used to require any person to perform, or
14 facilitate in any way the performance of, any abortion.

15 SEC. 105. Nothing in the preceding section shall re-
16 move the obligation of the Director of the Bureau of Pris-
17 ons to provide escort services necessary for a female in-
18 mate to receive such service outside the Federal facility:
19 *Provided*, That nothing in this section in any way dimin-
20 ishes the effect of section 104 intended to address the phil-
21 osophical beliefs of individual employees of the Bureau of
22 Prisons.

23 SEC. 106. Notwithstanding any other provision of
24 law, not to exceed \$10,000,000 of the funds made avail-
25 able in this Act may be used to establish and publicize

1 a program under which publicly-advertised, extraordinary
2 rewards may be paid, which shall not be subject to spend-
3 ing limitations contained in sections 3059 and 3072 of
4 title 18, United States Code: *Provided*, That any reward
5 of \$100,000 or more, up to a maximum of \$2,000,000,
6 may not be made without the personal approval of the
7 President or the Attorney General and such approval may
8 not be delegated.

9 SEC. 107. Not to exceed 5 percent of any appropria-
10 tion made available for the current fiscal year for the De-
11 partment of Justice in this Act, including those derived
12 from the Violent Crime Reduction Trust Fund, may be
13 transferred between such appropriations, but no such ap-
14 propriation, except as otherwise specifically provided, shall
15 be increased by more than 10 percent by any such trans-
16 fers: *Provided*, That any transfer pursuant to this section
17 shall be treated as a reprogramming of funds under sec-
18 tion 605 of this Act and shall not be available for obliga-
19 tion except in compliance with the procedures set forth
20 in that section.

21 SEC. 108. Section 524(c)(8)(E) of title 28, United
22 States Code, is amended by striking “1996” and inserting
23 “1997 and thereafter”.

24 SEC. 109. (a) Section 1402(d)(2) of the Victims of
25 Crime Act of 1984, (42 U.S.C. 10601(d)), is amended—

1 (1) by striking paragraph (1); and

2 (2) in paragraph (2), by striking “the next”
3 and inserting “The first”.

4 (b) Any unobligated sums hitherto available to the
5 judicial branch pursuant to the paragraph repealed by sec-
6 tion (a) shall be deemed to be deposits into the Crime Vic-
7 tims Fund as of the effective date hereof and may be used
8 by the Director of the Office for Victims of Crime to im-
9 prove services for the benefit of crime victims, including
10 the processing and tracking of criminal monetary penalties
11 and related litigation activities, in the federal criminal jus-
12 tice system.

13 TITLE II—DEPARTMENT OF COMMERCE AND
14 RELATED AGENCIES

15 TRADE AND INFRASTRUCTURE DEVELOPMENT

16 RELATED AGENCIES

17 OFFICE OF THE UNITED STATES TRADE

18 REPRESENTATIVE

19 SALARIES AND EXPENSES

20 For necessary expenses of the Office of the United
21 States Trade Representative, including the hire of pas-
22 senger motor vehicles and the employment of experts and
23 consultants as authorized by 5 U.S.C. 3109, \$21,700,000
24 (increased by \$1,000,000), of which \$2,500,000 shall re-
25 main available until expended: *Provided*, That not to ex-

1 ceed \$98,000 shall be available for official reception and
2 representation expenses.

3 INTERNATIONAL TRADE COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the International Trade
6 Commission, including hire of passenger motor vehicles
7 and services as authorized by 5 U.S.C. 3109, and not to
8 exceed \$2,500 for official reception and representation ex-
9 penses, \$41,400,000, to remain available until expended.

10 DEPARTMENT OF COMMERCE

11 INTERNATIONAL TRADE ADMINISTRATION

12 OPERATIONS AND ADMINISTRATION

13 For necessary expenses for international trade activi-
14 ties of the Department of Commerce provided for by law,
15 and engaging in trade promotional activities abroad, in-
16 cluding expenses of grants and cooperative agreements for
17 the purpose of promoting exports of United States firms,
18 without regard to 44 U.S.C. 3702 and 3703; full medical
19 coverage for dependent members of immediate families of
20 employees stationed overseas and employees temporarily
21 posted overseas; travel and transportation of employees of
22 the United States and Foreign Commercial Service be-
23 tween two points abroad, without regard to 49 U.S.C.
24 1517; employment of Americans and aliens by contract for
25 services; rental of space abroad for periods not exceeding

1 ten years, and expenses of alteration, repair, or improve-
2 ment; purchase or construction of temporary demountable
3 exhibition structures for use abroad; payment of tort
4 claims, in the manner authorized in the first paragraph
5 of 28 U.S.C. 2672 when such claims arise in foreign coun-
6 tries; not to exceed \$327,000 for official representation
7 expenses abroad; purchase of passenger motor vehicles for
8 official use abroad, not to exceed \$30,000 per vehicle; ob-
9 tain insurance on official motor vehicles; and rent tie lines
10 and teletype equipment; \$279,500,000, to remain avail-
11 able until expended, of which not less than \$172,608,000
12 shall be for the United States and Foreign Commercial
13 Service: *Provided*, That the provisions of the first sentence
14 of section 105(f) and all of section 108(c) of the Mutual
15 Educational and Cultural Exchange Act of 1961 (22
16 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out
17 these activities without regard to section 5412 of the Om-
18 nibus Trade and Competitiveness Act of 1988 (15 U.S.C.
19 4912); and that for the purpose of this Act, contributions
20 under the provisions of the Mutual Educational and Cul-
21 tural Exchange Act shall include payment for assessments
22 for services provided as part of these activities.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law; \$41,000,000, to remain available until expended: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall

1 apply in carrying out these activities: *Provided further,*
2 That payments and contributions collected and accepted
3 for materials or services provided as part of such activities
4 may be retained for use in covering the cost of such activi-
5 ties, and for providing information to the public with re-
6 spect to the export administration and national security
7 activities of the Department of Commerce and other ex-
8 port control programs of the United States and other gov-
9 ernments.

10 ECONOMIC DEVELOPMENT ADMINISTRATION

11 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

12 For grants for economic development assistance as
13 provided by the Public Works and Economic Development
14 Act of 1965, as amended, Public Law 91–304, and such
15 laws that were in effect immediately before September 30,
16 1982, and for trade adjustment assistance, \$340,000,000:
17 *Provided*, That none of the funds appropriated or other-
18 wise made available under this heading may be used di-
19 rectly or indirectly for attorneys’ or consultants’ fees in
20 connection with securing grants and contracts made by
21 the Economic Development Administration: *Provided fur-*
22 *ther*, That, notwithstanding any other provision of law, the
23 Secretary of Commerce may provide financial assistance
24 for projects to be located on military installations closed
25 or scheduled for closure or realignment to grantees eligible

1 for assistance under the Public Works and Economic De-
 2 velopment Act of 1965, as amended, without it being re-
 3 quired that the grantee have title or ability to obtain a
 4 lease for the property, for the useful life of the project,
 5 when in the opinion of the Secretary of Commerce, such
 6 financial assistance is necessary for the economic develop-
 7 ment of the area: *Provided further*, That the Secretary of
 8 Commerce may, as the Secretary considers appropriate,
 9 consult with the Secretary of Defense regarding the title
 10 to land on military installations closed or scheduled for
 11 closure or realignment.

12 SALARIES AND EXPENSES

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

20 MINORITY BUSINESS DEVELOPMENT AGENCY

21 MINORITY BUSINESS DEVELOPMENT

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

1 ECONOMIC AND INFORMATION INFRASTRUCTURE

2 ECONOMIC AND STATISTICAL ANALYSIS

3 SALARIES AND EXPENSES

4 For necessary expenses, as authorized by law, of eco-
5 nomic and statistical analysis programs of the Department
6 of Commerce, \$47,000,000 (reduced by \$1,000,000), to
7 remain available until September 30, 1999.

8 ECONOMICS AND STATISTICS ADMINISTRATION

9 REVOLVING FUND

10 The Secretary of Commerce is authorized to dissemi-
11 nate economic and statistical data products as authorized
12 by sections 1, 2, and 4 of Public Law 91-412 (15 U.S.C.
13 1525-1527) and, notwithstanding section 5412 of the
14 Omnibus Trade and Competitiveness Act of 1988 (15
15 U.S.C. 4912), charge fees necessary to recover the full
16 costs incurred in their production. Notwithstanding 31
17 U.S.C. 3302, receipts received from these data dissemina-
18 tion activities shall be credited to this account, to be avail-
19 able for carrying out these purposes without further ap-
20 propriation.

21 BUREAU OF THE CENSUS

22 SALARIES AND EXPENSES

23 For expenses necessary for collecting, compiling, ana-
24 lyzing, preparing, and publishing statistics, provided for
25 by law, \$136,499,000.

1 PERIODIC CENSUSES AND PROGRAMS

2 Subject to the limitations provided in section 209, for
3 expenses necessary to conduct the decennial census,
4 \$381,800,000, to remain available until expended.

5 In addition, for expenses to collect and publish statis-
6 tics for other periodic censuses and programs provided for
7 by law, \$168,326,000, to remain available until expended.

8 NATIONAL TELECOMMUNICATIONS AND INFORMATION
9 ADMINISTRATION

10 SALARIES AND EXPENSES

11 For necessary expenses, as provided for by law, of
12 the National Telecommunications and Information Ad-
13 ministration (NTIA), \$17,100,000, to remain available
14 until expended: *Provided*, That notwithstanding 31 U.S.C.
15 1535(d), the Secretary of Commerce shall charge Federal
16 agencies for costs incurred in spectrum management,
17 analysis, and operations, and related services and such
18 fees shall be retained and used as offsetting collections for
19 costs of such spectrum services, to remain available until
20 expended: *Provided further*, That hereafter, notwithstand-
21 ing any other provision of law, NTIA shall not authorize
22 spectrum use or provide any spectrum functions pursuant
23 to the NTIA Organization Act, 47 U.S.C. 902 and 903,
24 to any Federal entity without reimbursement as required
25 by NTIA for such spectrum management costs, and Fed-

1 eral entities withholding payment of such cost shall not
2 use spectrum: *Provided further*, That the Secretary of
3 Commerce is authorized to retain and use as offsetting
4 collections all funds transferred, or previously transferred,
5 from other Government agencies for all costs incurred in
6 telecommunications research, engineering, and related ac-
7 tivities by the Institute for Telecommunication Sciences
8 of the NTIA, in furtherance of its assigned functions
9 under this paragraph, and such funds received from other
10 Government agencies shall remain available until ex-
11 pended.

12 PUBLIC BROADCASTING FACILITIES, PLANNING AND
13 CONSTRUCTION

14 For grants authorized by section 392 of the Commu-
15 nications Act of 1934, as amended, \$16,750,000, to re-
16 main available until expended as authorized by section 391
17 of the Act, as amended: *Provided*, That not to exceed
18 \$1,500,000 shall be available for program administration
19 as authorized by section 391 of the Act: *Provided further*,
20 That, notwithstanding the provisions of section 391 of the
21 Act, the prior year unobligated balances may be made
22 available for grants for projects for which applications
23 have been submitted and approved during any fiscal year.

24 INFORMATION INFRASTRUCTURE GRANTS

25 For grants authorized by section 392 of the Commu-
26 nications Act of 1934, as amended, \$21,490,000, to re-

1 main available until expended as authorized by section 391
2 of the Act, as amended: *Provided*, That not to exceed
3 \$3,000,000 shall be available for program administration
4 and other support activities as authorized by section 391:
5 *Provided further*, That of the funds appropriated herein,
6 not to exceed 5 percent may be available for telecommuni-
7 cations research activities for projects related directly to
8 the development of a national information infrastructure:
9 *Provided further*, That, notwithstanding the requirements
10 of section 392(a) and 392(c) of the Act, these funds may
11 be used for the planning and construction of telecommuni-
12 cations networks for the provision of educational, cultural,
13 health care, public information, public safety, or other so-
14 cial services.

15 PATENT AND TRADEMARK OFFICE

16 SALARIES AND EXPENSES

17 For necessary expenses of the Patent and Trademark
18 Office provided for by law, including defense of suits insti-
19 tuted against the Commissioner of Patents and Trade-
20 marks, \$27,000,000 (reduced by \$5,000,000), to remain
21 available until expended: *Provided*, That the funds made
22 available under this heading are to be derived from depos-
23 its in the Patent and Trademark Office Fee Surcharge
24 Fund as authorized by law: *Provided further*, That the
25 amounts made available under the Fund shall not exceed

1 amounts deposited; and such fees as shall be collected pur-
2 suant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, shall
3 remain available until expended.

4 TECHNOLOGY ADMINISTRATION
5 UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF
6 TECHNOLOGY POLICY
7 SALARIES AND EXPENSES

8 For necessary expenses for the Under Secretary for
9 Technology/Office of Technology Policy, \$8,500,000, of
10 which not to exceed \$1,600,000 shall remain available
11 until September 30, 1999.

12 SCIENCE AND TECHNOLOGY
13 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
14 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

15 For necessary expenses of the National Institute of
16 Standards and Technology, \$282,852,000 (reduced by
17 \$6,000,000), to remain available until expended, of which
18 not to exceed \$1,625,000 may be transferred to the
19 “Working Capital Fund”.

20 INDUSTRIAL TECHNOLOGY SERVICES

21 For necessary expenses of the Manufacturing Exten-
22 sion Partnership of the National Institute of Standards
23 and Technology, \$113,500,000, to remain available until
24 expended, of which not to exceed \$300,000 may be trans-
25 ferred to the “Working Capital Fund”.

1 In addition, for necessary expenses of the Advanced
2 Technology Program of the National Institute of Stand-
3 ards and Technology, \$185,100,000, to remain available
4 until expended, of which not to exceed \$74,100,000 shall
5 be available for the award of new grants, and of which
6 not to exceed \$500,000 may be transferred to the “Work-
7 ing Capital Fund”.

8 CONSTRUCTION OF RESEARCH FACILITIES

9 For construction of new research facilities, including
10 architectural and engineering design, and for renovation
11 of existing facilities, not otherwise provided for the Na-
12 tional Institute of Standards and Technology, as author-
13 ized by 15 U.S.C. 278c–278e, \$111,092,000, to remain
14 available until expended: *Provided*, That of the amounts
15 provided under this heading, \$94,400,000 shall be avail-
16 able for obligation and expenditure only after submission
17 of a plan for the expenditure of these funds, in accordance
18 with section 605 of this Act.

19 NATIONAL OCEANIC AND ATMOSPHERIC
20 ADMINISTRATION

21 OPERATIONS, RESEARCH, AND FACILITIES
22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses of activities authorized by law
24 for the National Oceanic and Atmospheric Administration,
25 including maintenance, operation, and hire of aircraft; not
26 to exceed 270 commissioned officers on the active list as

1 of September 30, 1998; grants, contracts, or other pay-
2 ments to nonprofit organizations for the purposes of con-
3 ducting activities pursuant to cooperative agreements; and
4 relocation of facilities as authorized by 33 U.S.C. 883i;
5 \$1,406,400,000 (reduced by \$15,000,000), to remain
6 available until expended: *Provided*, That, notwithstanding
7 31 U.S.C. 3302 but consistent with other existing law,
8 fees shall be assessed, collected, and credited to this appro-
9 priation as offsetting collections to be available until ex-
10 pended, to recover the costs of administering aeronautical
11 charting programs: *Provided further*, That the sum herein
12 appropriated from the General Fund shall be reduced as
13 such additional fees are received during fiscal year 1998,
14 so as to result in a final General Fund appropriation esti-
15 mated at not more than \$1,403,400,000 (reduced by
16 \$15,000,000): *Provided further*, That any such additional
17 fees received in excess of \$3,000,000 in fiscal year 1998
18 shall not be available for obligation until October 1, 1998:
19 *Provided further*, That fees and donations received by the
20 National Ocean Service for the management of the na-
21 tional marine sanctuaries may be retained and used for
22 the salaries and expenses associated with those activities,
23 notwithstanding 31 U.S.C. 3302: *Provided further*, That
24 in addition, \$62,381,000 (increased by \$1,500,000) shall
25 be derived by transfer from the fund entitled “Promote

1 and Develop Fishery Products and Research Pertaining
2 to American Fisheries”: *Provided further*, That grants to
3 States pursuant to sections 306 and 306A of the Coastal
4 Zone Management Act of 1972, as amended, shall not ex-
5 ceed \$2,000,000: *Provided further*, That of the
6 \$1,498,681,000 (reduced by \$15,000,000) (increased by
7 \$1,500,000) provided for in direct obligations under this
8 heading (of which \$1,403,400,000 (reduced by
9 \$15,000,000) is appropriated from the General Fund,
10 \$67,581,000 (increased by \$1,500,000) is provided by
11 transfer, and \$27,700,000 is derived from unobligated bal-
12 ances and deobligations from prior years), \$219,624,000
13 (increased by \$4,000,000) shall be for the National Ocean
14 Service, \$326,943,000 shall be for the National Marine
15 Fisheries Service, \$237,463,000 shall be for Oceanic and
16 Atmospheric Research, \$511,154,000 shall be for the Na-
17 tional Weather Service, \$119,835,000 (reduced by
18 \$10,000,000) shall be for the National Environmental
19 Satellite, Data, and Information Service, \$66,712,000 (re-
20 duced by \$5,000,000) shall be for Program Support,
21 \$5,000,000 (reduced by \$2,500,000) shall be for Fleet
22 Maintenance, and \$11,950,000 shall be for Facilities
23 Maintenance: *Provided further*, That unexpended balances
24 in the accounts “Construction” and “Fleet Modernization,
25 Shipbuilding and Conversion” shall be transferred to and

1 merged with this account, to remain available until ex-
2 pended for the purposes for which the funds were origi-
3 nally appropriated.

4 CAPITAL ASSETS ACQUISITION

5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses of capital assets acquisition
7 or construction, including alteration and modification
8 costs, of the National Oceanic and Atmospheric Adminis-
9 tration, \$460,600,000, to remain available until expended:
10 *Provided*, That not to exceed \$116,910,000 is available for
11 the advanced weather interactive processing system, and
12 may be available for obligation and expenditure only pur-
13 suant to a certification by the Secretary of Commerce that
14 the total cost to complete the acquisition and deployment
15 of the advanced weather interactive processing system and
16 NOAA Port system, including program management, op-
17 erations and maintenance costs through deployment will
18 not exceed \$186,300,000: *Provided further*, That unex-
19 pended balances of amounts previously made available in
20 the “Operations, Research, and Facilities” account and
21 the “Construction” account for activities funded under
22 this heading may be transferred to and merged with this
23 account, to remain available until expended for the pur-
24 poses for which the funds were originally appropriated.

1 COASTAL ZONE MANAGEMENT FUND

2 Of amounts collected pursuant to section 308 of the
3 Coastal Zone Management Act of 1972 (16 U.S.C.
4 1456a), not to exceed \$7,800,000, for purposes set forth
5 in sections 308(b)(2)(A), 308(b)(2)(B)(v), and 315(e) of
6 such Act.

7 FISHERMEN'S CONTINGENCY FUND

8 For carrying out the provisions of title IV of Public
9 Law 95-372, not to exceed \$953,000, to be derived from
10 receipts collected pursuant to that Act, to remain available
11 until expended.

12 FOREIGN FISHING OBSERVER FUND

13 For expenses necessary to carry out the provisions
14 of the Atlantic Tunas Convention Act of 1975, as amend-
15 ed (Public Law 96-339), the Magnuson-Stevens Fishery
16 Conservation and Management Act of 1976, as amended
17 (Public Law 100-627), and the American Fisheries Pro-
18 motion Act (Public Law 96-561), to be derived from the
19 fees imposed under the foreign fishery observer program
20 authorized by these Acts, not to exceed \$189,000, to re-
21 main available until expended.

22 FISHERIES FINANCE PROGRAM ACCOUNT

23 For the cost of direct loans, \$250,000, as authorized
24 by the Merchant Marine Act of 1936, as amended: *Pro-*
25 *vided*, That such costs, including the cost of modifying
26 such loans, shall be as defined in section 502 of the Con-

gressional Budget Act of 1974: *Provided further*, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of Commerce provided for by law, including not to exceed \$3,000 for official entertainment, \$28,490,000 (reduced by \$1,000,000) (reduced by \$1,000,000).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1–11 as amended by Public Law 100–504), \$20,140,000.

NATIONAL OCEANIC AND ATMOSPHERIC

ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(RESCISSION)

Of the unobligated balances available under this heading, \$5,000,000 are rescinded.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Depart-

1 ment of Commerce by this Act shall be available for the
2 activities specified in the Act of October 26, 1949 (15
3 U.S.C. 1514), to the extent and in the manner prescribed
4 by the Act, and, notwithstanding 31 U.S.C. 3324, may
5 be used for advanced payments not otherwise authorized
6 only upon the certification of officials designated by the
7 Secretary of Commerce that such payments are in the
8 public interest.

9 SEC. 202. During the current fiscal year, appropria-
10 tions made available to the Department of Commerce by
11 this Act for salaries and expenses shall be available for
12 hire of passenger motor vehicles as authorized by 31
13 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.
14 3109; and uniforms or allowances therefor, as authorized
15 by law (5 U.S.C. 5901–5902).

16 SEC. 203. None of the funds made available by this
17 Act may be used to support the hurricane reconnaissance
18 aircraft and activities that are under the control of the
19 United States Air Force or the United States Air Force
20 Reserve.

21 SEC. 204. None of the funds provided in this or any
22 previous Act, or hereinafter made available to the Depart-
23 ment of Commerce, shall be available to reimburse the Un-
24 employment Trust Fund or any other fund or account of
25 the Treasury to pay for any expenses paid before October

1 1, 1992, as authorized by section 8501 of title 5, United
2 States Code, for services performed after April 20, 1990,
3 by individuals appointed to temporary positions within the
4 Bureau of the Census for purposes relating to the 1990
5 decennial census of population.

6 SEC. 205. Not to exceed 5 percent of any appropria-
7 tion made available for the current fiscal year for the De-
8 partment of Commerce in this Act may be transferred be-
9 tween such appropriations, but no such appropriation shall
10 be increased by more than 10 percent by any such trans-
11 fers: *Provided*, That any transfer pursuant to this section
12 shall be treated as a reprogramming of funds under sec-
13 tion 605 of this Act and shall not be available for obliga-
14 tion or expenditure except in compliance with the proce-
15 dures set forth in that section.

16 SEC. 206. (a) Should legislation be enacted to dis-
17 mantle or reorganize the Department of Commerce, the
18 Secretary of Commerce, no later than 90 days thereafter,
19 shall submit to the Committees on Appropriations of the
20 House and the Senate a plan for transferring funds pro-
21 vided in this Act to the appropriate successor organiza-
22 tions: *Provided*, That the plan shall include a proposal for
23 transferring or rescinding funds appropriated herein for
24 agencies or programs terminated under such legislation:

1 *Provided further*, That such plan shall be transmitted in
2 accordance with section 605 of this Act.

3 (b) The Secretary of Commerce or the appropriate
4 head of any successor organization(s) may use any avail-
5 able funds to carry out legislation dismantling or reor-
6 ganizing the Department of Commerce to cover the costs
7 of actions relating to the abolishment, reorganization, or
8 transfer of functions and any related personnel action, in-
9 cluding voluntary separation incentives if authorized by
10 such legislation: *Provided*, That the authority to transfer
11 funds between appropriations accounts that may be nec-
12 essary to carry out this section is provided in addition to
13 authorities included under section 205 of this Act: *Pro-*
14 *vided further*, That use of funds to carry out this section
15 shall be treated as a reprogramming of funds under sec-
16 tion 605 of this Act and shall not be available for obliga-
17 tion or expenditure except in compliance with the proce-
18 dures set forth in that section.

19 SEC. 207. Any costs incurred by a Department or
20 agency funded under this title resulting from personnel
21 actions taken in response to funding reductions included
22 in this title shall be absorbed within the total budgetary
23 resources available to such Department or agency: *Pro-*
24 *vided*, That the authority to transfer funds between appro-
25 priations accounts as may be necessary to carry out this

1 section is provided in addition to authorities included else-
2 where in this Act: *Provided further*, That use of funds to
3 carry out this section shall be treated as a reprogramming
4 of funds under section 605 of this Act and shall not be
5 available for obligation or expenditure except in compli-
6 ance with the procedures set forth in that section.

7 SEC. 208. The Secretary of Commerce may award
8 contracts for hydrographic, geodetic, and photogrammet-
9 ric surveying and mapping services in accordance with title
10 IX of the Federal Property and Administrative Services
11 Act of 1949 (40 U.S.C. 541 et seq.).

12 SEC. 209. (a) Any person aggrieved by the use of any
13 statistical method in violation of the Constitution or any
14 provision of law (other than this Act), in connection with
15 the 2000 or any later decennial census, to determine the
16 population for purposes of the apportionment or redistrict-
17 ing of Members in Congress, may in a civil action obtain
18 declaratory, injunctive, and any other appropriate relief
19 against the use of such method.

20 (b) For purposes of this section, the use of any statis-
21 tical method in a dress rehearsal or similar test or simula-
22 tion of a census in preparation for the use of such method,
23 in a decennial census, to determine the population for pur-
24 poses of the apportionment or redistricting of Members

1 in Congress shall be considered the use of such method
2 in connection with that census.

3 (c) For purposes of this section, an “aggrieved per-
4 son” includes—

5 (1) any resident of a State whose congressional
6 representation or district could be changed as a re-
7 sult of the use of a statistical method challenged in
8 the civil action;

9 (2) any Representative or Senator in Congress;
10 and

11 (3) either House of Congress.

12 (d)(1) Any action brought under this section shall be
13 heard and determined by a district court of 3 judges in
14 accordance with section 2284 of title 28, United States
15 Code. Any order of a United States district court which
16 is issued pursuant to an action brought under this section
17 shall be reviewable by appeal directly to the Supreme
18 Court of the United States. Any such appeal shall be taken
19 by a notice of appeal filed within 10 days after such order
20 is entered; and the jurisdictional statement shall be filed
21 within 30 days after such order is entered. No stay of an
22 order issued pursuant to an action brought under this sec-
23 tion shall be issued by a single Justice of the Supreme
24 Court.

1 (2) No sums appropriated under this or any other
2 Act may be used for any statistical method, in connection
3 with any decennial census, to determine the population for
4 purposes of the apportionment or redistricting of Members
5 in Congress after a civil action is commenced challenging
6 or seeking to uphold the use of such method, until that
7 method has been judicially finally determined to be au-
8 thorized by the Constitution and by Act of Congress.

9 (3) It shall be the duty of a United States district
10 court and the Supreme Court of the United States to ad-
11 vance on the docket and to expedite to the greatest pos-
12 sible extent the disposition of any matter brought under
13 this section.

14 (e) Any agency or entity within the executive branch,
15 having authority with respect to the carrying out of a de-
16 cennial census, may in a civil action obtain a declaratory
17 judgment respecting whether or not the use of a statistical
18 method, in connection with such census, to determine the
19 population for the purposes of the apportionment or redis-
20 tricting of Members in Congress is forbidden by the Con-
21 stitution and laws of the United States.

22 (f) For purposes of this section—

23 (1) the term “statistical method” means an ac-
24 tivity related to the design, planning, testing, or im-
25 plementation of the use of sampling, or any other

1 statistical procedure, including statistical adjust-
2 ment, to add or subtract counts to the enumeration
3 of the population; and

4 (2) a matter shall not be considered to have
5 been judicially finally determined until it has been fi-
6 nally determined on the merits in appellate proceed-
7 ings before the Supreme Court of the United States.

8 (g) This section shall apply in fiscal year 1998 and
9 succeeding fiscal years.

10 (h) Nothing in this Act shall be construed to author-
11 ize the use of any statistical method, in connection with
12 a decennial census, for the apportionment or redistricting
13 of Members in Congress.

14 TITLE III—THE JUDICIARY

15 SUPREME COURT OF THE UNITED STATES

16 SALARIES AND EXPENSES

17 For expenses necessary for the operation of the Su-
18 preme Court, as required by law, excluding care of the
19 building and grounds, including purchase or hire, driving,
20 maintenance, and operation of an automobile for the Chief
21 Justice, not to exceed \$10,000 for the purpose of trans-
22 porting Associate Justices, and hire of passenger motor
23 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
24 to exceed \$10,000 for official reception and representation

1 expenses; and for miscellaneous expenses, to be expended
2 as the Chief Justice may approve; \$29,278,000.

3 CARE OF THE BUILDING AND GROUNDS

4 For such expenditures as may be necessary to enable
5 the Architect of the Capitol to carry out the duties im-
6 posed upon him by the Act approved May 7, 1934 (40
7 U.S.C. 13a and 13b), \$3,400,000, of which \$410,000 shall
8 remain available until expended.

9 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
10 CIRCUIT

11 SALARIES AND EXPENSES

12 For salaries of the chief judge, judges, and other offi-
13 cers and employees, and for necessary expenses of the
14 court, as authorized by law, \$15,507,000.

15 UNITED STATES COURT OF INTERNATIONAL TRADE

16 SALARIES AND EXPENSES

17 For salaries of the chief judge and eight judges, sala-
18 ries of the officers and employees of the court, services
19 as authorized by 5 U.S.C. 3109, and necessary expenses
20 of the court, as authorized by law, \$11,478,000.

21 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

22 JUDICIAL SERVICES

23 SALARIES AND EXPENSES

24 (INCLUDING TRANSFER OF FUNDS)

25 For the salaries of circuit and district judges (includ-
26 ing judges of the territorial courts of the United States),

1 justices and judges retired from office or from regular ac-
2 tive service, judges of the United States Court of Federal
3 Claims, bankruptcy judges, magistrate judges, and all
4 other officers and employees of the Federal Judiciary not
5 otherwise specifically provided for, and necessary expenses
6 of the courts, as authorized by law, \$2,700,069,000 (re-
7 duced by \$13,000,000) (including the purchase of fire-
8 arms and ammunition); of which not to exceed
9 \$13,454,000 shall remain available until expended for
10 space alteration projects; and of which not to exceed
11 \$10,000,000 shall remain available until expended for fur-
12 niture and furnishings related to new space alteration and
13 construction projects.

14 In addition, for expenses of the United States Court
15 of Federal Claims associated with processing cases under
16 the National Childhood Vaccine Injury Act of 1986, not
17 to exceed \$2,450,000, to be appropriated from the Vaccine
18 Injury Compensation Trust Fund.

19 VIOLENT CRIME REDUCTION PROGRAMS

20 For activities of the Federal Judiciary as authorized
21 by law, \$40,000,000, to remain available until expended,
22 which shall be derived from the Violent Crime Reduction
23 Trust Fund, as authorized by section 190001(a) of Public
24 Law 103–322, and sections 818 and 823 of Public Law
25 104–132.

1 DEFENDER SERVICES

2 For the operation of Federal Public Defender and
3 Community Defender organizations; the compensation and
4 reimbursement of expenses of attorneys appointed to rep-
5 resent persons under the Criminal Justice Act of 1964,
6 as amended; the compensation and reimbursement of ex-
7 penses of persons furnishing investigative, expert and
8 other services under the Criminal Justice Act (18 U.S.C.
9 3006A(e)); the compensation (in accordance with Criminal
10 Justice Act maximums) and reimbursement of expenses
11 of attorneys appointed to assist the court in criminal cases
12 where the defendant has waived representation by counsel;
13 the compensation and reimbursement of travel expenses
14 of guardians ad litem acting on behalf of financially eligi-
15 ble minor or incompetent offenders in connection with
16 transfers from the United States to foreign countries with
17 which the United States has a treaty for the execution
18 of penal sentences; and the compensation of attorneys ap-
19 pointed to represent jurors in civil actions for the protec-
20 tion of their employment, as authorized by 28 U.S.C.
21 1875(d); \$329,529,000, to remain available until ex-
22 pended as authorized by 18 U.S.C. 3006A(i).

23 FEES OF JURORS AND COMMISSIONERS

24 For fees and expenses of jurors as authorized by 28
25 U.S.C. 1871 and 1876; compensation of jury commis-
26 sioners as authorized by 28 U.S.C. 1863; and compensa-

1 tion of commissioners appointed in condemnation cases
2 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-
3 cedure (28 U.S.C. Appendix Rule 71A(h)); \$66,196,000,
4 to remain available until expended: *Provided*, That the
5 compensation of land commissioners shall not exceed the
6 daily equivalent of the highest rate payable under section
7 5332 of title 5, United States Code.

8 COURT SECURITY

9 For necessary expenses, not otherwise provided for,
10 incident to the procurement, installation, and maintenance
11 of security equipment and protective services for the Unit-
12 ed States Courts in courtrooms and adjacent areas, in-
13 cluding building ingress-egress control, inspection of pack-
14 ages, directed security patrols, and other similar activities
15 as authorized by section 1010 of the Judicial Improvement
16 and Access to Justice Act (Public Law 100–702);
17 \$167,214,000, to be expended directly or transferred to
18 the United States Marshals Service which shall be respon-
19 sible for administering elements of the Judicial Security
20 Program consistent with standards or guidelines agreed
21 to by the Director of the Administrative Office of the Unit-
22 ed States Courts and the Attorney General.

1 ADMINISTRATIVE OFFICE OF THE UNITED STATES

2 COURTS

3 SALARIES AND EXPENSES

4 For necessary expenses of the Administrative Office
5 of the United States Courts as authorized by law, includ-
6 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
7 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
8 advertising and rent in the District of Columbia and else-
9 where, \$52,000,000, of which not to exceed \$7,500 is au-
10 thorized for official reception and representation expenses.

11 FEDERAL JUDICIAL CENTER

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Judicial Cen-
14 ter, as authorized by Public Law 90–219, \$17,495,000;
15 of which \$1,800,000 shall remain available through Sep-
16 tember 30, 1999, to provide education and training to
17 Federal court personnel; and of which not to exceed
18 \$1,000 is authorized for official reception and representa-
19 tion expenses.

20 JUDICIAL RETIREMENT FUNDS

21 PAYMENT TO JUDICIARY TRUST FUNDS

22 For payment to the Judicial Officers' Retirement
23 Fund, as authorized by 28 U.S.C. 377(o), \$25,000,000;
24 to the Judicial Survivors' Annuities Fund, as authorized
25 by 28 U.S.C. 376(c), \$7,400,000; and to the United

1 States Court of Federal Claims Judges' Retirement Fund,
2 as authorized by 28 U.S.C. 178(l), \$1,800,000.

3 UNITED STATES SENTENCING COMMISSION

4 SALARIES AND EXPENSES

5 For the salaries and expenses necessary to carry out
6 the provisions of chapter 58 of title 28, United States
7 Code, \$9,000,000, of which not to exceed \$1,000 is au-
8 thorized for official reception and representation expenses.

9 GENERAL PROVISIONS—THE JUDICIARY

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

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

12 DEPARTMENT OF STATE
13 ADMINISTRATION OF FOREIGN AFFAIRS
14 DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including expenses authorized by the State Department Basic Authorities Act of 1956, as amended; representation to certain international organizations in which the United States participates pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress; acquisition by exchange or purchase of passenger motor vehicles as authorized by 31 U.S.C. 1343, 40 U.S.C. 481(c), and 22 U.S.C. 2674; and for expenses of general administration; \$1,715,087,000 (reduced by

1 \$9,000,000): *Provided*, That all fees collected under the
2 authority of section 140(a)(1) of the Foreign Relations
3 Authorization Act, Fiscal Years 1994 and 1995 (Public
4 Law 103–236) shall be deposited in fiscal year 1998 as
5 an offsetting collection to appropriations made under this
6 heading to recover the costs of providing border security
7 and shall remain available until expended.

8 Of the funds provided under this heading,
9 \$24,856,000 shall be available only for the Diplomatic
10 Telecommunications Service for operation of existing base
11 services and not to exceed \$17,312,000 shall be available
12 only for the enhancement of the Diplomatic Telecommuni-
13 cations Service and shall remain available until expended.

14 In addition, not to exceed \$700,000 in registration
15 fees collected pursuant to section 38 of the Arms Export
16 Control Act, as amended, may be used in accordance with
17 section 45 of the State Department Basic Authorities Act
18 of 1956 (22 U.S.C. 2717); in addition not to exceed
19 \$1,252,000 shall be derived from fees collected from other
20 executive agencies for lease or use of facilities located at
21 the International Center in accordance with section 4 of
22 the International Center Act (Public Law 90–553), as
23 amended, and in addition, as authorized by section 5 of
24 such Act \$490,000, to be derived from the reserve author-
25 ized by that section, to be used for the purposes set out

1 in that section; and in addition not to exceed \$15,000
2 which shall be derived from reimbursements, surcharges,
3 and fees for use of Blair House facilities in accordance
4 with section 46 of the State Department Basic Authorities
5 Act of 1956 (22 U.S.C. 2718(a)).

6 Notwithstanding section 402 of this Act, not to ex-
7 ceed 20 percent of the amounts made available in this Act
8 in the appropriation accounts “Diplomatic and Consular
9 Programs” and “Salaries and Expenses” under the head-
10 ing “Administration of Foreign Affairs” may be trans-
11 ferred between such appropriation accounts: *Provided*,
12 That any transfer pursuant to this sentence shall be treat-
13 ed as a reprogramming of funds under section 605 of this
14 Act and shall not be available for obligation or expenditure
15 except in compliance with the procedures set forth in that
16 section.

17 In addition, for counterterrorism requirements over-
18 seas, including security guards and equipment,
19 \$23,700,000, to remain available until expended.

20 SALARIES AND EXPENSES

21 For expenses necessary for the general administra-
22 tion of the Department of State and the Foreign Service,
23 provided for by law, including expenses authorized by sec-
24 tion 9 of the Act of August 31, 1964, as amended (31
25 U.S.C. 3721), and the State Department Basic Authori-

1 ties Act of 1956, as amended, \$363,513,000: *Provided*,
2 That, of such amount, not more than \$356,242,740 shall
3 be available for obligation until the Secretary of State has
4 made one or more designations of organizations as foreign
5 terrorist organizations pursuant to section 219(a) of the
6 Immigration and Nationality Act (8 U.S.C. 1189(a)), as
7 added by section 302 of Public Law 104–132 (110 Stat.
8 1214, 1248).

9 CAPITAL INVESTMENT FUND

10 For necessary expenses of the Capital Investment
11 Fund, \$50,600,000, to remain available until expended,
12 as authorized in Public Law 103–236: *Provided*, That sec-
13 tion 135(e) of Public Law 103–236 shall not apply to
14 funds appropriated under this heading.

15 OFFICE OF INSPECTOR GENERAL

16 For necessary expenses of the Office of Inspector
17 General in carrying out the provisions of the Inspector
18 General Act of 1978, as amended (5 U.S.C. App.),
19 \$28,300,000, notwithstanding section 209(a)(1) of the
20 Foreign Service Act of 1980, as amended (Public Law 96–
21 465), as it relates to post inspections.

22 REPRESENTATION ALLOWANCES

23 For representation allowances as authorized by sec-
24 tion 905 of the Foreign Service Act of 1980, as amended
25 (22 U.S.C. 4085), \$4,300,000.

1 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

2 For expenses, not otherwise provided, to enable the
3 Secretary of State to provide for extraordinary protective
4 services in accordance with the provisions of section 214
5 of the State Department Basic Authorities Act of 1956
6 (22 U.S.C. 4314) and 3 U.S.C. 208, \$7,900,000, to re-
7 main available until September 30, 1999.

8 SECURITY AND MAINTENANCE OF UNITED STATES

9 MISSIONS

10 For necessary expenses for carrying out the Foreign
11 Service Buildings Act of 1926, as amended (22 U.S.C.
12 292–300), and the Diplomatic Security Construction Pro-
13 gram as authorized by title IV of the Omnibus Diplomatic
14 Security and Antiterrorism Act of 1986 (22 U.S.C. 4851),
15 \$373,081,000, to remain available until expended as au-
16 thorized by section 24(c) of the State Department Basic
17 Authorities Act of 1956 (22 U.S.C. 2696(c)): *Provided*,
18 That none of the funds appropriated in this paragraph
19 shall be available for acquisition of furniture and furnish-
20 ings and generators for other departments and agencies.

21 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR

22 SERVICE

23 For expenses necessary to enable the Secretary of
24 State to meet unforeseen emergencies arising in the Diplo-
25 matic and Consular Service pursuant to the requirement
26 of 31 U.S.C. 3526(e), \$5,500,000 to remain available until

1 expended as authorized by section 24(c) of the State De-
 2 partment Basic Authorities Act of 1956 (22 U.S.C.
 3 2696(c)), of which not to exceed \$1,000,000 may be trans-
 4 ferred to and merged with the Repatriation Loans Pro-
 5 gram Account, subject to the same terms and conditions.

6 REPATRIATION LOANS PROGRAM ACCOUNT

7 For the cost of direct loans, \$593,000, as authorized
 8 by section 4 of the State Department Basic Authorities
 9 Act of 1956 (22 U.S.C. 2671): *Provided*, That such costs,
 10 including the cost of modifying such loans, shall be as de-
 11 fined in section 502 of the Congressional Budget Act of
 12 1974. In addition, for administrative expenses necessary
 13 to carry out the direct loan program, \$607,000 which may
 14 be transferred to and merged with the Salaries and Ex-
 15 penses account under Administration of Foreign Affairs.

16 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

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

19 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND

20 DISABILITY FUND

21 For payment to the Foreign Service Retirement and
 22 Disability Fund, as authorized by law, \$129,935,000.

23 INTERNATIONAL ORGANIZATIONS AND CONFERENCES

24 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

25 For expenses, not otherwise provided for, necessary
 26 to meet annual obligations of membership in international

1 multilateral organizations, pursuant to treaties ratified
2 pursuant to the advice and consent of the Senate, conven-
3 tions or specific Acts of Congress, \$978,952,000, of
4 which not to exceed \$54,000,000 shall remain available
5 until expended for payment of arrearages: *Provided*, That
6 none of the funds appropriated or otherwise made avail-
7 able by this Act for payment of arrearages may be obli-
8 gated or expended unless such obligation or expenditure
9 is expressly authorized by the enactment of a subsequent
10 Act that makes payment of arrearages contingent upon
11 reforms that should include the following: a reduction in
12 the United States assessed share of the United Nations
13 regular budget to 20 percent and of peacekeeping oper-
14 ations to 25 percent; reimbursement for goods and serv-
15 ices provided by the United States to the United Nations;
16 certification that the United Nations and its specialized
17 or affiliated agencies have not taken any action to infringe
18 on the sovereignty of the United States; a ceiling on Unit-
19 ed States contributions to international organizations
20 after fiscal year 1998 of \$900,000,000; establishment of
21 a merit-based personnel system at the United Nations that
22 includes a code of conduct and a personnel evaluation sys-
23 tem; United States membership on the Advisory Commit-
24 tee on Administrative and Budgetary Questions that over-
25 sees the United Nations budget; access to United Nations

1 financial data by the General Accounting Office; and
2 achievement of a negative growth budget and the estab-
3 lishment of independent inspectors general for affiliated
4 organizations; and improved consultation procedures with
5 the Congress: *Provided further*, That any payment of ar-
6 rearages shall be directed toward special activities that are
7 mutually agreed upon by the United States and the re-
8 spective international organization: *Provided further*, That
9 20 percent of the funds appropriated in this paragraph
10 for the assessed contribution of the United States to the
11 United Nations shall be withheld from obligation and ex-
12 penditure until a certification is made under section
13 401(b) of Public Law 103–236 and under such other re-
14 quirements related to the Office of Internal Oversight
15 Services of the United Nations as may be enacted into
16 law for fiscal year 1998: *Provided further*, That certifi-
17 cation under section 401(b) of Public Law 103–236 for
18 fiscal year 1998 may only be made if the Committees on
19 Appropriations and Foreign Relations of the Senate and
20 the Committees on Appropriations and International Rela-
21 tions of the House of Representatives are notified of the
22 steps taken, and anticipated, to meet the requirements of
23 section 401(b) of Public Law 103–236 at least 15 days
24 in advance of the proposed certification: *Provided further*,
25 That none of the funds appropriated in this paragraph

1 shall be available for a United States contribution to an
2 international organization for the United States share of
3 interest costs made known to the United States Govern-
4 ment by such organization for loans incurred on or after
5 October 1, 1984, through external borrowings: *Provided*
6 *further*, That of the funds appropriated in this paragraph,
7 \$100,000,000 may be made available only on a semi-an-
8 nual basis pursuant to a certification by the Secretary of
9 State on a semi-annual basis, that the United Nations has
10 taken no action during the preceding six months to in-
11 crease funding for any United Nations program without
12 identifying an offsetting decrease during that six-month
13 period elsewhere in the United Nations budget and cause
14 the United Nations to exceed the expected reform budget
15 for the biennium 1998–1999 of \$2,533,000,000: *Provided*
16 *further*, That notwithstanding section 402 of this Act, not
17 to exceed \$4,000,000 may be transferred from the funds
18 made available under this heading to the “International
19 Conferences and Contingencies” account for assessed con-
20 tributions to new or provisional international organiza-
21 tions: *Provided further*, That any transfer pursuant to this
22 paragraph shall be treated as a reprogramming of funds
23 under section 605 of this Act and shall not be available
24 for obligation or expenditure except in compliance with the
25 procedures set forth in that section.

1 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
2 ACTIVITIES

3 For necessary expenses to pay assessed and other ex-
4 penses of international peacekeeping activities directed to
5 the maintenance or restoration of international peace and
6 security \$261,000,000, of which not to exceed
7 \$46,000,000 shall remain available until expended for pay-
8 ment of arrearages: *Provided*, That none of the funds ap-
9 propriated or otherwise made available by this Act for pay-
10 ment of arrearages may be obligated or expended unless
11 such obligation or expenditure is expressly authorized by
12 the enactment of a subsequent Act described in the first
13 proviso under the heading “Contributions to International
14 Organizations” in this title: *Provided further*, That none
15 of the funds made available under this Act shall be obli-
16 gated or expended for any new or expanded United Na-
17 tions peacekeeping mission unless, at least fifteen days in
18 advance of voting for the new or expanded mission in the
19 United Nations Security Council (or in an emergency, as
20 far in advance as is practicable), (1) the Committees on
21 Appropriations of the House of Representatives and the
22 Senate and other appropriate Committees of the Congress
23 are notified of the estimated cost and length of the mis-
24 sion, the vital national interest that will be served, and
25 the planned exit strategy; and (2) a reprogramming of

1 funds pursuant to section 605 of this Act is submitted,
2 and the procedures therein followed, setting forth the
3 source of funds that will be used to pay for the cost of
4 the new or expanded mission: *Provided further*, That funds
5 shall be available for peacekeeping expenses only upon a
6 certification by the Secretary of State to the appropriate
7 committees of the Congress that American manufacturers
8 and suppliers are being given opportunities to provide
9 equipment, services, and material for United Nations
10 peacekeeping activities equal to those being given to for-
11 eign manufacturers and suppliers.

12 INTERNATIONAL CONFERENCES AND CONTINGENCIES

13 For necessary expenses authorized by section 5 of the
14 State Department Basic Authorities Act of 1956, in addi-
15 tion to funds otherwise available for these purposes, con-
16 tributions for the United States share of general expenses
17 of international organizations and conferences and rep-
18 resentation to such organizations and conferences, as pro-
19 vided for by 22 U.S.C. 2656 and 2672, and personal serv-
20 ices notwithstanding 5 U.S.C. 5102, \$1,500,000, to re-
21 main available until expended as authorized by 22 U.S.C.
22 2696(c), of which not to exceed \$200,000 may be ex-
23 pended for representation as authorized by 22 U.S.C.
24 4085: *Provided*, That these funds shall be available for
25 obligation or expenditure only after submission of a plan

1 for the expenditure of these funds in accordance with the
2 procedures set forth in section 605 of this Act.

3 INTERNATIONAL COMMISSIONS

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

7 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

8 UNITED STATES AND MEXICO

9 For necessary expenses for the United States Section
10 of the International Boundary and Water Commission,
11 United States and Mexico, and to comply with laws appli-
12 cable to the United States Section, including not to exceed
13 \$6,000 for representation; as follows:

14 SALARIES AND EXPENSES

15 For salaries and expenses, not otherwise provided for,
16 \$17,490,000.

17 CONSTRUCTION

18 For detailed plan preparation and construction of au-
19 thorized projects, \$6,463,000, to remain available until ex-
20 pended, as authorized by section 24(c) of the State De-
21 partment Basic Authorities Act of 1956 (22 U.S.C.
22 2696(c)).

23 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

24 For necessary expenses, not otherwise provided for
25 the International Joint Commission and the International
26 Boundary Commission, United States and Canada, as au-

1 thorized by treaties between the United States and Can-
 2 ada or Great Britain, and for the Border Environment
 3 Cooperation Commission as authorized by Public Law
 4 103–182; \$5,490,000, of which not to exceed \$9,000 shall
 5 be available for representation expenses incurred by the
 6 International Joint Commission.

7 INTERNATIONAL FISHERIES COMMISSIONS

8 For necessary expenses for international fisheries
 9 commissions, not otherwise provided for, as authorized by
 10 law, \$14,490,000: *Provided*, That the United States' share
 11 of such expenses may be advanced to the respective com-
 12 missions, pursuant to 31 U.S.C. 3324.

13 OTHER

14 PAYMENT TO THE ASIA FOUNDATION

15 For a grant to the Asia Foundation, as authorized
 16 by section 501 of Public Law 101–246, \$8,000,000, to
 17 remain available until expended, as authorized by section
 18 24(c) of the State Department Basic Authorities Act of
 19 1956 (22 U.S.C. 2696(c)).

20 RELATED AGENCIES

21 ARMS CONTROL AND DISARMAMENT AGENCY

22 ARMS CONTROL AND DISARMAMENT ACTIVITIES

23 For necessary expenses not otherwise provided, for
 24 arms control, nonproliferation, and disarmament activi-
 25 ties, \$41,500,000, of which not to exceed \$50,000 shall
 26 be for official reception and representation expenses as au-

1 thorized by the Act of September 26, 1961, as amended
2 (22 U.S.C. 2551 et seq.).

3 UNITED STATES INFORMATION AGENCY

4 INTERNATIONAL INFORMATION PROGRAMS

5 For expenses, not otherwise provided for, necessary
6 to enable the United States Information Agency, as au-
7 thorized by the Mutual Educational and Cultural Ex-
8 change Act of 1961, as amended (22 U.S.C. 2451 et seq.),
9 the United States Information and Educational Exchange
10 Act of 1948, as amended (22 U.S.C. 1431 et seq.), and
11 Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to
12 carry out international communication, educational and
13 cultural activities; and to carry out related activities au-
14 thorized by law, including employment, without regard to
15 civil service and classification laws, of persons on a tem-
16 porary basis (not to exceed \$700,000 of this appropria-
17 tion), as authorized by section 801 of such Act of 1948
18 (22 U.S.C. 1471), and entertainment, including official re-
19 ceptions, within the United States, not to exceed \$25,000
20 as authorized by section 804(3) of such Act of 1948 (22
21 U.S.C. 1474(3)); \$430,597,000: *Provided*, That not to ex-
22 ceed \$1,400,000 may be used for representation abroad
23 as authorized by section 302 of such Act of 1948 (22
24 U.S.C. 1452) and section 905 of the Foreign Service Act
25 of 1980 (22 U.S.C. 4085): *Provided further*, That not to

1 exceed \$6,000,000, to remain available until expended,
2 may be credited to this appropriation from fees or other
3 payments received from or in connection with English
4 teaching, library, motion pictures, educational advising
5 and counseling, exchange visitor program services, and
6 publication programs as authorized by section 810 of such
7 Act of 1948 (22 U.S.C. 1475e): *Provided further*, That
8 not to exceed \$920,000 to remain available until expended
9 may be used to carry out projects involving security con-
10 struction and related improvements for agency facilities
11 not physically located together with Department of State
12 facilities abroad.

13 TECHNOLOGY FUND

14 For expenses necessary to enable the United States
15 Information Agency to provide for the procurement of in-
16 formation technology improvements, as authorized by the
17 United States Information and Educational Exchange Act
18 of 1948, as amended (22 U.S.C. 1431 et seq.), the Mutual
19 Educational and Cultural Exchange Act of 1961, as
20 amended (22 U.S.C. 2451 et seq.), and Reorganization
21 Plan No. 2 of 1977 (91 Stat. 1636), \$5,050,000, to re-
22 main available until expended.

23 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

24 For expenses of educational and cultural exchange
25 programs, as authorized by the Mutual Educational and
26 Cultural Exchange Act of 1961, as amended (22 U.S.C.

1 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91
 2 Stat. 1636), \$193,731,000, to remain available until ex-
 3 pended as authorized by section 105 of such Act of 1961
 4 (22 U.S.C. 2455): *Provided*, That not to exceed \$800,000,
 5 to remain available until expended, may be credited to this
 6 appropriation from fees or other payments received from
 7 or in connection with English teaching and publication
 8 programs and educational advising and counseling as au-
 9 thorized by section 810 of the United States Information
 10 and Educational Exchange Act of 1948 (22 U.S.C.
 11 1475e).

12 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST
 13 FUND

14 For necessary expenses of Eisenhower Exchange Fel-
 15 lowships, Incorporated, as authorized by sections 4 and
 16 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
 17 U.S.C. 5204 and 5205), all interest and earnings accruing
 18 to the Eisenhower Exchange Fellowship Program Trust
 19 Fund on or before September 30, 1998, to remain avail-
 20 able until expended: *Provided*, That none of the funds ap-
 21 propriated herein shall be used to pay any salary or other
 22 compensation, or to enter into any contract providing for
 23 the payment thereof, in excess of the rate authorized by
 24 5 U.S.C. 5376; or for purposes which are not in accord-
 25 ance with OMB Circulars A-110 (Uniform Administrative
 26 Requirements) and A-122 (Cost Principles for Non-profit

1 Organizations), including the restrictions on compensation
2 for personal services.

3 ISRAELI ARAB SCHOLARSHIP PROGRAM

4 For necessary expenses of the Israeli Arab Scholar-
5 ship Program as authorized by section 214 of the Foreign
6 Relations Authorization Act, Fiscal Years 1992 and 1993
7 (22 U.S.C. 2452), all interest and earnings accruing to
8 the Israeli Arab Scholarship Fund on or before September
9 30, 1998, to remain available until expended.

10 INTERNATIONAL BROADCASTING OPERATIONS

11 For expenses necessary to enable the United States
12 Information Agency, as authorized by the United States
13 Information and Educational Exchange Act of 1948, as
14 amended, the Radio Broadcasting to Cuba Act, as amend-
15 ed, the Television Broadcasting to Cuba Act, the United
16 States International Broadcasting Act of 1994, as amend-
17 ed, and Reorganization Plan No. 2 of 1977, to carry out
18 international communication activities, including the pur-
19 chase, installation, rent, construction, and improvement of
20 facilities and equipment for radio and television trans-
21 mission and reception to Cuba, \$391,550,000, of which
22 \$30,000,000 shall remain available until expended, not to
23 exceed \$16,000 may be used for official receptions within
24 the United States as authorized by section 804(3) of such
25 Act of 1948 (22 U.S.C. 1747(3)), not to exceed \$35,000
26 may be used for representation abroad as authorized by

1 section 302 of such Act of 1948 (22 U.S.C. 1452) and
2 section 905 of the Foreign Service Act of 1980 (22 U.S.C.
3 4085), and not to exceed \$39,000 may be used for official
4 reception and representation expenses of Radio Free Eu-
5 rope/Radio Liberty; and in addition, not to exceed
6 \$2,000,000 in receipts from advertising and revenue from
7 business ventures, not to exceed \$500,000 in receipts from
8 cooperating international organizations, and not to exceed
9 \$1,000,000 in receipts from privatization efforts of the
10 Voice of America and the International Broadcasting Bu-
11 reau, as authorized by section 810 of such Act of 1948
12 (22 U.S.C. 1475e), to remain available until expended for
13 carrying out authorized purposes: *Provided*, That no funds
14 shall be used for television broadcasting to Cuba after Oc-
15 tober 1, 1997, if the President certifies that continued
16 funding is not in the national interest of the United
17 States.

18 RADIO CONSTRUCTION

19 For the purchase, rent, construction, and improve-
20 ment of facilities for radio transmission and reception, and
21 purchase and installation of necessary equipment for radio
22 and television transmission and reception as authorized by
23 section 801 of the United States Information and Edu-
24 cational Exchange Act of 1948 (22 U.S.C. 1471),
25 \$40,000,000, to remain available until expended, as au-

1 thorized by section 704(a) of such Act of 1948 (22 U.S.C.
2 1477b(a)).

3 NATIONAL ENDOWMENT FOR DEMOCRACY

4 For grants made by the United States Information
5 Agency to the National Endowment for Democracy as au-
6 thorized by the National Endowment for Democracy Act,
7 \$30,000,000, to remain available until expended.

8 GENERAL PROVISIONS—DEPARTMENT OF STATE AND
9 RELATED AGENCIES

10 SEC. 401. Funds appropriated under this title shall
11 be available, except as otherwise provided, for allowances
12 and differentials as authorized by subchapter 59 of title
13 5, United States Code; for services as authorized by 5
14 U.S.C. 3109; and hire of passenger transportation pursu-
15 ant to 31 U.S.C. 1343(b).

16 SEC. 402. Not to exceed 5 percent of any appropria-
17 tion made available for the current fiscal year for the De-
18 partment of State in this Act may be transferred between
19 such appropriations, but no such appropriation, except as
20 otherwise specifically provided, shall be increased by more
21 than 10 percent by any such transfers: *Provided*, That not
22 to exceed 5 percent of any appropriation made available
23 for the current fiscal year for the United States Informa-
24 tion Agency in this Act may be transferred between such
25 appropriations, but no such appropriation, except as oth-
26 erwise specifically provided, shall be increased by more

1 than 10 percent by any such transfers: *Provided further*,
2 That any transfer pursuant to this section shall be treated
3 as a reprogramming of funds under section 605 of this
4 Act and shall not be available for obligation or expenditure
5 except in compliance with the procedures set forth in that
6 section.

7 SEC. 403. (1) For purposes of implementing the
8 International Cooperative Administrative Support Services
9 program in fiscal year 1998, the amounts referred to in
10 paragraph (2) shall be transferred in accordance with the
11 provisions of section 404.

12 (2) Paragraph (1) applies to amounts made available
13 by title IV of this Act under the heading “ADMINISTRA-
14 TION OF FOREIGN AFFAIRS” as follows:

15 (A) \$108,932,000 of the amount made available
16 under the paragraph “DIPLOMATIC AND CONSULAR
17 PROGRAMS”.

18 (B) \$3,530,000 of the amount made available
19 under the paragraph “SECURITY AND MAINTENANCE
20 OF U.S. MISSIONS”.

21 SEC. 404. Funds transferred pursuant to section 403
22 shall be transferred to the specified appropriation, allo-
23 cated to the specified account or accounts in the specified
24 amount, be merged with funds in such account or accounts
25 that are available for administrative support expenses of

1 overseas activities, and be available for the same purposes,
2 and subject to the same terms and conditions, as the funds
3 with which merged, as follows:

4 (1) Appropriations for the Legislative Branch—

5 (A) for the Library of Congress, for sala-
6 ries and expenses, \$500,000; and

7 (B) for the General Accounting Office, for
8 salaries and expenses, \$12,000.

9 (2) Appropriations for the Office of the United
10 States Trade Representative, for salaries and ex-
11 penses, \$302,000.

12 (3) Appropriations for the Department of Com-
13 merce, for the International Trade Administration,
14 for operations and administration, \$7,055,000;

15 (4) Appropriations for the Department of Jus-
16 tice—

17 (A) for legal activities—

18 (i) for general legal activities, for sala-
19 ries and expenses, \$194,000; and

20 (ii) for the United States Marshals
21 Service, for salaries and expenses, \$2,000;

22 (B) for the Federal Bureau of Investiga-
23 tion, for salaries and expenses, \$2,477,000;

24 (C) for the Drug Enforcement Administra-
25 tion, for salaries and expenses, \$6,356,000; and

1 (D) for the Immigration and Naturaliza-
2 tion Service, for salaries and expenses,
3 \$1,313,000.

4 (5) Appropriations for the United States Infor-
5 mation Agency, for international information pro-
6 grams, \$25,047,000.

7 (6) Appropriations for the Arms Control and
8 Disarmament Agency, for arms control and disar-
9 mament activities, \$1,247,000.

10 (7) Appropriations to the President—

11 (A) for the Foreign Military Financing
12 Program, for administrative costs, \$6,660,000;

13 (B) for the Economic Support Fund,
14 \$336,000;

15 (C) for the Agency for International Devel-
16 opment—

17 (i) for operating expenses,
18 \$6,008,000;

19 (ii) for the Urban and Environmental
20 Credit Program, \$54,000;

21 (iii) for the Development Assistance
22 Fund, \$124,000;

23 (iv) for the Development Fund for Af-
24 rica, \$526,000;

1 (v) for assistance for the new inde-
2 pendent states of the former Soviet Union,
3 \$818,000;

4 (vi) for assistance for Eastern Europe
5 and the Baltic States, \$283,000; and

6 (vii) for international disaster assist-
7 ance, \$306,000;

8 (D) for the Peace Corps, \$3,672,000; and
9 (E) for the Department of State—

10 (i) for international narcotics control
11 \$1,117,000; and

12 (ii) for migration and refugee assist-
13 ance, \$394,000.

14 (8) Appropriations for the Department of De-
15 fense—

16 (A) for operation and maintenance—

17 (i) for operation and maintenance,
18 Army, \$4,394,000;

19 (ii) for operation and maintenance,
20 Navy, \$1,824,000;

21 (iii) for operation and maintenance,
22 Air Force, \$1,603,000; and

23 (iv) for operation and maintenance,
24 Defense-Wide, \$21,993,000; and

1 (B) for procurement, for other procure-
2 ment, Air Force, \$4,211,000.

3 (9) Appropriations for the American Battle
4 Monuments Commission, for salaries and expenses,
5 \$210,000.

6 (10) Appropriations for the Department of Ag-
7 riculture—

8 (A) for the Animal and Plant Health In-
9 spection Service, for salaries and expenses,
10 \$932,000;

11 (B) for the Foreign Agricultural Service
12 and General Sales Manager, \$4,521,000; and

13 (C) for the Agricultural Research Service,
14 \$16,000.

15 (11) Appropriations for the Department of
16 Treasury—

17 (A) for the United States Customs Service,
18 for salaries and expenses, \$2,002,000;

19 (B) for departmental offices, for salaries
20 and expenses, \$804,000;

21 (C) for the Internal Revenue Service, for
22 tax law enforcement, \$662,000;

23 (D) for the Bureau of Alcohol, Tobacco,
24 and Firearms, for salaries and expenses,
25 \$17,000;

1 (E) for the United States Secret Service,
2 for salaries and expenses, \$617,000; and

3 (F) for the Comptroller of the Currency,
4 for assessment funds, \$29,000.

5 (12) Appropriations for the Department of
6 Transportation—

7 (A) for the Federal Aviation Administra-
8 tion, for operations, \$1,594,000; and

9 (B) for the Coast Guard, for operating ex-
10 penses, \$65,000.

11 (13) Appropriations for the Department of
12 Labor, for departmental management, for salaries
13 and expenses, \$58,000.

14 (14) Appropriations for the Department of
15 Health and Human Services—

16 (A) for the National Institutes of Health,
17 for the National Cancer Institute, \$42,000;

18 (B) for the Office of the Secretary, for
19 general departmental management, \$71,000;

20 (C) for the Centers for Disease Control
21 and Prevention, for disease control, research,
22 and training, \$522,000; and

23 (15) Appropriations for the Social Security Ad-
24 ministration, for administrative expenses, \$370,000.

1 (16) Appropriations for the Department of the
2 Interior—

3 (A) for the United States Fish and Wild-
4 life Service, for resource management, \$12,000;

5 (B) for the United States Geological Sur-
6 vey, for surveys, investigations, and research,
7 \$80,000; and

8 (C) for the Bureau of Reclamation, for
9 water and related resources, \$101,000.

10 (17) Appropriations for the Department of Vet-
11 erans Affairs, for departmental administration, for
12 general operating expenses, \$453,000.

13 (18) Appropriations for the National Aero-
14 nautics and Space Administration, for mission sup-
15 port, \$183,000.

16 (19) Appropriations for the National Science
17 Foundation, for research and related activities,
18 \$39,000.

19 (20) Appropriations for the Federal Emergency
20 Management Agency, for salaries and expenses,
21 \$4,000.

22 (21) Appropriations for the Department of En-
23 ergy—

24 (A) for departmental administration,
25 \$150,000; and

1 (B) for atomic energy defense activities,
2 for other defense activities, \$54,000.

3 (22) Appropriations for the Nuclear Regulatory
4 Commission, for salaries and expenses, \$26,000.

5 TITLE V—RELATED AGENCIES
6 DEPARTMENT OF TRANSPORTATION

7 MARITIME ADMINISTRATION
8 OPERATING-DIFFERENTIAL SUBSIDIES
9 (LIQUIDATION OF CONTRACT AUTHORITY)

10 For the payment of obligations incurred for operat-
11 ing-differential subsidies, as authorized by the Merchant
12 Marine Act, 1936, as amended, \$51,030,000, to remain
13 available until expended.

14 MARITIME SECURITY PROGRAM

15 For necessary expenses to maintain and preserve a
16 U.S.-flag merchant fleet to serve the national security
17 needs of the United States, \$35,500,000, to remain avail-
18 able until expended.

19 OPERATIONS AND TRAINING

20 For necessary expenses of operations and training ac-
21 tivities authorized by law, \$65,000,000: *Provided*, That re-
22 imbursements may be made to this appropriation from re-
23 ceipts to the “Federal Ship Financing Fund” for adminis-
24 trative expenses in support of that program in addition
25 to any amount heretofore appropriated.

11 In addition, for administrative expenses to carry out
12 the guaranteed loan program, not to exceed \$3,450,000,
13 which shall be transferred to and merged with the appro-
14 priation for Operations and Training.

15 ADMINISTRATIVE PROVISIONS—MARITIME
16 ADMINISTRATION

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1 repairs shall be covered into the Treasury as miscellaneous
2 receipts.

3 No obligations shall be incurred during the current
4 fiscal year from the construction fund established by the
5 Merchant Marine Act, 1936, or otherwise, in excess of the
6 appropriations and limitations contained in this Act or in
7 any prior appropriation Act, and all receipts which other-
8 wise would be deposited to the credit of said fund shall
9 be covered into the Treasury as miscellaneous receipts.

10 COMMISSION FOR THE PRESERVATION OF AMERICA'S
11 HERITAGE ABROAD

12 SALARIES AND EXPENSES

13 For expenses for the Commission for the Preservation
14 of America's Heritage Abroad, \$250,000, as authorized by
15 Public Law 99-83, section 1303.

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 \$8,740,000: *Provided*, That not to exceed \$50,000 may
21 be used to employ consultants: *Provided further*, That
22 none of the funds appropriated in this paragraph shall be
23 used to employ in excess of four full-time individuals under
24 Schedule C of the Excepted Service exclusive of one special
25 assistant for each Commissioner: *Provided further*, That

1 none of the funds appropriated in this paragraph shall be
2 used to reimburse Commissioners for more than 75
3 billable days, with the exception of the Chairperson who
4 is permitted 125 billable days.

5 COMMISSION ON IMMIGRATION REFORM

6 SALARIES AND EXPENSES

7 For necessary expenses of the Commission on Immi-
8 gration Reform pursuant to section 141(f) of the Immi-
9 gration Act of 1990, \$496,000, to remain available until
10 expended.

11 COMMISSION ON SECURITY AND COOPERATION IN

12 EUROPE

13 SALARIES AND EXPENSES

14 For necessary expenses of the Commission on Secu-
15 rity and Cooperation in Europe, as authorized by Public
16 Law 94–304, \$1,090,000, to remain available until ex-
17 pended as authorized by section 3 of Public Law 99–7.

18 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

19 SALARIES AND EXPENSES

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

1 vehicles as authorized by 31 U.S.C. 1343(b); non-mone-
 2 tary awards to private citizens; and not to exceed
 3 \$27,500,000 for payments to State and local enforcement
 4 agencies for services to the Commission pursuant to title
 5 VII of the Civil Rights Act of 1964, as amended, sections
 6 6 and 14 of the Age Discrimination in Employment Act,
 7 the Americans with Disabilities Act of 1990, and the Civil
 8 Rights Act of 1991; \$239,740,000: *Provided*, That the
 9 Commission is authorized to make available for official re-
 10 ception and representation expenses not to exceed \$2,500
 11 from available funds.

12 FEDERAL COMMUNICATIONS COMMISSION

13 SALARIES AND EXPENSES

14 For necessary expenses of the Federal Communica-
 15 tions Commission, as authorized by law, including uni-
 16 forms and allowances therefor, as authorized by 5 U.S.C.
 17 5901 and 5902; not to exceed \$600,000 for land and
 18 structure; not to exceed \$500,000 for improvement and
 19 care of grounds and repair to buildings; not to exceed
 20 \$4,000 for official reception and representation expenses;
 21 purchase (not to exceed 16) and hire of motor vehicles;
 22 special counsel fees; and services as authorized by 5
 23 U.S.C. 3109; \$187,079,000 (reduced by \$10,000,000), of
 24 which not to exceed \$300,000 shall remain available until
 25 September 30, 1999, for research and policy studies: *Pro-*

1 *vided*, That \$152,523,000 of offsetting collections shall be
2 assessed and collected pursuant to section 9 of title I of
3 the Communications Act of 1934, as amended, and shall
4 be retained and used for necessary expenses in this appro-
5 priation, and shall remain available until expended: *Pro-*
6 *vided further*, That the sum herein appropriated shall be
7 reduced as such offsetting collections are received during
8 fiscal year 1998 so as to result in a final fiscal year 1998
9 appropriation estimated at \$34,556,000 (reduced by
10 \$10,000,000): *Provided further*, That any offsetting collec-
11 tions received in excess of \$152,523,000 in fiscal year
12 1998 shall remain available until expended, but shall not
13 be available for obligation until October 1, 1998.

14 FEDERAL MARITIME COMMISSION

15 SALARIES AND EXPENSES

16 For necessary expenses of the Federal Maritime
17 Commission as authorized by section 201(d) of the Mer-
18 chant Marine Act of 1936, as amended (46 U.S.C. App.
19 1111), including services as authorized by 5 U.S.C. 3109;
20 hire of passenger motor vehicles as authorized by 31
21 U.S.C. 1343(b); and uniforms or allowances therefor, as
22 authorized by 5 U.S.C. 5901 and 5902; \$13,500,000: *Pro-*
23 *vided*, That not to exceed \$2,000 shall be available for offi-
24 cial reception and representation expenses.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901 and 5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed \$2,000 for official reception and representation expenses; \$95,000,000 (reduced by \$6,000,000): *Provided*, That not to exceed \$300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718, as amended: *Provided further*, That notwithstanding any other provision of law, not to exceed \$70,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fiscal year 1998, so as to result in a final fiscal year 1998 appropriation from the General Fund estimated at not more than \$25,000,000, to remain available until expended: *Provided further*, That any fees received in excess of \$70,000,000

1 in fiscal year 1998 shall remain available until expended,
2 but shall not be available for obligation until October 1,
3 1998: *Provided further*, That none of the funds made
4 available to the Federal Trade Commission shall be avail-
5 able for obligation for expenses authorized by section 151
6 of the Federal Deposit Insurance Corporation Improve-
7 ment Act of 1991 (Public Law 102–242, 105 Stat. 2282–
8 2285).

9 LEGAL SERVICES CORPORATION

10 PAYMENT TO THE LEGAL SERVICES CORPORATION

11 For payment to the Legal Services Corporation to
12 carry out the purposes of the Legal Services Corporation
13 Act of 1974, as amended, \$141,000,000 (increased by
14 \$109,000,000), of which \$134,575,000 (increased by
15 \$109,000,000) is for basic field programs and required
16 independent audits; \$1,125,000 is for the Office of Inspec-
17 tor General, of which such amounts as may be necessary
18 may be used to conduct additional audits of recipients; and
19 \$5,300,000 is for management and administration.

20 ADMINISTRATIVE PROVISION—LEGAL SERVICES

21 CORPORATION

22 SEC. 501. (a) CONTINUATION OF COMPETITIVE SE-
23 LECTION PROCESS.—None of the funds appropriated in
24 this Act to the Legal Services Corporation may be used
25 to provide financial assistance to any person or entity ex-
26 cept through a competitive selection process conducted in

1 accordance with regulations promulgated by the Corpora-
2 tion in accordance with the criteria set forth in subsections
3 (c), (d), and (e) of section 503 of Public Law 104–134
4 (110 Stat. 1321–52 et seq.).

5 (b) INAPPLICABILITY OF CERTAIN PROCEDURES.—
6 Sections 1007(a)(9) and 1011 of the Legal Services Cor-
7 poration Act (42 U.S.C. 2996f(a)(9) and 2996j) shall not
8 apply to the provision, denial, suspension, or termination
9 of any financial assistance using funds appropriated in
10 this Act.

11 (c) ADDITIONAL PROCEDURES.—If, during any term
12 of a grant or contract awarded to a recipient by the Legal
13 Services Corporation under the competitive selection proc-
14 ess referred to in subsection (a) and applicable Corpora-
15 tion regulations, the Corporation finds, after notice and
16 opportunity for the recipient to be heard, that the recipi-
17 ent has failed to comply with any requirement of the Legal
18 Services Corporation Act (42 U.S.C. 2996 et seq.), this
19 Act, or any other applicable law relating to funding for
20 the Corporation, the Corporation may terminate the grant
21 or contract and institute a new competitive selection proc-
22 ess for the area served by the recipient, notwithstanding
23 the terms of the recipient’s grant or contract.

24 SEC. 502. (a) CONTINUATION OF REQUIREMENTS
25 AND RESTRICTIONS.—None of the funds appropriated in

1 this Act to the Legal Services Corporation shall be ex-
2 pended for any purpose prohibited or limited by, or con-
3 trary to any of the provisions of—

4 (1) sections 501, 502, 505, 506, and 507 of
5 Public Law 104–134 (110 Stat. 1321–51 et seq.),
6 and all funds appropriated in this Act to the Legal
7 Services Corporation shall be subject to the same
8 terms and conditions as set forth in such sections,
9 except that all references in such sections to 1995
10 and 1996 shall be deemed to refer instead to 1997
11 and 1998, respectively; and

12 (2) section 504 of Public Law 104–134 (110
13 Stat. 1321–53 et seq.), and all funds appropriated
14 in this Act to the Legal Services Corporation shall
15 be subject to the same terms and conditions set
16 forth in such section, except that—

17 (A) subsection (c) of such section 504 shall
18 not apply;

19 (B) paragraph (3) of section 508(b) of
20 Public Law 104–134 (110 Stat. 1321–58) shall
21 apply with respect to the requirements of sub-
22 section (a)(13) of such section 504, except that
23 all references in such section 508(b) to the date
24 of enactment shall be deemed to refer to April
25 26, 1996; and

1 (C) subsection (a)(11) of such section 504
2 shall not be construed to prohibit a recipient
3 from using funds derived from a source other
4 than the Corporation to provide related legal
5 assistance to—

6 (i) an alien who has been battered or
7 subjected to extreme cruelty in the United
8 States by a spouse or a parent, or by a
9 member of the spouse's or parent's family
10 residing in the same household as the alien
11 and the spouse or parent consented or ac-
12 quiesced to such battery or cruelty; or

13 (ii) an alien whose child has been bat-
14 tered or subjected to extreme cruelty in the
15 United States by a spouse or parent of the
16 alien (without the active participation of
17 the alien in the battery or extreme cru-
18 elty), or by a member of the spouse's or
19 parent's family residing in the same house-
20 hold as the alien and the spouse or parent
21 consented or acquiesced to such battery or
22 cruelty, and the alien did not actively par-
23 ticipate in such battery or cruelty.

24 (b) DEFINITIONS.—For purposes of subsection

25 (a)(2)(C):

1 (1) The term “battered or subjected to extreme
2 cruelty” has the meaning given such term under reg-
3 ulations issued pursuant to subtitle G of the Vio-
4 lence Against Women Act of 1994 (Pub. L. 103–
5 322; 108 Stat. 1953).

6 (2) The term “related legal assistance” means
7 legal assistance directly related to the prevention of,
8 or obtaining of relief from, the battery or cruelty de-
9 scribed in such subsection.

10 SEC. 503. (a) CONTINUATION OF AUDIT REQUIRE-
11 MENTS.—The requirements of section 509 of Public Law
12 104–134 (110 Stat. 1321–58 et seq.), other than sub-
13 section (l) of such section, shall apply during fiscal year
14 1998.

15 (b) REQUIREMENT OF ANNUAL AUDIT.—An annual
16 audit of each person or entity receiving financial assist-
17 ance from the Legal Services Corporation under this Act
18 shall be conducted during fiscal year 1998 in accordance
19 with the requirements referred to in subsection (a).

20 SEC. 504. (a) DEBARMENT.—The Legal Services
21 Corporation may debar a recipient, on a showing of good
22 cause, from receiving an additional award of financial as-
23 sistance from the Corporation. Any such action to debar
24 a recipient shall be instituted after the Corporation pro-

1 vides notice and an opportunity for a hearing to the recipi-
2 ent.

3 (b) REGULATIONS.—The Legal Services Corporation
4 shall promulgate regulations to implement this section.

5 (c) GOOD CAUSE.—In this section, the term “good
6 cause”, used with respect to debarment, includes—

7 (1) prior termination of the financial assistance
8 of the recipient, under part 1640 of title 45, Code
9 of Federal Regulations (or any similar corresponding
10 regulation or ruling);

11 (2) prior termination in whole, under part 1606
12 of title 45, Code of Federal Regulations (or any
13 similar corresponding regulation or ruling), of the
14 most recent financial assistance received by the re-
15 cipient, prior to date of the debarment decision;

16 (3) substantial violation by the recipient of the
17 statutory or regulatory restrictions that prohibit re-
18 cipients from using financial assistance made avail-
19 able by the Legal Services Corporation or other fi-
20 nancial assistance for purposes prohibited under the
21 Legal Services Corporation Act (42 U.S.C. 2996 et
22 seq.) or for involvement in any activity prohibited
23 by, or inconsistent with, section 504 of Public Law
24 104–134 (110 Stat. 1321–53 et seq.), section

1 502(a)(2) of Public Law 104–208 (110 Stat. 3009–
2 59 et seq.), or section 502(a)(2) of this Act;

3 (4) knowing entry by the recipient into a
4 subgrant, subcontract, or other agreement with an
5 entity that had been debarred by the Corporation; or

6 (5) the filing of a lawsuit by the recipient, on
7 behalf of the recipient, as part of any program re-
8 ceiving any Federal funds, naming the Corporation,
9 or any agency or employee of a Federal, State, or
10 local government, as a defendant.

11 SEC. 505. (a) Not later than January 1, 1998, the
12 Legal Services Corporation shall implement a system of
13 case information disclosure which shall apply to all basic
14 field programs which receive funds from the Legal Serv-
15 ices Corporation from funds appropriated in this Act.

16 (b) Any basic field program which receives Federal
17 funds from the Legal Services Corporation from funds ap-
18 propriated in this Act must disclose to the public in writ-
19 ten form, upon request, and to the Legal Services Cor-
20 poration in semiannual reports, the following information
21 about each case filed by its attorneys in any court:

22 (1) The name and full address of each party to
23 the legal action unless such information is protected
24 by an order or rule of a court or by State or Federal
25 law or revealing such information would put the cli-

1 ent of the recipient of such Federal funds at risk of
2 physical harm.

3 (2) The cause of action in the case.

4 (3) The name and address of the court in which
5 the case was filed and the case number assigned to
6 the legal action.

7 (c) The case information disclosed in semi-annual re-
8 ports to the Legal Services Corporation shall be subject
9 to disclosure under section 552 of title 5, United States
10 Code.

11 MARINE MAMMAL COMMISSION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Marine Mammal Com-
14 mission as authorized by title II of Public Law 92-522,
15 as amended, \$1,000,000.

16 SECURITIES AND EXCHANGE COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses for the Securities and Ex-
19 change Commission, including services as authorized by
20 5 U.S.C. 3109, the rental of space (to include multiple
21 year leases) in the District of Columbia and elsewhere, and
22 not to exceed \$3,000 for official reception and representa-
23 tion expenses, \$283,000,000, of which not to exceed
24 \$10,000 may be used toward funding a permanent sec-
25 retariat for the International Organization of Securities

1 Commissions, and of which not to exceed \$100,000 shall
2 be available for expenses for consultations and meetings
3 hosted by the Commission with foreign governmental and
4 other regulatory officials, members of their delegations,
5 appropriate representatives and staff to exchange views
6 concerning developments relating to securities matters, de-
7 velopment and implementation of cooperation agreements
8 concerning securities matters and provision of technical
9 assistance for the development of foreign securities mar-
10 kets, such expenses to include necessary logistic and ad-
11 ministrative expenses and the expenses of Commission
12 staff and foreign invitees in attendance at such consulta-
13 tions and meetings including: (1) such incidental expenses
14 as meals taken in the course of such attendance; (2) any
15 travel and transportation to or from such meetings; and
16 (3) any other related lodging or subsistence: *Provided*,
17 That fees and charges authorized by sections 6(b)(4) of
18 the Securities Act of 1933 (15 U.S.C. 77f(b)(4)) and
19 31(d) of the Securities Exchange Act of 1934 (15 U.S.C.
20 78ee(d)) shall be credited to this account as offsetting col-
21 lections: *Provided further*, That not to exceed
22 \$249,523,000 of such offsetting collections shall be avail-
23 able until expended for necessary expenses of this account:
24 *Provided further*, That the total amount appropriated for
25 fiscal year 1998 under this heading shall be reduced as

1 all such offsetting fees are deposited to this appropriation
2 so as to result in a final total fiscal year 1998 appropria-
3 tion from the General Fund estimated at not more than
4 \$33,477,000: *Provided further*, That any such fees col-
5 lected in excess of \$249,523,000 shall remain available
6 until expended but shall not be available for obligation
7 until October 1, 1998.

8 SMALL BUSINESS ADMINISTRATION

9 SALARIES AND EXPENSES

10 For necessary expenses, not otherwise provided for,
11 of the Small Business Administration as authorized by
12 Public Law 103–403, including hire of passenger motor
13 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
14 not to exceed \$3,500 for official reception and representa-
15 tion expenses, \$235,047,000: *Provided*, That the Adminis-
16 trator is authorized to charge fees to cover the cost of pub-
17 lications developed by the Administration, and certain loan
18 servicing activities: *Provided further*, That, notwithstand-
19 ing 31 U.S.C. 3302, revenues received from all such activi-
20 ties shall be credited to this account, to be available for
21 carrying out these purposes without further appropria-
22 tions: *Provided further*, That \$75,500,000 shall be avail-
23 able to fund grants for performance in fiscal year 1998
24 or fiscal year 1999 as authorized by section 21 of the
25 Small Business Act, as amended.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, as amended (5 U.S.C. App. 1–11,
5 as amended by Public Law 100–504), \$9,490,000.

6 BUSINESS LOANS PROGRAM ACCOUNT

7 For the cost of guaranteed loans, \$187,100,000, as
8 authorized by 15 U.S.C. 631 note, of which \$45,000,000
9 shall remain available until September 30, 1999: *Provided*,
10 That such costs, including the cost of modifying such
11 loans, shall be as defined in section 502 of the Congres-
12 sional Budget Act of 1974: *Provided further*, That during
13 fiscal year 1998, commitments to guarantee loans under
14 section 503 of the Small Business Investment Act of 1958,
15 as amended, shall not exceed the amount of financings au-
16 thorized under section 20(n)(2)(B) of the Small Business
17 Act, as amended.

18 In addition, for administrative expenses to carry out
19 the direct and guaranteed loan programs, \$94,000,000,
20 which may be transferred to and merged with the appro-
21 priations for Salaries and Expenses.

22 DISASTER LOANS PROGRAM ACCOUNT

23 For the cost of disaster loans and associated adminis-
24 trative expenses, \$199,100,000, to remain available until
25 expended: *Provided*, That such costs for direct loans, in-
26 cluding the cost of modifying such loans, shall be as de-

1 fined in section 502 of the Congressional Budget Act of
2 1974: *Provided further*, That of the amounts available
3 under this heading, \$500,000 shall be transferred to and
4 merged with appropriations for the Office of Inspector
5 General of the Small Business Administration for audits
6 and reviews of disaster loans and the disaster loan pro-
7 gram.

8 SURETY BOND GUARANTEES REVOLVING FUND

9 For additional capital for the “Surety Bond Guar-
10 tees Revolving Fund”, authorized by the Small Business
11 Investment Act, as amended, \$3,500,000, to remain avail-
12 able without fiscal year limitation as authorized by 15
13 U.S.C. 631 note.

14 ADMINISTRATIVE PROVISION—SMALL BUSINESS

15 ADMINISTRATION

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

1 STATE JUSTICE INSTITUTE

2 SALARIES AND EXPENSES

3 For necessary expenses of the State Justice Institute,
4 as authorized by the State Justice Institute Authorization
5 Act of 1992 (Public Law 102–572 (106 Stat. 4515–
6 4516)), \$3,000,000, to remain available until expended:
7 *Provided*, That not to exceed \$2,500 shall be available for
8 official reception and representation expenses.

9 TITLE VI—GENERAL PROVISIONS

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

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

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

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

1 tion of each provision to persons or circumstances other
2 than those as to which it is held invalid shall not be af-
3 fected thereby.

4 SEC. 605. (a) None of the funds provided under this
5 Act, or provided under previous appropriations Acts to the
6 agencies funded by this Act that remain available for obli-
7 gation or expenditure in fiscal year 1998, or provided from
8 any accounts in the Treasury of the United States derived
9 by the collection of fees available to the agencies funded
10 by this Act, shall be available for obligation or expenditure
11 through a reprogramming of funds which: (1) creates new
12 programs; (2) eliminates a program, project, or activity;
13 (3) increases funds or personnel by any means for any
14 project or activity for which funds have been denied or
15 restricted; (4) relocates an office or employees; (5) reorga-
16 nizes offices, programs, or activities; or (6) contracts out
17 or privatizes any functions, or activities presently per-
18 formed by Federal employees; unless the Appropriations
19 Committees of both Houses of Congress are notified fif-
20 teen days in advance of such reprogramming of funds.

21 (b) None of the funds 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 1998, 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 for activities, programs, or projects through a reprogram-
4 ming of funds in excess of \$500,000 or 10 percent, which-
5 ever is less, that: (1) augments existing programs,
6 projects, or activities; (2) reduces by 10 percent funding
7 for any existing program, project, or activity, or numbers
8 of personnel by 10 percent as approved by Congress; or
9 (3) results from any general savings from a reduction in
10 personnel which would result in a change in existing pro-
11 grams, activities, or projects as approved by Congress; un-
12 less the Appropriations Committees of both Houses of
13 Congress are notified fifteen days in advance of such re-
14 programming of funds.

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

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

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

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

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

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

3 SEC. 609. None of the funds appropriated or other-
4 wise made available by this Act may be obligated or ex-
5 pended to pay for any cost incurred for: (1) opening or
6 operating any United States diplomatic or consular post
7 in the Socialist Republic of Vietnam that was not operat-
8 ing on July 11, 1995; (2) expanding any United States
9 diplomatic or consular post in the Socialist Republic of
10 Vietnam that was operating on July 11, 1995; or (3) in-
11 creasing the total number of personnel assigned to United
12 States diplomatic or consular posts in the Socialist Repub-
13 lic of Vietnam above the levels existing on July 11, 1995,
14 unless the President certifies within 60 days, based upon
15 all information available to the United States Government
16 that the Government of the Socialist Republic of Vietnam
17 is cooperating in full faith with the United States in the
18 following four areas:

19 (1) Resolving discrepancy cases, live sightings
20 and field activities.

21 (2) Recovering and repatriating American re-
22 mains.

23 (3) Accelerating efforts to provide documents
24 that will help lead to fullest possible accounting of
25 POW/MIA's.

1 (4) Providing further assistance in implement-
2 ing trilateral investigations with Laos.

3 SEC. 610. None of the funds made available by this
4 Act may be used for any United Nations undertaking
5 when it is made known to the Federal official having au-
6 thority to obligate or expend such funds: (1) that the Unit-
7 ed Nations undertaking is a peacekeeping mission; (2)
8 that such undertaking will involve United States Armed
9 Forces under the command or operational control of a for-
10 eign national; and (3) that the President's military advi-
11 sors have not submitted to the President a recommenda-
12 tion that such involvement is in the national security inter-
13 ests of the United States and the President has not sub-
14 mitted to the Congress such a recommendation.

15 SEC. 611. None of the funds made available in this
16 Act shall be used to provide the following amenities or per-
17 sonal comforts in the Federal prison system—

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

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

23 (3) any instruction (live or through broadcasts)
24 or training equipment for boxing, wrestling, judo,

1 karate, or other martial art, or any bodybuilding or
2 weightlifting equipment of any sort;

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

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

7 SEC. 612. None of the funds made available in title
8 II for the National Oceanic and Atmospheric Administra-
9 tion (NOAA) under the heading “Fleet Modernization,
10 Shipbuilding and Conversion” may be used to implement
11 sections 603, 604, and 605 of Public Law 102–567.

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

1 SEC. 614. None of the funds made available in this
2 Act to the Federal Bureau of Prisons may be used to dis-
3 tribute or make available any commercially published in-
4 formation or material to a prisoner when it is made known
5 to the Federal official having authority to obligate or ex-
6 pend such funds that such information or material is sexu-
7 ally explicit or features nudity.

8 SEC. 615. Of the funds appropriated in this Act
9 under the heading “OFFICE OF JUSTICE PROGRAMS—
10 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE”, not
11 more than ninety percent of the amount to be awarded
12 to an entity under the Local Law Enforcement Block
13 Grant shall be made available to such an entity when it
14 is made known to the Federal official having authority to
15 obligate or expend such funds that the entity that employs
16 a public safety officer (as such term is defined in section
17 1204 of title I of the Omnibus Crime Control and Safe
18 Streets Act of 1968) does not provide such a public safety
19 officer who retires or is separated from service due to in-
20 jury suffered as the direct and proximate result of a per-
21 sonal injury sustained in the line of duty while responding
22 to an emergency situation or a hot pursuit (as such terms
23 are defined by State law) with the same or better level
24 of health insurance benefits that are paid by the entity
25 at the time of retirement or separation.

1 SEC. 616. None of the funds made available in this
2 Act may be used to issue or renew a fishing permit or
3 authorization for any fishing vessel of the United States
4 greater than 165 feet in length or greater than 3,000
5 horsepower, as specified in the permit application required
6 under part 648.4(a)(5) of title 50, Code of Federal Regu-
7 lations, and the authorization required under part
8 648.8(d)(2) of title 50, Code of Federal Regulations, to
9 engage in fishing for Atlantic mackerel or herring (or
10 both) under the Magnuson-Stevens Fishery Conservation
11 and Management Act (16 U.S.C. 1801 et seq.).

12 SEC. 617. ATTORNEYS FEES AND OTHER COSTS IN
13 CERTAIN CRIMINAL CASES.—During fiscal year 1997 and
14 in any fiscal year thereafter, the court, in any criminal
15 case (other than a case arising under chapter 47 of title
16 10, United States Code) pending on or after the date of
17 the enactment of this Act, shall award, and the United
18 States shall pay, to a prevailing party, other than the
19 United States, a reasonable attorney's fee and other litiga-
20 tion costs, unless the court finds that the position of the
21 United States was substantially justified or that other spe-
22 cial circumstances make an award unjust. Such awards
23 shall be granted pursuant to the procedures and limita-
24 tions provided for an award under section 2412 of title
25 28, United States Code. Fees and other expenses awarded

1 under this provision to a party shall be paid by the agency
2 over which the party prevails from any funds made avail-
3 able to the agency by appropriation. No new appropria-
4 tions shall be made as a result of this provision.

5 SEC. 618. None of the funds provided by this Act
6 shall be available to promote the sale or export of tobacco
7 or tobacco products, or to seek the reduction or removal
8 by any foreign country of restrictions on the marketing
9 of tobacco or tobacco products, except for restrictions
10 which are not applied equally to all tobacco or tobacco
11 products of the same type.

12 SEC. 619. None of the funds made available in this
13 Act may be used to pay the expenses of an election officer
14 appointed by a court to oversee an election of any officer
15 or trustee for the International Brotherhood of Teamsters.

16 SEC. 620. None of the funds appropriated or other-
17 wise made available by this Act may be obligated or ex-
18 pended to pay the salary or expenses of any official or
19 employee of the Department of State to make or carry
20 out any contract authorizing any private entity to assess
21 a charge or fee upon United States citizens for informa-
22 tion about United States passports.

23 SEC. 621. None of the funds made available in this
24 Act may be used to conduct any study of the medicinal
25 use or legalization of marihuana or any other drug or sub-

1 stance in schedule I under part B of the Controlled Sub-
2 stances Act.

3 This Act may be cited as the “Departments of Com-
4 merce, Justice, and State, the Judiciary, and Related
5 Agencies Appropriations Act, 1998”.

Passed the House of Representatives September 30,
1997.

Attest:

ROBIN H. CARLE,
Clerk.