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107TH CONGRESS
1ST SESSION

H. R. 2500

[Report No. 107-139]

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2001

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

A BILL

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

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

1 fiscal year ending September 30, 2002, and for other pur-
2 poses, namely:

3 TITLE I—DEPARTMENT OF JUSTICE

4 GENERAL ADMINISTRATION

5 SALARIES AND EXPENSES

6 For expenses necessary for the administration of the
7 Department of Justice, \$91,668,000, of which not to ex-
8 ceed \$3,317,000 is for the Facilities Program 2000, to
9 remain available until expended: *Provided*, That not to ex-
10 ceed 43 permanent positions and 44 full-time equivalent
11 workyears and \$8,451,000 shall be expended for the De-
12 partment Leadership Program exclusive of augmentation
13 that occurred in these offices in fiscal year 2001: *Provided*
14 *further*, That not to exceed 41 permanent positions and
15 48 full-time equivalent workyears and \$4,997,000 shall be
16 expended for the Offices of Legislative Affairs and Public
17 Affairs: *Provided further*, That the latter two aforemen-
18 tioned offices may utilize non-reimbursable details of ca-
19 reer employees within the caps described in the preceding
20 proviso: *Provided further*, That the Attorney General is au-
21 thorized to transfer, under such terms and conditions as
22 the Attorney General shall specify, forfeited real or per-
23 sonal property of limited or marginal value, as such value
24 is determined by guidelines established by the Attorney
25 General, to a State or local government agency, or its des-

1 igned contractor or transferee, for use to support drug
2 abuse treatment, drug and crime prevention and edu-
3 cation, housing, job skills, and other community-based
4 public health and safety programs: *Provided further*, That
5 any transfer under the preceding proviso shall not create
6 or confer any private right of action in any person against
7 the United States, and shall be treated as a reprogram-
8 ming under section 605 of this Act.

9 JOINT AUTOMATED BOOKING SYSTEM

10 For expenses necessary for the nationwide deploy-
11 ment of a Joint Automated Booking System including
12 automated capability to transmit fingerprint and image
13 data, \$15,957,000, to remain available until expended.

14 NARROWBAND COMMUNICATIONS

15 For the costs of conversion to narrowband commu-
16 nications, including the cost for operation and mainte-
17 nance of Land Mobile Radio legacy systems,
18 \$104,615,000, to remain available until expended.

19 COUNTERTERRORISM FUND

20 For necessary expenses, as determined by the Attor-
21 ney General, \$4,989,000, to remain available until ex-
22 pended, to reimburse any Department of Justice organiza-
23 tion for: (1) the costs incurred in reestablishing the oper-
24 ational capability of an office or facility which has been
25 damaged or destroyed as a result of any domestic or inter-
26 national terrorist incident; and (2) the costs of providing

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

12 ADMINISTRATIVE REVIEW AND APPEALS

13 For expenses necessary for the administration of par-
14 don and clemency petitions and immigration-related activi-
15 ties, \$178,751,000.

16 DETENTION TRUSTEE

17 For necessary expenses of the Federal Detention
18 Trustee who shall exercise all power and functions author-
19 ized by law relating to the detention of Federal prisoners
20 in non-Federal institutions or otherwise in the custody of
21 the United States Marshals Service; and the detention of
22 aliens in the custody of the Immigration and Naturaliza-
23 tion Service, \$1,721,000: *Provided*, That the Trustee shall
24 be responsible for overseeing construction of detention fa-
25 cilities or for housing related to such detention; the man-
26 agement of funds appropriated to the Department for the

1 exercise of any detention functions; and the direction of
2 the United States Marshals Service and Immigration and
3 Naturalization Service with respect to the exercise of de-
4 tention policy setting and operations for the Department.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act of 1978, as amended, \$50,735,000; including
9 not to exceed \$10,000 to meet unforeseen emergencies of
10 a confidential character, to be expended under the direc-
11 tion of, and to be accounted for solely under the certificate
12 of, the Attorney General; and for the acquisition, lease,
13 maintenance, and operation of motor vehicles, without re-
14 gard to the general purchase price limitation for the cur-
15 rent fiscal year.

16 UNITED STATES PAROLE COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the United States Parole
19 Commission as authorized by law, \$10,915,000.

20 LEGAL ACTIVITIES

21 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

22 For expenses necessary for the legal activities of the
23 Department of Justice, not otherwise provided for, includ-
24 ing not to exceed \$20,000 for expenses of collecting evi-
25 dence, to be expended under the direction of, and to be
26 accounted for solely under the certificate of, the Attorney

1 General; and rent of private or Government-owned space
2 in the District of Columbia, \$568,011,000; of which not
3 to exceed \$10,000,000 for litigation support contracts
4 shall remain available until expended: *Provided*, That of
5 the funds available in this appropriation, \$18,835,000
6 shall remain available until expended only for office auto-
7 mation systems for the legal divisions covered by this ap-
8 propriation, and for the United States Attorneys, the Anti-
9 trust Division, the United States Trustee Program, the
10 Executive Office for Immigration Review, the Community
11 Relations Service, and offices funded through “Salaries
12 and Expenses”, General Administration: *Provided further*,
13 That of the total amount appropriated, not to exceed
14 \$1,000 shall be available to the United States National
15 Central Bureau, INTERPOL, for official reception and
16 representation expenses: *Provided further*, That notwith-
17 standing any other provision of law, upon a determination
18 by the Attorney General that emergent circumstances re-
19 quire additional funding for litigation activities of the Civil
20 Division, the Attorney General may transfer such amounts
21 to “Salaries and Expenses, General Legal Activities” from
22 available appropriations for the current fiscal year for the
23 Department of Justice, as may be necessary to respond
24 to such circumstances: *Provided further*, That any transfer
25 pursuant to the previous proviso shall be treated as a re-

1 programming under section 605 of this Act and shall not
2 be available for obligation or expenditure except in compli-
3 ance with the procedures set forth in that section.

4 In addition, for reimbursement of expenses of the De-
5 partment of Justice associated with processing cases
6 under the National Childhood Vaccine Injury Act of 1986,
7 as amended, not to exceed \$4,028,000, to be appropriated
8 from the Vaccine Injury Compensation Trust Fund.

9 SALARIES AND EXPENSES, ANTITRUST DIVISION

10 For expenses necessary for the enforcement of anti-
11 trust and kindred laws, \$105,366,000: *Provided*, That,
12 notwithstanding section 3302(b) of title 31, United States
13 Code, not to exceed \$105,366,000 of offsetting collections
14 derived from fees collected in fiscal year 2002 for
15 premerger notification filings under the Hart-Scott-Ro-
16 dino Antitrust Improvements Act of 1976 (15 U.S.C. 18a)
17 shall be retained and used for necessary expenses in this
18 appropriation, and shall remain available until expended:
19 *Provided further*, That the sum herein appropriated from
20 the general fund shall be reduced as such offsetting collec-
21 tions are received during fiscal year 2002, so as to result
22 in a final fiscal year 2002 appropriation from the general
23 fund estimated at not more than \$0.

24 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

25 For necessary expenses of the Offices of the United
26 States Attorneys, including inter-governmental and coop-

1 erative agreements, \$1,353,968,000; of which not to ex-
2 ceed \$2,500,000 shall be available until September 30,
3 2003, for: (1) training personnel in debt collection; (2) lo-
4 cating debtors and their property; (3) paying the net costs
5 of selling property; and (4) tracking debts owed to the
6 United States Government: *Provided*, That of the total
7 amount appropriated, not to exceed \$8,000 shall be avail-
8 able for official reception and representation expenses:
9 *Provided further*, That not to exceed \$10,000,000 of those
10 funds available for automated litigation support contracts
11 shall remain available until expended: *Provided further*,
12 That not to exceed \$2,500,000 for the operation of the
13 National Advocacy Center shall remain available until ex-
14 pended: *Provided further*, That, in addition to reimburs-
15 able full-time equivalent workyears available to the Offices
16 of the United States Attorneys, not to exceed 9,571 posi-
17 tions and 9,776 full-time equivalent workyears shall be
18 supported from the funds appropriated in this Act for the
19 United States Attorneys.

20 UNITED STATES TRUSTEE SYSTEM FUND

21 For necessary expenses of the United States Trustee
22 Program, as authorized by 28 U.S.C. 589a(a),
23 \$145,937,000, to remain available until expended and to
24 be derived from the United States Trustee System Fund:
25 *Provided*, That, notwithstanding any other provision of
26 law, deposits to the Fund shall be available in such

1 amounts as may be necessary to pay refunds due deposi-
2 tors: *Provided further*, That, notwithstanding any other
3 provision of law, \$145,937,000 of offsetting collections
4 pursuant to 28 U.S.C. 589a(b) shall be retained and used
5 for necessary expenses in this appropriation and remain
6 available until expended: *Provided further*, That the sum
7 herein appropriated from the Fund shall be reduced as
8 such offsetting collections are received during fiscal year
9 2002, so as to result in a final fiscal year 2002 appropria-
10 tion from the Fund estimated at \$0.

11 SALARIES AND EXPENSES, FOREIGN CLAIMS

12 SETTLEMENT COMMISSION

13 For expenses necessary to carry out the activities of
14 the Foreign Claims Settlement Commission, including
15 services as authorized by 5 U.S.C. 3109, \$1,136,000.

16 SALARIES AND EXPENSES, UNITED STATES MARSHALS

17 SERVICE

18 For necessary expenses of the United States Mar-
19 shals Service, including the acquisition, lease, mainte-
20 nance, and operation of vehicles, and the purchase of pas-
21 senger motor vehicles for police-type use, without regard
22 to the general purchase price limitation for the current
23 fiscal year, \$622,646,000; of which not to exceed \$6,000
24 shall be available for official reception and representation
25 expenses; and of which not to exceed \$4,000,000 for devel-
26 opment, implementation, maintenance and support, and

1 training for an automated prisoner information system
2 shall remain available until expended: *Provided*, That, in
3 addition to reimbursable full-time equivalent workyears
4 available to the United States Marshals Service, not to ex-
5 ceed 4,128 positions and 3,993 full-time equivalent
6 workyears shall be supported from the funds appropriated
7 in this Act for the United States Marshals Service.

8 CONSTRUCTION

9 For planning, constructing, renovating, equipping,
10 and maintaining United States Marshals Service prisoner-
11 holding space in United States courthouses and Federal
12 buildings, including the renovation and expansion of pris-
13 oner movement areas, elevators, and sallyports,
14 \$6,628,000 to remain available until expended.

15 FEDERAL PRISONER DETENTION

16 For expenses, related to United States prisoners in
17 the custody of the United States Marshals Service, but
18 not including expenses otherwise provided for in appro-
19 priations available to the Attorney General, \$724,682,000,
20 to remain available until expended.

21 FEES AND EXPENSES OF WITNESSES

22 For expenses, mileage, compensation, and per diems
23 of witnesses, for expenses of contracts for the procurement
24 and supervision of expert witnesses, for private counsel ex-
25 penses, and for per diems in lieu of subsistence, as author-
26 ized by law, including advances, \$148,494,000, to remain

1 available until expended; of which not to exceed
2 \$6,000,000 may be made available for planning, construc-
3 tion, renovations, maintenance, remodeling, and repair of
4 buildings, and the purchase of equipment incident thereto,
5 for protected witness safesites; of which not to exceed
6 \$1,000,000 may be made available for the purchase and
7 maintenance of armored vehicles for transportation of pro-
8 tected witnesses; and of which not to exceed \$5,000,000
9 may be made available for the purchase, installation, and
10 maintenance of secure telecommunications equipment and
11 a secure automated information network to store and re-
12 trieve the identities and locations of protected witnesses.

13 SALARIES AND EXPENSES, COMMUNITY RELATIONS

14 SERVICE

15 For necessary expenses of the Community Relations
16 Service, \$9,269,000 and, in addition, up to \$1,000,000 of
17 funds made available to the Department of Justice in this
18 Act may be transferred by the Attorney General to this
19 account: *Provided*, That notwithstanding any other provi-
20 sion of law, upon a determination by the Attorney General
21 that emergent circumstances require additional funding
22 for conflict prevention and resolution activities of the
23 Community Relations Service, the Attorney General may
24 transfer such amounts to the Community Relations Serv-
25 ice, from available appropriations for the current fiscal
26 year for the Department of Justice, as may be necessary

1 to respond to such circumstances: *Provided further*, That
2 any transfer pursuant to the previous proviso shall be
3 treated as a reprogramming under section 605 of this Act
4 and shall not be available for obligation or expenditure ex-
5 cept in compliance with the procedures set forth in that
6 section.

7 ASSETS FORFEITURE FUND

8 For expenses authorized by 28 U.S.C.
9 524(c)(1)(A)(ii), (B), (F), and (G), as amended,
10 \$21,949,000, to be derived from the Department of Jus-
11 tice Assets Forfeiture Fund.

12 RADIATION EXPOSURE COMPENSATION

13 ADMINISTRATIVE EXPENSES

14 For necessary administrative expenses in accordance
15 with the Radiation Exposure Compensation Act,
16 \$1,996,000.

17 PAYMENT TO RADIATION EXPOSURE COMPENSATION

18 TRUST FUND

19 For payments to the Radiation Exposure Compensa-
20 tion Trust Fund of claims covered by the Radiation Expo-
21 sure Compensation Act as in effect on June 1, 2000,
22 \$10,776,000.

23 INTERAGENCY LAW ENFORCEMENT

24 INTERAGENCY CRIME AND DRUG ENFORCEMENT

25 For necessary expenses for the detection, investiga-
26 tion, and prosecution of individuals involved in organized

1 crime drug trafficking not otherwise provided for, to in-
2 clude inter-governmental agreements with State and local
3 law enforcement agencies engaged in the investigation and
4 prosecution of individuals involved in organized crime drug
5 trafficking, \$340,189,000, of which \$50,000,000 shall re-
6 main available until expended: *Provided*, That any
7 amounts obligated from appropriations under this heading
8 may be used under authorities available to the organiza-
9 tions reimbursed from this appropriation: *Provided fur-*
10 *ther*, That any unobligated balances remaining available
11 at the end of the fiscal year shall revert to the Attorney
12 General for reallocation among participating organizations
13 in succeeding fiscal years, subject to the reprogramming
14 procedures set forth in section 605 of this Act.

15 FEDERAL BUREAU OF INVESTIGATION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Federal Bureau of In-
18 vestigation for detection, investigation, and prosecution of
19 crimes against the United States; including purchase for
20 police-type use of not to exceed 1,236 passenger motor ve-
21 hicles, of which 1,142 will be for replacement only, without
22 regard to the general purchase price limitation for the cur-
23 rent fiscal year, and hire of passenger motor vehicles; ac-
24 quisition, lease, maintenance, and operation of aircraft;
25 and not to exceed \$70,000 to meet unforeseen emergencies

1 of a confidential character, to be expended under the di-
2 rection of, and to be accounted for solely under the certifi-
3 cate of, the Attorney General, \$3,491,073,000; of which
4 not to exceed \$50,000,000 for automated data processing
5 and telecommunications and technical investigative equip-
6 ment and not to exceed \$1,000,000 for undercover oper-
7 ations shall remain available until September 30, 2003;
8 of which not less than \$448,467,000 shall be for
9 counterterrorism investigations, foreign counterintel-
10 ligence, and other activities related to our national secu-
11 rity; of which not to exceed \$10,000,000 is authorized to
12 be made available for making advances for expenses aris-
13 ing out of contractual or reimbursable agreements with
14 State and local law enforcement agencies while engaged
15 in cooperative activities related to violent crime, terrorism,
16 organized crime, and drug investigations: *Provided*, That
17 not to exceed \$45,000 shall be available for official recep-
18 tion and representation expenses: *Provided further*, That,
19 in addition to reimbursable full-time equivalent workyears
20 available to the Federal Bureau of Investigation, not to
21 exceed 24,935 positions and 24,488 full-time equivalent
22 workyears shall be supported from the funds appropriated
23 in this Act for the Federal Bureau of Investigation.

24

CONSTRUCTION

25 For necessary expenses to construct or acquire build-
26 ings and sites by purchase, or as otherwise authorized by

1 law (including equipment for such buildings); conversion
2 and extension of Federally-owned buildings; and prelimi-
3 nary planning and design of projects; \$1,250,000, to re-
4 main available until expended.

5 DRUG ENFORCEMENT ADMINISTRATION

6 SALARIES AND EXPENSES

7 For necessary expenses of the Drug Enforcement Ad-
8 ministration, including not to exceed \$70,000 to meet un-
9 foreseen emergencies of a confidential character, to be ex-
10 pended under the direction of, and to be accounted for
11 solely under the certificate of, the Attorney General; ex-
12 penses for conducting drug education and training pro-
13 grams, including travel and related expenses for partici-
14 pants in such programs and the distribution of items of
15 token value that promote the goals of such programs; pur-
16 chase of not to exceed 1,358 passenger motor vehicles, of
17 which 1,079 will be for replacement only, for police-type
18 use without regard to the general purchase price limitation
19 for the current fiscal year; and acquisition, lease, mainte-
20 nance, and operation of aircraft, \$1,476,083,000; of which
21 not to exceed \$1,800,000 for research shall remain avail-
22 able until expended, and of which not to exceed
23 \$4,000,000 for purchase of evidence and payments for in-
24 formation, not to exceed \$10,000,000 for contracting for
25 automated data processing and telecommunications equip-

1 ment, and not to exceed \$2,000,000 for laboratory equip-
2 ment, \$4,000,000 for technical equipment, and
3 \$2,000,000 for aircraft replacement retrofit and parts,
4 shall remain available until September 30, 2003; of which
5 not to exceed \$50,000 shall be available for official recep-
6 tion and representation expenses: *Provided*, That, in addi-
7 tion to reimbursable full-time equivalent workyears avail-
8 able to the Drug Enforcement Administration, not to ex-
9 ceed 7,654 positions and 7,515 full-time equivalent
10 workyears shall be supported from the funds appropriated
11 in this Act for the Drug Enforcement Administration.

12 IMMIGRATION AND NATURALIZATION SERVICE

13 SALARIES AND EXPENSES

14 For expenses necessary for the administration and
15 enforcement of the laws relating to immigration, natu-
16 ralization, and alien registration, as follows:

17 ENFORCEMENT AND BORDER AFFAIRS

18 For salaries and expenses for the Border Patrol pro-
19 gram, the detention and deportation program, the intel-
20 ligence program, the investigations program, and the in-
21 spections program, including not to exceed \$50,000 to
22 meet unforeseen emergencies of a confidential character,
23 to be expended under the direction of, and to be accounted
24 for solely under the certificate of, the Attorney General;
25 purchase for police-type use (not to exceed 3,165 pas-

1 senger motor vehicles, of which 2,211 are for replacement
2 only), without regard to the general purchase price limita-
3 tion for the current fiscal year, and hire of passenger
4 motor vehicles; acquisition, lease, maintenance and oper-
5 ation of aircraft; research related to immigration enforce-
6 ment; for protecting and maintaining the integrity of the
7 borders of the United States including, without limitation,
8 equipping, maintaining, and making improvements to the
9 infrastructure; and for the care and housing of Federal
10 detainees held in the joint Immigration and Naturalization
11 Service and United States Marshals Service Buffalo De-
12 tention Facility, \$2,738,517,000; of which not to exceed
13 \$5,000,000 is for payments or advances arising out of con-
14 tractual or reimbursable agreements with State and local
15 law enforcement agencies while engaged in cooperative ac-
16 tivities related to immigration; of which not to exceed
17 \$5,000,000 is to fund or reimburse other Federal agencies
18 for the costs associated with the care, maintenance, and
19 repatriation of smuggled illegal aliens: *Provided*, That
20 none of the funds available to the Immigration and Natu-
21 ralization Service shall be available to pay any employee
22 overtime pay in an amount in excess of \$30,000 during
23 the calendar year beginning January 1, 2002: *Provided*
24 *further*, That uniforms may be purchased without regard
25 to the general purchase price limitation for the current

1 fiscal year: *Provided further*, That, in addition to reim-
2 bursable full-time equivalent workyears available to the
3 Immigration and Naturalization Service, not to exceed
4 20,465 positions and 20,066 full-time equivalent
5 workyears shall be supported from the funds appropriated
6 under this heading in this Act for the Immigration and
7 Naturalization Service: *Provided further*, That none of the
8 funds provided in this or any other Act shall be used for
9 the continued operation of the San Clemente and
10 Temecula checkpoints unless the checkpoints are open and
11 traffic is being checked on a continuous 24-hour basis.

12 CITIZENSHIP AND BENEFITS, IMMIGRATION SUPPORT AND
13 PROGRAM DIRECTION

14 For all programs of the Immigration and Naturaliza-
15 tion Service not included under the heading “Enforcement
16 and Border Affairs”, \$632,923,000, of which not to ex-
17 ceed \$400,000 for research shall remain available until ex-
18 pended: *Provided*, That not to exceed \$5,000 shall be
19 available for official reception and representation ex-
20 penses: *Provided further*, That the Attorney General may
21 transfer any funds appropriated under this heading and
22 the heading “Enforcement and Border Affairs” between
23 said appropriations notwithstanding any percentage trans-
24 fer limitations imposed under this appropriations Act and
25 may direct such fees as are collected by the Immigration

1 and Naturalization Service to the activities funded under
2 this heading and the heading “Enforcement and Border
3 Affairs” for performance of the functions for which the
4 fees legally may be expended: *Provided further*, That not
5 to exceed 40 permanent positions and 40 full-time equiva-
6 lent workyears and \$4,300,000 shall be expended for the
7 Offices of Legislative Affairs and Public Affairs: *Provided*
8 *further*, That the latter two aforementioned offices shall
9 not be augmented by personnel details, temporary trans-
10 fers of personnel on either a reimbursable or non-reim-
11 bursable basis, or any other type of formal or informal
12 transfer or reimbursement of personnel or funds on either
13 a temporary or long-term basis: *Provided further*, That the
14 number of positions filled through non-career appointment
15 at the Immigration and Naturalization Service, for which
16 funding is provided in this Act or is otherwise made avail-
17 able to the Immigration and Naturalization Service, shall
18 not exceed four permanent positions and four full-time
19 equivalent workyears: *Provided further*, That none of the
20 funds available to the Immigration and Naturalization
21 Service shall be used to pay any employee overtime pay
22 in an amount in excess of \$30,000 during the calendar
23 year beginning January 1, 2002: *Provided further*, That
24 funds may be used, without limitation, for equipping,
25 maintaining, and making improvements to the infrastruc-

1 ture and the purchase of vehicles for police-type use within
2 the limits of the Enforcement and Border Affairs appro-
3 priation: *Provided further*, That, in addition to reimburs-
4 able full-time equivalent workyears available to the Immi-
5 gration and Naturalization Service, not to exceed 3,146
6 positions and 3,523 full-time equivalent workyears shall
7 be supported from the funds appropriated under this
8 heading in this Act for the Immigration and Naturaliza-
9 tion Service: *Provided further*, That, notwithstanding any
10 other provision of law, during fiscal year 2002, the Attor-
11 ney General is authorized and directed to impose discipli-
12 nary action, including termination of employment, pursu-
13 ant to policies and procedures applicable to employees of
14 the Federal Bureau of Investigation, for any employee of
15 the Immigration and Naturalization Service who violates
16 policies and procedures set forth by the Department of
17 Justice relative to the granting of citizenship or who will-
18 fully deceives the Congress or department leadership on
19 any matter.

20 CONSTRUCTION

21 For planning, construction, renovation, equipping,
22 and maintenance of buildings and facilities necessary for
23 the administration and enforcement of the laws relating
24 to immigration, naturalization, and alien registration, not
25 otherwise provided for, \$128,454,000, to remain available
26 until expended: *Provided*, That no funds shall be available

1 for the site acquisition, design, or construction of any Bor-
2 der Patrol checkpoint in the Tucson sector.

3 FEDERAL PRISON SYSTEM

4 SALARIES AND EXPENSES

5 For expenses necessary for the administration, oper-
6 ation, and maintenance of Federal penal and correctional
7 institutions, including purchase (not to exceed 685, of
8 which 610 are for replacement only) and hire of law en-
9 forcement and passenger motor vehicles, and for the provi-
10 sion of technical assistance and advice on corrections re-
11 lated issues to foreign governments, \$3,830,971,000: *Pro-*
12 *vided*, That the Attorney General may transfer to the
13 Health Resources and Services Administration such
14 amounts as may be necessary for direct expenditures by
15 that Administration for medical relief for inmates of Fed-
16 eral penal and correctional institutions: *Provided further*,
17 That the Director of the Federal Prison System (FPS),
18 where necessary, may enter into contracts with a fiscal
19 agent/fiscal intermediary claims processor to determine
20 the amounts payable to persons who, on behalf of FPS,
21 furnish health services to individuals committed to the
22 custody of FPS: *Provided further*, That not to exceed
23 \$6,000 shall be available for official reception and rep-
24 resentation expenses: *Provided further*, That not to exceed
25 \$50,000,000 shall remain available for necessary oper-

1 ations until September 30, 2003: *Provided further*, That,
2 of the amounts provided for Contract Confinement, not
3 to exceed \$20,000,000 shall remain available until ex-
4 pended to make payments in advance for grants, contracts
5 and reimbursable agreements, and other expenses author-
6 ized by section 501(c) of the Refugee Education Assist-
7 ance Act of 1980, as amended, for the care and security
8 in the United States of Cuban and Haitian entrants: *Pro-*
9 *vided further*, That the Director of the Federal Prison Sys-
10 tem may accept donated property and services relating to
11 the operation of the prison card program from a not-for-
12 profit entity which has operated such program in the past
13 notwithstanding the fact that such not-for-profit entity
14 furnishes services under contracts to the Federal Prison
15 System relating to the operation of pre-release services,
16 halfway houses or other custodial facilities.

17 BUILDINGS AND FACILITIES

18 For planning, acquisition of sites and construction of
19 new facilities; purchase and acquisition of facilities and re-
20 modeling, and equipping of such facilities for penal and
21 correctional use, including all necessary expenses incident
22 thereto, by contract or force account; and constructing,
23 remodeling, and equipping necessary buildings and facili-
24 ties at existing penal and correctional institutions, includ-
25 ing all necessary expenses incident thereto, by contract or
26 force account, \$813,552,000, to remain available until ex-

1 pended, of which not to exceed \$14,000,000 shall be avail-
2 able to construct areas for inmate work programs: *Pro-*
3 *vided*, That labor of United States prisoners may be used
4 for work performed under this appropriation: *Provided*
5 *further*, That not to exceed 10 percent of the funds appro-
6 priated to “Buildings and Facilities” in this or any other
7 Act may be transferred to “Salaries and Expenses”, Fed-
8 eral Prison System, upon notification by the Attorney
9 General to the Committees on Appropriations of the
10 House of Representatives and the Senate in compliance
11 with provisions set forth in section 605 of this Act.

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 (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 \$3,429,000 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 ("the 1968 Act"), and the Missing Children's Assistance
19 Act, as amended, including salaries and expenses in con-
20 nection therewith, and with the Victims of Crime Act of
21 1984, as amended, \$187,877,000, to remain available
22 until expended, as authorized by section 1001 of title I
23 of the Omnibus Crime Control and Safe Streets Act of
24 1968, as amended by Public Law 102-534 (106 Stat.
25 3524).

1 In addition, for grants, cooperative agreements, and
2 other assistance authorized by sections 819 and 821 of
3 the Antiterrorism and Effective Death Penalty Act of
4 1996 and for other counterterrorism programs,
5 \$220,494,000, to remain available until expended.

6 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

7 For assistance authorized by the Violent Crime Con-
8 trol and Law Enforcement Act of 1994 (Public Law 103-
9 322), as amended (“the 1994 Act”); the Omnibus Crime
10 Control and Safe Streets Act of 1968, as amended (“the
11 1968 Act”); the Victims of Child Abuse Act of 1990, as
12 amended (“the 1990 Act”); and the Victims of Trafficking
13 and Violence Protection Act of 2000 (Public Law 106-
14 386); \$2,519,575,000 (including amounts for administra-
15 tive costs, which shall be transferred to and merged with
16 the “Justice Assistance” account), to remain available
17 until expended as follows:

18 (1) \$521,849,000 for Local Law Enforcement
19 Block Grants, pursuant to H.R. 728 as passed by
20 the House of Representatives on February 14, 1995,
21 except that for purposes of this Act, Guam shall be
22 considered a “State”, the Commonwealth of Puerto
23 Rico shall be considered a “unit of local govern-
24 ment” as well as a “State”, for the purposes set
25 forth in subparagraphs (A), (B), (D), (F), and (I)
26 of section 101(a)(2) of H.R. 728, and for estab-

1 lishing crime prevention programs involving coopera-
2 tion between community residents and law enforce-
3 ment personnel in order to control, detect, or inves-
4 tigate crime or the prosecution of criminals: *Pro-*
5 *vided*, That no funds provided under this heading
6 may be used as matching funds for any other Fed-
7 eral grant program, of which:

8 (A) \$60,000,000 shall be for Boys and
9 Girls Clubs in public housing facilities and
10 other areas in cooperation with State and local
11 law enforcement: *Provided*, That funds may
12 also be used to defray the costs of indemnifica-
13 tion insurance for law enforcement officers,

14 (B) \$6,000,000 shall be for the National
15 Police Athletic League pursuant to Public Law
16 106–367, and

17 (C) \$19,956,000 shall be available for
18 grants, contracts, and other assistance to carry
19 out section 102(c) of H.R. 728;

20 (2) \$565,000,000 for the State Criminal Alien
21 Assistance Program, as authorized by section 242(j)
22 of the Immigration and Nationality Act, as amend-
23 ed;

24 (3) \$35,000,000 for the Cooperative Agreement
25 Program;

1 (4) \$48,162,000 for assistance to Indian tribes,
2 of which:

3 (A) \$35,191,000 shall be available for
4 grants under section 20109(a)(2) of subtitle A
5 of title II of the 1994 Act,

6 (B) \$7,982,000 shall be available for the
7 Tribal Courts Initiative, and

8 (C) \$4,989,000 shall be available for dem-
9 onstration grants on alcohol and crime in In-
10 dian Country;

11 (5) \$570,000,000 for programs authorized by
12 part E of title I of the 1968 Act, notwithstanding
13 the provisions of section 511 of said Act, of which
14 \$70,000,000 shall be for discretionary grants under
15 the Edward Byrne Memorial State and Local Law
16 Enforcement Assistance Programs;

17 (6) \$11,975,000 for the Court Appointed Spe-
18 cial Advocate Program, as authorized by section 218
19 of the 1990 Act;

20 (7) \$2,296,000 for Child Abuse Training Pro-
21 grams for Judicial Personnel and Practitioners, as
22 authorized by section 224 of the 1990 Act;

23 (8) \$998,000 for grants for televised testimony,
24 as authorized by section 1001(a)(7) of the 1968 Act;

1 (9) \$184,537,000 for Grants to Combat Violence Against Women, to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(18) of the 1968 Act, of which:

2 (A) \$1,000,000 shall be for the Bureau of Justice Statistics for grants, contracts, and other assistance for a domestic violence Federal case processing study,

3 (B) \$5,200,000 shall be for the National Institute of Justice for grants, contracts, and other assistance for research and evaluation of violence against women,

4 (C) \$10,000,000 shall be for the Office of Juvenile Justice and Delinquency Prevention for the Safe Start Program, to be administered as authorized by part C of the Juvenile Justice and Delinquency Act of 1974, as amended, and

5 (D) \$5,000,000 shall be for the National Institute of Justice for grants, contracts, and other assistance for research on family violence;

6 (10) \$64,925,000 for Grants to Encourage Arrest Policies to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(19) of the 1968 Act;

1 (11) \$39,945,000 for Rural Domestic Violence
2 and Child Abuse Enforcement Assistance Grants, as
3 authorized by section 40295 of the 1994 Act;

4 (12) \$4,989,000 for training programs to assist
5 probation and parole officers who work with released
6 sex offenders, as authorized by section 40152(c) of
7 the 1994 Act, and for local demonstration projects;

8 (13) \$3,000,000 for grants to States and units
9 of local government to improve the process for enter-
10 ing data regarding stalking and domestic violence
11 into local, State, and national crime information
12 databases, as authorized by section 40602 of the
13 1994 Act;

14 (14) \$10,000,000 for grants to reduce Violent
15 Crimes Against Women on Campus, as authorized
16 by section 1108(a) of Public Law 106–386;

17 (15) \$40,000,000 for Legal Assistance for Vie-
18 tims, as authorized by section 1201 of Public Law
19 106–386;

20 (16) \$5,000,000 for enhancing protection for
21 older and disabled women from domestic violence
22 and sexual assault as authorized by section 40801 of
23 the 1994 Act;

1 (17) \$15,000,000 for the Safe Havens for Chil-
2 dren Pilot Program as authorized by section 1301 of
3 Public Law 106–386;

4 (18) \$200,000 for a report of effects of paren-
5 tal kidnapping laws in domestic violence cases, as
6 authorized by section 1303 of Public Law 106–386;

7 (19) \$200,000 for the study of standards and
8 processes for forensic exams of domestic violence, as
9 authorized by section 1405 of Public Law 106–386;

10 (20) \$7,500,000 for Education and Training to
11 end violence against and abuse of women with dis-
12 abilities, as authorized by section 1402 of P.L. 106–
13 386;

14 (21) \$10,000,000 for victim services programs
15 for victims of trafficking, as authorized by section
16 107(b)(2) of Public Law 106–386;

17 (22) \$73,861,000 for grants for residential sub-
18 stance abuse treatment for State prisoners, as au-
19 thorized by section 1001(a)(17) of the 1968 Act:
20 *Provided*, That States that have in-prison drug
21 treatment programs, in compliance with Federal re-
22 quirements, may use their residential substance
23 abuse grant funds for treatment, both during incar-
24 ceration and after release;

1 (23) \$898,000 for the Missing Alzheimer’s Dis-
2 ease Patient Alert Program, as authorized by section
3 240001(c) of the 1994 Act;

4 (24) \$50,000,000 for Drug Courts, as author-
5 ized by title V of the 1994 Act;

6 (25) \$1,497,000 for Law Enforcement Family
7 Support Programs, as authorized by section
8 1001(a)(21) of the 1968 Act;

9 (26) \$1,995,000 for public awareness programs
10 addressing marketing scams aimed at senior citi-
11 zens, as authorized by section 250005(3) of the
12 1994 Act;

13 (27) \$249,450,000 for Juvenile Accountability
14 Incentive Block Grants, of which \$38,000,000 shall
15 be available for grants, contracts, and other assist-
16 ance under the Project ChildSafe Initiative, except
17 that such funds shall be subject to the same terms
18 and conditions as set forth in the provisions under
19 this heading for this program in Public Law 105–
20 119, but all references in such provisions to 1998
21 shall be deemed to refer instead to 2002, and Guam
22 shall be considered a “State” for the purposes of
23 title III of H.R. 3, as passed by the House of Rep-
24 resentatives on May 8, 1997; and

1 (28) \$1,298,000 for Motor Vehicle Theft Pre-
2 vention Programs, as authorized by section
3 220002(h) of the 1994 Act:

4 *Provided*, That funds made available in fiscal year 2002
5 under subpart 1 of part E of title I of the 1968 Act may
6 be obligated for programs to assist States in the litigation
7 processing of death penalty Federal habeas corpus peti-
8 tions and for drug testing initiatives: *Provided further*,
9 That, if a unit of local government uses any of the funds
10 made available under this title to increase the number of
11 law enforcement officers, the unit of local government will
12 achieve a net gain in the number of law enforcement offi-
13 cers who perform nonadministrative public safety service.

14 WEED AND SEED PROGRAM FUND

15 For necessary expenses, including salaries and re-
16 lated expenses of the Executive Office for Weed and Seed,
17 to implement “Weed and Seed” program activities,
18 \$58,925,000, to remain available until expended, for inter-
19 governmental agreements, including grants, cooperative
20 agreements, and contracts, with State and local law en-
21 forcement agencies, non-profit organizations, and agencies
22 of local government engaged in the investigation and pros-
23 ecution of violent crimes and drug offenses in “Weed and
24 Seed” designated communities, and for either reimburse-
25 ments or transfers to appropriation accounts of the De-
26 partment of Justice and other Federal agencies which

1 shall be specified by the Attorney General to execute the
2 “Weed and Seed” program strategy: *Provided*, That funds
3 designated by Congress through language for other De-
4 partment of Justice appropriation accounts for “Weed and
5 Seed” program activities shall be managed and executed
6 by the Attorney General through the Executive Office for
7 Weed and Seed: *Provided further*, That the Attorney Gen-
8 eral may direct the use of other Department of Justice
9 funds and personnel in support of “Weed and Seed” pro-
10 gram activities only after the Attorney General notifies the
11 Committees on Appropriations of the House of Represent-
12 atives and the Senate in accordance with section 605 of
13 this Act.

14 COMMUNITY ORIENTED POLICING SERVICES

15 For activities authorized by the Violent Crime Con-
16 trol and Law Enforcement Act of 1994, Public Law 103–
17 322 (“the 1994 Act”) (including administrative costs),
18 \$1,013,498,000, to remain available until expended: *Pro-*
19 *vided*, That no funds that become available as a result of
20 deobligations from prior year balances, excluding those for
21 program management and administration, may be obli-
22 gated except in accordance with section 605 of this Act:
23 *Provided further*, That section 1703 (b) and (c) of the
24 1968 Act shall not apply to non-hiring grants made pursu-
25 ant to part Q of title I thereof (42 U.S.C. 3796dd et seq.):
26 *Provided further*, That all prior year balances derived from

1 the Violent Crime Trust Fund for Community Oriented
2 Policing Services may be transferred into this appropria-
3 tion.

4 Of the amounts provided:

5 (1) for Public Safety and Community Policing
6 Grants pursuant to title I of the 1994 Act,
7 \$470,249,000 as follows: \$330,000,000 for the hir-
8 ing of law enforcement officers, including school re-
9 source officers; \$20,662,000 for training and tech-
10 nical assistance; \$25,444,000 for the matching grant
11 program for Law Enforcement Armor Vests pursu-
12 ant to section 2501 of part Y of the Omnibus Crime
13 Control and Safe Streets Act of 1968, as amended
14 (“the 1968 Act”); \$31,315,000 to improve tribal law
15 enforcement including equipment and training;
16 \$48,393,000 for policing initiatives to combat meth-
17 amphetamine production and trafficking and to en-
18 hance policing initiatives in “drug hot spots”; and
19 \$14,435,000 for Police Corps education, training,
20 and service under sections 200101–200113 of the
21 1994 Act;

22 (2) for crime technology, \$363,611,000 as fol-
23 lows: \$150,000,000 for a law enforcement tech-
24 nology program; \$35,000,000 for grants to upgrade
25 criminal records, as authorized under the Crime

1 Identification Technology Act of 1998 (42 U.S.C.
2 14601); \$40,000,000 for DNA testing as authorized
3 by the DNA Analysis Backlog Elimination Act of
4 2000 (Public Law 106–546); \$35,000,000 for State
5 and local DNA laboratories as authorized by section
6 1001(a)(22) of the 1968 Act, and for improvements
7 to State and local forensic laboratories’ general
8 science capacity and capability; and \$103,611,000
9 for grants, contracts and other assistance to States
10 under section 102(b) of the Crime Identification
11 Technology Act of 1998 (42 U.S.C. 14601), of
12 which \$17,000,000 is for the National Institute of
13 Justice for grants, contracts, and other agreements
14 to develop school safety technologies and training;

15 (3) for prosecution assistance, \$99,780,000 as
16 follows: \$49,780,000 for a national program to re-
17 duce gun violence, and \$50,000,000 for the South-
18 west Border Prosecutor Initiative;

19 (4) for grants, training, technical assistance,
20 and other expenses to support community crime pre-
21 vention efforts, \$46,864,000 as follows: \$14,967,000
22 for Project Sentry; \$14,934,000 for an offender re-
23 entry program; and \$16,963,000 for a police integ-
24 rity program; and

1 (5) not to exceed \$32,994,000 for program
2 management and administration.

3 JUVENILE JUSTICE PROGRAMS

4 For grants, contracts, cooperative agreements, and
5 other assistance authorized by the Juvenile Justice and
6 Delinquency Prevention Act of 1974, as amended (“the
7 Act”), including salaries and expenses in connection there-
8 with to be transferred to and merged with the appropria-
9 tions for Justice Assistance, \$278,483,000, to remain
10 available until expended, as authorized by section 299 of
11 part I of title II and section 506 of title V of the Act,
12 as amended by Public Law 102–586, of which: (1) not-
13 withstanding any other provision of law, \$6,832,000 shall
14 be available for expenses authorized by part A of title II
15 of the Act, \$88,804,000 shall be available for expenses au-
16 thorized by part B of title II of the Act, and \$50,139,000
17 shall be available for expenses authorized by part C of title
18 II of the Act: *Provided*, That \$26,442,000 of the amounts
19 provided for part B of title II of the Act, as amended,
20 is for the purpose of providing additional formula grants
21 under part B to States that provide assurances to the Ad-
22 ministrator that the State has in effect (or will have in
23 effect no later than 1 year after date of application) poli-
24 cies and programs that ensure that juveniles are subject
25 to accountability-based sanctions for every act for which
26 they are adjudicated delinquent; (2) \$11,974,000 shall be

1 available for expenses authorized by sections 281 and 282
2 of part D of title II of the Act for prevention and treat-
3 ment programs relating to juvenile gangs; (3) \$9,978,000
4 shall be available for expenses authorized by section 285
5 of part E of title II of the Act; (4) \$15,965,000 shall be
6 available for expenses authorized by part G of title II of
7 the Act for juvenile mentoring programs; and (5)
8 \$94,791,000 shall be available for expenses authorized by
9 title V of the Act for incentive grants for local delinquency
10 prevention programs; of which \$12,472,000 shall be for
11 delinquency prevention, control, and system improvement
12 programs for tribal youth; of which \$14,967,000 shall be
13 available for the Safe Schools Initiative including
14 \$5,033,000 for grants, contracts, and other assistance
15 under the Project Sentry Initiative; and of which
16 \$37,000,000 shall be available for grants, contracts and
17 other assistance under the Project ChildSafe Initiative:
18 *Provided further*, That of amounts made available under
19 the Juvenile Justice Programs of the Office of Justice
20 Programs to carry out part B (relating to Federal Assist-
21 ance for State and Local Programs), subpart II of part
22 C (relating to Special Emphasis Prevention and Treat-
23 ment Programs), part D (relating to Gang-Free Schools
24 and Communities and Community-Based Gang Interven-
25 tion), part E (relating to State Challenge Activities), and

1 part G (relating to Mentoring) of title II of the Juvenile
2 Justice and Delinquency Prevention Act of 1974, and to
3 carry out the At-Risk Children’s Program under title V
4 of that Act, not more than 10 percent of each such amount
5 may be used for research, evaluation, and statistics activi-
6 ties designed to benefit the programs or activities author-
7 ized under the appropriate part or title, and not more than
8 2 percent of each such amount may be used for training
9 and technical assistance activities designed to benefit the
10 programs or activities authorized under that part or title.

11 In addition, for grants, contracts, cooperative agree-
12 ments, and other assistance, \$10,976,000 to remain avail-
13 able until expended, for developing, testing, and dem-
14 onstrating programs designed to reduce drug use among
15 juveniles.

16 In addition, for grants, contracts, cooperative agree-
17 ments, and other assistance authorized by the Victims of
18 Child Abuse Act of 1990, as amended, \$8,481,000, to re-
19 main available until expended, as authorized by section
20 214B of the Act.

21 PUBLIC SAFETY OFFICERS BENEFITS

22 To remain available until expended, for payments au-
23 thorized by part L of title I of the Omnibus Crime Control
24 and Safe Streets Act of 1968 (42 U.S.C. 3796), as amend-
25 ed, such sums as are necessary, as authorized by section
26 6093 of Public Law 100–690 (102 Stat. 4339–4340); and

1 \$2,395,000, to remain available until expended for pay-
2 ments as authorized by section 1201(b) of said Act.

3 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

4 SEC. 101. In addition to amounts otherwise made
5 available in this title for official reception and representa-
6 tion expenses, a total of not to exceed \$45,000 from funds
7 appropriated to the Department of Justice in this title
8 shall be available to the Attorney General for official re-
9 ception and representation expenses in accordance with
10 distributions, procedures, and regulations established by
11 the Attorney General.

12 SEC. 102. Authorities contained in the Department
13 of Justice Appropriation Authorization Act, Fiscal Year
14 1980 (Public Law 96–132; 93 Stat. 1040 (1979)), as
15 amended, shall remain in effect until the effective date of
16 a subsequent Department of Justice Appropriation Au-
17 thorization Act.

18 SEC. 103. None of the funds appropriated by this
19 title shall be available to pay for an abortion, except where
20 the life of the mother would be endangered if the fetus
21 were carried to term, or in the case of rape: *Provided*,
22 That should this prohibition be declared unconstitutional
23 by a court of competent jurisdiction, this section shall be
24 null and void.

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

4 SEC. 105. Nothing in the preceding section shall re-
5 move the obligation of the Director of the Bureau of Pris-
6 ons to provide escort services necessary for a female in-
7 mate to receive such service outside the Federal facility:
8 *Provided*, That nothing in this section in any way dimin-
9 ishes the effect of section 104 intended to address the phil-
10 osophical beliefs of individual employees of the Bureau of
11 Prisons.

12 SEC. 106. Notwithstanding any other provision of
13 law, not to exceed \$10,000,000 of the funds made avail-
14 able in this Act may be used to establish and publicize
15 a program under which publicly advertised, extraordinary
16 rewards may be paid, which shall not be subject to spend-
17 ing limitations contained in sections 3059 and 3072 of
18 title 18, United States Code: *Provided*, That any reward
19 of \$100,000 or more, up to a maximum of \$2,000,000,
20 may not be made without the personal approval of the
21 President or the Attorney General and such approval may
22 not be delegated.

23 SEC. 107. Not to exceed 5 percent of any appropria-
24 tion made available for the current fiscal year for the De-
25 partment of Justice in this Act may be transferred be-

1 tween such appropriations, but no such appropriation, ex-
2 cept as otherwise specifically provided, shall be increased
3 by more than 10 percent by any such transfers: *Provided*,
4 That any transfer pursuant to this section shall be treated
5 as a reprogramming of funds under section 605 of this
6 Act and shall not be available for obligation except in com-
7 pliance with the procedures set forth in that section.

8 SEC. 108. Notwithstanding any other provision of
9 law, \$1,000,000 shall be available for technical assistance
10 from the funds appropriated for part G of title II of the
11 Juvenile Justice and Delinquency Prevention Act of 1974,
12 as amended.

13 SEC. 109. Section 286 of the Immigration and Na-
14 tionality Act (8 U.S.C. 1356), as amended, is further
15 amended as follows:

16 (1) by striking in subsection (d) “\$6”, and in-
17 serting “\$7”;

18 (2) by amending subsection (e)(1), by replacing
19 “*No*” with “*Except as provided in paragraph (3),*
20 *no*”; and

21 (3) by adding a new paragraph (e)(3) as fol-
22 lows:

23 “(3) The Attorney General is authorized to
24 charge and collect \$3 per individual for the immigra-
25 tion inspection or pre-inspection of each commercial

1 vessel passenger whose journey originated in the
2 United States or in any place set forth in paragraph
3 (1): *Provided*, That this authorization shall not
4 apply to immigration inspection at designated ports
5 of entry of passengers arriving by the following ves-
6 sels, when operating on a regular schedule: Great
7 Lakes international ferries, or Great Lakes Vessels
8 on the Great Lakes and connecting waterways.”.

9 This title may be cited as the “Department of Justice
10 Appropriations Act, 2002”.

11 TITLE II—DEPARTMENT OF COMMERCE AND

12 RELATED AGENCIES

13 TRADE AND INFRASTRUCTURE DEVELOPMENT

14 RELATED AGENCIES

15 OFFICE OF THE UNITED STATES TRADE

16 REPRESENTATIVE

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of the United
19 States Trade Representative, including the hire of pas-
20 senger motor vehicles and the employment of experts and
21 consultants as authorized by 5 U.S.C. 3109, \$30,097,000,
22 of which \$1,000,000 shall remain available until expended:
23 *Provided*, That not to exceed \$98,000 shall be available
24 for official reception and representation expenses.

1 INTERNATIONAL TRADE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the International Trade
4 Commission, including hire of passenger motor vehicles,
5 and services as authorized by 5 U.S.C. 3109, and not to
6 exceed \$2,500 for official reception and representation ex-
7 penses, \$51,440,000, to remain available until expended.

8 DEPARTMENT OF COMMERCE

9 INTERNATIONAL TRADE ADMINISTRATION

10 OPERATIONS AND ADMINISTRATION

11 For necessary expenses for international trade activi-
12 ties of the Department of Commerce provided for by law,
13 and for engaging in trade promotional activities abroad,
14 including expenses of grants and cooperative agreements
15 for the purpose of promoting exports of United States
16 firms, without regard to 44 U.S.C. 3702 and 3703; full
17 medical coverage for dependent members of immediate
18 families of employees stationed overseas and employees
19 temporarily posted overseas; travel and transportation of
20 employees of the United States and Foreign Commercial
21 Service between two points abroad, without regard to 49
22 U.S.C. 1517; employment of Americans and aliens by con-
23 tract for services; rental of space abroad for periods not
24 exceeding 10 years, and expenses of alteration, repair, or
25 improvement; purchase or construction of temporary de-

1 mountable exhibition structures for use abroad; payment
2 of tort claims, in the manner authorized in the first para-
3 graph of 28 U.S.C. 2672 when such claims arise in foreign
4 countries; not to exceed \$327,000 for official representa-
5 tion expenses abroad; purchase of passenger motor vehi-
6 cles for official use abroad, not to exceed \$30,000 per vehi-
7 cle; obtaining insurance on official motor vehicles; and
8 rental of tie lines, \$347,654,000, to remain available until
9 expended, of which \$3,000,000 is to be derived from fees
10 to be retained and used by the International Trade Admin-
11 istration, notwithstanding 31 U.S.C. 3302: *Provided*, That
12 \$66,919,000 shall be for Trade Development,
13 \$27,741,000 shall be for Market Access and Compliance,
14 \$43,346,000 shall be for the Import Administration,
15 \$196,791,000 shall be for the United States and Foreign
16 Commercial Service, and \$12,857,000 shall be for Execu-
17 tive Direction and Administration: *Provided further*, That
18 the provisions of the first sentence of section 105(f) and
19 all of section 108(c) of the Mutual Educational and Cul-
20 tural Exchange Act of 1961 (22 U.S.C. 2455(f) and
21 2458(c)) shall apply in carrying out these activities with-
22 out regard to section 5412 of the Omnibus Trade and
23 Competitiveness Act of 1988 (15 U.S.C. 4912); and that
24 for the purpose of this Act, contributions under the provi-
25 sions of the Mutual Educational and Cultural Exchange

1 Act shall include payment for assessments for services pro-
2 vided as part of these activities.

3 EXPORT ADMINISTRATION

4 OPERATIONS AND ADMINISTRATION

5 For necessary expenses for export administration and
6 national security activities of the Department of Com-
7 merce, including costs associated with the performance of
8 export administration field activities both domestically and
9 abroad; full medical coverage for dependent members of
10 immediate families of employees stationed overseas; em-
11 ployment of Americans and aliens by contract for services
12 abroad; payment of tort claims, in the manner authorized
13 in the first paragraph of 28 U.S.C. 2672 when such claims
14 arise in foreign countries; not to exceed \$15,000 for offi-
15 cial representation expenses abroad; awards of compensa-
16 tion to informers under the Export Administration Act of
17 1979, and as authorized by 22 U.S.C. 401(b); purchase
18 of passenger motor vehicles for official use and motor vehi-
19 cles for law enforcement use with special requirement vehi-
20 cles eligible for purchase without regard to any price limi-
21 tation otherwise established by law, \$68,893,000, to re-
22 main available until expended, of which \$7,250,000 shall
23 be for inspections and other activities related to national
24 security: *Provided*, That the provisions of the first sen-
25 tence of section 105(f) and all of section 108(c) of the

1 Mutual Educational and Cultural Exchange Act of 1961
2 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying
3 out these activities: *Provided further*, That payments and
4 contributions collected and accepted for materials or serv-
5 ices provided as part of such activities may be retained
6 for use in covering the cost of such activities, and for pro-
7 viding information to the public with respect to the export
8 administration and national security activities of the De-
9 partment of Commerce and other export control programs
10 of the United States and other governments.

11 ECONOMIC DEVELOPMENT ADMINISTRATION

12 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

13 For grants for economic development assistance as
14 provided by the Public Works and Economic Development
15 Act of 1965, as amended, and for trade adjustment assist-
16 ance, \$335,000,000, to remain available until expended.

17 SALARIES AND EXPENSES

18 For necessary expenses of administering the eco-
19 nomic development assistance programs as provided for by
20 law, \$30,557,000: *Provided*, That these funds may be used
21 to monitor projects approved pursuant to title I of the
22 Public Works Employment Act of 1976, as amended, title
23 II of the Trade Act of 1974, as amended, and the Commu-
24 nity Emergency Drought Relief Act of 1977.

1 MINORITY BUSINESS DEVELOPMENT AGENCY

2 MINORITY BUSINESS DEVELOPMENT

3 For necessary expenses of the Department of Com-
4 merce in fostering, promoting, and developing minority
5 business enterprise, including expenses of grants, con-
6 tracts, and other agreements with public or private organi-
7 zations, \$28,381,000.

8 ECONOMIC AND INFORMATION INFRASTRUCTURE

9 ECONOMIC AND STATISTICAL ANALYSIS

10 SALARIES AND EXPENSES

11 For necessary expenses, as authorized by law, of eco-
12 nomic and statistical analysis programs of the Department
13 of Commerce, \$62,515,000, to remain available until Sep-
14 tember 30, 2003.

15 BUREAU OF THE CENSUS

16 SALARIES AND EXPENSES

17 For expenses necessary for collecting, compiling, ana-
18 lyzing, preparing, and publishing statistics, provided for
19 by law, \$169,424,000.

20 PERIODIC CENSUSES AND PROGRAMS

21 For necessary expenses related to the 2000 decennial
22 census, \$114,238,000 to remain available until expended:
23 *Provided*, That, of the total amount available related to
24 the 2000 decennial census (\$114,238,000 in new appro-
25 priations and \$25,000,000 in deobligated balances from
26 prior years), \$8,606,000 is for Program Development and

1 Management; \$68,330,000 is for Data Content and Prod-
2 ucts; \$9,455,000 is for Field Data Collection and Support
3 Systems; \$24,462,000 is for Automated Data Processing
4 and Telecommunications Support; \$22,844,000 is for
5 Testing and Evaluation; \$3,105,000 is for activities re-
6 lated to Puerto Rico, the Virgin Islands and Pacific Areas;
7 and \$2,436,000 is for Marketing, Communications and
8 Partnership activities.

9 In addition, for expenses related to planning, testing,
10 and implementing the long-form transitional database for
11 the 2010 decennial census, \$65,000,000.

12 In addition, for expenses to collect and publish statis-
13 tics for other periodic censuses and programs provided for
14 by law, \$171,138,000, to remain available until expended:
15 *Provided*, That regarding engineering and design of a fa-
16 cility at the Suitland Federal Center, quarterly reports re-
17 garding the expenditure of funds and project planning, de-
18 sign and cost decisions shall be provided by the Bureau,
19 in cooperation with the General Services Administration,
20 to the Committees on Appropriations of the Senate and
21 the House of Representatives: *Provided further*, That none
22 of the funds provided in this Act or any other Act under
23 the heading “Bureau of the Census, Periodic Censuses
24 and Programs” shall be used to fund the construction and

1 tenant build-out costs of a facility at the Suitland Federal
2 Center.

3 NATIONAL TELECOMMUNICATIONS AND INFORMATION

4 ADMINISTRATION

5 SALARIES AND EXPENSES

6 For necessary expenses, as provided for by law, of
7 the National Telecommunications and Information Ad-
8 ministration (NTIA), \$13,048,000, to remain available
9 until expended: *Provided*, That, notwithstanding 31
10 U.S.C. 1535(d), the Secretary of Commerce shall charge
11 Federal agencies for costs incurred in spectrum manage-
12 ment, analysis, and operations, and related services and
13 such fees shall be retained and used as offsetting collec-
14 tions for costs of such spectrum services, to remain avail-
15 able until expended: *Provided further*, That hereafter, not-
16 withstanding any other provision of law, NTIA shall not
17 authorize spectrum use or provide any spectrum functions
18 pursuant to the National Telecommunications and Infor-
19 mation Administration Organization Act, 47 U.S.C. 902-
20 903, to any Federal entity without reimbursement as re-
21 quired by NTIA for such spectrum management costs, and
22 Federal entities withholding payment of such cost shall
23 not use spectrum: *Provided further*, That the Secretary of
24 Commerce is authorized to retain and use as offsetting
25 collections all funds transferred, or previously transferred,

1 from other Government agencies for all costs incurred in
2 telecommunications research, engineering, and related ac-
3 tivities by the Institute for Telecommunication Sciences
4 of NTIA, in furtherance of its assigned functions under
5 this paragraph, and such funds received from other Gov-
6 ernment agencies shall remain available until expended.

7 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
8 AND CONSTRUCTION

9 For grants authorized by section 392 of the Commu-
10 nications Act of 1934, as amended, \$43,466,000, to re-
11 main available until expended as authorized by section 391
12 of the Act, as amended: *Provided*, That not to exceed
13 \$2,358,000 shall be available for program administration
14 as authorized by section 391 of the Act: *Provided further*,
15 That, notwithstanding the provisions of section 391 of the
16 Act, the prior year unobligated balances may be made
17 available for grants for projects for which applications
18 have been submitted and approved during any fiscal year.

19 INFORMATION INFRASTRUCTURE GRANTS

20 For grants authorized by section 392 of the Commu-
21 nications Act of 1934, as amended, \$15,503,000, to re-
22 main available until expended as authorized by section 391
23 of the Act, as amended: *Provided*, That not to exceed
24 \$3,097,000 shall be available for program administration
25 and other support activities as authorized by section 391:
26 *Provided further*, That, of the funds appropriated herein,

1 not to exceed 5 percent may be available for telecommuni-
2 cations research activities for projects related directly to
3 the development of a national information infrastructure:
4 *Provided further*, That, notwithstanding the requirements
5 of sections 392(a) and 392(c) of the Act, these funds may
6 be used for the planning and construction of telecommuni-
7 cations networks for the provision of educational, cultural,
8 health care, public information, public safety, or other so-
9 cial services: *Provided further*, That, notwithstanding any
10 other provision of law, no entity that receives tele-
11 communications services at preferential rates under sec-
12 tion 254(h) of the Act (47 U.S.C. 254(h)) or receives as-
13 sistance under the regional information sharing systems
14 grant program of the Department of Justice under part
15 M of title I of the Omnibus Crime Control and Safe
16 Streets Act of 1968 (42 U.S.C. 3796h) may use funds
17 under a grant under this heading to cover any costs of
18 the entity that would otherwise be covered by such pref-
19 erential rates or such assistance, as the case may be.

20 UNITED STATES PATENT AND TRADEMARK OFFICE

21 SALARIES AND EXPENSES

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

1 United States Patent and Trademark Office,
2 \$846,701,000, to remain available until expended, which
3 amount shall be derived from offsetting collections as-
4 sessed and collected pursuant to 15 U.S.C. 1113 and 35
5 U.S.C. 41 and 376, and shall be retained and used for
6 necessary expenses in this appropriation: *Provided*, That
7 the sum herein appropriated from the general fund shall
8 be reduced as such offsetting collections are received dur-
9 ing fiscal year 2002, so as to result in a final fiscal year
10 2002 appropriation from the general fund estimated at \$0:
11 *Provided further*, That during fiscal year 2002, should the
12 total amount of offsetting fee collections be less than
13 \$846,701,000, the total amounts available to the United
14 States Patent and Trademark Office shall be reduced ac-
15 cordingly: *Provided further*, That an additional amount not
16 to exceed \$282,300,000 from fees collected in prior fiscal
17 years shall be available for obligation in fiscal year 2002.

18 SCIENCE AND TECHNOLOGY

19 TECHNOLOGY ADMINISTRATION

20 SALARIES AND EXPENSES

21 For necessary expenses for the Under Secretary for
22 Technology/Office of Technology Policy, \$8,094,000.

1 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
2 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

3 For necessary expenses of the National Institute of
4 Standards and Technology, \$348,589,000, to remain
5 available until expended, of which not to exceed \$282,000
6 may be transferred to the “Working Capital Fund”.

7 INDUSTRIAL TECHNOLOGY SERVICES

8 For necessary expenses of the Manufacturing Exten-
9 sion Partnership of the National Institute of Standards
10 and Technology, \$106,522,000, to remain available until
11 expended.

12 In addition, for necessary expenses of the Advanced
13 Technology Program of the National Institute of Stand-
14 ards and Technology, \$12,992,000, to remain available
15 until expended.

16 CONSTRUCTION OF RESEARCH FACILITIES

17 For construction of new research facilities, including
18 architectural and engineering design, and for renovation
19 of existing facilities, not otherwise provided for the Na-
20 tional Institute of Standards and Technology, as author-
21 ized by 15 U.S.C. 278c–278e, \$20,893,000, to remain
22 available until expended.

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

5 For necessary expenses of activities authorized by law
6 for the National Oceanic and Atmospheric Administration,
7 including maintenance, operation, and hire of aircraft;
8 grants, contracts, or other payments to nonprofit organi-
9 zations for the purposes of conducting activities pursuant
10 to cooperative agreements; and relocation of facilities as
11 authorized by 33 U.S.C. 883i, \$2,197,298,000, to remain
12 available until expended: *Provided*, That fees and dona-
13 tions received by the National Ocean Service for the man-
14 agement of the national marine sanctuaries may be re-
15 tained and used for the salaries and expenses associated
16 with those activities, notwithstanding 31 U.S.C. 3302:
17 *Provided further*, That, in addition, \$68,000,000 shall be
18 derived by transfer from the fund entitled “Promote and
19 Develop Fishery Products and Research Pertaining to
20 American Fisheries”: *Provided further*, That grants to
21 States pursuant to sections 306 and 306A of the Coastal
22 Zone Management Act of 1972, as amended, shall not ex-
23 ceed \$2,000,000: *Provided further*, That, of the
24 \$2,220,298,000 provided for in direct obligations under
25 this heading (of which \$2,197,298,000 is appropriated
26 from the General Fund, \$71,000,000 is provided by trans-

1 fer, and \$17,000,000 is derived from deobligations from
2 prior years), \$375,609,000 shall be for the National
3 Ocean Service, \$542,121,000 shall be for the National
4 Marine Fisheries Service, \$317,483,000 shall be for Oce-
5 anic and Atmospheric Research, \$659,349,000 shall be for
6 the National Weather Service, \$149,624,000 shall be for
7 the National Environmental Satellite, Data, and Informa-
8 tion Service, and \$176,112,000 shall be for Program Sup-
9 port: *Provided further*, That, hereafter, ocean assessment,
10 coastal ocean, protected resources, and habitat conserva-
11 tion activities under this heading shall be considered to
12 be within the “Coastal Assistance sub-category” in section
13 250(c)(4)(K) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985, as amended: *Provided further*,
15 That, of the amount provided under this heading,
16 \$304,000,000 shall be for the conservation activities de-
17 fined in section 250(c)(4)(K) of the Balanced Budget and
18 Emergency Deficit Control Act of 1985, as amended: *Pro-*
19 *vided further*, That no general administrative charge shall
20 be applied against an assigned activity included in this Act
21 and, further, that any direct administrative expenses ap-
22 plied against an assigned activity shall be limited to 5 per-
23 cent of the funds provided for that assigned activity so
24 that total National Oceanic and Atmospheric Administra-
25 tion administrative expenses shall not exceed

1 \$257,200,000: *Provided further*, That any use of
2 deobligated balances of funds provided under this heading
3 in previous years shall be subject to the procedures set
4 forth in section 605 of this Act: *Provided further*, That,
5 in addition, not to exceed \$3,000,000 shall be derived by
6 transfer from the fund entitled “Coastal Zone Manage-
7 ment”.

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

14 PROCUREMENT, ACQUISITION AND CONSTRUCTION
15 (INCLUDING TRANSFERS OF FUNDS)

16 For procurement, acquisition and construction of
17 capital assets, including alteration and modification costs,
18 of the National Oceanic and Atmospheric Administration,
19 \$749,000,000, to remain available until expended: *Pro-*
20 *vided*, That unexpended balances of amounts previously
21 made available in the “Operations, Research, and Facili-
22 ties” account for activities funded under this heading may
23 be transferred to and merged with this account, to remain
24 available until expended for the purposes for which the
25 funds were originally appropriated: *Provided further*, That,
26 of the amount provided under this heading, \$26,000,000

1 shall be for the conservation activities defined in section
2 250(c)(4)(K) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985, as amended: *Provided further*,
4 That none of the funds provided in this Act or any other
5 Act under the heading “National Oceanic and Atmos-
6 pheric Administration, Procurement, Acquisition and Con-
7 struction” shall be used to fund the General Services Ad-
8 ministration’s standard construction and tenant build-out
9 costs of a facility at the Suitland Federal Center.

10 PACIFIC COASTAL SALMON RECOVERY

11 For necessary expenses associated with the restora-
12 tion of Pacific salmon populations and the implementation
13 of the 1999 Pacific Salmon Treaty Agreement between the
14 United States and Canada, \$110,000,000, subject to ex-
15 press authorization: *Provided*, That this amount shall be
16 for the conservation activities defined in section
17 250(c)(4)(K) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985, as amended.

19 In addition, for implementation of the 1999 Pacific
20 Salmon Treaty Agreement, \$25,000,000, of which
21 \$10,000,000 shall be deposited in the Northern Boundary
22 and Transboundary Rivers Restoration and Enhancement
23 Fund, of which \$10,000,000 shall be deposited in the
24 Southern Boundary Restoration and Enhancement Fund,
25 and of which \$5,000,000 shall be for a direct payment

1 to the State of Washington for obligations under the 1999
2 Pacific Salmon Treaty Agreement.

3 COASTAL ZONE MANAGEMENT FUND

4 Of amounts collected pursuant to section 308 of the
5 Coastal Zone Management Act of 1972 (16 U.S.C.
6 1456a), not to exceed \$3,000,000 shall be transferred to
7 the “Operations, Research, and Facilities” account to off-
8 set the costs of implementing such Act.

9 FISHERMEN’S CONTINGENCY FUND

10 For carrying out the provisions of title IV of Public
11 Law 95–372, not to exceed \$952,000, to be derived from
12 receipts collected pursuant to that Act, to remain available
13 until expended.

14 FOREIGN FISHING OBSERVER FUND

15 For expenses necessary to carry out the provisions
16 of the Atlantic Tunas Convention Act of 1975, as amend-
17 ed (Public Law 96–339), the Magnuson-Stevens Fishery
18 Conservation and Management Act of 1976, as amended
19 (Public Law 100–627), and the American Fisheries Pro-
20 motion Act (Public Law 96–561), to be derived from the
21 fees imposed under the foreign fishery observer program
22 authorized by these Acts, not to exceed \$191,000, to re-
23 main available until expended.

24 FISHERIES FINANCE PROGRAM ACCOUNT

25 For the cost of direct loans, \$287,000, as authorized
26 by the Merchant Marine Act of 1936, as amended: *Pro-*

1 *vided*, That such costs, including the cost of modifying
2 such loans, shall be as defined in section 502 of the Con-
3 gressional Budget Act of 1974: *Provided further*, That
4 none of the funds made available under this heading may
5 be used for direct loans for any new fishing vessel that
6 will increase the harvesting capacity in any United States
7 fishery.

8 DEPARTMENTAL MANAGEMENT

9 SALARIES AND EXPENSES

10 For expenses necessary for the departmental manage-
11 ment of the Department of Commerce provided for by law,
12 including not to exceed \$3,000 for official entertainment,
13 \$37,843,000.

14 OFFICE OF INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector
16 General in carrying out the provisions of the Inspector
17 General Act of 1978, as amended (5 U.S.C. App. 1–11,
18 as amended by Public Law 100–504), \$21,176,000.

19 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

20 SEC. 201. During the current fiscal year, applicable
21 appropriations and funds made available to the Depart-
22 ment of Commerce by this Act shall be available for the
23 activities specified in the Act of October 26, 1949 (15
24 U.S.C. 1514), to the extent and in the manner prescribed
25 by the Act, and, notwithstanding 31 U.S.C. 3324, may
26 be used for advanced payments not otherwise authorized

1 only upon the certification of officials designated by the
2 Secretary of Commerce that such payments are in the
3 public interest.

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

11 SEC. 203. None of the funds made available by this
12 Act may be used to support the hurricane reconnaissance
13 aircraft and activities that are under the control of the
14 United States Air Force or the United States Air Force
15 Reserve.

16 SEC. 204. Not to exceed 5 percent of any appropria-
17 tion made available for the current fiscal year for the De-
18 partment of Commerce in this Act may be transferred be-
19 tween such appropriations, but no such appropriation shall
20 be increased by more than 10 percent by any such trans-
21 fers: *Provided*, That any transfer pursuant to this section
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 SEC. 205. Any costs incurred by a department or
2 agency funded under this title resulting from personnel
3 actions taken in response to funding reductions included
4 in this title or from actions taken for the care and protec-
5 tion of loan collateral or grant property shall be absorbed
6 within the total budgetary resources available to such de-
7 partment or agency: *Provided*, That the authority to trans-
8 fer funds between appropriations accounts as may be nec-
9 essary to carry out this section is provided in addition to
10 authorities included elsewhere in this Act: *Provided fur-*
11 *ther*, That use of funds to carry out this section shall be
12 treated as a reprogramming of funds under section 605
13 of this Act and shall not be available for obligation or ex-
14 penditure except in compliance with the procedures set
15 forth in that section.

16 SEC. 206. The Secretary of Commerce may award
17 contracts for hydrographic, geodetic, and photo-
18 grammetric surveying and mapping services in accordance
19 with title IX of the Federal Property and Administrative
20 Services Act of 1949 (40 U.S.C. 541 et seq.).

21 SEC. 207. The Secretary of Commerce may use the
22 Commerce franchise fund for expenses and equipment nec-
23 essary for the maintenance and operation of such adminis-
24 trative services as the Secretary determines may be per-
25 formed more advantageously as central services, pursuant

1 to section 403 of Public Law 103–356: *Provided*, That any
2 inventories, equipment, and other assets pertaining to the
3 services to be provided by such fund, either on hand or
4 on order, less the related liabilities or unpaid obligations,
5 and any appropriations made for the purpose of providing
6 capital shall be used to capitalize such fund: *Provided fur-*
7 *ther*, That such fund shall be paid in advance from funds
8 available to the Department and other Federal agencies
9 for which such centralized services are performed, at rates
10 which will return in full all expenses of operation, includ-
11 ing accrued leave, depreciation of fund plant and equip-
12 ment, amortization of automated data processing (ADP)
13 software and systems (either acquired or donated), and
14 an amount necessary to maintain a reasonable operating
15 reserve, as determined by the Secretary: *Provided further*,
16 That such fund shall provide services on a competitive
17 basis: *Provided further*, That an amount not to exceed 4
18 percent of the total annual income to such fund may be
19 retained in the fund for fiscal year 2002 and each fiscal
20 year thereafter, to remain available until expended, to be
21 used for the acquisition of capital equipment, and for the
22 improvement and implementation of department financial
23 management, ADP, and other support systems: *Provided*
24 *further*, That such amounts retained in the fund for fiscal
25 year 2002 and each fiscal year thereafter shall be available

1 for obligation and expenditure only in accordance with sec-
2 tion 605 of this Act: *Provided further*, That no later than
3 30 days after the end of each fiscal year, amounts in ex-
4 cess of this reserve limitation shall be deposited as mis-
5 cellaneous receipts in the Treasury: *Provided further*, That
6 such franchise fund pilot program shall terminate pursu-
7 ant to section 403(f) of Public Law 103–356.

8 This title may be cited as the “Department of Com-
9 merce and Related Agencies Appropriations Act, 2002”.

10 TITLE III—THE JUDICIARY

11 SUPREME COURT OF THE UNITED STATES

12 SALARIES AND EXPENSES

13 For expenses necessary for the operation of the Su-
14 preme Court, as required by law, excluding care of the
15 building and grounds, including purchase or hire, driving,
16 maintenance, and operation of an automobile for the Chief
17 Justice, not to exceed \$10,000 for the purpose of trans-
18 porting Associate Justices, and hire of passenger motor
19 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
20 to exceed \$10,000 for official reception and representation
21 expenses; and for miscellaneous expenses, to be expended
22 as the Chief Justice may approve; \$42,066,000.

23 CARE OF THE BUILDING AND GROUNDS

24 For such expenditures as may be necessary to enable
25 the Architect of the Capitol to carry out the duties im-
26 posed upon the Architect by the Act approved May 7,

1 1934 (40 U.S.C. 13a–13b), \$70,000,000, which shall re-
2 main available until expended.

3 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
4 CIRCUIT

5 SALARIES AND EXPENSES

6 For salaries of the chief judge, judges, and other offi-
7 cers and employees, and for necessary expenses of the
8 court, as authorized by law, \$19,287,000.

9 UNITED STATES COURT OF INTERNATIONAL TRADE

10 SALARIES AND EXPENSES

11 For salaries of the chief judge and eight judges, sala-
12 ries of the officers and employees of the court, services
13 as authorized by 5 U.S.C. 3109, and necessary expenses
14 of the court, as authorized by law, \$13,073,000.

15 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

16 JUDICIAL SERVICES

17 SALARIES AND EXPENSES

18 For the salaries of circuit and district judges (includ-
19 ing judges of the territorial courts of the United States),
20 justices and judges retired from office or from regular ac-
21 tive service, judges of the United States Court of Federal
22 Claims, bankruptcy judges, magistrate judges, and all
23 other officers and employees of the Federal Judiciary not
24 otherwise specifically provided for, and necessary expenses
25 of the courts, as authorized by law, \$3,631,940,000 (in-

1 cluding the purchase of firearms and ammunition); of
2 which not to exceed \$27,817,000 shall remain available
3 until expended for space alteration projects and for fur-
4 niture and furnishings related to new space alteration and
5 construction projects.

6 In addition, for expenses of the United States Court
7 of Federal Claims associated with processing cases under
8 the National Childhood Vaccine Injury Act of 1986, not
9 to exceed \$2,692,000, to be appropriated from the Vaccine
10 Injury Compensation Trust Fund.

11 DEFENDER SERVICES

12 For the operation of Federal Public Defender and
13 Community Defender organizations; the compensation and
14 reimbursement of expenses of attorneys appointed to rep-
15 resent persons under the Criminal Justice Act of 1964,
16 as amended; the compensation and reimbursement of ex-
17 penses of persons furnishing investigative, expert and
18 other services under the Criminal Justice Act of 1964 (18
19 U.S.C. 3006A(e)); the compensation (in accordance with
20 Criminal Justice Act maximums) and reimbursement of
21 expenses of attorneys appointed to assist the court in
22 criminal cases where the defendant has waived representa-
23 tion by counsel; the compensation and reimbursement of
24 travel expenses of guardians ad litem acting on behalf of
25 financially eligible minor or incompetent offenders in con-

1 nection with transfers from the United States to foreign
2 countries with which the United States has a treaty for
3 the execution of penal sentences; the compensation of at-
4 torneys appointed to represent jurors in civil actions for
5 the protection of their employment, as authorized by 28
6 U.S.C. 1875(d); and for necessary training and general
7 administrative expenses, \$500,671,000, to remain avail-
8 able until expended as authorized by 18 U.S.C. 3006A(i).

9 FEES OF JURORS AND COMMISSIONERS

10 For fees and expenses of jurors as authorized by 28
11 U.S.C. 1871 and 1876; compensation of jury commis-
12 sioners as authorized by 28 U.S.C. 1863; and compensa-
13 tion of commissioners appointed in condemnation cases
14 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-
15 cedure (28 U.S.C. Appendix Rule 71A(h)), \$48,131,000,
16 to remain available until expended: *Provided*, That the
17 compensation of land commissioners shall not exceed the
18 daily equivalent of the highest rate payable under section
19 5332 of title 5, United States Code.

20 COURT SECURITY

21 For necessary expenses, not otherwise provided for,
22 incident to providing protective guard services for United
23 States courthouses and the procurement, installation, and
24 maintenance of security equipment for United States
25 courthouses and other facilities housing federal court oper-
26 ations, including building ingress-egress control, inspec-

1 tion of mail and packages, directed security patrols, and
2 other similar activities as authorized by section 1010 of
3 the Judicial Improvement and Access to Justice Act (Pub-
4 lic Law 100–702), \$224,433,000, of which not to exceed
5 \$10,000,000 shall remain available until expended for se-
6 curity systems or contract costs for court security officers,
7 to be expended directly or transferred to the United States
8 Marshals Service, which shall be responsible for admin-
9 istering the Judicial Facility Security Program consistent
10 with standards or guidelines agreed to by the Director of
11 the Administrative Office of the United States Courts and
12 the Attorney General.

13 ADMINISTRATIVE OFFICE OF THE UNITED STATES

14 COURTS

15 SALARIES AND EXPENSES

16 For necessary expenses of the Administrative Office
17 of the United States Courts as authorized by law, includ-
18 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
19 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
20 advertising and rent in the District of Columbia and else-
21 where, \$60,029,000, of which not to exceed \$8,500 is au-
22 thorized for official reception and representation expenses.

1 FEDERAL JUDICIAL CENTER

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Judicial Cen-
4 ter, as authorized by Public Law 90–219, \$20,235,000;
5 of which \$1,800,000 shall remain available through Sep-
6 tember 30, 2003, to provide education and training to
7 Federal court personnel; and of which not to exceed
8 \$1,000 is authorized for official reception and representa-
9 tion expenses.

10 JUDICIAL RETIREMENT FUNDS

11 PAYMENT TO JUDICIARY TRUST FUNDS

12 For payment to the Judicial Officers' Retirement
13 Fund, as authorized by 28 U.S.C. 377(o), \$26,700,000;
14 to the Judicial Survivors' Annuities Fund, as authorized
15 by 28 U.S.C. 376(c), \$8,400,000; and to the United
16 States Court of Federal Claims Judges' Retirement Fund,
17 as authorized by 28 U.S.C. 178(l), \$1,900,000.

18 UNITED STATES SENTENCING COMMISSION

19 SALARIES AND EXPENSES

20 For the salaries and expenses necessary to carry out
21 the provisions of chapter 58 of title 28, United States
22 Code, \$11,575,000, of which not to exceed \$1,000 is au-
23 thorized for official reception and representation expenses.

1 GENERAL PROVISIONS—THE JUDICIARY

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

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

18 SEC. 303. Notwithstanding any other provision of
19 law, the salaries and expenses appropriation for district
20 courts, courts of appeals, and other judicial services shall
21 be available for official reception and representation ex-
22 penses of the Judicial Conference of the United States:
23 *Provided*, That such available funds shall not exceed
24 \$11,000 and shall be administered by the Director of the

1 Administrative Office of the United States Courts in the
2 capacity as Secretary of the Judicial Conference.

3 SEC. 304. Of the unexpended balances transferred to
4 the Commission on Structural Alternatives in Federal Ap-
5 pellate Courts, up to \$400,000 may be expended on court
6 operations under the “Courts of Appeals, District Courts,
7 and other Judicial Services, Salaries and Expenses”.

8 This title may be cited as the “Judiciary Appropria-
9 tions Act, 2002”.

10 TITLE IV—DEPARTMENT OF STATE AND

11 RELATED AGENCY

12 DEPARTMENT OF STATE

13 ADMINISTRATION OF FOREIGN AFFAIRS

14 DIPLOMATIC AND CONSULAR PROGRAMS

15 For necessary expenses of the Department of State
16 and the Foreign Service not otherwise provided for, includ-
17 ing employment, without regard to civil service and classi-
18 fication laws, of persons on a temporary basis (not to ex-
19 ceed \$700,000 of this appropriation), as authorized by
20 section 801 of the United States Information and Edu-
21 cational Exchange Act of 1948, as amended; representa-
22 tion to certain international organizations in which the
23 United States participates pursuant to treaties ratified
24 pursuant to the advice and consent of the Senate or spe-
25 cific Acts of Congress; arms control, nonproliferation and

1 disarmament activities as authorized; acquisition by ex-
2 change or purchase of passenger motor vehicles as author-
3 ized by law; and for expenses of general administration,
4 \$3,166,000,000: *Provided*, That, of the amount made
5 available under this heading, not to exceed \$4,000,000
6 may be transferred to, and merged with, funds in the
7 “Emergencies in the Diplomatic and Consular Service”
8 appropriations account, to be available only for emergency
9 evacuations and terrorism rewards: *Provided further*,
10 That, of the amount made available under this heading,
11 \$270,259,000 shall be available only for public diplomacy
12 international information programs: *Provided further*,
13 That, notwithstanding any other provision of law, not to
14 exceed \$323,000,000 of offsetting collections derived from
15 fees collected under the authority of section 140(a)(1) of
16 the Foreign Relations Authorization Act, Fiscal Years
17 1994 and 1995 (Public Law 103–236) during fiscal year
18 2002 shall be retained and used for authorized expenses
19 in this appropriation and shall remain available until ex-
20 pended: *Provided further*, That any fees received in excess
21 of \$323,000,000 in fiscal year 2002 shall remain available
22 until expended, but shall not be available for obligation
23 until October 1, 2002: *Provided further*, That no funds
24 may be obligated or expended for processing licenses for
25 the export of satellites of United States origin (including

1 commercial satellites and satellite components) to the Peo-
2 ple's Republic of China unless, at least 15 days in advance,
3 the Committees on Appropriations of the House of Rep-
4 resentatives and the Senate are notified of such proposed
5 action.

6 In addition, not to exceed \$1,343,000 shall be derived
7 from fees collected from other executive agencies for lease
8 or use of facilities located at the International Center in
9 accordance with section 4 of the International Center Act,
10 as amended; in addition, as authorized by section 5 of such
11 Act, \$490,000, to be derived from the reserve authorized
12 by that section, to be used for the purposes set out in
13 that section; in addition, as authorized by section 810 of
14 the United States Information and Educational Exchange
15 Act, not to exceed \$6,000,000, to remain available until
16 expended, may be credited to this appropriation from fees
17 or other payments received from English teaching, library,
18 motion pictures, and publication programs and from fees
19 from educational advising and counseling and exchange
20 visitor programs; and, in addition, not to exceed \$15,000,
21 which shall be derived from reimbursements, surcharges,
22 and fees for use of Blair House facilities.

23 In addition, for the costs of worldwide security up-
24 grades, \$487,735,000, to remain available until expended.

1 CAPITAL INVESTMENT FUND

2 For necessary expenses of the Capital Investment
3 Fund, \$210,000,000, to remain available until expended,
4 as authorized: *Provided*, That section 135(e) of Public
5 Law 103–236 shall not apply to funds available under this
6 heading.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
9 General, \$29,264,000, notwithstanding section 209(a)(1)
10 of the Foreign Service Act of 1980, as amended (Public
11 Law 96–465), as it relates to post inspections.

12 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

13 For expenses of educational and cultural exchange
14 programs, as authorized, \$237,000,000, to remain avail-
15 able until expended: *Provided*, That not to exceed
16 \$2,000,000, to remain available until expended, may be
17 credited to this appropriation from fees or other payments
18 received from or in connection with English teaching, edu-
19 cational advising and counseling programs, and exchange
20 visitor programs as authorized.

21 REPRESENTATION ALLOWANCES

22 For representation allowances as authorized,
23 \$6,485,000.

24 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

25 For expenses, not otherwise provided, to enable the
26 Secretary of State to provide for extraordinary protective

1 services, as authorized, \$9,400,000, to remain available
2 until September 30, 2003.

3 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

4 For necessary expenses for carrying out the Foreign
5 Service Buildings Act of 1926, as amended (22 U.S.C.
6 292–300), preserving, maintaining, repairing, and plan-
7 ning for buildings that are owned or directly leased by the
8 Department of State, renovating, in addition to funds oth-
9 erwise available, the Harry S Truman Building, and car-
10 rying out the Diplomatic Security Construction Program
11 as authorized, \$470,000,000, to remain available until ex-
12 pended as authorized, of which not to exceed \$25,000 may
13 be used for domestic and overseas representation as au-
14 thorized: *Provided*, That none of the funds appropriated
15 in this paragraph shall be available for acquisition of fur-
16 niture, furnishings, or generators for other departments
17 and agencies.

18 In addition, for the costs of worldwide security up-
19 grades, acquisition, and construction as authorized,
20 \$815,960,000, to remain available until expended.

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, \$10,000,000, to remain avail-
26 able until expended as authorized, of which not to exceed

1 \$1,000,000 may be transferred to and merged with the
2 Repatriation Loans Program Account, subject to the same
3 terms and conditions.

4 REPATRIATION LOANS PROGRAM ACCOUNT

5 For the cost of direct loans, \$612,000, as authorized:
6 *Provided*, That such costs, including the cost of modifying
7 such loans, shall be as defined in section 502 of the Con-
8 gressional Budget Act of 1974. In addition, for adminis-
9 trative expenses necessary to carry out the direct loan pro-
10 gram, \$607,000, which may be transferred to and merged
11 with the Diplomatic and Consular Programs account
12 under Administration of Foreign Affairs.

13 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

14 For necessary expenses to carry out the Taiwan Rela-
15 tions Act, Public Law 96–8, \$17,044,000.

16 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
17 DISABILITY FUND

18 For payment to the Foreign Service Retirement and
19 Disability Fund, as authorized by law, \$135,629,000.

20 INTERNATIONAL ORGANIZATIONS AND CONFERENCES

21 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

22 For expenses, not otherwise provided for, necessary
23 to meet annual obligations of membership in international
24 multilateral organizations, pursuant to treaties ratified
25 pursuant to the advice and consent of the Senate, conven-
26 tions or specific Acts of Congress, \$850,000,000: *Pro-*

1 *vided*, That any payment of arrearages under this title
2 shall be directed toward special activities that are mutually
3 agreed upon by the United States and the respective inter-
4 national organization: *Provided further*, That none of the
5 funds appropriated in this paragraph shall be available for
6 a United States contribution to an international organiza-
7 tion for the United States share of interest costs made
8 known to the United States Government by such organiza-
9 tion for loans incurred on or after October 1, 1984,
10 through external borrowings: *Provided further*, That, of
11 the funds appropriated in this paragraph, \$100,000,000
12 may be made available only pursuant to a certification by
13 the Secretary of State that the United Nations has taken
14 no action in calendar year 2001 prior to the date of enact-
15 ment of this Act to increase funding for any United Na-
16 tions program without identifying an offsetting decrease
17 elsewhere in the United Nations budget and cause the
18 United Nations to exceed the budget for the biennium
19 2000–2001 of \$2,535,700,000: *Provided further*, That if
20 the Secretary of State is unable to make the aforemen-
21 tioned certification, the \$100,000,000 is to be applied to
22 paying the current year assessment for other international
23 organizations for which the assessment has not been paid
24 in full or to paying the assessment due in the next fiscal
25 year for such organizations, subject to the reprogramming

1 procedures contained in Section 605 of this Act: *Provided*
2 *further*, That funds appropriated under this paragraph
3 may be obligated and expended to pay the full United
4 States assessment to the civil budget of the North Atlantic
5 Treaty Organization.

6 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
7 ACTIVITIES

8 For necessary expenses to pay assessed and other ex-
9 penses of international peacekeeping activities directed to
10 the maintenance or restoration of international peace and
11 security, \$844,139,000: *Provided*, That none of the funds
12 made available under this Act shall be obligated or ex-
13 pended for any new or expanded United Nations peace-
14 keeping mission unless, at least 15 days in advance of vot-
15 ing for the new or expanded mission in the United Nations
16 Security Council (or in an emergency as far in advance
17 as is practicable): (1) the Committees on Appropriations
18 of the House of Representatives and the Senate and other
19 appropriate committees of the Congress are notified of the
20 estimated cost and length of the mission, the vital national
21 interest to be served, and the planned exit strategy; and
22 (2) a reprogramming of funds pursuant to section 605 of
23 this Act is submitted, and the procedures therein followed,
24 setting forth the source of funds that will be used to pay
25 for the cost of the new or expanded mission: *Provided fur-*
26 *ther*, That funds shall be available for peacekeeping ex-

1 penses only upon a certification by the Secretary of State
2 to the appropriate committees of the Congress that Amer-
3 ican manufacturers and suppliers are being given opportu-
4 nities to provide equipment, services, and material for
5 United Nations peacekeeping activities equal to those
6 being given to foreign manufacturers and suppliers: *Pro-*
7 *vided further*, That none of the funds made available under
8 this heading are available to pay the United States share
9 of the cost of court monitoring that is part of any United
10 Nations peacekeeping mission.

11 INTERNATIONAL COMMISSIONS

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

15 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

16 UNITED STATES AND MEXICO

17 For necessary expenses for the United States Section
18 of the International Boundary and Water Commission,
19 United States and Mexico, and to comply with laws appli-
20 cable to the United States Section, including not to exceed
21 \$6,000 for representation; as follows:

22 SALARIES AND EXPENSES

23 For salaries and expenses, not otherwise provided for,
24 \$24,705,000.

1 CONSTRUCTION

2 For detailed plan preparation and construction of au-
3 thorized projects, \$5,520,000, to remain available until ex-
4 pended, as authorized.

5 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

6 For necessary expenses, not otherwise provided, for
7 the International Joint Commission and the International
8 Boundary Commission, United States and Canada, as au-
9 thorized by treaties between the United States and Can-
10 ada or Great Britain, and for the Border Environment
11 Cooperation Commission as authorized by Public Law
12 103-182, \$10,311,000, of which not to exceed \$9,000
13 shall be available for representation expenses incurred by
14 the International Joint Commission.

15 INTERNATIONAL FISHERIES COMMISSIONS

16 For necessary expenses for international fisheries
17 commissions, not otherwise provided for, as authorized by
18 law, \$19,780,000: *Provided*, That the United States' share
19 of such expenses may be advanced to the respective com-
20 missions pursuant to 31 U.S.C. 3324.

21 OTHER

22 PAYMENT TO THE ASIA FOUNDATION

23 For a grant to the Asia Foundation, as authorized
24 by the Asia Foundation Act (22 U.S.C. 4402), as amend-
25 ed, \$9,250,000, to remain available until expended, as au-
26 thorized.

1 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST
2 FUND

3 For necessary expenses of Eisenhower Exchange Fel-
4 lowships, Incorporated, as authorized by sections 4 and
5 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
6 U.S.C. 5204–5205), all interest and earnings accruing to
7 the Eisenhower Exchange Fellowship Program Trust
8 Fund on or before September 30, 2002, to remain avail-
9 able until expended: *Provided*, That none of the funds ap-
10 propriated herein shall be used to pay any salary or other
11 compensation, or to enter into any contract providing for
12 the payment thereof, in excess of the rate authorized by
13 5 U.S.C. 5376; or for purposes which are not in accord-
14 ance with OMB Circulars A–110 (Uniform Administrative
15 Requirements) and A–122 (Cost Principles for Non-profit
16 Organizations), including the restrictions on compensation
17 for personal services.

18 ISRAELI ARAB SCHOLARSHIP PROGRAM

19 For necessary expenses of the Israeli Arab Scholar-
20 ship Program as authorized by section 214 of the Foreign
21 Relations Authorization Act, Fiscal Years 1992 and 1993
22 (22 U.S.C. 2452), all interest and earnings accruing to
23 the Israeli Arab Scholarship Fund on or before September
24 30, 2002, to remain available until expended.

1 EAST-WEST CENTER

2 To enable the Secretary of State to provide for car-
3 rying out the provisions of the Center for Cultural and
4 Technical Interchange Between East and West Act of
5 1960, by grant to the Center for Cultural and Technical
6 Interchange Between East and West in the State of Ha-
7 waii, \$9,400,000: *Provided*, That none of the funds appro-
8 priated herein shall be used to pay any salary, or enter
9 into any contract providing for the payment thereof, in
10 excess of the rate authorized by 5 U.S.C. 5376.

11 NATIONAL ENDOWMENT FOR DEMOCRACY

12 For grants made by the Department of State to the
13 National Endowment for Democracy as authorized by the
14 National Endowment for Democracy Act, \$33,500,000, to
15 remain available until expended.

16 RELATED AGENCY

17 BROADCASTING BOARD OF GOVERNORS

18 INTERNATIONAL BROADCASTING OPERATIONS

19 For expenses necessary to enable the Broadcasting
20 Board of Governors, as authorized, to carry out inter-
21 national communication activities, including the purchase,
22 installation, rent, construction, and improvement of facili-
23 ties for radio and television transmission and reception to
24 Cuba, \$453,106,000, of which not to exceed \$16,000 may
25 be used for official receptions within the United States as
26 authorized, not to exceed \$35,000 may be used for rep-

1 resentation abroad as authorized, and not to exceed
2 \$39,000 may be used for official reception and representa-
3 tion expenses of Radio Free Europe/Radio Liberty; and
4 in addition, notwithstanding any other provision of law,
5 not to exceed \$2,000,000 in receipts from advertising and
6 revenue from business ventures, not to exceed \$500,000
7 in receipts from cooperating international organizations,
8 and not to exceed \$1,000,000 in receipts from privatiza-
9 tion efforts of the Voice of America and the International
10 Broadcasting Bureau, to remain available until expended
11 for carrying out authorized purposes.

12 BROADCASTING CAPITAL IMPROVEMENTS

13 For the purchase, rent, construction, and improve-
14 ment of facilities for radio transmission and reception, and
15 purchase and installation of necessary equipment for radio
16 and television transmission and reception as authorized,
17 \$25,900,000, to remain available until expended, as au-
18 thorized.

19 GENERAL PROVISIONS—DEPARTMENT OF STATE AND
20 RELATED AGENCY

21 SEC. 401. Funds appropriated under this title shall
22 be available, except as otherwise provided, for allowances
23 and differentials as authorized by subchapter 59 of title
24 5, United States Code; for services as authorized by 5
25 U.S.C. 3109; and for hire of passenger transportation pur-
26 suant to 31 U.S.C. 1343(b).

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

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

23 This title may be cited as the “Department of State
24 and Related Agency Appropriations Act, 2002”.

1 TITLE V—RELATED AGENCIES
2 DEPARTMENT OF TRANSPORTATION
3 MARITIME ADMINISTRATION
4 MARITIME SECURITY PROGRAM

5 For necessary expenses to maintain and preserve a
6 U.S.-flag merchant fleet to serve the national security
7 needs of the United States, \$98,700,000, to remain avail-
8 able until expended.

9 OPERATIONS AND TRAINING

10 For necessary expenses of operations and training ac-
11 tivities authorized by law, \$89,054,000, of which
12 \$13,000,000 shall remain available until expended for cap-
13 ital improvements at the U.S. Merchant Marine Academy.

14 SHIP DISPOSAL

15 For necessary expenses related to the disposal of ob-
16 solete vessels in the National Defense Reserve Fleet of the
17 Maritime Administration, \$10,000,000, to remain avail-
18 able until expended.

19 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

20 ACCOUNT

21 For the cost of guaranteed loans, as authorized by
22 the Merchant Marine Act, 1936, \$30,000,000, to remain
23 available until expended: *Provided*, That such costs, in-
24 cluding the cost of modifying such loans, shall be as de-
25 fined in section 502 of the Congressional Budget Act of
26 1974, as amended: *Provided further*, That during fiscal

1 year 2002, commitments to subsidize loans authorized
2 under this heading shall not exceed \$1,000,000,000 with-
3 out prior notification of the Committees on Appropriations
4 of the House of Representatives and Senate in accordance
5 with section 605 of this Act.

6 In addition, for administrative expenses to carry out
7 the guaranteed loan program, not to exceed \$3,978,000,
8 which shall be transferred to and merged with the appro-
9 priation for Operations and Training.

10 ADMINISTRATIVE PROVISIONS—MARITIME

11 ADMINISTRATION

12 Notwithstanding any other provision of this Act, the
13 Maritime Administration is authorized to furnish utilities
14 and services and make necessary repairs in connection
15 with any lease, contract, or occupancy involving Govern-
16 ment property under control of the Maritime Administra-
17 tion, and payments received therefore shall be credited to
18 the appropriation charged with the cost thereof: *Provided*,
19 That rental payments under any such lease, contract, or
20 occupancy for items other than such utilities, services, or
21 repairs shall be covered into the Treasury as miscellaneous
22 receipts.

23 No obligations shall be incurred during the current
24 fiscal year from the construction fund established by the
25 Merchant Marine Act, 1936, or otherwise, in excess of the

1 appropriations and limitations contained in this Act or in
2 any prior Appropriations Act.

3 COMMISSION FOR THE PRESERVATION OF AMERICA'S
4 HERITAGE ABROAD
5 SALARIES AND EXPENSES

6 For expenses for the Commission for the Preservation
7 of America's Heritage Abroad, \$489,000, as authorized by
8 section 1303 of Public Law 99-83.

9 COMMISSION ON CIVIL RIGHTS
10 SALARIES AND EXPENSES

11 For necessary expenses of the Commission on Civil
12 Rights, including hire of passenger motor vehicles,
13 \$9,096,000: *Provided*, That not to exceed \$50,000 may
14 be used to employ consultants: *Provided further*, That
15 none of the funds appropriated in this paragraph shall be
16 used to employ in excess of four full-time individuals under
17 Schedule C of the Excepted Service exclusive of one special
18 assistant for each Commissioner: *Provided further*, That
19 none of the funds appropriated in this paragraph shall be
20 used to reimburse Commissioners for more than 75
21 billable days, with the exception of the chairperson, who
22 is permitted 125 billable days.

1 COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM
2 SALARIES AND EXPENSES

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

8 COMMISSION ON SECURITY AND COOPERATION IN
9 EUROPE
10 SALARIES AND EXPENSES

11 For necessary expenses of the Commission on Secu-
12 rity and Cooperation in Europe, as authorized by Public
13 Law 94–304, \$1,499,000, to remain available until ex-
14 pended as authorized by section 3 of Public Law 99–7.

15 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
16 PEOPLE’S REPUBLIC OF CHINA
17 SALARIES AND EXPENSES

18 For necessary expenses of the Congressional-Execu-
19 tive Commission on the People’s Republic of China, as au-
20 thorized, \$500,000, to remain available until expended.

21 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
22 SALARIES AND EXPENSES

23 For necessary expenses of the Equal Employment
24 Opportunity Commission as authorized by title VII of the
25 Civil Rights Act of 1964, as amended (29 U.S.C. 206(d))

1 and 621–634), the Americans with Disabilities Act of
2 1990, and the Civil Rights Act of 1991, including services
3 as authorized by 5 U.S.C. 3109; hire of passenger motor
4 vehicles as authorized by 31 U.S.C. 1343(b); non-mone-
5 tary awards to private citizens; and not to exceed
6 \$30,000,000 for payments to State and local enforcement
7 agencies for services to the Commission pursuant to title
8 VII of the Civil Rights Act of 1964, as amended, sections
9 6 and 14 of the Age Discrimination in Employment Act,
10 the Americans with Disabilities Act of 1990, and the Civil
11 Rights Act of 1991, \$310,406,000: *Provided*, That the
12 Commission is authorized to make available for official re-
13 ception and representation expenses not to exceed \$2,500
14 from available funds.

15 FEDERAL COMMUNICATIONS COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Federal Communica-
18 tions Commission, as authorized by law, including uni-
19 forms and allowances therefor, as authorized by 5 U.S.C.
20 5901–5902; not to exceed \$600,000 for land and struc-
21 ture; not to exceed \$500,000 for improvement and care
22 of grounds and repair to buildings; not to exceed \$4,000
23 for official reception and representation expenses; pur-
24 chase (not to exceed 16) and hire of motor vehicles; special
25 counsel fees; and services as authorized by 5 U.S.C. 3109,

1 \$238,597,000, of which not to exceed \$300,000 shall re-
2 main available until September 30, 2003, for research and
3 policy studies: *Provided*, That \$218,757,000 of offsetting
4 collections shall be assessed and collected pursuant to sec-
5 tion 9 of title I of the Communications Act of 1934, as
6 amended, and shall be retained and used for necessary ex-
7 penses in this appropriation, and shall remain available
8 until expended: *Provided further*, That the sum herein ap-
9 propriated shall be reduced as such offsetting collections
10 are received during fiscal year 2002 so as to result in a
11 final fiscal year 2002 appropriation estimated at
12 \$19,840,000: *Provided further*, That any offsetting collec-
13 tions received in excess of \$218,757,000 in fiscal year
14 2002 shall remain available until expended, but shall not
15 be available for obligation until October 1, 2002.

16 FEDERAL MARITIME COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Federal Maritime
19 Commission as authorized by section 201(d) of the Mer-
20 chant Marine Act, 1936, as amended (46 U.S.C. App.
21 1111), including services as authorized by 5 U.S.C. 3109;
22 hire of passenger motor vehicles as authorized by 31
23 U.S.C. 1343(b); and uniforms or allowances therefor, as
24 authorized by 5 U.S.C. 5901–5902, \$15,466,000: *Pro-*

1 *vided*, That not to exceed \$2,000 shall be available for offi-
2 cial reception and representation expenses.

3 FEDERAL TRADE COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Federal Trade Com-
6 mission, including uniforms or allowances therefor, as au-
7 thorized by 5 U.S.C. 5901–5902; services as authorized
8 by 5 U.S.C. 3109; hire of passenger motor vehicles; not
9 to exceed \$2,000 for official reception and representation
10 expenses, \$155,982,000: *Provided*, That not to exceed
11 \$300,000 shall be available for use to contract with a per-
12 son or persons for collection services in accordance with
13 the terms of 31 U.S.C. 3718, as amended: *Provided fur-*
14 *ther*, That, notwithstanding section 3302(b) of title 31,
15 United States Code, not to exceed \$155,982,000 of offset-
16 ting collections derived from fees collected for premerger
17 notification filings under the Hart-Scott-Rodino Antitrust
18 Improvements Act of 1976 (15 U.S.C. 18a) 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 2002, so as to result in
24 a final fiscal year 2002 appropriation from the general
25 fund estimated at not more than \$0, to remain available

1 until expended: *Provided further*, That none of the funds
2 made available to the Federal Trade Commission shall be
3 available for obligation for expenses authorized by section
4 151 of the Federal Deposit Insurance Corporation Im-
5 provement Act of 1991 (Public Law 102–242; 105 Stat.
6 2282–2285).

7 LEGAL SERVICES CORPORATION

8 PAYMENT TO THE LEGAL SERVICES CORPORATION

9 For payment to the Legal Services Corporation to
10 carry out the purposes of the Legal Services Corporation
11 Act of 1974, as amended, \$329,300,000, of which
12 \$310,000,000 is for basic field programs and required
13 independent audits; \$2,500,000 is for the Office of Inspec-
14 tor General, of which such amounts as may be necessary
15 may be used to conduct additional audits of recipients;
16 \$12,400,000 is for management and administration; and
17 \$4,400,000 is for client self-help and information tech-
18 nology.

19 ADMINISTRATIVE PROVISION—LEGAL SERVICES

20 CORPORATION

21 None of the funds appropriated in this Act to the
22 Legal Services Corporation shall be expended for any pur-
23 pose prohibited or limited by, or contrary to any of the
24 provisions of, sections 501, 502, 503, 504, 505, and 506
25 of Public Law 105–119, and all funds appropriated in this
26 Act to the Legal Services Corporation shall be subject to

1 the same terms and conditions set forth in such sections,
2 except that all references in sections 502 and 503 to 1997
3 and 1998 shall be deemed to refer instead to 2001 and
4 2002, respectively.

5 Section 504(a)(16) of Public Law 104–134 is here-
6 after amended by striking “if such relief does not involve”
7 and all that follows through “representation”.

8 MARINE MAMMAL COMMISSION

9 SALARIES AND EXPENSES

10 For necessary expenses of the Marine Mammal Com-
11 mission as authorized by title II of Public Law 92–522,
12 as amended, \$1,732,000.

13 NATIONAL VETERANS BUSINESS DEVELOPMENT

14 CORPORATION

15 For necessary expenses of the National Veterans
16 Business Development Corporation as authorized under
17 section 33(a) of the Small Business Act, as amended,
18 \$4,000,000.

19 PACIFIC CHARTER COMMISSION

20 SALARIES AND EXPENSES

21 For necessary expenses for the Pacific Charter Com-
22 mission, as authorized by the Pacific Charter Commission
23 Act of 2000 (Public Law 106–570), \$2,500,000, to remain
24 available until expended.

1 SECURITIES AND EXCHANGE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses for the Securities and Ex-
4 change Commission, including services as authorized by
5 5 U.S.C. 3109, the rental of space (to include multiple
6 year leases) in the District of Columbia and elsewhere, and
7 not to exceed \$3,000 for official reception and representa-
8 tion expenses, \$109,500,000 from fees collected in fiscal
9 year 2002 to remain available until expended, and from
10 fees collected in previous fiscal years, \$328,400,000, to re-
11 main available until expended; of which not to exceed
12 \$10,000 may be used toward funding a permanent secre-
13 tariat for the International Organization of Securities
14 Commissions; and of which not to exceed \$100,000 shall
15 be available for expenses for consultations and meetings
16 hosted by the Commission with foreign governmental and
17 other regulatory officials, members of their delegations,
18 appropriate representatives and staff to exchange views
19 concerning developments relating to securities matters, de-
20 velopment and implementation of cooperation agreements
21 concerning securities matters and provision of technical
22 assistance for the development of foreign securities mar-
23 kets, such expenses to include necessary logistic and ad-
24 ministrative expenses and the expenses of Commission
25 staff and foreign invitees in attendance at such consulta-

1 tions and meetings including: (1) such incidental expenses
2 as meals taken in the course of such attendance; (2) any
3 travel and transportation to or from such meetings; and
4 (3) any other related lodging or subsistence: *Provided*,
5 That fees and charges authorized by sections 6(b)(4) of
6 the Securities Act of 1933 (15 U.S.C. 77f(b)(4)) and
7 31(d) of the Securities Exchange Act of 1934 (15 U.S.C.
8 78ee(d)) shall be credited to this account as offsetting col-
9 lections: *Provided further*, That fees collected as author-
10 ized by section 31 of the Securities Exchange Act of 1934
11 (15 U.S.C. 78ee) for sales transacted on, and with respect
12 to securities registered solely on, an exchange that is ini-
13 tially granted registration as a national securities ex-
14 change after February 24, 2000 shall be credited to this
15 account as offsetting collections: *Provided further*, That
16 for purposes of collections under section 31, a security
17 shall not be deemed registered on a national securities ex-
18 change solely because that national securities exchange
19 continues or extends unlisted trading privileges to that se-
20 curity.

21 SMALL BUSINESS ADMINISTRATION

22 SALARIES AND EXPENSES

23 For necessary expenses, not otherwise provided for,
24 of the Small Business Administration as authorized by
25 Public Law 105–135, including hire of passenger motor

1 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
2 not to exceed \$3,500 for official reception and representa-
3 tion expenses, \$303,581,000: *Provided*, That the Adminis-
4 trator is authorized to charge fees to cover the cost of pub-
5 lications developed by the Small Business Administration,
6 and certain loan servicing activities: *Provided further*,
7 That, notwithstanding 31 U.S.C. 3302, revenues received
8 from all such activities shall be credited to this account,
9 to be available for carrying out these purposes without fur-
10 ther appropriations.

11 OFFICE OF INSPECTOR GENERAL

12 For necessary expenses of the Office of Inspector
13 General in carrying out the provisions of the Inspector
14 General Act of 1978, as amended (5 U.S.C. App.),
15 \$11,927,000.

16 BUSINESS LOANS PROGRAM ACCOUNT

17 For the cost of direct loans, \$1,500,000, to be avail-
18 able until expended; and for the cost of guaranteed loans,
19 \$77,000,000, as authorized by 15 U.S.C. 631 note, of
20 which \$45,000,000 shall remain available until September
21 30, 2003: *Provided*, That such costs, including the cost
22 of modifying such loans, shall be as defined in section 502
23 of the Congressional Budget Act of 1974, as amended:
24 *Provided further*, That during fiscal year 2002 commit-
25 ments to guarantee loans under section 503 of the Small
26 Business Investment Act of 1958, as amended, shall not

1 exceed \$3,750,000,000: *Provided further*, That during fis-
2 cal year 2002 commitments for general business loans au-
3 thorized under section 7(a) of the Small Business Act, as
4 amended, shall not exceed \$10,000,000,000 without prior
5 notification of the Committees on Appropriations of the
6 House of Representatives and Senate in accordance with
7 section 605 of this Act: *Provided further*, That during fis-
8 cal year 2002 guarantee commitments under section
9 303(b) of the Small Business Investment Act of 1958, as
10 amended, shall not exceed \$4,100,000,000.

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

15 DISASTER LOANS PROGRAM ACCOUNT

16 For the cost of direct loans authorized by section 7(b)
17 of the Small Business Act, as amended, \$84,510,000, to
18 remain available until expended: *Provided*, That such
19 costs, including the cost of modifying such loans, shall be
20 as defined in section 502 of the Congressional Budget Act
21 of 1974, as amended.

22 In addition, for administrative expenses to carry out
23 the direct loan program, \$120,354,000, which may be
24 transferred to and merged with appropriations for Salaries
25 and Expenses, of which \$500,000 is for the Office of In-
26 spector General of the Small Business Administration for

1 audits and reviews of disaster loans and the disaster loan
2 program and shall be transferred to and merged with ap-
3 propriations for the Office of Inspector General; of which
4 \$110,000,000 is for direct administrative expenses of loan
5 making and servicing to carry out the direct loan program;
6 and of which \$9,854,000 is for indirect administrative ex-
7 penses: *Provided*, That any amount in excess of
8 \$9,854,000 to be transferred to and merged with appro-
9 priations for Salaries and Expenses for indirect adminis-
10 trative expenses shall be treated as a reprogramming of
11 funds under section 605 of this Act and shall not be avail-
12 able for obligation or expenditure except in compliance
13 with the procedures set forth in that section.

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. 4515–4516),
6 \$6,835,000, to remain available until expended: *Provided*,
7 That not to exceed \$2,500 shall be available for official
8 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 2002, 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 15
20 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 2002, 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 15 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 enti-
3 ty using funds made available in this Act, the head of each
4 Federal agency, to the greatest extent practicable, shall
5 provide to such entity a notice describing the statement
6 made in subsection (a) by the Congress.

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

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

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

3 SEC. 609. None of the funds made available by this
4 Act may be used for any United Nations undertaking
5 when it is made known to the Federal official having au-
6 thority to obligate or expend such funds: (1) that the
7 United 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. 610. (a) None of the funds appropriated or oth-
16 erwise made available by this Act shall be expended for
17 any purpose for which appropriations are prohibited by
18 section 609 of the Departments of Commerce, Justice, and
19 State, the Judiciary, and Related Agencies Appropriations
20 Act, 1999.

21 (b) The requirements in subparagraphs (A) and (B)
22 of section 609 of that Act shall continue to apply during
23 fiscal year 2002.

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

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

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

9 (3) any instruction (live or through broadcasts)
10 or training equipment for boxing, wrestling, judo,
11 karate, or other martial art, or any bodybuilding or
12 weightlifting equipment of any sort;

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

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

17 SEC. 612. None of the funds made available in title
18 II for the National Oceanic and Atmospheric Administra-
19 tion (NOAA) under the headings “Operations, Research,
20 and Facilities” and “Procurement, Acquisition and Con-
21 struction” may be used to implement sections 603, 604,
22 and 605 of Public Law 102-567: *Provided*, That NOAA
23 may develop a modernization plan for its fisheries research
24 vessels that takes fully into account opportunities for con-
25 tracting for fisheries surveys.

1 SEC. 613. Any costs incurred by a department or
2 agency funded under this Act resulting from personnel ac-
3 tions taken in response to funding reductions included in
4 this Act shall be absorbed within the total budgetary re-
5 sources available to such department or agency: *Provided*,
6 That the authority to transfer funds between appropria-
7 tions accounts as may be necessary to carry out this sec-
8 tion is provided in addition to authorities included else-
9 where in this Act: *Provided further*, That use of funds to
10 carry out this section shall be treated as a reprogramming
11 of funds under section 605 of this Act and shall not be
12 available for obligation or expenditure except in compli-
13 ance with the procedures set forth in that section.

14 SEC. 614. Hereafter, none of the funds made avail-
15 able in this Act to the Federal Bureau of Prisons may
16 be used to distribute or make available any commercially
17 published information or material to a prisoner when it
18 is made known to the Federal official having authority to
19 obligate or expend such funds that such information or
20 material is sexually explicit or features nudity.

21 SEC. 615. Of the funds appropriated in this Act
22 under the heading “Office of Justice Programs—State
23 and Local Law Enforcement Assistance”, not more than
24 90 percent of the amount to be awarded to an entity under
25 the Local Law Enforcement Block Grant shall be made

1 available to such an entity when it is made known to the
2 Federal official having authority to obligate or expend
3 such funds that the entity that employs a public safety
4 officer (as such term is defined in section 1204 of title
5 I of the Omnibus Crime Control and Safe Streets Act of
6 1968) does not provide such a public safety officer who
7 retires or is separated from service due to injury suffered
8 as the direct and proximate result of a personal injury
9 sustained in the line of duty while responding to an emer-
10 gency situation or a hot pursuit (as such terms are defined
11 by State law) with the same or better level of health insur-
12 ance benefits at the time of retirement or separation as
13 they received while on duty.

14 SEC. 616. None of the funds provided by this Act
15 shall be available to promote the sale or export of tobacco
16 or tobacco products, or to seek the reduction or removal
17 by any foreign country of restrictions on the marketing
18 of tobacco or tobacco products, except for restrictions
19 which are not applied equally to all tobacco or tobacco
20 products of the same type.

21 SEC. 617. (a) None of the funds appropriated or oth-
22 erwise made available by this Act shall be expended for
23 any purpose for which appropriations are prohibited by
24 section 616 of the Departments of Commerce, Justice, and

1 State, the Judiciary, and Related Agencies Appropriations
2 Act, 1999, as amended.

3 (b) Subsection (a)(1) of section 616 of that Act, as
4 amended, is further amended—

5 (1) by striking “Claudy Myrthil,”.

6 (c) The requirements in subsections (b) and (c) of
7 section 616 of that Act shall continue to apply during fis-
8 cal year 2002.

9 SEC. 618. None of the funds appropriated pursuant
10 to this Act or any other provision of law may be used for:
11 (1) the implementation of any tax or fee in connection
12 with the implementation of 18 U.S.C. 922(t); and (2) any
13 system to implement 18 U.S.C. 922(t) that does not re-
14 quire and result in the destruction of any identifying infor-
15 mation submitted by or on behalf of any person who has
16 been determined not to be prohibited from owning a fire-
17 arm.

18 SEC. 619. Notwithstanding any other provision of
19 law, amounts deposited or available in the Fund estab-
20 lished under 42 U.S.C. 10601 in any fiscal year in excess
21 of \$575,000,000 shall not be available for obligation until
22 the following fiscal year.

23 SEC. 620. None of the funds made available to the
24 Department of Justice in this Act may be used to discrimi-
25 nate against or denigrate the religious or moral beliefs of

1 students who participate in programs for which financial
2 assistance is provided from those funds, or of the parents
3 or legal guardians of such students.

4 SEC. 621. None of the funds appropriated in this Act
5 shall be available for the purpose of granting either immi-
6 grant or nonimmigrant visas, or both, consistent with the
7 Secretary's determination under section 243(d) of the Im-
8 migration and Nationality Act, to citizens, subjects, na-
9 tionals, or residents of countries that the Attorney General
10 has determined deny or unreasonably delay accepting the
11 return of citizens, subjects, nationals, or residents under
12 that section.

13 SEC. 622. None of the funds made available to the
14 Department of Justice in this Act may be used for the
15 purpose of transporting an individual who is a prisoner
16 pursuant to conviction for crime under State or Federal
17 law and is classified as a maximum or high security pris-
18 oner, other than to a prison or other facility certified by
19 the Federal Bureau of Prisons as appropriately secure for
20 housing such a prisoner.

21 SEC. 623. None of the funds appropriated by this Act
22 shall be used to propose or issue rules, regulations, de-
23 crees, or orders for the purpose of implementation, or in
24 preparation for implementation, of the Kyoto Protocol
25 which was adopted on December 11, 1997, in Kyoto,

1 Japan, at the Third Conference of the Parties to the
2 United Nations Framework Convention on Climate
3 Change, which has not been submitted to the Senate for
4 advice and consent to ratification pursuant to article II,
5 section 2, clause 2, of the United States Constitution, and
6 which has not entered into force pursuant to article 25
7 of the Protocol.

8 TITLE VII—RESCISSIONS

9 DEPARTMENT OF COMMERCE

10 DEPARTMENTAL MANAGEMENT

11 EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM

12 ACCOUNT

13 (RESCISSION)

14 Of the unobligated balances available under this
15 heading from prior year appropriations, \$115,000,000 are
16 rescinded.

17 EMERGENCY STEEL GUARANTEED LOAN PROGRAM

18 ACCOUNT

19 (RESCISSION)

20 Of the unobligated balances available under this
21 heading from prior year appropriations, \$10,000,000 are
22 rescinded.

23 This Act may be cited as the “Departments of Com-
24 merce, Justice, and State, the Judiciary, and Related
25 Agencies Appropriations Act, 2002”.

Union Calendar No. 79

107TH CONGRESS
1ST SESSION

H. R. 2500

[Report No. 107-139]

A BILL

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

JULY 13, 2001

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