

Union Calendar No. 348

104TH CONGRESS
2^D SESSION

H. R. 3814

[Report No. 104-676]

A BILL

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1997, and for other purposes.

JULY 16, 1996

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

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IN THE HOUSE OF REPRESENTATIVES

JULY 16, 1996

Mr. ROGERS, 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, 1997, 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, 1997, 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, \$71,493,000; 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 \$7,477,000 shall be expended for the De-
12 partment Leadership Program only for the Offices of the
13 Attorney General and the Deputy Attorney General, exclu-
14 sive of augmentation that occurred in these offices in fiscal
15 year 1996: *Provided further*, That not to exceed 71 perma-
16 nent positions and 85 full-time equivalent workyears and
17 \$8,987,000 shall be expended for the Offices of Legislative
18 Affairs, Public Affairs and Policy Development: *Provided*
19 *further*, That the latter three aforementioned offices shall
20 not be augmented by personnel details, temporary trans-
21 fers of personnel on either a reimbursable or non-reim-
22 bursable basis or any other type of formal or informal
23 transfer or reimbursement of personnel or funds on either
24 a temporary or long-term basis.

1 COUNTERTERRORISM FUND

2 For necessary expenses, as determined by the Attor-
3 ney General, \$9,450,000, to remain available until ex-
4 pended, to reimburse any Department of Justice organiza-
5 tion for (1) the costs incurred in reestablishing the oper-
6 ational capability of an office or facility which has been
7 damaged or destroyed as a result of the bombing of the
8 Alfred P. Murrah Federal Building in Oklahoma City or
9 any domestic or international terrorist incident, (2) the
10 costs of providing support to counter, investigate or pros-
11 ecute domestic or international terrorism, including pay-
12 ment of rewards in connection with these activities, and
13 (3) the costs of conducting a terrorism threat assessment
14 of Federal agencies and their facilities: *Provided*, That
15 funds provided under this heading shall be available only
16 after the Attorney General notifies the Committees on Ap-
17 propriations of the House of Representatives and the Sen-
18 ate in accordance with section 605 of this Act.

19 ADMINISTRATIVE REVIEW AND APPEALS

20 For expenses necessary for the administration of par-
21 don and clemency petitions and immigration related activi-
22 ties, \$64,000,000.

23 VIOLENT CRIME REDUCTION PROGRAMS, ADMINISTRATIVE
24 REVIEW AND APPEALS

25 For activities authorized by section 130005 of the
26 Violent Crime Control and Law Enforcement Act of 1994

1 (Public Law 103–322), as amended, \$48,000,000, to re-
2 main available until expended, which shall be derived from
3 the Violent Crime Reduction Trust Fund.

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, as amended, \$31,960,000; including
8 not to exceed \$10,000 to meet unforeseen emergencies of
9 a confidential character, to be expended under the direc-
10 tion of, and to be accounted for solely under the certificate
11 of, the Attorney General; and for the acquisition, lease,
12 maintenance, and operation of motor vehicles, without re-
13 gard to the general purchase price limitation for the cur-
14 rent fiscal year.

15 UNITED STATES PAROLE COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the United States Parole
18 Commission as authorized by law, \$4,490,000.

19 LEGAL ACTIVITIES

20 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

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

1 in the District of Columbia; \$420,793,000; of which not
2 to exceed \$10,000,000 for litigation support contracts
3 shall remain available until expended: *Provided*, That of
4 the funds available in this appropriation, not to exceed
5 \$17,525,000 shall remain available until expended for of-
6 fice automation systems for the legal divisions covered by
7 this appropriation, and for the United States Attorneys,
8 the Antitrust Division, and offices funded through “Sala-
9 ries and Expenses”, General Administration: *Provided fur-*
10 *ther*, That of the total amount appropriated, not to exceed
11 \$1,000 shall be available to the United States National
12 Central Bureau, INTERPOL, for official reception and
13 representation expenses: *Provided further*, That notwith-
14 standing 31 U.S.C. 1342, the Attorney General may ac-
15 cept on behalf of the United States, and credit to this ap-
16 propriation, gifts of money, personal property and serv-
17 ices, for the purposes of hosting the International Criminal
18 Police Organization’s (INTERPOL) American Regional
19 Conference in the United States during fiscal year 1997.

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

1 VIOLENT CRIME REDUCTION PROGRAMS,
2 GENERAL LEGAL ACTIVITIES

3 For the expeditious deportation of denied asylum ap-
4 plicants, as authorized by section 130005 of the Violent
5 Crime Control and Law Enforcement Act of 1994 (Public
6 Law 103-322), as amended, \$7,750,000, to remain avail-
7 able until expended, which shall be derived from the Vio-
8 lent Crime Reduction Trust Fund.

9 SALARIES AND EXPENSES, ANTITRUST DIVISION

10 For expenses necessary for the enforcement of anti-
11 trust and kindred laws, \$76,447,000: *Provided*, That not-
12 withstanding any other provision of law, not to exceed
13 \$58,905,000 of offsetting collections derived from fees col-
14 lected for premerger notification filings under the Hart-
15 Scott-Rodino Antitrust Improvements Act of 1976 (15
16 U.S.C. 18(a)) shall be retained and used for necessary ex-
17 penses in this appropriation, and shall remain available
18 until expended: *Provided further*, That the sum herein ap-
19 propriated from the General Fund shall be reduced as
20 such offsetting collections are received during fiscal year
21 1997, so as to result in a final fiscal year 1997 appropria-
22 tion from the General Fund estimated at not more than
23 \$17,542,000: *Provided further*, That any fees received in
24 excess of \$58,905,000 in fiscal year 1997, shall remain
25 available until expended, but shall not be available for obli-
26 gation until October 1, 1997.

1 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

2 For necessary expenses of the Office of the United
3 States Attorneys, including intergovernmental agree-
4 ments, \$931,029,000; of which not to exceed \$2,500,000
5 shall be available until September 30, 1998, for the pur-
6 poses of (1) providing training of personnel of the Depart-
7 ment of Justice in debt collection, (2) providing services
8 to the Department of Justice related to locating debtors
9 and their property, such as title searches, debtor
10 skiptracing, asset searches, credit reports and other inves-
11 tigations, (3) paying the costs of the Department of Jus-
12 tice for the sale of property not covered by the sale pro-
13 ceeds, such as auctioneers' fees and expenses, maintenance
14 and protection of property and businesses, advertising and
15 title search and surveying costs, and (4) paying the costs
16 of processing and tracking debts owed to the United
17 States Government: *Provided*, That of the total amount
18 appropriated, not to exceed \$8,000 shall be available for
19 official reception and representation expenses: *Provided*
20 *further*, That not to exceed \$10,000,000 of those funds
21 available for automated litigation support contracts shall
22 remain available until expended: *Provided further*, That in
23 addition to reimbursable full-time equivalent workyears
24 available to the Office of the United States Attorneys, not
25 to exceed 8,758 positions and 8,989 full-time equivalent

1 workyears shall be supported from the funds appropriated
2 in this Act for the United States Attorneys.

3 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES
4 ATTORNEYS

5 For activities authorized by sections 40114, 130005,
6 190001(b), 190001(d) and 250005 of the Violent Crime
7 Control and Law Enforcement Act of 1994 (Public Law
8 103–322), as amended, and section 815 of the
9 Antiterrorism and Effective Death Penalty Act of 1996
10 (Public Law 104–132), \$43,876,000, to remain available
11 until expended, which shall be derived from the Violent
12 Crime Reduction Trust Fund, of which \$22,166,000 shall
13 be available to help meet the increased demands for litiga-
14 tion and related activities, \$500,000 for telemarketing
15 fraud, \$10,577,000 for Southwest Border Control,
16 \$1,000,000 for Federal victim counselors, and \$9,633,000
17 for expeditious deportation of denied asylum applicants.

18 UNITED STATES TRUSTEE SYSTEM FUND

19 For necessary expenses of the United States Trustee
20 Program, as authorized by 28 U.S.C. 589a(a),
21 \$107,950,000, to remain available until expended and to
22 be derived from the United States Trustee System Fund:
23 *Provided*, That notwithstanding any other provision of
24 law, deposits to the Fund shall be available in such
25 amounts as may be necessary to pay refunds due deposi-
26 tors: *Provided further*, That notwithstanding any other

1 provision of law, \$107,950,000 of offsetting collections de-
2 rived from fees collected pursuant to 28 U.S.C. 589a(b)
3 shall be retained and used for necessary expenses in this
4 appropriation and remain available until expended: *Pro-*
5 *vided further*, That the sum herein appropriated from the
6 Fund shall be reduced as such offsetting collections are
7 received during fiscal year 1997, so as to result in a final
8 fiscal year 1997 appropriation from the Fund estimated
9 at \$0: *Provided further*, That any such fees collected in
10 excess of \$107,950,000 in fiscal year 1997 shall remain
11 available until expended but shall not be available for obli-
12 gation until October 1, 1997.

13 SALARIES AND EXPENSES, FOREIGN CLAIMS

14 SETTLEMENT COMMISSION

15 For expenses necessary to carry out the activities of
16 the Foreign Claims Settlement Commission, including
17 services as authorized by 5 U.S.C. 3109, \$878,000.

18 SALARIES AND EXPENSES, UNITED STATES MARSHALS

19 SERVICE

20 For necessary expenses of the United States Mar-
21 shals Service; including the acquisition, lease, mainte-
22 nance, and operation of vehicles and aircraft, and the pur-
23 chase of passenger motor vehicles for police-type use, with-
24 out regard to the general purchase price limitation for the
25 current fiscal year, \$460,214,000, as authorized by 28
26 U.S.C. 561(i); of which not to exceed \$6,000 shall be

1 available for official reception and representation ex-
2 penses; and of which not to exceed \$4,000,000 for develop-
3 ment, implementation, maintenance and support, and
4 training for an automated prisoner information system,
5 and \$2,200,000 to support the Justice Prisoner and Alien
6 Transportation System, shall remain available until ex-
7 pended: *Provided*, That, with respect to the amounts ap-
8 propriated above, the service of maintaining and trans-
9 porting State, local, or territorial prisoners shall be consid-
10 ered a specialized or technical service for purposes of 31
11 U.S.C. 6505, and any prisoners so transported shall be
12 considered persons (transported for other than commercial
13 purposes) whose presence is associated with the perform-
14 ance of a governmental function for purposes of 49 U.S.C.
15 40102.

16 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES
17 MARSHALS SERVICE

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

23 FEDERAL PRISONER DETENTION

24 For expenses, related to United States prisoners in
25 the custody of the United States Marshals Service as au-
26 thorized in 18 U.S.C. 4013, but not including expenses

1 otherwise provided for in appropriations available to the
2 Attorney General, \$405,262,000, as authorized by 28
3 U.S.C. 561(i), to remain available until expended: *Pro-*
4 *vided*, That this appropriation hereafter shall not be avail-
5 able for expenses authorized under 18 U.S.C. 4013(a)(4).

6 FEES AND EXPENSES OF WITNESSES

7 For expenses, mileage, compensation, and per diems
8 of witnesses, for expenses of contracts for the procurement
9 and supervision of expert witnesses, for private counsel ex-
10 penses, and for per diems in lieu of subsistence, as author-
11 ized by law, including advances, \$100,702,000, to remain
12 available until expended; of which not to exceed
13 \$4,750,000 may be made available for planning, construc-
14 tion, renovations, maintenance, remodeling, and repair of
15 buildings, and the purchase of equipment incident thereto,
16 for protected witness safesites; of which not to exceed
17 \$1,000,000 may be made available for the purchase and
18 maintenance of armored vehicles for transportation of pro-
19 tected witnesses; and of which not to exceed \$4,000,000
20 may be made available for the purchase, installation and
21 maintenance of a secure, automated information network
22 to store and retrieve the identities and locations of pro-
23 tected witnesses.

1 SALARIES AND EXPENSES, COMMUNITY RELATIONS

2 SERVICE

3 For necessary expenses of the Community Relations
4 Service, established by title X of the Civil Rights Act of
5 1964, \$5,319,000: *Provided*, That notwithstanding any
6 other provision of law, upon a determination by the Attor-
7 ney General that emergent circumstances require addi-
8 tional funding for conflict prevention and resolution activi-
9 ties of the Community Relations Service, the Attorney
10 General may transfer such amounts to the Community Re-
11 lations Service, from available appropriations for the cur-
12 rent fiscal year for the Department of Justice, as may be
13 necessary to respond to such circumstances: *Provided fur-*
14 *ther*, That any transfer pursuant to this paragraph shall
15 be treated as a reprogramming under section 605 of this
16 Act and shall not be available for obligation or expenditure
17 except in compliance with the procedures set forth in that
18 section.

19 ASSETS FORFEITURE FUND

20 For expenses authorized by 28 U.S.C. 524(e)(1)
21 (A)(ii), (B), (C), (F), and (G), as amended, \$30,000,000,
22 to be derived from the Department of Justice Assets For-
23 feiture Fund.

1 RADIATION EXPOSURE COMPENSATION

2 ADMINISTRATIVE EXPENSES

3 For necessary administrative expenses in accordance
4 with the Radiation Exposure Compensation Act,
5 \$2,000,000.

6 PAYMENT TO RADIATION EXPOSURE COMPENSATION

7 TRUST FUND

8 For payments to the Radiation Exposure Compensa-
9 tion Trust Fund, \$13,736,000, not to be available for ob-
10 ligation until September 30, 1997.

11 INTERAGENCY LAW ENFORCEMENT

12 INTERAGENCY CRIME AND DRUG ENFORCEMENT

13 For necessary expenses for the detection, investiga-
14 tion, and prosecution of individuals involved in organized
15 crime drug trafficking not otherwise provided for, to in-
16 clude intergovernmental agreements with State and local
17 law enforcement agencies engaged in the investigation and
18 prosecution of individuals involved in organized crime drug
19 trafficking, \$372,017,000, of which \$50,000,000 shall re-
20 main available until expended: *Provided*, That any
21 amounts obligated from appropriations under this heading
22 may be used under authorities available to the organiza-
23 tions reimbursed from this appropriation: *Provided fur-*
24 *ther*, That any unobligated balances remaining available
25 at the end of the fiscal year shall revert to the Attorney
26 General for reallocation among participating organizations

1 in succeeding fiscal years, subject to the reprogramming
2 procedures described in section 605 of this Act.

3 FEDERAL BUREAU OF INVESTIGATION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Federal Bureau of In-
6 vestigation for detection, investigation, and prosecution of
7 crimes against the United States; including purchase for
8 police-type use of not to exceed 2,706 passenger motor ve-
9 hicles, of which 1,945 will be for replacement only, without
10 regard to the general purchase price limitation for the cur-
11 rent fiscal year, and hire of passenger motor vehicles; ac-
12 quisition, lease, maintenance, and operation of aircraft;
13 and not to exceed \$70,000 to meet unforeseen emergencies
14 of a confidential character, to be expended under the di-
15 rection of, and to be accounted for solely under the certifi-
16 cate of, the Attorney General; \$2,528,706,000, of which
17 not to exceed \$50,000,000 for automated data processing
18 and telecommunications and technical investigative equip-
19 ment and \$1,000,000 for undercover operations shall re-
20 main available until September 30, 1998; of which not less
21 than \$117,081,000 shall be for counterterrorism inves-
22 tigation, foreign counterintelligence, and other activities
23 related to our national security; of which not to exceed
24 \$98,400,000 shall remain available until expended; of
25 which not to exceed \$10,000,000 is authorized to be made

1 available for making payments or advances for expenses
2 arising out of contractual or reimbursable agreements
3 with State and local law enforcement agencies while en-
4 gaged in cooperative activities related to violent crime, ter-
5 rorism, organized crime, and drug investigations; and of
6 which \$1,500,000 shall be available to maintain an inde-
7 pendent program office dedicated solely to the relocation
8 of the Criminal Justice Information Services Division and
9 the automation of fingerprint identification services: *Pro-*
10 *vided*, That not to exceed \$45,000 shall be available for
11 official reception and representation expenses.

12 VIOLENT CRIME REDUCTION PROGRAMS

13 For activities authorized by the Violent Crime Con-
14 trol and Law Enforcement Act of 1994 (Public Law 103-
15 322) as amended (“the 1994 Act”), and the Antiterrorism
16 and Effective Death Penalty Act of 1996 (“the
17 Antiterrorism Act”), \$153,000,000, to remain available
18 until expended, which shall be derived from the Violent
19 Crime Reduction Trust Fund; of which \$56,077,000 shall
20 be for activities authorized by section 190001(c) of the
21 1994 Act and section 811 of the Antiterrorism Act;
22 \$76,423,000 shall be for activities authorized by section
23 190001(b) of the 1994 Act, of which \$20,240,000 shall
24 be for activities authorized by section 103 of the Brady
25 Handgun Violence Prevention Act (Public Law 103-159),
26 as amended; \$4,000,000 shall be for training and inves-

1 tigative assistance authorized by section 210501 of the
2 1994 Act; \$9,500,000 shall be for grants to States, as au-
3 thorized by section 811(b) of the Antiterrorism Act;
4 \$5,500,000 shall be for establishing DNA quality-assur-
5 ance and proficiency-testing standards, establishing an
6 index to facilitate law enforcement exchange of DNA iden-
7 tification information, and related activities authorized by
8 section 210501 of the 1994 Act; and \$1,500,000 shall be
9 for investigative support for Senior Citizens Against Mar-
10 keting Scams, as authorized by section 250005 of the
11 1994 Act.

12 CONSTRUCTION

13 For necessary expenses to construct or acquire build-
14 ings and sites by purchase, or as otherwise authorized by
15 law (including equipment for such buildings); conversion
16 and extension of federally-owned buildings; and prelimi-
17 nary planning and design of projects; \$55,676,000, to re-
18 main available until expended.

19 DRUG ENFORCEMENT ADMINISTRATION

20 SALARIES AND EXPENSES

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

1 grams, including travel and related expenses for partici-
2 pants in such programs and the distribution of items of
3 token value that promote the goals of such programs; pur-
4 chase of not to exceed 1,158 passenger motor vehicles, of
5 which 1,032 will be for replacement only, for police-type
6 use without regard to the general purchase price limitation
7 for the current fiscal year; and acquisition, lease, mainte-
8 nance, and operation of aircraft; \$733,038,000, of which
9 not to exceed \$1,800,000 for research and \$15,000,000
10 for transfer to the Drug Diversion Control Fee Account
11 for operating expenses shall remain available until ex-
12 pended, and of which not to exceed \$4,000,000 for pur-
13 chase of evidence and payments for information, not to
14 exceed \$4,000,000 for contracting for automated data
15 processing and telecommunications equipment, and not to
16 exceed \$2,000,000 for laboratory equipment, \$4,000,000
17 for technical equipment, and \$2,000,000 for aircraft re-
18 placement retrofit and parts, shall remain available until
19 September 30, 1998; and of which not to exceed \$50,000
20 shall be available for official reception and representation
21 expenses.

22 VIOLENT CRIME REDUCTION PROGRAMS

23 (INCLUDING TRANSFER OF FUNDS)

24 For activities authorized by sections 180104 and
25 190001(b) of the Violent Crime Control and Law Enforce-
26 ment Act of 1994 (Public Law 103-322), as amended,

1 and section 814 of the Antiterrorism and Effective Death
2 Penalty Act of 1996 (Public Law 104–132), and for the
3 purchase of passenger motor vehicles for police-type use,
4 as otherwise authorized in this title, \$243,000,000, to re-
5 main available until expended, which shall be derived from
6 the Violent Crime Reduction Trust Fund: *Provided*, That
7 \$71,000,000 shall be derived by transfer from Community
8 Oriented Policing Services, Violent Crime Reduction Pro-
9 grams, for the purpose of providing State and local police
10 officers with equipment, conveyances, overtime and other
11 expenses associated with their participation on drug task
12 forces.

13 IMMIGRATION AND NATURALIZATION SERVICE

14 SALARIES AND EXPENSES

15 For expenses, not otherwise provided for, necessary
16 for the administration and enforcement of the laws relat-
17 ing to immigration, naturalization, and alien registration,
18 including not to exceed \$50,000 to meet unforeseen emer-
19 gencies of a confidential character, to be expended under
20 the direction of, and to be accounted for solely under the
21 certificate of, the Attorney General; purchase for police-
22 type use (not to exceed 2,691, of which 1,711 are for re-
23 placement only), without regard to the general purchase
24 price limitation for the current fiscal year, and hire of pas-
25 senger motor vehicles; acquisition, lease, maintenance and

1 operation of aircraft; and research related to immigration
2 enforcement; \$1,667,614,000, of which not to exceed
3 \$400,000 for research shall remain available until ex-
4 pended; and of which not to exceed \$10,000,000 shall be
5 available for costs associated with the training program
6 for basic officer training, and \$5,000,000 is for payments
7 or advances arising out of contractual or reimbursable
8 agreements with State and local law enforcement agencies
9 while engaged in cooperative activities related to immigra-
10 tion: *Provided*, That none of the funds available to the Im-
11 migration and Naturalization Service shall be available to
12 pay any employee overtime pay in an amount in excess
13 of \$30,000 during the calendar year beginning January
14 1, 1997: *Provided further*, That uniforms may be pur-
15 chased without regard to the general purchase price limi-
16 tation for the current fiscal year: *Provided further*, That
17 not to exceed \$5,000 shall be available for official recep-
18 tion and representation expenses: *Provided further*, That
19 none of the funds provided in this or any other Act shall
20 be used for the continued operation of the San Clemente
21 and Temecula checkpoints unless the checkpoints are open
22 and traffic is being checked on a continuous 24-hour basis:
23 *Provided further*, That the Land Border Fee Pilot Project
24 scheduled to end September 30, 1996, is extended to Sep-
25 tember 30, 1999 for projects on both the northern and

1 southern borders of the United States, except that no pilot
2 program may implement a universal land border crossing
3 toll.

4 VIOLENT CRIME REDUCTION PROGRAMS

5 For activities authorized by sections 130002,
6 130005, 130006, 130007, and 190001(b) of the Violent
7 Crime Control and Law Enforcement Act of 1994 (Public
8 Law 103–322), as amended, and section 813 of the
9 Antiterrorism and Effective Death Penalty Act of 1996
10 (Public Law 104–132), \$500,168,000, to remain available
11 until expended, which will be derived from the Violent
12 Crime Reduction Trust Fund, of which \$95,784,000 shall
13 be for expeditious deportation of denied asylum applicants,
14 \$287,857,000 shall be for improving border controls, and
15 \$116,527,000 shall be for detention and deportation pro-
16 ceedings: *Provided*, That amounts not required for asylum
17 processing provided under the expeditious deportation of
18 denied asylum applicants shall also be available for other
19 deportation program activities.

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, \$9,841,000, to remain available
26 until expended.

1 FEDERAL PRISON SYSTEM

2 SALARIES AND EXPENSES

3 For expenses necessary for the administration, oper-
4 ation, and maintenance of Federal penal and correctional
5 institutions, including purchase (not to exceed 836, of
6 which 572 are for replacement only), and hire of law en-
7 forcement and passenger motor vehicles; and for the provi-
8 sion of technical assistance and advice on corrections re-
9 lated issues to foreign governments; \$2,817,816,000: *Pro-*
10 *vided*, That the Attorney General may transfer to the
11 Health Resources and Services Administration such
12 amounts as may be necessary for direct expenditures by
13 that Administration for medical relief for inmates of Fed-
14 eral penal and correctional institutions: *Provided further*,
15 That the Director of the Federal Prison System (FPS),
16 where necessary, may enter into contracts with a fiscal
17 agent/fiscal intermediary claims processor to determine
18 the amounts payable to persons who, on behalf of the
19 FPS, furnish health services to individuals committed to
20 the custody of the FPS: *Provided further*, That uniforms
21 may be purchased without regard to the general purchase
22 price limitation for the current fiscal year: *Provided fur-*
23 *ther*, That not to exceed \$6,000 shall be available for offi-
24 cial reception and representation expenses: *Provided fur-*
25 *ther*, That not to exceed \$50,000,000 for the activation

1 of new facilities shall remain available until September 30,
2 1998: *Provided further*, That of the amounts provided for
3 Contract Confinement, not to exceed \$20,000,000 shall re-
4 main available until expended to make payments in ad-
5 vance for grants, contracts and reimbursable agreements,
6 and other expenses authorized by section 501(c) of the
7 Refugee Education Assistance Act of 1980, as amended,
8 for the care and security in the United States of Cuban
9 and Haitian entrants: *Provided further*, That notwith-
10 standing section 4(d) of the Service Contract Act of 1965
11 (41 U.S.C. 353(d)), FPS may enter into contracts and
12 other agreements with private entities for periods of not
13 to exceed 3 years and 7 additional option years for the
14 confinement of Federal prisoners: *Provided further*, That
15 the National Institute of Corrections hereafter shall be in-
16 cluded in the FPS Salaries and Expenses budget, in the
17 Contract Confinement program and shall continue to per-
18 form its current functions under 18 U.S.C. 4351, et seq.,
19 with the exception of its grant program and shall collect
20 reimbursement for services whenever possible: *Provided*
21 *further*, That any unexpended balances available to the
22 “National Institute of Corrections” account shall be cred-
23 ited to and merged with this appropriation, to remain
24 available until expended.

1 VIOLENT CRIME REDUCTION PROGRAMS

2 For substance abuse treatment in Federal prisons as
3 authorized by section 32001(e) of the Violent Crime Con-
4 trol and Law Enforcement Act of 1994 (Public Law 103-
5 322), as amended, \$25,224,000, to remain available until
6 expended, which shall be derived from the Violent Crime
7 Reduction Trust Fund.

8 BUILDINGS AND FACILITIES

9 For planning, acquisition of sites and construction of
10 new facilities; leasing the Oklahoma City Airport Trust
11 Facility; purchase and acquisition of facilities and remod-
12 eling; and equipping of such facilities for penal and correc-
13 tional use, including all necessary expenses incident there-
14 to, by contract or force account; and constructing, remod-
15 eling, and equipping necessary buildings and facilities at
16 existing penal and correctional institutions, including all
17 necessary expenses incident thereto, by contract or force
18 account; \$395,700,000, to remain available until ex-
19 pended, of which not to exceed \$14,074,000 shall be avail-
20 able to construct areas for inmate work programs: *Pro-*
21 *vided*, That labor of United States prisoners may be used
22 for work performed under this appropriation: *Provided*
23 *further*, That not to exceed 10 percent of the funds appro-
24 priated to “Buildings and Facilities” in this Act or any
25 other Act may be transferred to “Salaries and Expenses”,
26 Federal Prison System, upon notification by the Attorney

1 General to the Committees on Appropriations of the
2 House of Representatives and the Senate in compliance
3 with provisions set forth in section 605 of this Act: *Pro-*
4 *vided further*, That of the total amount appropriated, not
5 to exceed \$36,570,000 shall be available for the renovation
6 and construction of United States Marshals Service pris-
7 oner-holding facilities.

8 FEDERAL PRISON INDUSTRIES, INCORPORATED

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

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

21 Not to exceed \$3,042,000 of the funds of the corpora-
22 tion shall be available for its administrative expenses, and
23 for services as authorized by 5 U.S.C. 3109, to be com-
24 puted on an accrual basis to be determined in accordance
25 with the corporation's current prescribed accounting sys-
26 tem, and such amounts shall be exclusive of depreciation,

1 payment of claims, and expenditures which the said ac-
2 counting system requires to be capitalized or charged to
3 cost of commodities acquired or produced, including sell-
4 ing and shipping expenses, and expenses in connection
5 with acquisition, construction, operation, maintenance, im-
6 provement, protection, or disposition of facilities and other
7 property belonging to the corporation or in which it has
8 an interest.

9 OFFICE OF JUSTICE PROGRAMS

10 JUSTICE ASSISTANCE

11 For grants, contracts, cooperative agreements, and
12 other assistance authorized by title I of the Omnibus
13 Crime Control and Safe Streets Act of 1968, as amended,
14 and the Missing Children's Assistance Act, as amended,
15 including salaries and expenses in connection therewith,
16 and with the Victims of Crime Act of 1984, as amended,
17 \$100,000,000, to remain available until expended, as au-
18 thorized by section 1001 of title I of the Omnibus Crime
19 Control and Safe Streets Act, as amended by Public Law
20 102-534 (106 Stat. 3524).

21 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

22 For grants, contracts, cooperative agreements, and
23 other assistance authorized by part E of title I of the Om-
24 nibus Crime Control and Safe Streets Act of 1968, as
25 amended, for State and Local Narcotics Control and Jus-

1 tice Assistance Improvements, notwithstanding the provi-
2 sions of section 511 of said Act, \$315,000,000, to remain
3 available until expended, as authorized by section 1001 of
4 title I of said Act, as amended by Public Law 102-534
5 (106 Stat. 3524), of which \$60,000,000 shall be available
6 to carry out the provisions of chapter A of subpart 2 of
7 part E of title I of said Act, for discretionary grants under
8 the Edward Byrne Memorial State and Local Law En-
9 forcement Assistance Programs.

10 VIOLENT CRIME REDUCTION PROGRAMS, STATE AND
11 LOCAL LAW ENFORCEMENT ASSISTANCE

12 For assistance (including amounts for administrative
13 costs for management and administration, which amounts
14 shall be transferred to and merged with the “Justice As-
15 sistance” account) authorized by the Violent Crime Con-
16 trol and Law Enforcement Act of 1994 (Public Law 103-
17 322), as amended (“the 1994 Act”); the Omnibus Crime
18 Control and Safe Streets Act of 1968, as amended (“the
19 1968 Act”); and the Victims of Child Abuse Act of 1990,
20 as amended (“the 1990 Act”); \$2,119,900,000, to remain
21 available until expended, which shall be derived from the
22 Violent Crime Reduction Trust Fund; of which
23 \$571,000,000 shall be for Local Law Enforcement Block
24 Grants, pursuant to H.R. 728 as passed by the House of
25 Representatives on February 14, 1995, except that for

1 purposes of this Act, the Commonwealth of Puerto Rico
2 shall be considered a “unit of local government” as well
3 as a “State”, for the purposes set forth in paragraphs (A),
4 (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728
5 and for establishing crime prevention programs involving
6 cooperation between community residents and law enforce-
7 ment personnel in order to control, detect, or investigate
8 crime or the prosecution of criminals: *Provided*, That no
9 funds provided under this heading may be used as match-
10 ing funds for any other Federal grant program: *Provided*
11 *further*, That notwithstanding any other provision of this
12 title, the Attorney General may transfer up to
13 \$18,000,000 of this amount for drug courts pursuant to
14 title V of the 1994 Act, consistent with the reprogram-
15 ming procedures outlined in section 605 of this Act: *Pro-*
16 *vided further*, That funds may also be used to defray the
17 costs of indemnification insurance for law enforcement of-
18 ficers; of which \$50,000,000 shall be for grants to upgrade
19 criminal records, as authorized by section 106(b) of the
20 Brady Handgun Violence Prevention Act of 1993, as
21 amended, and section 4(b) of the National Child Protec-
22 tion Act of 1993; of which \$245,000,000 shall be available
23 as authorized by section 1001 of title I of the 1968 Act,
24 to carry out the provisions of subpart 1, part E of title
25 I of the 1968 Act, notwithstanding section 511 of said

1 Act, for the Edward Byrne Memorial State and Local Law
2 Enforcement Assistance Programs; of which
3 \$330,000,000 shall be for the State Criminal Alien Assist-
4 ance Program, as authorized by section 242(j) of the Im-
5 migration and Nationality Act, as amended; of which
6 \$680,000,000 shall be for Violent Offender Incarceration
7 and Truth in Sentencing Incentive Grants pursuant to
8 subtitle A of title II of the 1994 Act, of which
9 \$170,000,000 shall be available for payments to States for
10 incarceration of criminal aliens, and of which \$12,500,000
11 shall be available for the Cooperative Agreement Program;
12 of which \$6,000,000 shall be for the Court Appointed Spe-
13 cial Advocate Program, as authorized by section 218 of
14 the 1990 Act; of which \$1,000,000 shall be for Child
15 Abuse Training Programs for Judicial Personnel and
16 Practitioners, as authorized by section 224 of the 1990
17 Act; of which \$145,000,000 shall be for Grants to Combat
18 Violence Against Women to States, units of local govern-
19 ment and Indian tribal governments, as authorized by sec-
20 tion 1001(a)(18) of the 1968 Act; of which \$33,000,000
21 shall be for Grants to Encourage Arrest Policies to States,
22 units of local government, and Indian tribal governments,
23 as authorized by section 1001(a)(19) of the 1968 Act; of
24 which \$8,000,000 shall be for Rural Domestic Violence
25 and Child Abuse Enforcement Assistance Grants, as au-

1 thorized by section 40295 of the 1994 Act; of which
2 \$1,000,000 shall be for training programs to assist proba-
3 tion and parole officers who work with released sex offend-
4 ers, as authorized by section 40152(c) of the 1994 Act;
5 of which \$550,000 shall be for grants for televised testi-
6 mony, as authorized by section 1001(a)(7) of the 1968
7 Act; of which \$1,750,000 shall be for national stalker and
8 domestic violence reduction, as authorized by section
9 40603 of the 1994 Act; of which \$35,000,000 shall be for
10 grants for residential substance abuse treatment for State
11 prisoners as authorized by section 1001(a)(17) of the
12 1968 Act; of which \$3,000,000 shall be for grants to
13 States and units of local government for projects to im-
14 prove DNA analysis, as authorized by section 1001(a)(22)
15 of the 1968 Act; of which \$1,000,000 shall be for Law
16 Enforcement Family Support Programs, as authorized by
17 section 1001(a)(21) of the 1968 Act; of which \$900,000
18 shall be for the Missing Alzheimer's Disease Patient Alert
19 Program, as authorized by section 240001(c) of the 1994
20 Act; of which \$500,000 shall be for Motor Vehicle Theft
21 Prevention Programs, as authorized by section 220002(h)
22 of the 1994 Act; of which \$5,000,000 shall be for State
23 Courts Assistance Grants, as authorized by section
24 210602 of the 1994 Act; of which \$200,000 shall be for
25 a National Baseline Study on Campus Sexual Assault, as

1 authorized by section 40506(e) of the 1994 Act; and of
2 which \$2,000,000 shall be for public awareness programs
3 addressing marketing scams aimed at senior citizens, as
4 authorized by section 250005(3) of the 1994 Act: *Provided*
5 *further*, That funds made available in fiscal year 1997
6 under subpart 1 of part E of title I of the Omnibus Crime
7 Control and Safe Streets Act of 1968, as amended, may
8 be obligated for programs to assist States in the litigation
9 processing of death penalty Federal habeas corpus peti-
10 tions and for drug testing initiatives: *Provided further*,
11 That any 1996 balances for these programs shall be trans-
12 ferred to and merged with this appropriation: *Provided*
13 *further*, That if a unit of local government uses any of
14 the funds made available under this title to increase the
15 number of law enforcement officers, the unit of local gov-
16 ernment will achieve a net gain in the number of law en-
17 forcement officers who perform nonadministrative public
18 safety service.

19 WEED AND SEED PROGRAM FUND

20 For necessary expenses, including salaries and relat-
21 ed expenses of the Executive Office for Weed and Seed,
22 to implement “Weed and Seed” program activities,
23 \$28,500,000, which shall be derived from discretionary
24 grants provided under the Edward Byrne Memorial State
25 and Local Law Enforcement Assistance Programs, to re-
26 main available until expended for intergovernmental

1 agreements, including grants, cooperative agreements, and
2 contracts, with State and local law enforcement agencies
3 engaged in the investigation and prosecution of violent
4 crimes and drug offenses in “Weed and Seed” designated
5 communities, and for either reimbursements or transfers
6 to appropriation accounts of the Department of Justice
7 and other Federal agencies which shall be specified by the
8 Attorney General to execute the “Weed and Seed” pro-
9 gram strategy: *Provided*, That funds designated by Con-
10 gress through language for other Department of Justice
11 appropriation accounts for “Weed and Seed” program ac-
12 tivities shall be managed and executed by the Attorney
13 General through the Executive Office for Weed and Seed:
14 *Provided further*, That the Attorney General may direct
15 the use of other Department of Justice funds and person-
16 nel in support of “Weed and Seed” program activities only
17 after the Attorney General notifies the Committees on Ap-
18 propriations of the House of Representatives and the Sen-
19 ate in accordance with section 605 of this Act.

20 COMMUNITY ORIENTED POLICING SERVICES

21 VIOLENT CRIME REDUCTION PROGRAMS

22 For activities authorized by the Violent Crime
23 Control and Law Enforcement Act of 1994, Public Law
24 103–322 (“the 1994 Act”) (including administrative
25 costs), \$1,400,000,000, to remain available until ex-

1 pending, which shall be derived from the Violent Crime
2 Reduction Trust Fund, for Public Safety and Community
3 Policing Grants pursuant to title I of the 1994 Act: *Pro-*
4 *vided*, That of this amount, \$10,000,000 shall be avail-
5 able for programs of Police Corps education, training and
6 service as set forth in sections 200101–200113 of the
7 1994 Act: *Provided further*, That of this amount,
8 \$71,000,000 shall be transferred to the Drug Enforce-
9 ment Administration for the purpose of providing State
10 and local police officers with equipment, conveyances,
11 overtime and other expenses associated with their partici-
12 pation on drug task forces: *Provided further*, That of this
13 amount, \$30,500,000 shall be for additional grants au-
14 thorized by part B of title II of the Juvenile Justice and
15 Delinquency Prevention Act of 1974, as amended, to re-
16 main available until expended, for the purpose of provid-
17 ing additional formula grants under part B, for innova-
18 tive local law enforcement and community policing pro-
19 grams, to States that provide assurances to the Adminis-
20 trator that the State has in effect (or will have in effect
21 not later than 1 year after date of application) policies
22 and programs, that ensure that juveniles who commit an
23 act after attaining 14 years of age, that would be a seri-
24 ous violent crime if committed by an adult, are treated
25 as adults for purpose of prosecution: *Provided further*,

1 That not to exceed 130 permanent positions and 130
2 full-time equivalent workyears and \$14,602,000 shall be
3 expended for program management and administration.

4 JUVENILE JUSTICE PROGRAMS

5 For grants, contracts, cooperative agreements, and
6 other assistance authorized by the Juvenile Justice and
7 Delinquency Prevention Act of 1974, as amended, includ-
8 ing salaries and expenses in connection therewith to be
9 transferred to and merged with the appropriations for
10 Justice Assistance, \$145,000,000, to remain available
11 until expended, as authorized by section 299 of part I of
12 title II and section 506 of title V of the Act, as amended
13 by Public Law 102-586, of which (1) \$100,000,000 shall
14 be available for expenses authorized by parts A, B, and
15 C of title II of the Act; (2) \$11,000,000 shall be available
16 for expenses authorized by sections 281 and 282 of part
17 D of title II of the Act for prevention and treatment pro-
18 grams relating to juvenile gangs; (3) \$10,000,000 shall
19 be available for expenses authorized by section 285 of part
20 E of title II of the Act; (4) \$4,000,000 shall be available
21 for expenses authorized by part G of title II of the Act
22 for juvenile mentoring programs; and (5) \$20,000,000
23 shall be available for expenses authorized by title V of the
24 Act for incentive grants for local delinquency prevention
25 programs: *Provided*, That upon the enactment of reau-
26 thorization legislation for Juvenile Justice Programs

1 under the Juvenile Justice and Delinquency Prevention
2 Act of 1974, as amended, funding provided in this Act
3 shall from that date be subject to the provisions of that
4 legislation and any provisions in this Act that are incon-
5 sistent with that legislation shall no longer have effect.

6 In addition, for grants, contracts, cooperative agree-
7 ments, and other assistance authorized by the Victims of
8 Child Abuse Act of 1990, as amended, \$4,500,000, to re-
9 main available until expended, as authorized by sections
10 214B of the Act.

11 PUBLIC SAFETY OFFICERS BENEFITS

12 For payments authorized by part L of title I of the
13 Omnibus Crime Control and Safe Streets Act of 1968 (42
14 U.S.C. 3796), as amended, such sums as are necessary,
15 to remain available until expended, as authorized by sec-
16 tion 6093 of Public Law 100–690 (102 Stat. 4339–4340),
17 and, in addition, \$2,200,000, to remain available until ex-
18 pended, for payments as authorized by section 1201(b) of
19 said Act.

20 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

21 SEC. 101. In addition to amounts otherwise made
22 available in this title for official reception and representa-
23 tion expenses, a total of not to exceed \$45,000 from funds
24 appropriated to the Department of Justice in this title
25 shall be available to the Attorney General for official re-
26 ception and representation expenses in accordance with

1 distributions, procedures, and regulations established by
2 the Attorney General.

3 SEC. 102. Authorities contained in the Department
4 of Justice Appropriation Authorization Act, Fiscal Year
5 1980 (Pub. L. 96–132, 93 Stat. 1040 (1979)), as amend-
6 ed, shall remain in effect until the termination date of this
7 Act or until the effective date of a Department of Justice
8 Appropriation Authorization Act, whichever is earlier.

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

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

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

1 osophical beliefs of individual employees of the Bureau of
2 Prisons.

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

14 SEC. 107. Not to exceed 5 percent of any appropria-
15 tion made available for the current fiscal year for the De-
16 partment of Justice in this Act, including those derived
17 from the Violent Crime Reduction Trust Fund, may be
18 transferred between such appropriations, but no such ap-
19 propriation, except as otherwise specifically provided, 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 except in compliance with the procedures set forth
25 in that section.

1 SEC. 108. Section 524(c)(8)(E) of title 28, United
2 States Code, is amended by striking the year in the date
3 therein contained and replacing the same with “1996”.

4 SEC. 109. (a) Section 1930(a) of title 28, United
5 States Code, is amended in paragraph (6), by striking ev-
6 erything after “total less than \$15,000;” and inserting in
7 lieu thereof: “\$500 for each quarter in which disburse-
8 ments total \$15,000 or more but less than \$75,000; \$750
9 for each quarter in which disbursements total \$75,000 or
10 more but less than \$150,000; \$1,250 for each quarter in
11 which disbursements total \$150,000 or more but less than
12 \$225,000; \$1,500 for each quarter in which disbursements
13 total \$225,000 or more but less than \$300,000; \$3,750
14 for each quarter in which disbursements total \$300,000
15 or more but less than \$1,000,000; \$5,000 for each quarter
16 in which disbursements total \$1,000,000 or more but less
17 than \$2,000,000; \$7,500 for each quarter in which dis-
18 bursements total \$2,000,000 or more but less than
19 \$3,000,000; \$8,000 for each quarter in which disburse-
20 ments total \$3,000,000 or more but less than \$5,000,000;
21 \$10,000 for each quarter in which disbursements total
22 \$5,000,000 or more. The fee shall be payable on the last
23 day of the calendar month following the calendar quarter
24 for which the fee is owed.”.

1 (b) Section 589a of title 28, United States Code, is
2 amended to read as follows:

3 **“§ 589a. United States Trustee System Fund**

4 “(a) There is hereby established in the Treasury of
5 the United States a special fund to be known as the ‘Unit-
6 ed States Trustee System Fund’ (hereinafter in this sec-
7 tion referred to as the ‘Fund’). Monies in the Fund shall
8 be available to the Attorney General without fiscal year
9 limitation in such amounts as may be specified in appro-
10 priations Acts for the following purposes in connection
11 with the operations of United States trustees—

- 12 “(1) salaries and related employee benefits;
13 “(2) travel and transportation;
14 “(3) rental of space;
15 “(4) communication, utilities, and miscellaneous
16 computer charges;
17 “(5) security investigations and audits;
18 “(6) supplies, books, and other materials for
19 legal research;
20 “(7) furniture and equipment;
21 “(8) miscellaneous services, including those ob-
22 tained by contract; and
23 “(9) printing.

24 “(b) For the purpose of recovering the cost of services
25 of the United States Trustee System, there shall be depos-

1 ited as offsetting collections to the appropriation ‘United
2 States Trustee System Fund’, to remain available until
3 expended, the following—

4 “(1) 23.08 percent of the fees collected under
5 section 1930(a)(1) of this title;

6 “(2) one-half of the fees collected under section
7 1930(a)(3) of this title;

8 “(3) one-half of the fees collected under section
9 1930(a)(4) of this title;

10 “(4) one-half of the fees collected under section
11 1930(a)(5) of this title;

12 “(5) 100 percent of the fees collected under sec-
13 tion 1930(a)(6) of this title;

14 “(6) three-fourths of the fees collected under
15 the last sentence of section 1930(a) of this title;

16 “(7) the compensation of trustees received
17 under section 330(d) of title 11 by the clerks of the
18 bankruptcy courts; and

19 “(8) excess fees collected under section
20 586(e)(2) of this title.

21 “(c) Amounts in the Fund which are not currently
22 needed for the purposes specified in subsection (a) shall
23 be kept on deposit or invested in obligations of, or guaran-
24 teed by, the United States.

1 “(d) The Attorney General shall transmit to the Con-
2 gress, not later than 120 days after the end of each fiscal
3 year, a detailed report on the amounts deposited in the
4 Fund and a description of expenditures made under this
5 section.

6 “(e) There are authorized to be appropriated to the
7 Fund for any fiscal year such sums as may be necessary
8 to supplement amounts deposited under subsection (b) for
9 the purposes specified in subsection (a).”.

10 (c) Notwithstanding any other provision of law or of
11 this Act, the amendments to 28 U.S.C. 589a made by sub-
12 section (b) of this section shall take effect upon enactment
13 of this Act.

14 SEC. 110. Public Law 103–414 (108 Stat. 4279) is
15 amended by inserting at its conclusion a new title IV, as
16 follows:

17 **“TITLE IV—TELECOMMUNICATIONS**
18 **CARRIER COMPLIANCE PAYMENTS**

19 **“SEC. 401. DEPARTMENT OF JUSTICE TELECOMMUNI-**
20 **CATIONS CARRIER COMPLIANCE FUND.**

21 “(a) ESTABLISHMENT OF FUND.—There is hereby
22 established in the United States Treasury a fund to be
23 known as the Department of Justice Telecommunications
24 Carrier Compliance Fund (hereafter referred to as ‘the
25 Fund’), which shall be available without fiscal year limita-

1 tion to the Attorney General for making payments to tele-
2 communications carriers, equipment manufacturers, and
3 providers of telecommunications support services pursuant
4 to section 109 of this Act.

5 “(b) DEPOSITS TO THE FUND.—Notwithstanding
6 any other provision of law, any agency of the United
7 States with law enforcement or intelligence responsibilities
8 may deposit as offsetting collections to the Fund any un-
9 obligated balances that are available until expended, upon
10 compliance with any Congressional notification require-
11 ments for reprogrammings of funds applicable to the ap-
12 propriation from which the deposit is to be made.

13 “(c) TERMINATION.—

14 “(1) The Attorney General may terminate the
15 Fund at such time as the Attorney General deter-
16 mines that the Fund is no longer necessary.

17 “(2) Any balance in the Fund at the time of its
18 termination shall be deposited in the General Fund
19 of the Treasury.

20 “(3) A decision of the Attorney General to ter-
21 minate the Fund shall not be subject to judicial re-
22 view.

23 “(d) AVAILABILITY OF FUNDS FOR EXPENDITURE.—
24 Funds shall only be available for obligation after submis-
25 sion of an implementation plan as set forth in subsection

1 (e), to the Committees on the Judiciary and Appropria-
2 tions of both the House of Representatives and the Senate
3 and shall be treated as a reprogramming of funds under
4 section 605 of the Department of Commerce, Justice, and
5 State, the Judiciary, and Related Agencies Appropriations
6 Act, 1997, and shall not be available for obligation or ex-
7 penditure except in compliance with the procedures set
8 forth in that section.

9 “(e) IMPLEMENTATION PLAN.—The implementation
10 plan shall include:

11 “(1) law enforcement assistance capability fea-
12 tures including an explanation of how proposed
13 interface and assistance capability requirements ex-
14 ceed or differ from the law enforcement assistance
15 currently provided by carriers;

16 “(2) the actual and maximum number of simul-
17 taneous surveillances/intercepts that law enforcement
18 agencies expect to perform (capacity requirements),
19 as well as the “historical baseline electronic surveil-
20 lance activity” on which the proposed capacity re-
21 quirements are based;

22 “(3) a detailed county by county listing of pro-
23 posed actual and maximum capacity requirements;

24 “(4) the proposed network switch and other as-
25 sistance capability features requested by law enforce-

1 ment that would be required to be installed by tele-
2 communications carriers;

3 “(5) a complete estimate of the full costs of de-
4 velopment and deployment of the assistance capabil-
5 ity features, the full costs of the proposed actual and
6 maximum capacities requested by law enforcement,
7 the full cost of training telecommunications carrier
8 personnel in the use of such capabilities and capac-
9 ities, and to what extent funding of \$500,000,000
10 will be sufficient to fully reimburse telecommuni-
11 cations carriers for the reasonable cost of compliance
12 with this Act; and

13 “(6) a complete estimate of the full and reason-
14 able costs associated with modification to be per-
15 formed by telecommunications carriers of their net-
16 work equipment and facilities installed or deployed
17 after January 1, 1995, which are not proposed for
18 reimbursement.

19 “(f) ANNUAL REPORT TO THE CONGRESS.—The At-
20 torney General shall submit to the Congress each year a
21 report specifically detailing all deposits and expenditures
22 made pursuant to this Act in each fiscal year. This report
23 shall be submitted to each member of the Committees on
24 the Judiciary and Appropriations of both the House of
25 Representatives and the Senate, and to the Speaker and

1 minority leader of the House of Representatives and to
 2 the majority and minority leaders of the Senate, no later
 3 than 60 days after the end of each fiscal year.”.

4 This title may be cited as the “Department of Justice
 5 Appropriations Act, 1997”.

6 TITLE II—DEPARTMENT OF COMMERCE AND
 7 RELATED AGENCIES

8 TRADE AND INFRASTRUCTURE DEVELOPMENT
 9 RELATED AGENCIES

10 OFFICE OF THE UNITED STATES TRADE
 11 REPRESENTATIVE

12 SALARIES AND EXPENSES

13 For necessary expenses of the Office of the United
 14 States Trade Representative, including the hire of pas-
 15 senger motor vehicles and the employment of experts and
 16 consultants as authorized by 5 U.S.C. 3109, \$21,449,000,
 17 of which \$2,500,000 shall remain available until expended:
 18 *Provided*, That not to exceed \$98,000 shall be available
 19 for official reception and representation expenses.

20 INTERNATIONAL TRADE COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the International Trade
 23 Commission, including hire of passenger motor vehicles,
 24 and services as authorized by 5 U.S.C. 3109, and not to

1 exceed \$2,500 for official reception and representation ex-
2 penses, \$40,000,000, to remain available until expended.

3 DEPARTMENT OF COMMERCE

4 INTERNATIONAL TRADE ADMINISTRATION

5 OPERATIONS AND ADMINISTRATION

6 For necessary expenses for international trade activi-
7 ties of the Department of Commerce provided for by law,
8 and engaging in trade promotional activities abroad, in-
9 cluding expenses of grants and cooperative agreements for
10 the purpose of promoting exports of United States firms,
11 without regard to 44 U.S.C. 3702 and 3703; full medical
12 coverage for dependent members of immediate families of
13 employees stationed overseas and employees temporarily
14 posted overseas; travel and transportation of employees of
15 the United States and Foreign Commercial Service be-
16 tween two points abroad, without regard to 49 U.S.C.
17 1517; employment of Americans and aliens by contract for
18 services; rental of space abroad for periods not exceeding
19 ten years, and expenses of alteration, repair, or improve-
20 ment; purchase or construction of temporary demountable
21 exhibition structures for use abroad; payment of tort
22 claims, in the manner authorized in the first paragraph
23 of 28 U.S.C. 2672 when such claims arise in foreign coun-
24 tries; not to exceed \$327,000 for official representation
25 expenses abroad; purchase of passenger motor vehicles for

1 official use abroad, not to exceed \$30,000 per vehicle; ob-
2 tain insurance on official motor vehicles; and rent tie lines
3 and teletype equipment; \$272,000,000, to remain avail-
4 able until expended: *Provided*, That the provisions of the
5 first sentence of section 105(f) and all of section 108(c)
6 of the Mutual Educational and Cultural Exchange Act of
7 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in car-
8 rying out these activities without regard to section 5412
9 of the Omnibus Trade and Competitiveness Act of 1988
10 (15 U.S.C. 4912); and that for the purpose of this Act,
11 contributions under the provisions of the Mutual Edu-
12 cational and Cultural Exchange Act shall include payment
13 for assessments for services provided as part of these ac-
14 tivities.

15 EXPORT ADMINISTRATION

16 OPERATIONS AND ADMINISTRATION

17 For necessary expenses for export administration and
18 national security activities of the Department of Com-
19 merce, including costs associated with the performance of
20 export administration field activities both domestically and
21 abroad; full medical coverage for dependent members of
22 immediate families of employees stationed overseas; em-
23 ployment of Americans and aliens by contract for services
24 abroad; rental of space abroad for periods not exceeding
25 ten years, and expenses of alteration, repair, or improve-

1 ment; payment of tort claims, in the manner authorized
2 in the first paragraph of 28 U.S.C. 2672 when such claims
3 arise in foreign countries; not to exceed \$15,000 for offi-
4 cial representation expenses abroad; awards of compensa-
5 tion to informers under the Export Administration Act of
6 1979, and as authorized by 22 U.S.C. 401(b); purchase
7 of passenger motor vehicles for official use and motor vehi-
8 cles for law enforcement use with special requirement vehi-
9 cles eligible for purchase without regard to any price limi-
10 tation otherwise established by law; \$38,604,000, to re-
11 main available until expended: *Provided*, That the provi-
12 sions of the first sentence of section 105(f) and all of sec-
13 tion 108(c) of the Mutual Educational and Cultural Ex-
14 change Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall
15 apply in carrying out these activities: *Provided further*,
16 That payments and contributions collected and accepted
17 for materials or services provided as part of such activities
18 may be retained for use in covering the cost of such activi-
19 ties, and for providing information to the public with re-
20 spect to the export administration and national security
21 activities of the Department of Commerce and other ex-
22 port control programs of the United States and other gov-
23 ernments.

1 ECONOMIC DEVELOPMENT ADMINISTRATION

2 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

3 For grants for economic development assistance as
4 provided by the Public Works and Economic Development
5 Act of 1965, as amended, Public Law 91–304, and such
6 laws that were in effect immediately before September 30,
7 1982, \$328,500,000: *Provided*, That none of the funds ap-
8 propriated or otherwise made available under this heading
9 may be used directly or indirectly for attorneys’ or consult-
10 ants’ fees in connection with securing grants and contracts
11 made by the Economic Development Administration: *Pro-*
12 *vided further*, That, notwithstanding any other provision
13 of law, the Secretary of Commerce may provide financial
14 assistance for projects to be located on military installa-
15 tions closed or scheduled for closure or realignment to
16 grantees eligible for assistance under the Public Works
17 and Economic Development Act of 1965, as amended,
18 without it being required that the grantee have title or
19 ability to obtain a lease for the property, for the useful
20 life of the project, when in the opinion of the Secretary
21 of Commerce, such financial assistance is necessary for
22 the economic development of the area: *Provided further*,
23 That the Secretary of Commerce may, as the Secretary
24 considers appropriate, consult with the Secretary of De-

1 fense regarding the title to land on military installations
 2 closed or scheduled for closure or realignment.

3 SALARIES AND EXPENSES

4 For necessary expenses of administering the eco-
 5 nomic development assistance programs as provided for by
 6 law, \$20,000,000: *Provided*, That these funds may be used
 7 to monitor projects approved pursuant to title I of the
 8 Public Works Employment Act of 1976, as amended, title
 9 II of the Trade Act of 1974, as amended, and the Commu-
 10 nity Emergency Drought Relief Act of 1977.

11 MINORITY BUSINESS DEVELOPMENT AGENCY

12 MINORITY BUSINESS DEVELOPMENT

13 For necessary expenses of the Department of Com-
 14 merce in fostering, promoting, and developing minority
 15 business enterprise, including expenses of grants, con-
 16 tracts, and other agreements with public or private organi-
 17 zations, \$29,000,000: *Provided*, That of the total amount
 18 provided, \$3,000,000 shall be available for obligation and
 19 expenditure only for projects jointly developed, imple-
 20 mented and administered with the Small Business Admin-
 21 istration.

22 ECONOMIC AND INFORMATION INFRASTRUCTURE

23 ECONOMIC AND STATISTICAL ANALYSIS

24 SALARIES AND EXPENSES

25 For necessary expenses, as authorized by law, of eco-
 26 nomic and statistical analysis programs of the Department

1 of Commerce, \$45,900,000, to remain available until Sep-
2 tember 30, 1998.

3 ECONOMICS AND STATISTICS ADMINISTRATION

4 REVOLVING FUND

5 The Secretary of Commerce is authorized to dissemi-
6 nate economic and statistical data products as authorized
7 by sections 1, 2, and 4 of Public Law 91–412 (15 U.S.C.
8 1525–1527) and, notwithstanding section 5412 of the
9 Omnibus Trade and Competitiveness Act of 1988 (15
10 U.S.C. 4912), charge fees necessary to recover the full
11 costs incurred in their production. Notwithstanding 31
12 U.S.C. 3302, receipts received from these data dissemina-
13 tion activities shall be credited to this account, to be avail-
14 able for carrying out these purposes without further ap-
15 propriation.

16 BUREAU OF THE CENSUS

17 SALARIES AND EXPENSES

18 For expenses necessary for collecting, compiling, ana-
19 lyzing, preparing, and publishing statistics, provided for
20 by law, \$133,617,000.

21 PERIODIC CENSUSES AND PROGRAMS

22 For expenses necessary to collect and publish statis-
23 tics for periodic censuses and programs provided for by
24 law, \$205,100,000, to remain available until expended.

1 NATIONAL TELECOMMUNICATIONS AND INFORMATION
2 ADMINISTRATION
3 SALARIES AND EXPENSES

4 For necessary expenses, as provided for by law, of
5 the National Telecommunications and Information Ad-
6 ministration, \$15,000,000 to remain available until ex-
7 pended: *Provided*, That notwithstanding 31 U.S.C.
8 1535(d), the Secretary of Commerce shall charge Federal
9 agencies for costs incurred in spectrum management,
10 analysis, and operations, and related services and such
11 fees shall be retained and used as offsetting collections for
12 costs of such spectrum services, to remain available until
13 expended: *Provided further*, That the Secretary of Com-
14 merce is authorized to retain and use as offsetting collec-
15 tions all funds transferred, or previously transferred, from
16 other Government agencies for all costs incurred in tele-
17 communications research, engineering, and related activi-
18 ties by the Institute for Telecommunication Sciences of
19 the NTIA, in furtherance of its assigned functions under
20 this paragraph, and such funds received from other Gov-
21 ernment agencies shall remain available until expended.

22 PUBLIC BROADCASTING FACILITIES, PLANNING AND
23 CONSTRUCTION

24 For grants authorized by section 392 of the Commu-
25 nications Act of 1934, as amended, \$10,250,000, to re-
26 main available until expended as authorized by section 391

1 of the Act, as amended: *Provided*, That not to exceed
2 \$1,500,000 shall be available for program administration
3 as authorized by section 391 of the Act: *Provided further*,
4 That notwithstanding the provisions of section 391 of the
5 Act, the prior year unobligated balances may be made
6 available for grants for projects for which applications
7 have been submitted and approved during any fiscal year.

8 INFORMATION INFRASTRUCTURE GRANTS

9 For grants authorized by section 392 of the Commu-
10 nications Act of 1934, as amended, \$21,490,000, to re-
11 main available until expended as authorized by section 391
12 of the Act, as amended: *Provided*, That not to exceed
13 \$3,000,000 shall be available for program administration
14 and other support activities as authorized by section 391:
15 *Provided further*, That of the funds appropriated herein,
16 not to exceed 5 percent may be available for telecommuni-
17 cations research activities for projects related directly to
18 the development of a national information infrastructure:
19 *Provided further*, That notwithstanding the requirements
20 of section 392(a) and 392(c) of the Act, these funds may
21 be used for the planning and construction of telecommuni-
22 cations networks for the provision of educational, cultural,
23 health care, public information, public safety, or other so-
24 cial services.

1 PATENT AND TRADEMARK OFFICE

2 SALARIES AND EXPENSES

3 For necessary expenses of the Patent and Trademark
4 Office provided for by law, including defense of suits insti-
5 tuted against the Commissioner of Patents and Trade-
6 marks, \$100,000,000, to remain available until expended:
7 *Provided*, That the funds made available under this head-
8 ing are to be derived from deposits in the Patent and
9 Trademark Office Fee Surcharge Fund as authorized by
10 law: *Provided further*, That the amounts made available
11 under the Fund shall not exceed amounts deposited; and
12 such fees as shall be collected pursuant to 15 U.S.C. 1113
13 and 35 U.S.C. 41 and 376, shall remain available until
14 expended.

15 SCIENCE AND TECHNOLOGY

16 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

17 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

18 For necessary expenses of the National Institute of
19 Standards and Technology, \$268,000,000, to remain
20 available until expended, of which not to exceed
21 \$1,625,000 may be transferred to the “Working Capital
22 Fund”.

23 INDUSTRIAL TECHNOLOGY SERVICES

24 For necessary expenses of the Manufacturing Exten-
25 sion Partnership of the National Institute of Standards
26 and Technology, \$89,900,000, to remain available until

1 expended, of which not to exceed \$300,000 may be trans-
2 ferred to the “Working Capital Fund”.

3 In addition, for necessary expenses of the Ad-
4 vanced Technology Program of the National Institute of
5 Standards and Technology, \$110,500,000, to remain
6 available until expended, of which not to exceed \$500,000
7 may be transferred to the “Working Capital Fund”: *Pro-*
8 *vided*, That none of the funds made available under this
9 heading may be used for the purposes of carrying out ad-
10 ditional program competitions under the Advanced Tech-
11 nology Program: *Provided further*, That any unobligated
12 balances available from carryover of prior year appropria-
13 tions under the Advanced Technology Program may be
14 used only for the purposes of providing continuation
15 grants.

16 NATIONAL OCEANIC AND ATMOSPHERIC
17 ADMINISTRATION
18 OPERATIONS, RESEARCH, AND FACILITIES
19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses of activities authorized by
21 law for the National Oceanic and Atmospheric Adminis-
22 tration, including acquisition, maintenance, operation,
23 and hire of aircraft; not to exceed 200 commissioned offi-
24 cers on the active list as of April 1, 1997, and no com-
25 missioned officers on the active list as of September 30,
26 1997; grants, contracts, or other payments to nonprofit

1 organizations for the purposes of conducting activities
2 pursuant to cooperative agreements; and alteration, mod-
3 ernization, and relocation of facilities as authorized by 33
4 U.S.C. 883i; \$1,738,200,000, to remain available until
5 expended: *Provided*, That notwithstanding 31 U.S.C.
6 3302 but consistent with other existing law, fees shall be
7 assessed, collected, and credited to this appropriation as
8 offsetting collections to be available until expended, to re-
9 cover the costs of administering aeronautical charting
10 programs: *Provided further*, That the sum herein appro-
11 priated from the general fund shall be reduced as such
12 additional fees are received during fiscal year 1997, so as
13 to result in a final general fund appropriation estimated
14 at not more than \$1,735,200,000: *Provided further*, That
15 any such additional fees received in excess of \$3,000,000
16 in fiscal year 1997 shall not be available for obligation
17 until October 1, 1997: *Provided further*, That fees and
18 donations received by the National Ocean Service for the
19 management of the national marine sanctuaries may be
20 retained and used for the salaries and expenses associ-
21 ated with those activities, notwithstanding 31 U.S.C.
22 3302: *Provided further*, That in addition, \$66,000,000
23 shall be derived by transfer from the fund entitled “Pro-
24 mote and Develop Fishery Products and Research Per-
25 taining to American Fisheries”: *Provided further*, That

1 grants to States pursuant to sections 306 and 306A of
2 the Coastal Zone Management Act of 1972, as amended,
3 shall not exceed \$2,000,000: *Provided further*, That of
4 the \$1,837,176,000 provided for in direct obligations
5 under this heading (of which \$1,735,200,000 is appro-
6 priated from the general fund, \$71,276,000 is provided
7 by transfer, and \$30,700,000 is derived from unobligated
8 balances and deobligations from prior years),
9 \$180,975,000 shall be for the National Ocean Service,
10 \$292,907,000 shall be for the National Marine Fisheries
11 Service, \$231,826,000 shall be for Oceanic and Atmos-
12 pheric Research, \$633,010,000 shall be for the National
13 Weather Service, \$431,582,000 shall be for the National
14 Environmental Satellite, Data, and Information Service,
15 \$66,876,000 shall be for Program Support.

16 COASTAL ZONE MANAGEMENT FUND

17 Of amounts collected pursuant to section 308 of
18 the Coastal Zone Management Act of 1972 (16 U.S.C.
19 1456a), not to exceed \$7,800,000, for purposes set forth
20 in sections 308(b)(2)(A), 308(b)(2)(B)(v), and 315(e) of
21 such Act.

22 CONSTRUCTION

23 For repair and modification of, and additions to, ex-
24 isting facilities and construction of new facilities, and for
25 facility planning and design and land acquisition not oth-
26 erwise provided for the National Oceanic and Atmos-

1 pheric Administration, \$36,000,000, to remain available
2 until expended.

3 FLEET MODERNIZATION, SHIPBUILDING AND
4 CONVERSION

5 For expenses necessary for the repair, acquisition,
6 leasing, or conversion of vessels, including related equip-
7 ment to maintain and modernize the existing fleet and to
8 continue planning the modernization of the fleet, for the
9 National Oceanic and Atmospheric Administration,
10 \$6,000,000, to remain available until expended.

11 FISHING VESSEL AND GEAR DAMAGE COMPENSATION
12 FUND

13 For carrying out the provisions of section 3 of Pub-
14 lic Law 95-376, not to exceed \$200,000, to be derived
15 from receipts collected pursuant to subsections (b) and
16 (f) of section 10 of the Fishermen's Protective Act of
17 1967 (22 U.S.C. 1980), to remain available until ex-
18 pended.

19 FISHERMEN'S CONTINGENCY FUND

20 For carrying out the provisions of title IV of Public
21 Law 95-372, not to exceed \$1,000,000, to be derived
22 from receipts collected pursuant to that Act, to remain
23 available until expended.

24 FOREIGN FISHING OBSERVER FUND

25 For expenses necessary to carry out the provisions
26 of the Atlantic Tunas Convention Act of 1975, as amend-

1 ed (Public Law 96–339), the Magnuson Fishery Con-
2 servation and Management Act of 1976, as amended
3 (Public Law 100–627), and the American Fisheries Pro-
4 motion Act (Public Law 96–561), to be derived from the
5 fees imposed under the foreign fishery observer program
6 authorized by these Acts, not to exceed \$196,000, to re-
7 main available until expended.

8 FISHING VESSEL OBLIGATIONS GUARANTEES

9 For the cost of guaranteed loans, \$250,000, as au-
10 thorized by the Merchant Marine Act of 1936, as amend-
11 ed: *Provided*, That such costs, including the cost of modi-
12 fying such loans, shall be as defined in section 502 of the
13 Congressional Budget Act of 1974: *Provided further*,
14 That none of the funds made available under this head-
15 ing may be used to guarantee loans for any new fishing
16 vessel that will increase the harvesting capacity in any
17 United States fishery.

18 TECHNOLOGY ADMINISTRATION

19 UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF

20 TECHNOLOGY POLICY

21 SALARIES AND EXPENSES

22 For necessary expenses for the Under Secretary for
23 Technology/Office of Technology Policy, \$5,000,000.

1 GENERAL ADMINISTRATION

2 SALARIES AND EXPENSES

3 For expenses necessary for the general administra-
4 tion of the Department of Commerce provided for by law,
5 including not to exceed \$3,000 for official entertainment,
6 \$27,400,000.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
9 General in carrying out the provisions of the Inspector
10 General Act of 1978, as amended (5 U.S.C. App. 1–11
11 as amended by Public Law 100–504), \$19,445,000.

12 NATIONAL OCEANIC AND ATMOSPHERIC
13 ADMINISTRATION

14 OPERATIONS, RESEARCH, AND FACILITIES
15 (RESCISSION)

16 Of the unobligated balances available under this
17 heading, \$10,000,000 are rescinded.

18 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

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

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

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

15 SEC. 204. None of the funds provided in this or any
16 previous Act, or hereinafter made available to the Depart-
17 ment of Commerce, shall be available to reimburse the Un-
18 employment Trust Fund or any other fund or account of
19 the Treasury to pay for any expenses paid before October
20 1, 1992, as authorized by section 8501 of title 5, United
21 States Code, for services performed after April 20, 1990,
22 by individuals appointed to temporary positions within the
23 Bureau of the Census for purposes relating to the 1990
24 decennial census of population.

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

11 SEC. 206. (a) Should legislation be enacted to dis-
12 mantle or reorganize the Department of Commerce, the
13 Secretary of Commerce, no later than 90 days thereafter,
14 shall submit to the Committees on Appropriations of the
15 House and the Senate a plan for transferring funds pro-
16 vided in this Act to the appropriate successor organiza-
17 tions: *Provided*, That the plan shall include a proposal for
18 transferring or rescinding funds appropriated herein for
19 agencies or programs terminated under such legislation:
20 *Provided further*, That such plan shall be transmitted in
21 accordance with section 605 of this Act.

22 (b) The Secretary of Commerce or the appropriate
23 head of any successor organization(s) may use any avail-
24 able funds to carry out legislation dismantling or reor-
25 ganizing the Department of Commerce to cover the costs

1 of actions relating to the abolishment, reorganization, or
2 transfer of functions and any related personnel action, in-
3 cluding voluntary separation incentives if authorized by
4 such legislation: *Provided*, That the authority to transfer
5 funds between appropriations accounts that may be nec-
6 essary to carry out this section is provided in addition to
7 authorities included under section 205 of this Act: *Pro-*
8 *vided further*, That use of funds to carry out this section
9 shall be treated as a reprogramming of funds under sec-
10 tion 605 of this Act and shall not be available for obliga-
11 tion or expenditure except in compliance with the proce-
12 dures set forth in that section.

13 SEC. 207. Any costs incurred by a Department or
14 agency funded under this title resulting from personnel
15 actions taken in response to funding reductions included
16 in this title shall be absorbed within the total budgetary
17 resources available to such Department or agency: *Pro-*
18 *vided*, That the authority to transfer funds between appro-
19 priations accounts as may be necessary to carry out this
20 section is provided in addition to authorities included else-
21 where in this Act: *Provided further*, That use of funds to
22 carry out this section shall be treated as a reprogramming
23 of funds under section 605 of this Act and shall not be
24 available for obligation or expenditure except in compli-
25 ance with the procedures set forth in that section.

1 SEC. 208. None of the funds appropriated under this
2 Act or any other Act may be used to develop new fishery
3 management plans, amendments, or regulations which cre-
4 ate new individual fishing quota, individual transferable
5 quota, or new individual transferable effort allocation pro-
6 grams, or to implement any such plans, amendments, or
7 regulations approved by a Regional Fishery Management
8 Council or the Secretary of Commerce after January 4,
9 1995, until offsetting fees to pay for the cost of admin-
10 istering such plans, amendments, or regulations are ex-
11 pressly authorized under the Magnuson Fishery Conserva-
12 tion and Management Act (16 U.S.C. 1801 et seq.). This
13 restriction shall not apply in any way to any such pro-
14 grams approved by the Secretary of Commerce prior to
15 January 4, 1995.

16 SEC. 209. The Secretary may award contracts for hy-
17 drographic, geodetic, and photogrammetric surveying and
18 mapping services in accordance with title IX of the Fed-
19 eral Property and Administrative Services Act of 1949 (40
20 U.S.C. 541 et seq.).

21 SEC. 210. There is hereby established the Bureau of
22 the Census Working Capital Fund, which shall be avail-
23 able without fiscal year limitation, for expenses and equip-
24 ment necessary for the maintenance and operation of such
25 services and projects as the Director of the Census Bureau

1 determines may be performed more advantageously when
2 centralized: *Provided*, That such central services shall, to
3 the fullest extent practicable, be used to make unnecessary
4 the maintenance of separate like services in the divisions
5 and offices of the Bureau: *Provided further*, That a sepa-
6 rate schedule of expenditures and reimbursements, and a
7 statement of the current assets and liabilities of the Work-
8 ing Capital Fund as of the close of the last completed fis-
9 cal year, shall be prepared each year: *Provided further*,
10 That notwithstanding 31 U.S.C. 3302, the Working Cap-
11 ital Fund may be credited with advances and reimburse-
12 ments from applicable appropriations of the Bureau and
13 from funds of other agencies or entities for services fur-
14 nished pursuant to law: *Provided further*, That any inven-
15 tories, equipment, and other assets pertaining to the serv-
16 ices to be provided by such funds, either on hand or on
17 order, less the related liabilities or unpaid obligations, and
18 any appropriations made hereafter for the purpose of pro-
19 viding capital, shall be used to capitalize the Working Cap-
20 ital Fund: *Provided further*, That the Working Capital
21 Fund shall provide for centralized services at rates which
22 will return in full all expenses of operation, including de-
23 preciation of fund plant and equipment, amortization of
24 automated data processing software and hardware sys-

1 tems, and an amount necessary to maintain a reasonable
2 operating reserve as determined by the Director.

3 This title may be cited as the “Department of Com-
4 merce and Related Agencies Appropriations Act, 1997”.

5 TITLE III—THE JUDICIARY

6 SUPREME COURT OF THE UNITED STATES

7 SALARIES AND EXPENSES

8 For expenses necessary for the operation of the Su-
9 preme Court, as required by law, excluding care of the
10 building and grounds, including purchase or hire, driving,
11 maintenance, and operation of an automobile for the Chief
12 Justice, not to exceed \$10,000 for the purpose of trans-
13 porting Associate Justices, and hire of passenger motor
14 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
15 to exceed \$10,000 for official reception and representation
16 expenses; and for miscellaneous expenses, to be expended
17 as the Chief Justice may approve; \$27,157,000.

18 CARE OF THE BUILDING AND GROUNDS

19 For such expenditures as may be necessary to enable
20 the Architect of the Capitol to carry out the duties im-
21 posed upon him by the Act approved May 7, 1934 (40
22 U.S.C. 13a–13b), \$2,490,000, of which \$260,000 shall re-
23 main available until expended.

1 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
2 CIRCUIT

3 SALARIES AND EXPENSES

4 For salaries of the chief judge, judges, and other offi-
5 cers and employees, and for necessary expenses of the
6 court, as authorized by law, \$15,013,000.

7 UNITED STATES COURT OF INTERNATIONAL TRADE

8 SALARIES AND EXPENSES

9 For salaries of the chief judge and eight judges, sala-
10 ries of the officers and employees of the court, services
11 as authorized by 5 U.S.C. 3109, and necessary expenses
12 of the court, as authorized by law, \$11,114,000.

13 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

14 JUDICIAL SERVICES

15 SALARIES AND EXPENSES

16 For the salaries of circuit and district judges (includ-
17 ing judges of the territorial courts of the United States),
18 justices and judges retired from office or from regular ac-
19 tive service, judges of the United States Court of Federal
20 Claims, bankruptcy judges, magistrate judges, and all
21 other officers and employees of the Federal Judiciary not
22 otherwise specifically provided for, and necessary expenses
23 of the courts, as authorized by law, \$2,550,956,000 (in-
24 cluding the purchase of firearms and ammunition); of
25 which not to exceed \$13,454,000 shall remain available

1 until expended for space alteration projects; of which not
2 to exceed \$10,000,000 shall remain available until ex-
3 pended for furniture and furnishings related to new space
4 alteration and construction projects; and of which
5 \$500,000 is to remain available until expended for acqui-
6 sition of books, periodicals, and newspapers, and all other
7 legal reference materials, including subscriptions.

8 In addition, for expenses of the United States Court
9 of Federal Claims associated with processing cases under
10 the National Childhood Vaccine Injury Act of 1986, not
11 to exceed \$2,390,000, to be appropriated from the Vaccine
12 Injury Compensation Trust Fund.

13 VIOLENT CRIME REDUCTION PROGRAMS

14 For activities of the Federal Judiciary as authorized
15 by law, \$30,000,000, to remain available until expended,
16 which shall be derived from the Violent Crime Reduction
17 Trust Fund, as authorized by section 190001(a) of Public
18 Law 103-322.

19 DEFENDER SERVICES

20 For the operation of Federal Public Defender and
21 Community Defender organizations; the compensation and
22 reimbursement of expenses of attorneys appointed to rep-
23 resent persons under the Criminal Justice Act of 1964,
24 as amended; the compensation and reimbursement of ex-
25 penses of persons furnishing investigative, expert and
26 other services under the Criminal Justice Act (18 U.S.C.

1 3006A(e)); the compensation (in accordance with Criminal
2 Justice Act maximums) and reimbursement of expenses
3 of attorneys appointed to assist the court in criminal cases
4 where the defendant has waived representation by counsel;
5 the compensation and reimbursement of travel expenses
6 of guardians ad litem acting on behalf of financially eligi-
7 ble minor or incompetent offenders in connection with
8 transfers from the United States to foreign countries with
9 which the United States has a treaty for the execution
10 of penal sentences; and the compensation of attorneys ap-
11 pointed to represent jurors in civil actions for the protec-
12 tion of their employment, as authorized by 28 U.S.C.
13 1875(d); \$297,000,000, to remain available until ex-
14 pended as authorized by 18 U.S.C. 3006A(i).

15 FEES OF JURORS AND COMMISSIONERS

16 For fees and expenses of jurors as authorized by 28
17 U.S.C. 1871 and 1876; compensation of jury commis-
18 sioners as authorized by 28 U.S.C. 1863; and compensa-
19 tion of commissioners appointed in condemnation cases
20 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-
21 cedure (28 U.S.C. Appendix Rule 71A(h)); \$66,000,000,
22 to remain available until expended: *Provided*, That the
23 compensation of land commissioners shall not exceed the
24 daily equivalent of the highest rate payable under section
25 5332 of title 5, United States Code.

1 COURT SECURITY

2 For necessary expenses, not otherwise provided for,
3 incident to the procurement, installation, and maintenance
4 of security equipment and protective services for the Unit-
5 ed States Courts in courtrooms and adjacent areas, in-
6 cluding building ingress-egress control, inspection of pack-
7 ages, directed security patrols, and other similar activities
8 as authorized by section 1010 of the Judicial Improvement
9 and Access to Justice Act (Public Law 100-702);
10 \$125,000,000, to be expended directly or transferred to
11 the United States Marshals Service which shall be respon-
12 sible for administering elements of the Judicial Security
13 Program consistent with standards or guidelines agreed
14 to by the Director of the Administrative Office of the Unit-
15 ed States Courts and the Attorney General.

16 ADMINISTRATIVE OFFICE OF THE UNITED STATES

17 COURTS

18 SALARIES AND EXPENSES

19 For necessary expenses of the Administrative Office
20 of the United States Courts as authorized by law, includ-
21 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
22 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
23 advertising and rent in the District of Columbia and else-
24 where, \$48,500,000, of which not to exceed \$7,500 is au-
25 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, \$17,495,000;
5 of which \$1,800,000 shall remain available through Sep-
6 tember 30, 1998, 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), \$21,000,000,
14 to the Judicial Survivors' Annuities Fund, as authorized
15 by 28 U.S.C. 376(c), \$7,300,000, 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, \$8,300,000, 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. Appropriations made in this title shall be
6 available for salaries and expenses of the Special Court
7 established under the Regional Rail Reorganization Act of
8 1973, Public Law 93–236.

9 SEC. 303. Not to exceed 5 percent of any appropria-
10 tion made available for the current fiscal year for the Judi-
11 ciary in this Act may be transferred between such appropria-
12 tions, but no such appropriation, except “Courts of
13 Appeals, District Courts, and other Judicial Services, De-
14 fender Services” and “Courts of Appeals, District Courts,
15 and other Judicial Services, Fees of Jurors and Commis-
16 sioners”, shall be increased by more than 10 percent by
17 any such transfers: *Provided*, That any transfer pursuant
18 to this section shall be treated as a reprogramming of
19 funds under section 605 of this Act and shall not be avail-
20 able for obligation or expenditure except in compliance
21 with the procedures set forth in that section.

22 SEC. 304. Notwithstanding any other provision of
23 law, the salaries and expenses appropriation for district
24 courts, courts of appeals, and other judicial services shall
25 be available for official reception and representation ex-

1 penses of the Judicial Conference of the United States:
2 *Provided*, That such available funds shall not exceed
3 \$10,000 and shall be administered by the Director of the
4 Administrative Office of the United States Courts in his
5 capacity as Secretary of the Judicial Conference.

6 SEC. 305. Section 612(l) of title 28, United States
7 Code, shall be amended as follows: strike “1997”, and in-
8 sert in lieu thereof “1998”.

9 This title may be cited as “The Judiciary Appropria-
10 tions Act, 1997”.

11 TITLE IV—DEPARTMENT OF STATE AND

12 RELATED AGENCIES

13 DEPARTMENT OF STATE

14 ADMINISTRATION OF FOREIGN AFFAIRS

15 DIPLOMATIC AND CONSULAR PROGRAMS

16 For necessary expenses of the Department of State
17 and the Foreign Service not otherwise provided for, includ-
18 ing expenses authorized by the State Department Basic
19 Authorities Act of 1956, as amended; representation to
20 certain international organizations in which the United
21 States participates pursuant to treaties, ratified pursuant
22 to the advice and consent of the Senate, or specific Acts
23 of Congress; acquisition by exchange or purchase of pas-
24 senger motor vehicles as authorized by 31 U.S.C. 1343,
25 40 U.S.C. 481(c) and 22 U.S.C. 2674; and for expenses

1 of general administration; \$1,705,000,000: *Provided*, That
2 notwithstanding section 140(a)(5), and the second sen-
3 tence of section 140(a)(3), of the Foreign Relations Au-
4 thorization Act, Fiscal Years 1994 and 1995 (Public Law
5 103–236), not to exceed \$150,000,000 of fees may be col-
6 lected during fiscal year 1997 under the authority of sec-
7 tion 140(a)(1) of that Act: *Provided further*, That all fees
8 collected under the preceding proviso shall be deposited
9 in fiscal year 1997 as an offsetting collection to appropria-
10 tions made under this heading to recover the costs of pro-
11 viding consular services and shall remain available until
12 expended: *Provided further*, That in fiscal year 1998, a
13 system shall be in place that allocates to each department
14 and agency the full cost of its presence outside of the Unit-
15 ed States.

16 Of the funds provided under this heading,
17 \$24,856,000 shall be available only for the Diplomatic
18 Telecommunications Service for operation of existing base
19 services and not to exceed \$17,230,000 shall be available
20 only for the enhancement of the Diplomatic Telecommuni-
21 cations Service and shall remain available until expended.
22 Of the latter amount, \$2,500,000 shall not be made avail-
23 able until expiration of the 15 day period beginning on
24 the date when the Secretary of State and the Director of
25 the Diplomatic Telecommunications Service submit the

1 pilot program report required by section 507 of Public
2 Law 103–317.

3 In addition, not to exceed \$700,000 in registration
4 fees collected pursuant to section 38 of the Arms Export
5 Control Act, as amended, may be used in accordance with
6 section 45 of the State Department Basic Authorities Act
7 of 1956 (22 U.S.C. 2717); and in addition not to exceed
8 \$1,223,000 shall be derived from fees collected from other
9 executive agencies for lease or use of facilities located at
10 the International Center in accordance with section 4 of
11 the International Center Act (Public Law 90–553), as
12 amended; and in addition, as authorized by section 5 of
13 such Act, \$450,000, to be derived from the reserve author-
14 ized by that section, to be used for the purposes set out
15 in that section; and in addition not to exceed \$15,000
16 which shall be derived from reimbursements, surcharges,
17 and fees for use of Blair House facilities in accordance
18 with section 46 of the State of Department Basic Authori-
19 ties Act of 1956 (22 U.S.C. 2718(a)).

20 Notwithstanding section 402 of this Act, not to ex-
21 ceed 20 percent of the amounts made available in this Act
22 in the appropriation accounts “Diplomatic and Consular
23 Programs” and “Salaries and Expenses” under the head-
24 ing “Administration of Foreign Affairs” may be trans-
25 ferred between such appropriation accounts: *Provided,*

1 That any transfer pursuant to this sentence shall be treat-
2 ed as a reprogramming of funds under section 605 of this
3 Act and shall not be available for obligation or expenditure
4 except in compliance with the procedures set forth in that
5 section.

6 SALARIES AND EXPENSES

7 For expenses necessary for the general administra-
8 tion of the Department of State and the Foreign Service,
9 provided for by law, including expenses authorized by sec-
10 tion 9 of the Act of August 31, 1964, as amended (31
11 U.S.C. 3721), and the State Department Basic Authori-
12 ties Act of 1956, as amended, \$352,300,000.

13 CAPITAL INVESTMENT FUND

14 For necessary expenses of the Capital Investment
15 Fund, \$16,400,000, to remain available until expended,
16 as authorized in Public Law 103–236: *Provided*, That sec-
17 tion 135(e) of Public Law 103–236 shall not apply to
18 funds appropriated under this heading.

19 OFFICE OF INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector
21 General in carrying out the provisions of the Inspector
22 General Act of 1978, as amended (5 U.S.C. App.),
23 \$27,495,000, notwithstanding section 209(a)(1) of the
24 Foreign Service Act of 1980, as amended (Public Law 96–
25 465), as it relates to post inspections: *Provided*, That not-
26 withstanding any other provision of law, (1) the Office of

1 Inspector General of the United States Information Agen-
2 cy is hereby merged with the Office of Inspector General
3 of the Department of State; (2) the functions exercised
4 and assigned to the Office of Inspector General of the
5 United States Information Agency before the effective
6 date of this Act (including all related functions) are trans-
7 ferred to the Office of Inspector General of the Depart-
8 ment of State; and (3) the Inspector General of the De-
9 partment of State shall also serve as the Inspector General
10 of the United States Information Agency.

11 REPRESENTATION ALLOWANCES

12 For representation allowances as authorized by sec-
13 tion 905 of the Foreign Service Act of 1980, as amended
14 (22 U.S.C. 4085), \$4,490,000.

15 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

16 For expenses, not otherwise provided, to enable the
17 Secretary of State to provide for extraordinary protective
18 services in accordance with the provisions of section 214
19 of the State Department Basic Authorities Act of 1956
20 (22 U.S.C. 4314) and 3 U.S.C. 208, \$8,332,000, to re-
21 main available until September 30, 1998.

22 SECURITY AND MAINTENANCE OF UNITED STATES

23 MISSIONS

24 For necessary expenses for carrying out the Foreign
25 Service Buildings Act of 1926, as amended (22 U.S.C.
26 292–300), and the Diplomatic Security Construction Pro-

1 gram as authorized by title IV of the Omnibus Diplomatic
2 Security and Antiterrorism Act of 1986 (22 U.S.C. 4851),
3 \$370,000,000, to remain available until expended as au-
4 thorized by section 24(c) of the State Department Basic
5 Authorities Act of 1956 (22 U.S.C. 2696(c)): *Provided*,
6 That none of the funds appropriated in this paragraph
7 shall be available for acquisition of furniture and furnish-
8 ings and generators for other departments and agencies.

9 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR

10 SERVICE

11 For expenses necessary to enable the Secretary of
12 State to meet unforeseen emergencies arising in the Diplo-
13 matic and Consular Service pursuant to the requirement
14 of 31 U.S.C. 3526(e), \$5,800,000, to remain available
15 until expended as authorized by section 24(c) of the State
16 Department Basic Authorities Act of 1956 (22 U.S.C.
17 2696(c)), of which not to exceed \$1,000,000 may be trans-
18 ferred to and merged with the Repatriation Loans Pro-
19 gram Account, subject to the same terms and conditions.

20 REPATRIATION LOANS PROGRAM ACCOUNT

21 For the cost of direct loans, \$593,000, as authorized
22 by section 4 of the State Department Basic Authorities
23 Act of 1956 (22 U.S.C. 2671): *Provided*, That such costs,
24 including the cost of modifying such loans, shall be as de-
25 fined in section 502 of the Congressional Budget Act of
26 1974. In addition, for administrative expenses necessary

1 to carry out the direct loan program, \$663,000 which may
2 be transferred to and merged with the Salaries and Ex-
3 penses account under Administration of Foreign Affairs.

4 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

5 For necessary expenses to carry out the Taiwan Rela-
6 tions Act, Public Law 96–8 (93 Stat. 14), \$15,001,000.

7 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
8 DISABILITY FUND

9 For payment to the Foreign Service Retirement and
10 Disability Fund, as authorized by law, \$126,491,000.

11 INTERNATIONAL ORGANIZATIONS AND CONFERENCES

12 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

13 For expenses, not otherwise provided for, necessary
14 to meet annual obligations of membership in international
15 multilateral organizations, pursuant to treaties ratified
16 pursuant to the advice and consent of the Senate, conven-
17 tions or specific Acts of Congress, \$875,000,000: *Pro-*
18 *vided*, That any payment of arrearages shall be directed
19 toward special activities that are mutually agreed upon by
20 the United States and the respective international organi-
21 zation: *Provided further*, That 20 percent of the funds ap-
22 propriated in this paragraph for the assessed contribution
23 of the United States to the United Nations shall be with-
24 held from obligation and expenditure until a certification
25 is made under section 401(b) of Public Law 103–236 for
26 fiscal year 1997: *Provided further*, That certification under

1 section 401(b) of Public Law 103–236 for fiscal year 1997
2 may only be made if the Committees on Appropriations
3 and Foreign Relations of the Senate and the Committees
4 on Appropriations and International Relations of the
5 House of Representatives are notified of the steps taken,
6 and anticipated, to meet the requirements of section
7 401(b) of Public Law 103–236 at least 15 days in advance
8 of the proposed certification: *Provided further*, That none
9 of the funds appropriated in this paragraph shall be avail-
10 able for a United States contribution to an international
11 organization for the United States share of interest costs
12 made known to the United States Government by such
13 organization for loans incurred on or after October 1,
14 1984, through external borrowings: *Provided further*, That
15 of the funds appropriated in this paragraph, \$80,000,000
16 may be made available only on a quarterly basis and only
17 after the Secretary of State certifies on a quarterly basis
18 that the United Nations has taken no action to increase
19 funding for any United Nations program without identify-
20 ing an offsetting decrease elsewhere in the United Nations
21 budget and cause the United Nations to exceed its no
22 growth budget for the biennium 1996–1997 adopted in
23 December, 1995: *Provided further*, That notwithstanding
24 section 402 of this Act, not to exceed \$10,000,000 may
25 be transferred from the funds made available under this

1 below the number of such positions on January 1, 1996;
2 and (3) the United Nations has adopted a budget outline
3 for the 1998–1999 biennium that is below
4 \$2,608,000,000; as part of a five-year program to achieve
5 major cost-saving reforms in the United Nations and spe-
6 cialized agencies: *Provided*, That none of the funds made
7 available under this Act shall be obligated or expended for
8 any new or expanded United Nations peacekeeping mis-
9 sion unless, at least fifteen days in advance of voting for
10 the new or expanded mission in the United Nations Secu-
11 rity Council (or in an emergency, as far in advance as
12 is practicable), (1) the Committees on Appropriations of
13 the House of Representatives and the Senate and other
14 appropriate Committees of the Congress are notified of the
15 estimated cost and length of the mission, the vital national
16 interest that will be served, and the planned exit strategy;
17 and (2) a reprogramming of funds pursuant to section 605
18 of this Act is submitted, and the procedures therein fol-
19 lowed, setting forth the source of funds that will be used
20 to pay for the cost of the new or expanded mission: *Pro-*
21 *vided further*, That funds shall be available for peacekeep-
22 ing expenses only upon a certification by the Secretary of
23 State to the appropriate committees of the Congress that
24 American manufacturers and suppliers are being given op-
25 portunities to provide equipment, services, and material

1 for United Nations peacekeeping activities equal to those
2 being given to foreign manufacturers and suppliers.

3 INTERNATIONAL COMMISSIONS

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

7 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

8 UNITED STATES AND MEXICO

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

14 SALARIES AND EXPENSES

15 For salaries and expenses, not otherwise provided for,
16 \$18,490,000.

17 CONSTRUCTION

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

23 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

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

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

7 INTERNATIONAL FISHERIES COMMISSIONS

8 For necessary expenses for international fisheries
9 commissions, not otherwise provided for, as authorized by
10 law, \$10,450,000: *Provided*, That the United States' share
11 of such expenses may be advanced to the respective com-
12 missions, pursuant to 31 U.S.C. 3324.

13 OTHER

14 PAYMENT TO THE ASIA FOUNDATION

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

20 RELATED AGENCIES

21 ARMS CONTROL AND DISARMAMENT AGENCY

22 ARMS CONTROL AND DISARMAMENT ACTIVITIES

23 For necessary expenses not otherwise provided, for
24 arms control, nonproliferation, and disarmament activi-
25 ties, \$38,495,000, of which not to exceed \$50,000 shall
26 be for official reception and representation expenses as au-

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

3 UNITED STATES INFORMATION AGENCY

4 SALARIES AND EXPENSES

5 For expenses, not otherwise provided for, necessary
6 to enable the United States Information Agency, as au-
7 thorized by the Mutual Educational and Cultural Ex-
8 change Act of 1961, as amended (22 U.S.C. 2451 et seq.),
9 the United States Information and Educational Exchange
10 Act of 1948, as amended (22 U.S.C. 1431 et seq.), and
11 Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to
12 carry out international communication, educational and
13 cultural activities; and to carry out related activities au-
14 thorized by law, including employment, without regard to
15 civil service and classification laws, of persons on a tem-
16 porary basis (not to exceed \$700,000 of this appropria-
17 tion), as authorized by section 801 of such Act of 1948
18 (22 U.S.C. 1471), and entertainment, including official re-
19 ceptions, within the United States, not to exceed \$25,000
20 as authorized by section 804(3) of such Act of 1948 (22
21 U.S.C. 1474(3)); \$439,300,000: *Provided*, That not to ex-
22 ceed \$1,400,000 may be used for representation abroad
23 as authorized by section 302 of such Act of 1948 (22
24 U.S.C. 1452) and section 905 of the Foreign Service Act
25 of 1980 (22 U.S.C. 4085): *Provided further*, That not to

1 Stat. 1636), \$185,000,000, to remain available until ex-
2 pended as authorized by section 105 of such Act of 1961
3 (22 U.S.C. 2455).

4 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST
5 FUND

6 For necessary expenses of Eisenhower Exchange Fel-
7 lowships, Incorporated, as authorized by sections 4 and
8 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
9 U.S.C. 5204–5205), all interest and earnings accruing to
10 the Eisenhower Exchange Fellowship Program Trust
11 Fund on or before September 30, 1997, to remain avail-
12 able until expended: *Provided*, That none of the funds ap-
13 propriated herein shall be used to pay any salary or other
14 compensation, or to enter into any contract providing for
15 the payment thereof, in excess of the rate authorized by
16 5 U.S.C. 5376; or for purposes which are not in accord-
17 ance with OMB Circulars A–110 (Uniform Administrative
18 Requirements) and A–122 (Cost Principles for Non-profit
19 Organizations), including the restrictions on compensation
20 for personal services.

21 ISRAELI ARAB SCHOLARSHIP PROGRAM

22 For necessary expenses of the Israeli Arab Scholar-
23 ship Program as authorized by section 214 of the Foreign
24 Relations Authorization Act, Fiscal Years 1992 and 1993
25 (22 U.S.C. 2452), all interest and earnings accruing to

1 the Israeli Arab Scholarship Fund on or before September
2 30, 1997, to remain available until expended.

3 INTERNATIONAL BROADCASTING OPERATIONS

4 For expenses necessary to enable the United States
5 Information Agency, as authorized by the United States
6 Information and Educational Exchange Act of 1948, as
7 amended, the United States International Broadcasting
8 Act of 1994, as amended, the Radio Broadcasting to Cuba
9 Act, as amended, and Reorganization Plan No. 2 of 1977,
10 to carry out international communication activities, in-
11 cluding the purchase, installation, rent, construction, or
12 improvement of facilities and equipment for radio trans-
13 mission and reception to Cuba; \$335,700,000, of which
14 not to exceed \$16,000 may be used for official receptions
15 within the United States as authorized by section 804(3)
16 of such Act of 1948 (22 U.S.C. 1474(3)), not to exceed
17 \$35,000 may be used for representation abroad as author-
18 ized by section 302 of such Act of 1948 (22 U.S.C. 1452)
19 and section 905 of the Foreign Service Act of 1980 (22
20 U.S.C. 4085), and not to exceed \$39,000 may be used for
21 official reception and representation expenses of Radio
22 Free Europe/Radio Liberty; and in addition, not to exceed
23 \$250,000 from fees as authorized by section 810 of such
24 Act of 1948 (22 U.S.C. 1475e), to remain available until
25 expended for carrying out authorized purposes; and in ad-
26 dition, notwithstanding any other provision of law, not to

1 exceed \$1,000,000 in monies received (including receipts
2 from advertising, if any) by or for the use of the United
3 States Information Agency from or in connection with
4 broadcasting resources owned by or on behalf of the Agen-
5 cy, to be available until expended for carrying out author-
6 ized purposes.

7
8 **RADIO CONSTRUCTION**

9 For the purchase, rent, construction, and improve-
10 ment of facilities for radio transmission and reception, and
11 purchase and installation of necessary equipment for radio
12 and television transmission and reception as authorized by
13 section 801 of the United States Information and Edu-
14 cational Exchange Act of 1948 (22 U.S.C. 1471),
15 \$39,000,000, to remain available until expended, as au-
16 thorized by section 704(a) of such Act of 1948 (22 U.S.C.
17 1477b(a)).

18 **NATIONAL ENDOWMENT FOR DEMOCRACY**

19 For grants made by the United States Information
20 Agency to the National Endowment for Democracy as au-
21 thorized by the National Endowment for Democracy Act,
22 \$30,000,000, to remain available until expended.

23 **GENERAL PROVISIONS—DEPARTMENT OF STATE AND**

24 **RELATED AGENCIES**

25 **SEC. 401.** Funds appropriated under this title shall
26 be available, except as otherwise provided, for allowances
and differentials as authorized by subchapter 59 of 5

1 U.S.C.; for services as authorized by 5 U.S.C. 3109; and
2 hire of passenger transportation pursuant to 31 U.S.C.
3 1343(b).

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

21 SEC. 403. Funds hereafter appropriated or otherwise
22 made available under this Act or any other Act may be
23 expended for compensation of the United States Commis-
24 sioner of the International Boundary Commission, United

1 States and Canada, only for actual hours worked by such
2 Commissioner.

3 SEC. 404. Funds appropriated by this Act for the
4 United States Information Agency, the Arms Control and
5 Disarmament Agency, and the Department of State may
6 be obligated and expended notwithstanding section 701 of
7 the United States Information and Educational Exchange
8 Act of 1948 and section 313 of the Foreign Relations Au-
9 thorization Act, Fiscal Years 1994 and 1995, section 53
10 of the Arms Control and Disarmament Act, and section
11 15 of the State Department Basic Authorities Act of
12 1956.

13 SEC. 405. Any costs incurred by a Department or
14 agency funded under this title resulting from personnel
15 actions taken in response to funding reductions included
16 in this title shall be absorbed within the total budgetary
17 resources available to such Department or agency: *Pro-*
18 *vided*, That the authority to transfer funds between appro-
19 priations accounts as may be necessary to carry out this
20 section is provided in addition to authorities included else-
21 where in this Act: *Provided further*, That use of funds to
22 carry out this section shall be treated as a reprogramming
23 of funds under section 605 of this Act and shall not be
24 available for obligation or expenditure except in compli-
25 ance with the procedures set forth in that section.

1 SEC. 406. None of the Funds made available by this
2 Act or any other Act may be made available to support
3 the negotiating activities of the Standing Consultative
4 Commission (SCC) or to implement agreements, amend-
5 ments, or understandings to the Anti-Ballistic Missile
6 Treaty of 1972 (hereafter referred to as the “ABM Trea-
7 ty”) reached after January 1, 1996 by the Standing Con-
8 sultative Commission or pursuant to United States-Rus-
9 sian bilateral discussions regarding the establishment of
10 a demarcation between theater missile defense systems
11 and anti-ballistic missile systems for the purposes of the
12 ABM Treaty or multilateralization of the ABM Treaty un-
13 less the President certifies to the Congress that any
14 amendments, agreements, or understandings reached pur-
15 suant to these activities or discussions will be submitted
16 to the Senate for its advice and consent.

17 This title may be cited as the “Department of State
18 and Related Agencies Appropriations Act, 1997”.

19 TITLE V—RELATED AGENCIES

20 DEPARTMENT OF TRANSPORTATION

21 MARITIME ADMINISTRATION

22 OPERATING-DIFFERENTIAL SUBSIDIES

23 (LIQUIDATION OF CONTRACT AUTHORITY)

24 For the payment of obligations incurred for operat-
25 ing-differential subsidies, as authorized by the Merchant

1 Marine Act, 1936, as amended, \$148,430,000, to remain
2 available until expended.

3 MARITIME SECURITY PROGRAM

4 For necessary expenses to maintain and preserve a
5 U.S.-flag merchant fleet to serve the national security
6 needs of the United States, \$63,000,000, to remain avail-
7 able until expended: *Provided*, That these funds will be
8 available only upon enactment of an authorization for this
9 program.

10 OPERATIONS AND TRAINING

11 For necessary expenses of operations and training ac-
12 tivities authorized by law, \$62,300,000: *Provided*, That re-
13 imbursements may be made to this appropriation from re-
14 ceipts to the “Federal Ship Financing Fund” for adminis-
15 trative expenses in support of that program in addition
16 to any amount heretofore appropriated.

17 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

18 ACCOUNT

19 For the cost of guaranteed loans, as authorized by
20 the Merchant Marine Act, 1936, \$37,450,000, to remain
21 available until expended: *Provided*, That such costs, in-
22 cluding the cost of modifying such loans, shall be as de-
23 fined in section 502 of the Congressional Budget Act of
24 1974, as amended: *Provided further*, That these funds are
25 available to subsidize total loan principal, any part of
26 which is to be guaranteed, not to exceed \$1,000,000,000.

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

5 ADMINISTRATIVE PROVISIONS—MARITIME

6 ADMINISTRATION

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

18 No obligations shall be incurred during the current
19 fiscal year from the construction fund established by the
20 Merchant Marine Act, 1936, or otherwise, in excess of the
21 appropriations and limitations contained in this Act or in
22 any prior appropriation Act, and all receipts which other-
23 wise would be deposited to the credit of said fund shall
24 be covered into the Treasury as miscellaneous receipts.

1 COMMISSION FOR THE PRESERVATION OF AMERICA'S
2 HERITAGE ABROAD
3 SALARIES AND EXPENSES

4 For expenses for the Commission for the Preservation
5 of America's Heritage Abroad, \$206,000, as authorized by
6 Public Law 99-83, section 1303.

7 COMMISSION ON CIVIL RIGHTS
8 SALARIES AND EXPENSES

9 For necessary expenses of the Commission on Civil
10 Rights, including hire of passenger motor vehicles,
11 \$8,740,000: *Provided*, That not to exceed \$50,000 may
12 be used to employ consultants: *Provided further*, That
13 none of the funds appropriated in this paragraph shall be
14 used to employ in excess of four full-time individuals under
15 Schedule C of the Excepted Service exclusive of one special
16 assistant for each Commissioner: *Provided further*, That
17 none of the funds appropriated in this paragraph shall be
18 used to reimburse Commissioners for more than 75
19 billable days, with the exception of the Chairperson who
20 is permitted 125 billable days.

21 COMMISSION ON IMMIGRATION REFORM
22 SALARIES AND EXPENSES

23 For necessary expenses of the Commission on Immi-
24 gration Reform pursuant to section 141(f) of the Immi-

1 gration Act of 1990, \$2,196,000, to remain available until
2 expended.

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

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

10 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
11 SALARIES AND EXPENSES

12 For necessary expenses of the Equal Employment
13 Opportunity Commission as authorized by title VII of the
14 Civil Rights Act of 1964, as amended (29 U.S.C. 206(d)
15 and 621-634), the Americans with Disabilities Act of
16 1990, and the Civil Rights Act of 1991, including services
17 as authorized by 5 U.S.C. 3109; hire of passenger motor
18 vehicles as authorized by 31 U.S.C. 1343(b); non-mone-
19 tary awards to private citizens; not to exceed \$26,500,000,
20 for payments to State and local enforcement agencies for
21 services to the Commission pursuant to title VII of the
22 Civil Rights Act of 1964, as amended, sections 6 and 14
23 of the Age Discrimination in Employment Act, the Ameri-
24 cans with Disabilities Act of 1990, and the Civil Rights
25 Act of 1991; \$232,740,000: *Provided*, That the Commis-

1 sion is authorized to make available for official reception
2 and representation expenses not to exceed \$2,500 from
3 available funds.

4 FEDERAL COMMUNICATIONS COMMISSION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Federal Communica-
7 tions Commission, as authorized by law, including uni-
8 forms and allowances therefor, as authorized by 5 U.S.C.
9 5901-02; not to exceed \$600,000 for land and structure;
10 not to exceed \$500,000 for improvement and care of
11 grounds and repair to buildings; not to exceed \$4,000 for
12 official reception and representation expenses; purchase
13 (not to exceed sixteen) and hire of motor vehicles; special
14 counsel fees; and services as authorized by 5 U.S.C. 3109;
15 \$185,619,000, of which not to exceed \$300,000 shall re-
16 main available until September 30, 1998, for research and
17 policy studies: *Provided*, That \$126,400,000 of offsetting
18 collections shall be assessed and collected pursuant to sec-
19 tion 9 of title I of the Communications Act of 1934, as
20 amended, and shall be retained and used for necessary ex-
21 penses in this appropriation, and shall remain available
22 until expended: *Provided further*, That the sum herein ap-
23 propriated shall be reduced as such offsetting collections
24 are received during fiscal year 1997 so as to result in a
25 final fiscal year 1997 appropriation estimated at

1 \$59,219,000: *Provided further*, That any offsetting collec-
2 tions received in excess of \$126,400,000 in fiscal year
3 1997 shall remain available until expended, but shall not
4 be available for obligation until October 1, 1997: *Provided*
5 *further*, That none of the funds appropriated by this Act
6 shall be used to deny or delay action on a license, license
7 transfer or assignment, or license renewal for any religious
8 or religiously affiliated entity on the basis that its recruit-
9 ment or hiring of full or part time employees for any posi-
10 tion at a broadcast facility licensed to such entity is or
11 was limited to persons of a particular religion or having
12 particular religious knowledge, training, or interests: *Pro-*
13 *vided further*, That the preceding proviso shall not apply
14 with respect to any appeal from a decision of any adminis-
15 trative law judge rendered on September 15, 1995.

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 of 1936, as amended (46 App. U.S.C.
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. 5901-02; \$11,000,000: *Provided*,

1 That not to exceed \$2,000 shall be available for official
2 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; and
9 not to exceed \$2,000 for official reception and representa-
10 tion expenses; \$85,930,000: *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 any other provision of law, not
15 to exceed \$58,905,000 of offsetting collections derived
16 from fees collected for premerger notification filings under
17 the Hart-Scott-Rodino Antitrust Improvements Act of
18 1976 (15 U.S.C. 18(a)) shall be retained and used for nec-
19 essary expenses in this appropriation, and shall remain
20 available until expended: *Provided further*, That the sum
21 herein appropriated from the General Fund shall be re-
22 duced as such offsetting collections are received during fis-
23 cal year 1997, so as to result in a final fiscal year 1997
24 appropriation from the General Fund estimated at not
25 more than \$27,025,000, to remain available until ex-

1 pended: *Provided further*, That any fees received in excess
2 of \$58,905,000 in fiscal year 1997 shall remain available
3 until expended, but shall not be available for obligation
4 until October 1, 1997: *Provided further*, That none of the
5 funds made available to the Federal Trade Commission
6 shall be available for obligation for expenses authorized
7 by section 151 of the Federal Deposit Insurance Corpora-
8 tion Improvement Act of 1991 (Public Law 102–242, 105
9 Stat. 2282–2285).

10 LEGAL SERVICES CORPORATION

11 PAYMENT TO THE LEGAL SERVICES CORPORATION

12 For payment to the Legal Services Corporation to
13 carry out the purposes of the Legal Services Corporation
14 Act of 1974, as amended, \$141,000,000, of which
15 \$134,575,000 is for basic field programs and required
16 independent audits; \$1,125,000 is for the Office of the In-
17 spector General, of which such amounts as may be nec-
18 essary may be used to conduct additional audits of recipi-
19 ents; and \$5,300,000 is for management and administra-
20 tion.

21 ADMINISTRATIVE PROVISIONS—LEGAL SERVICES

22 CORPORATION

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

1 cept through a competitive selection process conducted in
2 accordance with regulations promulgated by the Corpora-
3 tion in accordance with the criteria set forth in subsections
4 (c), (d), and (e) of section 503 of Public Law 104–134
5 (110 Stat. 1321–130 et seq.).

6 (b) INAPPLICABILITY OF NONCOMPETITIVE PROCE-
7 DURES.—For purposes of the funding provided in this
8 Act, rights under sections 1007(a)(9) and 1011 of the
9 Legal Services Corporation Act (42 U.S.C. 2996f(a)(9)
10 and 42 U.S.C. 2996j) shall not apply.

11 SEC. 502. (a) CONTINUATION OF REQUIREMENTS
12 AND RESTRICTIONS.—None of the funds appropriated in
13 this Act to the Legal Services Corporation shall be ex-
14 pended for any purpose prohibited or limited by, or con-
15 trary to any of the provisions of—

16 (1) sections 501, 502, 505, 506, and 507 of
17 Public Law 104–134 (101 Stat. 1321–127 et seq.),
18 and all funds appropriated in this Act to the Legal
19 Services Corporation shall be subject to the same
20 terms and conditions as set forth in such sections,
21 except that all references in such sections to 1995
22 and 1996 shall be deemed to refer instead to 1996
23 and 1997, respectively; and

24 (2) section 504 of Public Law 104–134 (101
25 Stat. 1321–132 et seq.), and all funds appropriated

1 in this Act to the Legal Services Corporation shall
2 be subject to the same terms and conditions set
3 forth in such section, except that—

4 (A) subsection (c) of such section 504 shall
5 not apply;

6 (B) paragraph (3) of section 508(b) of
7 Public Law 104–134 (101 Stat. 1321–147)
8 shall apply with respect to the requirements of
9 subsection (a)(13) of such section 504, except
10 that all references in such section 508(b) to the
11 date of enactment shall be deemed to refer to
12 April 26, 1996; and

13 (C) subsection (a)(11) of such section 504
14 shall not be construed to prohibit a recipient
15 from using funds derived from a source other
16 than the Corporation to provide related legal
17 assistance to—

18 (i) an alien who has been battered or
19 subjected to extreme cruelty in the United
20 States by a spouse or a parent, or by a
21 member of the spouse’s or parent’s family
22 residing in the same household as the alien
23 and the spouse or parent consented or ac-
24 quiesced to such battery or cruelty; or

1 (ii) an alien whose child has been bat-
2 tered or subjected to extreme cruelty in the
3 United States by a spouse or parent of the
4 alien (without the active participation of
5 the alien in the battery or extreme cru-
6 elty), or by a member of the spouse’s or
7 parent’s family residing in the same house-
8 hold as the alien and the spouse or parent
9 consented or acquiesced to such battery or
10 cruelty, and the alien did not actively par-
11 ticipate in such battery or cruelty.

12 (b) DEFINITIONS.—For purposes of subsection
13 (a)(2)(C):

14 (1) The term “battered or subjected to extreme
15 cruelty” has the meaning given such term under reg-
16 ulations issued pursuant to subtitle G of the Vio-
17 lence Against Women Act of 1994 (Pub. L. 103–
18 322; 108 Stat. 1953).

19 (2) The term “related legal assistance” means
20 legal assistance directly related to the prevention of,
21 or obtaining of relief from, the battery or cruelty de-
22 scribed in such subsection.

23 SEC. 503. (a) CONTINUATION OF AUDIT REQUIRE-
24 MENTS.—The requirements of section 509 of Public Law
25 104–134 (101 Stat. 1321–146 et seq.), other than sub-

1 section (l) of such section, shall apply during fiscal year
2 1997.

3 (b) REQUIREMENT OF ANNUAL AUDIT.—An annual
4 audit of each person or entity receiving financial assist-
5 ance from the Legal Services Corporation under this Act
6 shall be conducted during fiscal year 1997 in accordance
7 with the requirements referred to in subsection (a).

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, \$975,000.

13 NATIONAL BANKRUPTCY REVIEW COMMISSION

14 SALARIES AND EXPENSES

15 For necessary expenses of the National Bankruptcy
16 Review Commission, as authorized by the Bankruptcy Re-
17 form Act of 1994, \$500,000.

18 SECURITIES AND EXCHANGE COMMISSION

19 SALARIES AND EXPENSES

20 For necessary expenses for the Securities and Ex-
21 change Commission, including services as authorized by
22 5 U.S.C. 3109, the rental of space (to include multiple
23 year leases) in the District of Columbia and elsewhere, and
24 not to exceed \$3,000 for official reception and representa-
25 tion expenses, \$277,021,000, of which not to exceed

1 \$10,000 may be used toward funding a permanent sec-
2 retariat for the International Organization of Securities
3 Commissions, and of which not to exceed \$100,000 shall
4 be available for expenses for consultations and meetings
5 hosted by the Commission with foreign governmental and
6 other regulatory officials, members of their delegations,
7 appropriate representatives and staff to exchange views
8 concerning developments relating to securities matters, de-
9 velopment and implementation of cooperation agreements
10 concerning securities matters and provision of technical
11 assistance for the development of foreign securities mar-
12 kets, such expenses to include necessary logistic and ad-
13 ministrative expenses and the expenses of Commission
14 staff and foreign invitees in attendance at such consulta-
15 tions and meetings including (1) such incidental expenses
16 as meals taken in the course of such attendance, (2) any
17 travel and transportation to or from such meetings, and
18 (3) any other related lodging or subsistence: *Provided*,
19 That immediately upon enactment of this Act, the rate
20 of fees under section 6(b) of the Securities Act of 1933
21 (15 U.S.C. 77f(b)) shall increase from one-fiftieth of one
22 percentum to one-thirty-third of one percentum, and such
23 increase shall be deposited as an offsetting collection to
24 this appropriation, to remain available until expended, to
25 recover costs of services of the securities registration proc-

1 ess: *Provided further*, That immediately upon enactment
2 of this Act or September 1, 1996, whichever occurs later,
3 every national securities association shall pay to the Com-
4 mission a fee at a rate of one-eight-hundredth of one
5 percentum for each \$1,000,000 of the aggregate dollar
6 amount of sales transacted by or through any member of
7 such association otherwise than on a national securities
8 exchange (other than bonds, debentures, and other evi-
9 dences of indebtedness) subject to prompt last sale report-
10 ing pursuant to the rules of the Commission or a reg-
11 istered national securities association, excluding any sales
12 for which a fee is paid under section 31 of the Securities
13 Exchange Act of 1934 (15 U.S.C. 78ee), and such in-
14 crease shall be deposited as an offsetting collection to this
15 appropriation, to remain available until expended, to re-
16 cover the costs to the Government of the supervision and
17 regulation of securities markets and securities profes-
18 sionals: *Provided further*, That the fee due from every na-
19 tional securities association shall be paid (1) on or before
20 March 15, 1997, with respect to transactions occurring
21 during the period beginning immediately upon enactment
22 of this Act or September 1, 1996, whichever occurs later,
23 and ending at the close of December 31, 1996; and (2)
24 on or before September 30, 1997, with respect to trans-
25 actions and sales occurring during the period beginning

1 on January 1, 1997, and ending at the close of August
2 31, 1997: *Provided further*, That the total amount appro-
3 priated for fiscal year 1997 under this heading shall be
4 reduced as all such offsetting fees are deposited to this
5 appropriation so as to result in a final total fiscal year
6 1997 appropriation from the General Fund estimated at
7 not more than \$83,047,000: *Provided further*, That any
8 such fees collected in excess of \$193,974,000 shall remain
9 available until expended but shall not be available for obli-
10 gation until October 1, 1997.

11 SMALL BUSINESS ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses, not otherwise provided for,
14 of the Small Business Administration as authorized by
15 Public Law 103-403, including hire of passenger motor
16 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
17 not to exceed \$3,500 for official reception and representa-
18 tion expenses, \$214,419,000, of which \$94,218,000 shall
19 be available for the non-credit programs of the Small
20 Business Administration, including \$3,000,000 which
21 shall only be available for obligation and expenditure for
22 projects jointly developed, implemented and administered
23 with the Minority Business Development Agency of the
24 Department of Commerce: *Provided*, That the Adminis-
25 trator is authorized to charge fees to cover the cost of pub-

1 lications developed by the Small Business Administration,
2 and certain loan servicing activities: *Provided further*,
3 That notwithstanding 31 U.S.C. 3302, revenues received
4 from all such activities shall be credited to this account,
5 to be available for carrying out these purposes without fur-
6 ther appropriations.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
9 General in carrying out the provisions of the Inspector
10 General Act of 1978, as amended (5 U.S.C. App. 1–11,
11 as amended by Public Law 100–504), \$8,900,000.

12 BUSINESS LOANS PROGRAM ACCOUNT

13 For the cost of direct loans, \$2,792,000, and for the
14 cost of guaranteed loans, \$161,876,000, as authorized by
15 15 U.S.C. 631 note, of which \$1,216,000, to be available
16 until expended, shall be for the Microloan Guarantee Pro-
17 gram, and of which \$40,510,000 shall remain available
18 until September 30, 1998: *Provided*, That such costs, in-
19 cluding the cost of modifying such loans, shall be as de-
20 fined in section 502 of the Congressional Budget Act of
21 1974: *Provided further*, That during fiscal year 1997, com-
22 mitments to guarantee loans under section 503 of the
23 Small Business Investment Act of 1958, as amended, shall
24 not exceed the amount of financings authorized under sec-
25 tion 20(n)(2)(B) of the Small Business Act, as amended.

1 In addition, for administrative expenses to carry out
2 the direct and guaranteed loan programs, \$93,485,000,
3 which may be transferred to and merged with the appro-
4 priations for Salaries and Expenses.

5 DISASTER LOANS PROGRAM ACCOUNT

6 For the cost of direct loans authorized by section 7(b)
7 of the Small Business Act, as amended, \$105,432,000, to
8 remain available until expended: *Provided*, That such
9 costs, including the cost of modifying such loans, shall be
10 as defined in section 502 of the Congressional Budget Act
11 of 1974.

12 In addition, for administrative expenses to carry out
13 the direct loan program, \$100,578,000, including not to
14 exceed \$500,000 for the Office of Inspector General of the
15 Small Business Administration for audits and reviews of
16 disaster loans and the disaster loan program, and said
17 sums may be transferred to and merged with appropria-
18 tions for Salaries and Expenses and Office of Inspector
19 General.

20 SURETY BOND GUARANTEES REVOLVING FUND

21 For additional capital for the “Surety Bond Guarantees Revolving Fund”, authorized by the Small Business
22 Investment Act, as amended, \$3,730,000, to remain avail-
23 able without fiscal year limitation as authorized by 15
24 U.S.C. 631 note.
25

1 ADMINISTRATIVE PROVISION—SMALL BUSINESS

2 ADMINISTRATION

3 SEC. 504. Not to exceed 5 percent of any appropria-
4 tion made available for the current fiscal year for the
5 Small Business Administration in this Act may be trans-
6 ferred between such appropriations, but no such appro-
7 priation shall be increased by more than 10 percent by
8 any such transfers: *Provided*, That any transfer pursuant
9 to this section shall be treated as a reprogramming of
10 funds under section 605 of this Act and shall not be avail-
11 able for obligation or expenditure except in compliance
12 with the procedures set forth in that section.

13 TITLE VI—GENERAL PROVISIONS

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

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

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

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

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

9 SEC. 605. (a) None of the funds provided under this
10 Act, or provided under previous appropriations Acts to the
11 agencies funded by this Act that remain available for obli-
12 gation or expenditure in fiscal year 1997, or provided from
13 any accounts in the Treasury of the United States derived
14 by the collection of fees available to the agencies funded
15 by this Act, shall be available for obligation or expenditure
16 through a reprogramming of funds which (1) creates new
17 programs; (2) eliminates a program, project, or activity;
18 (3) increases funds or personnel by any means for any
19 project or activity for which funds have been denied or
20 restricted; (4) relocates an office or employees; (5) reorga-
21 nizes offices, programs, or activities; or (6) contracts out
22 or privatizes any functions, or activities presently per-
23 formed by Federal employees; unless the Appropriations
24 Committees of both Houses of Congress are notified fif-
25 teen days in advance of such reprogramming of funds.

1 (b) None of the funds provided under this Act, or
2 provided under previous appropriations Acts to the agen-
3 cies funded by this Act that remain available for obligation
4 or expenditure in fiscal year 1997, or provided from any
5 accounts in the Treasury of the United States derived by
6 the collection of fees available to the agencies funded by
7 this Act, shall be available for obligation or expenditure
8 for activities, programs, or projects through a reprogram-
9 ming of funds in excess of \$500,000 or 10 percent, which-
10 ever is less, that (1) augments existing programs, projects,
11 or activities; (2) reduces by 10 percent funding for any
12 existing program, project, or activity, or numbers of per-
13 sonnel by 10 percent as approved by Congress; or (3) re-
14 sults from any general savings from a reduction in person-
15 nel which would result in a change in existing programs,
16 activities, or projects as approved by Congress; unless the
17 Appropriations Committees of both Houses of Congress
18 are notified fifteen days in advance of such reprogram-
19 ming of funds.

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

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

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

12 SEC. 608. None of the funds made available in this
13 Act may be used to implement, administer, or enforce any
14 guidelines of the Equal Employment Opportunity Com-
15 mission covering harassment based on religion, when it is
16 made known to the Federal entity or official to which such
17 funds are made available that such guidelines do not differ
18 in any respect from the proposed guidelines published by
19 the Commission on October 1, 1993 (58 Fed. Reg.
20 51266).

21 SEC. 609. None of the funds appropriated or other-
22 wise made available by this Act may be obligated or ex-
23 pended to pay for any cost incurred for (1) opening or
24 operating any United States diplomatic or consular post
25 in the Socialist Republic of Vietnam that was not operat-

1 ing on July 11, 1995; (2) expanding any United States
2 diplomatic or consular post in the Socialist Republic of
3 Vietnam that was operating on July 11, 1995; or (3) in-
4 creasing the total number of personnel assigned to United
5 States diplomatic or consular posts in the Socialist Repub-
6 lic of Vietnam above the levels existing on July 11, 1995,
7 unless the President certifies within 60 days, based upon
8 all information available to the United States Government
9 that the Government of the Socialist Republic of Vietnam
10 is cooperating in full faith with the United States in the
11 following four areas:

12 (1) Resolving discrepancy cases, live sightings
13 and field activities,

14 (2) Recovering and repatriating American re-
15 mains,

16 (3) Accelerating efforts to provide documents
17 that will help lead to fullest possible accounting of
18 POW/MIA's.

19 (4) Providing further assistance in implement-
20 ing trilateral investigations with Laos.

21 SEC. 610. None of the funds made available by this
22 Act may be used for any United Nations undertaking
23 when it is made known to the Federal official having au-
24 thority to obligate or expend such funds (1) that the Unit-
25 ed Nations undertaking is a peacekeeping mission, (2)

1 that such undertaking will involve United States Armed
2 Forces under the command or operational control of a for-
3 eign national, and (3) that the President's military advi-
4 sors have not submitted to the President a recommenda-
5 tion that such involvement is in the national security inter-
6 ests of the United States and the President has not sub-
7 mitted to the Congress such a recommendation.

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

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

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

16 (3) any instruction (live or through broadcasts)
17 or training equipment for boxing, wrestling, judo,
18 karate, or other martial art, or any bodybuilding or
19 weightlifting equipment of any sort;

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

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

24 SEC. 612. None of the funds made available in title
25 II for the National Oceanic and Atmospheric Administra-

1 tion under the heading “Fleet Modernization, Shipbuild-
2 ing and Conversion” may be used to implement sections
3 603, 604, and 605 of Public Law 102–567.

4 SEC. 613. None of the funds made available in this
5 Act may be used for “USIA Television Marti Program”
6 under the Television Broadcasting to Cuba Act or any
7 other program of United States Government television
8 broadcasts to Cuba, when it is made known to the Federal
9 official having authority to obligate or expend such funds
10 that such use would be inconsistent with the applicable
11 provisions of the March 1995 Office of Cuba Broadcasting
12 Reinventing Plan of the United States Information Agen-
13 cy.

14 SEC. 614. Any costs incurred by a Department or
15 agency funded under this Act resulting from personnel ac-
16 tions taken in response to funding reductions included in
17 this Act shall be absorbed within the total budgetary re-
18 sources available to such Department or agency: *Provided*,
19 That the authority to transfer funds between appropria-
20 tions accounts as may be necessary to carry out this sec-
21 tion is provided in addition to authorities included else-
22 where in this Act: *Provided further*, That use of funds to
23 carry out this section shall be treated as a reprogramming
24 of funds under section 605 of this Act and shall not be

1 available for obligation or expenditure except in compli-
2 ance with the procedures set forth in that section.

3 This Act may be cited as the “Departments of Com-
4 merce, Justice, and State, the Judiciary, and Related
5 Agencies Appropriations Act, 1997.”.