

Union Calendar No. 298

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 3303**

[Report No. 105-526]

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**A BILL**

To authorize appropriations for the Department of Justice for fiscal years 1999, 2000, and 2001; to authorize appropriations for fiscal years 1999 and 2000 to carry out certain programs administered by the Department of Justice, to amend title 28 of the United States Code with respect to the use of funds available to the Department of Justice; and for other purposes.

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MAY 12, 1998

Reported with an amendment, 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

MARCH 3, 1998

Mr. HYDE (for himself and Mr. CONYERS) introduced the following bill; which was referred to the Committee on the Judiciary

MAY 12, 1998

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 3, 1998]

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## A BILL

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with respect to the use of funds available to the Department of Justice; 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 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Department of Justice*  
 5 *Appropriation Authorization Act, Fiscal Year 1999, 2000,*  
 6 *and 2001”.*

7 **TITLE I—AUTHORIZATION OF AP-**  
 8 **PROPRIATIONS FOR FISCAL**  
 9 **YEARS 1999, 2000, AND 2001**  
 10 **Subtitle A—Specific Provisions**

11 **SEC. 101. SUMS AUTHORIZED TO BE APPROPRIATED.**

12 *There are authorized to be appropriated for fiscal*  
 13 *years 1999, 2000, and 2001, to carry out the activities of*  
 14 *the Department of Justice (including any bureau, office,*  
 15 *board, division, commission, or subdivision thereof), the fol-*  
 16 *lowing sums:*

17 (1) *For General Administration, salaries and ex-*  
 18 *penses: \$238,085,000 for fiscal year 1999,*  
 19 *\$249,989,000 for fiscal year 2000, and \$262,489,000*  
 20 *for fiscal year 2001.*

21 (2) *For Administrative Review and Appeals:*  
 22 *\$144,863,000 for fiscal year 1999, \$152,106,000 for*  
 23 *fiscal year 2000, and \$159,712,000 for fiscal year*

1       2001, for administration of pardon and clemency pe-  
2       titions and for immigration related activities.

3               (3) For the Office of Inspector General:  
4       \$34,610,000 for fiscal year 1999, \$36,341,000 for fis-  
5       cal year 2000, and \$38,158,000 for fiscal year 2001,  
6       which shall include—

7               (A) not to exceed \$10,000 to meet unforeseen  
8       emergencies of a confidential character, to be ex-  
9       pended under the direction of the Attorney Gen-  
10      eral, and to be accounted for solely on the certifi-  
11      cate of the Attorney General; and

12              (B) funds for the purchase, lease, mainte-  
13      nance, and operation of motor vehicles without  
14      regard to the general purchase price limitation.

15              (4) For General Legal Activities: \$485,506,000  
16      for fiscal year 1999, \$509,781,000 for fiscal year  
17      2000, and \$535,270,000 for fiscal year 2001, which  
18      shall include—

19              (A) not less than \$4,000,000 for each fiscal  
20      year for the investigation and prosecution of  
21      denaturalization and deportation cases involving  
22      alleged Nazi war criminals; and

23              (B) not to exceed \$20,000 for each fiscal  
24      year to meet unforeseen emergencies of a con-  
25      fidential character to be expended under the di-

1            *rection of the Attorney General and to be ac-*  
2            *counted for solely on the certificate of the Attor-*  
3            *ney General.*

4            *(5) For the Antitrust Division: \$102,845,000 for*  
5            *fiscal year 1999, \$107,987,000 for fiscal year 2000,*  
6            *and \$113,386,000 for fiscal year 2001.*

7            *(6) For United States Attorneys: \$1,106,993,000*  
8            *for fiscal year 1999, \$1,162,343,000 for fiscal year*  
9            *2000, and \$1,220,460,000 for fiscal year 2001.*

10           *(7) For the Federal Bureau of Investigation:*  
11           *\$3,014,654,000 for fiscal year 1999, \$3,164,679,000*  
12           *for fiscal year 2000, and \$3,322,913,000 for fiscal*  
13           *year 2001, which shall include—*

14                    *(A) not to exceed \$14,146,000 for each fiscal*  
15                    *year—*

16                            *(i) for construction, acquisition, or*  
17                            *renovation of buildings (including equip-*  
18                            *ment for such buildings) and sites, by pur-*  
19                            *chase or as otherwise authorized by law;*

20                            *(ii) for conversion or extension of fed-*  
21                            *erally owned buildings; and*

22                            *(iii) for preliminary planning and de-*  
23                            *sign of projects;*

24                    *to remain available until expended; and*

1           (B) not to exceed \$70,000 for each fiscal  
2           year to meet unforeseen emergencies of a con-  
3           fidential character to be expended under the di-  
4           rection of the Attorney General and to be ac-  
5           counted for solely on the certificate of the Attor-  
6           ney General.

7           (8) For the United States Marshals Service:  
8           \$529,143,000 for fiscal year 1999, \$554,785,000 for  
9           fiscal year 2000, and \$582,525,000 for fiscal year  
10          2001, which shall include—

11           (A) not to exceed \$6,300,000 for each fiscal  
12          year—

13           (i) for construction, acquisition, or  
14           renovation of buildings (including equip-  
15           ment for such buildings) and sites, by pur-  
16           chase or as otherwise authorized by law;

17           (ii) for conversion or extension of fed-  
18           erally owned buildings; and

19           (iii) for preliminary planning and de-  
20           sign of projects;

21          to remain available until expended; and

22           (B) \$10,000,000 for each fiscal year for ad-  
23           ministrative expenses of the Justice Prisoner and  
24           Alien Transportation System to remain avail-  
25           able until expended.

1           (9) *For the Drug Enforcement Administration:*  
2           \$1,193,102,000 for fiscal year 1999, \$1,252,358,000  
3           for fiscal year 2000, and \$1,314,994,000 for fiscal  
4           year 2001, which shall include—

5                   (A) *not to exceed \$8,000,000 for each fiscal*  
6                   *year—*

7                           (i) *for construction, acquisition, or*  
8                           *renovation of buildings (including equip-*  
9                           *ment for such buildings) and sites, by pur-*  
10                           *chase or as otherwise authorized by law;*

11                           (ii) *for conversion or extension of fed-*  
12                           *erally owned buildings; and*

13                           (iii) *for preliminary planning and de-*  
14                           *sign of projects;*

15                   *to remain available until expended;*

16                   (B) *not to exceed \$70,000 for each fiscal*  
17                   *year to meet unforeseen emergencies of a con-*  
18                   *fidential character to be expended under the di-*  
19                   *rection of the Attorney General and to be ac-*  
20                   *counted for solely on the certificate of the Attor-*  
21                   *ney General or the Deputy Attorney General;*  
22                   *and*

23                   (C) *not to exceed \$15,000,000 for each fiscal*  
24                   *year for diversion control.*

1           (10) *For the Immigration and Naturalization*  
2 *Service: \$2,727,490,000 for fiscal year 1999,*  
3 *\$2,839,756,000 for fiscal year 2000, and*  
4 *\$2,981,544,000 for fiscal year 2001, which shall in-*  
5 *clude—*

6                   (A) *not to exceed \$118,170,000 for each fis-*  
7 *cal year—*

8                           (i) *for construction, acquisition, or*  
9 *renovation of buildings (including equip-*  
10 *ment for such buildings) and sites, by pur-*  
11 *chase or as otherwise authorized by law;*

12                           (ii) *for conversion or extension of fed-*  
13 *erally owned buildings; and*

14                           (iii) *for preliminary planning and de-*  
15 *sign of projects;*

16 *to remain available until expended;*

17                   (B) *not to exceed \$50,000 for each fiscal*  
18 *year to meet unforeseen emergencies of a con-*  
19 *fidential character to be expended under the di-*  
20 *rection of the Attorney General and to be ac-*  
21 *counted for solely on the certificate of the Attor-*  
22 *ney General; and*

23                   (C) *not to exceed \$4,000,000 for each fiscal*  
24 *year to establish and operate—*

1           (i) a district office in Memphis, Ten-  
2           nessee, for the States of Tennessee, Arkan-  
3           sas, and Kentucky, and the portion of the  
4           State of Mississippi north of the city of  
5           Jackson;

6           (ii) a district office in San Jose, Cali-  
7           fornia, for the counties of Monterey, Santa  
8           Clara, San Benito, and Santa Cruz of the  
9           State of California;

10          (iii) a suboffice in Nashville, Ten-  
11          nessee, for the counties of Anderson, Blount,  
12          Campbell, Cannon, Carter, Cheatham, Clai-  
13          borne, Clay, Cocke, Cumberland, Davidson,  
14          DeKalb, Dickson, Fentress, Grainger,  
15          Greene, Hamblen, Hancock, Hawkins,  
16          Houston, Humphreys, Jackson, Jefferson,  
17          Johnson, Knox, Loudon, Macon, Monroe,  
18          Montgomery, Morgan, Overton, Pickett,  
19          Putnam, Roane, Robertson, Rutherford,  
20          Scott, Sevier, Smith, Stewart, Sullivan,  
21          Sumner, Trousdale, Unicoi, Union, Wash-  
22          ington, White, Williamson, and Wilson of  
23          the State of Tennessee; and

1                    *(iv) a district office in Charlotte, North*  
2                    *Carolina, for the States of North Carolina*  
3                    *and South Carolina.*

4                    *(11) For Fees and Expenses of Witnesses:*  
5                    *\$95,000,000 for fiscal year 1999, \$99,750,000 for fis-*  
6                    *cal year 2000, and \$104,738,000 for fiscal year 2001,*  
7                    *which shall remain available until expended and*  
8                    *which shall include not to exceed \$6,000,000 for each*  
9                    *fiscal year for planning, construction, renovation,*  
10                   *maintenance, remodeling, and repair of buildings,*  
11                   *and the purchase of equipment incidental thereto, for*  
12                   *protected witness safesites.*

13                   *(12) For Interagency Crime and Drug Enforce-*  
14                   *ment: \$304,014,000 for fiscal year 1999, \$319,215,000*  
15                   *for fiscal year 2000, and \$335,176,000 for fiscal year*  
16                   *2001, for expenses not otherwise provided for, for the*  
17                   *investigation and prosecution of individuals involved*  
18                   *in organized crime drug trafficking, except that any*  
19                   *funds obligated from appropriations authorized by*  
20                   *this paragraph may be used under authorities avail-*  
21                   *able to the organizations reimbursed from such funds.*

22                   *(13) For the Federal Prison System, including*  
23                   *the National Institute of Corrections: \$4,508,480,000*  
24                   *for fiscal year 1999, \$4,733,900,000 for fiscal year*  
25                   *2000, and \$4,970,595,000 for fiscal year 2001.*

1           (14) *For the Foreign Claims Settlement Commis-*  
2           *sion: \$1,335,000 for fiscal year 1999, \$1,402,000 for*  
3           *fiscal year 2000, and \$1,472,000 for fiscal year 2001.*

4           (15) *For the Community Relations Service:*  
5           *\$8,899,000 for fiscal year 1999, \$9,344,000 for fiscal*  
6           *year 2000, and \$9,812,000 for fiscal year 2001.*

7           (16) *For the Assets Forfeiture Fund: \$23,000,000*  
8           *for fiscal year 1999, \$24,150,000 for fiscal year 2000,*  
9           *and \$25,358,000 for fiscal year 2001, as may be nec-*  
10          *essary for the payment of expenses as authorized by*  
11          *section 524 of title 28, United States Code.*

12          (17) *For Support of United States Prisoners in*  
13          *Non-Federal Institutions: \$450,858,000 for fiscal year*  
14          *1999, \$473,401,000 for fiscal year 2000, and*  
15          *\$497,072,000 for fiscal year 2001, which shall remain*  
16          *available until expended. Such sums may be expended*  
17          *to reimburse appropriate health care providers for the*  
18          *care, diagnosis, and treatment of United States pris-*  
19          *oners and individuals adjudicated in Federal courts*  
20          *as not guilty by reason of insanity, but only at rates*  
21          *that do not exceed the actual cost of such care, diag-*  
22          *nosis, and treatment. Not to exceed \$20,000,000 for*  
23          *each fiscal year shall remain available until expended*  
24          *for the purpose of entering into contracts for only the*  
25          *reasonable and actual cost to assist the government of*

1        *any State, territory, or political subdivision thereof*  
2        *for purposes of renovating, constructing, and equip-*  
3        *ping any facility that confines Federal detainees, in*  
4        *accordance with regulations to be issued by the Attor-*  
5        *ney General comparable to the regulations issued*  
6        *under section 4006 of title 18, United States Code.*

7                *(18) For the United States Parole Commission:*  
8                *\$7,621,000 for fiscal year 1999, \$8,002,000 for fiscal*  
9                *year 2000, and \$8,402,000 for fiscal year 2001.*

10    **SEC. 102. FEDERAL PRISON INDUSTRIES.**

11        *Notwithstanding section 4129 of title 18, United States*  
12        *Code, not to exceed \$3,266,000 for fiscal year 1999, and*  
13        *not to exceed \$3,429,000 for fiscal year 2000, and not to*  
14        *exceed \$3,601,000 for fiscal year 2001, of the funds available*  
15        *to Federal Prison Industries may be used for—*

16                *(1) administrative expenses; and*

17                *(2) services authorized by section 3109 of title 5,*  
18        *United States Code;*

19        *to be computed on an accrual basis in accordance with the*  
20        *current prescribed accounting system of Federal Prison In-*  
21        *dustries. Such funds shall be exclusive of depreciation, pay-*  
22        *ment of claims, and expenditures that such accounting sys-*  
23        *tem requires to be capitalized or charged to the cost of com-*  
24        *modities acquired or produced (including selling and ship-*  
25        *ping expenses) and expenses incurred in connection with*

1 *acquisition, construction, operation, maintenance, improve-*  
2 *ment, protection, or disposition of facilities and other prop-*  
3 *erty of Federal Prison Industries.*

## 4 ***Subtitle B—General Provisions***

### 5 ***SEC. 151. APPOINTMENT OF ADDITIONAL ASSISTANT*** 6 ***UNITED STATES ATTORNEYS; REDUCTION OF*** 7 ***CERTAIN LITIGATION POSITIONS.***

8 (a) *APPOINTMENTS REQUIRED.*—*Not later than Sep-*  
9 *tember 30, 2000, the Attorney General may exercise author-*  
10 *ity under section 542 of title 28, United States Code, to*  
11 *appoint 200 assistant United States attorneys in addition*  
12 *to the number of assistant United States attorneys serving*  
13 *on the date of the enactment of this Act.*

14 (b) *SELECTION OF APPOINTEES.*—*Individuals first*  
15 *appointed under subsection (a) shall be appointed from*  
16 *among attorneys who are incumbents of 200 full-time liti-*  
17 *gation positions in divisions of the Department of Justice*  
18 *and whose official duty station is at the seat of Government.*

19 (c) *TERMINATION OF POSITIONS.*—*Each of the 200*  
20 *litigation positions that become vacant by reason of an ap-*  
21 *pointment made in accordance with subsections (a) and (b)*  
22 *shall be terminated at the time the vacancy arises.*

23 (d) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*  
24 *authorized to be appropriated such sums as may be nec-*

1 *essary for fiscal years 1999 and 2000 to carry out this sec-*  
2 *tion.*

3 **TITLE II—AUTHORIZATIONS OF**  
4 **APPROPRIATIONS FOR PRO-**  
5 **GRAMS**

6 **SEC. 201. AMENDMENTS TO THE CRIME CONTROL AND LAW**  
7 **ENFORCEMENT ACT OF 1994.**

8 *(a) EXPEDITIOUS DEPORTATION FOR DENIED ASYLUM*  
9 *APPLICANTS.—Section 130005(c) of the Violent Crime Con-*  
10 *trol and Law Enforcement Act of 1994 (8 U.S.C. 1158 note)*  
11 *is amended—*

12 *(1) in paragraph (3) by striking “and” at the*  
13 *end,*

14 *(2) in paragraph (4) by striking the period at*  
15 *the end and inserting a semicolon, and*

16 *(3) by adding at the end the following:*

17 *“(5) \$90,000,000 for fiscal year 1999; and*

18 *“(6) \$90,000,000 for fiscal year 2000.”.*

19 *(b) AMENDMENTS TO VIOLENCE AGAINST WOMEN ACT*  
20 *OF 1994.—Section 40114 of the Violence Against Women*  
21 *Act of 1994 (Public Law 103–322; 108 Stat 1910) is*  
22 *amended—*

23 *(1) in paragraph (2) by striking “and” at the*  
24 *end,*

1           (2) *in paragraph (3) by striking the period at*  
2           *the end and inserting a semicolon, and*

3           (3) *by adding at the end the following:*

4           “(4) \$500,000 for fiscal year 1999; and

5           “(5) \$500,000 for fiscal year 2000.”.

6           (c) *IMPROVING BORDER CONTROLS.*—Section  
7 *130006(a) of the Violent Crime Control and Law Enforce-*  
8 *ment Act of 1994 (8 U.S.C. 1101 note) is amended—*

9           (1) *in paragraph (3) by striking “and” at the*  
10          *end,*

11          (2) *in paragraph (4) by striking the period at*  
12          *the end and inserting a semicolon, and*

13          (3) *by adding at the end the following:*

14          “(5) \$200,000,000 for fiscal year 1999; and

15          “(6) \$200,000,000 for fiscal year 2000.”.

16          (d) *EXPANDED SPECIAL DEPORTATION PROCEED-*  
17 *INGS.*—Section *130007(d) of the Violent Crime Control and*  
18 *Law Enforcement Act of 1994 (8 U.S.C. 1252 note) is*  
19 *amended—*

20          (1) *in paragraph (3) by striking “and” at the*  
21          *end.*

22          (2) *in paragraph (4) by striking the period at*  
23          *the end and inserting a semicolon, and*

24          (3) *by adding at the end the following:*

25          “(5) \$2,000,000 for fiscal year 1999; and

1           “(6) \$2,000,000 for fiscal year 2000.”.

2           (e) *TRAINING PROGRAMS*.—Section 40152(c) of the  
3 *Violent Crime Control and Law Enforcement Act of 1994*  
4 *(42 U.S.C. 13941(c))* is amended by striking paragraphs  
5 (1) and (2), and inserting the following:

6           “(1) \$1,000,000 for fiscal year 1999; and

7           “(2) \$1,000,000 for fiscal year 2000.”.

8           (f) *MISSING ALZHEIMER’S DISEASE PATIENT ALERT*  
9 *PROGRAM*.—Section 240001(d) of the *Violent Crime Control*  
10 *and Law Enforcement Act of 1994 (42 U.S.C. 14181(d))*  
11 *is amended—*

12           (1) *in paragraph (2) by striking “and” at the*  
13 *end,*

14           (2) *in paragraph (3) by striking the period at*  
15 *the end and inserting a semicolon, and*

16           (3) *by adding at the end the following:*

17           “(4) \$900,000 for fiscal year 1999; and

18           “(5) \$900,000 for fiscal year 2000.”.

19           (g) *MOTOR VEHICLE THEFT PREVENTION PRO-*  
20 *GRAM*.—Section 220002(h) of the *Violent Crime Control*  
21 *and Law Enforcement Act of 1994 (42 U.S.C. 14171(h))*  
22 *is amended—*

23           (1) *in paragraph (2) by striking “and” at the*  
24 *end,*

1           (2) *in paragraph (3) by striking the period at*  
2           *the end and inserting a semicolon, and*

3           (3) *by adding at the end the following:*

4           “(4) \$750,000 for fiscal year 1999; and

5           “(5) \$750,000 for fiscal year 2000.”.

6           (h) *RURAL DOMESTIC VIOLENCE AND CHILD ABUSE*  
7 *ENFORCEMENT ASSISTANCE ACT.—Section 40295(c)(1) of*  
8 *the Violent Crime Control and Law Enforcement Act of*  
9 *1994 (42 U.S.C. 13971(c)(1)) is amended—*

10           (1) *in subparagraph (B) by striking “and” at*  
11           *the end,*

12           (2) *in subparagraph (C) by striking the period*  
13           *at the end and inserting a semicolon, and*

14           (3) *by adding at the end the following:*

15           “(D) \$15,000,000 for fiscal year 1999; and

16           “(E) \$15,000,000 for fiscal year 2000.”.

17 **SEC. 202. AMENDMENTS TO THE ANTITERRORISM AND EF-**  
18 **ECTIVE DEATH PENALTY ACT OF 1996.**

19           *The Antiterrorism and Effective Death Penalty Act of*  
20 *1996 (Public Law 104–132; 110 Stat. 1214) is amended—*

21           (1) *in section 819(b) by striking “for fiscal” and*  
22           *all that follows through “section”, and inserting “to*  
23           *carry out this section \$5,000,000 for fiscal year 1999*  
24           *and \$5,000,000 for fiscal year 2000”, and*

1           (2) in section 821 by striking “not more than  
2           \$10,000,000 for fiscal year 1997” and inserting  
3           “\$10,000,000 for fiscal year 1999 and \$10,000,000 for  
4           fiscal year 2000”.

5   **SEC. 203. AUTHORITY TO TRANSFER PROPERTY OF MAR-**  
6                                   **GINAL VALUE.**

7           Section 524(c)(9)(B) of title 28, United States Code,  
8   is amended—

9                   (1) by striking “year 1997” and inserting “years  
10           1999 and 2000”; and

11                   (2) by adding at the end the following:

12   “Such transfer shall be subject to satisfaction by the recipi-  
13   ent involved of any outstanding lien against the property  
14   transferred.”.

15   **SEC. 204. COMMUNICATIONS ASSISTANCE.**

16           Section 110 of the Communications Assistance for Law  
17   Enforcement Act (47 U.S.C. 1009) is amended by striking  
18   “and 1998” and inserting “1998, 1999, and 2000”.

19   **SEC. 205. CRIMINAL ALIEN ASSISTANCE.**

20           Section 241(i)(5) of the Immigration and Nationality  
21   Act (8 U.S.C. 1231(i)(5)) is amended by striking subpara-  
22   graphs (A) through (F) and inserting the following:

23                   “(A) \$750,000,000 for fiscal year 1999;

24                   “(B) \$800,000,000 for fiscal year 2000; and

25                   “(C) \$850,000,000 for fiscal year 2001.”.

1                   **TITLE III—PERMANENT**  
2                   **ENABLING PROVISIONS**

3   **SEC. 301. PERMANENT AUTHORITY.**

4           (a) *AMENDMENT.*—Chapter 31 of title 28, United  
5 States Code, is amended by adding at the end the following:

6   **“§ 530B. Authority to use available funds**

7           “(a) *PERMITTED USES.*—Except to the extent pro-  
8 vided otherwise by law applicable to funds available to  
9 carry out the activities of the Department of Justice (in-  
10 cluding any bureau, office, board, division, commission, or  
11 subdivision thereof) and in addition to authority provided  
12 in subsections (a) and (b) of section 524 of this title, the  
13 Attorney General may use such funds as follows:

14                   “(1) *GENERAL PERMITTED USES.*—Such funds  
15 may be used for the following:

16                           “(A) *The purchase, lease, maintenance, and*  
17                           *operation of passenger motor vehicles, or police-*  
18                           *type motor vehicles for law enforcement purposes,*  
19                           *without regard to general purchase price limita-*  
20                           *tion for the then current fiscal year.*

21                           “(B) *The purchase of insurance for motor*  
22                           *vehicles, boats, and aircraft operated in official*  
23                           *Government business in foreign countries.*

24                           “(C) *Services of experts and consultants, in-*  
25                           *cluding private counsel, as authorized by section*

1           3109 of title 5, and at rates of pay for individ-  
2           uals not to exceed the maximum daily rate pay-  
3           able from time to time under section 5332 of title  
4           5.

5           “(D) Not to exceed \$200,000 for each fiscal  
6           year for official receptions and representation ex-  
7           penses, in accordance with distributions, proce-  
8           dures, and regulations established by the Attor-  
9           ney General.

10          “(E) Unforeseen emergencies of a confiden-  
11          tial character, to be expended under the direction  
12          of the Attorney General and accounted for solely  
13          on the certificate of the Attorney General.

14          “(F) Miscellaneous and emergency expenses  
15          authorized or approved by the Attorney General,  
16          the Deputy Attorney General, the Associate At-  
17          torney General, or the Assistant Attorney Gen-  
18          eral for Administration.

19          “(G) In accordance with procedures estab-  
20          lished and regulations issued by the Attorney  
21          General—

22                  “(i) attendance at meetings and semi-  
23                  nars;

24                  “(ii) conferences and training; and

1                   “(iii) advances of public moneys under  
2                   section 3324 of title 31.

3                   *Travel advances of such funds to law enforce-*  
4                   *ment personnel engaged in undercover activity*  
5                   *shall be considered to be public money for pur-*  
6                   *poses of section 3527 of title 31.*

7                   “(H) For the conduct of its activities, in-  
8                   cluding for contracting with individuals for per-  
9                   sonal services abroad, except that such individ-  
10                  uals shall not be regarded as employees of the  
11                  United States for the purpose of any law admin-  
12                  istered by the Office of Personnel Management.

13                  “(I) Payment of interpreters and trans-  
14                  lators who are not citizens of the United States,  
15                  in accordance with procedures established and  
16                  regulations issued by the Attorney General.

17                  “(2) SPECIFIC PERMITTED USES.—

18                  “(A) AIRCRAFT AND BOATS.—Funds avail-  
19                  able for United States Attorneys, for the Federal  
20                  Bureau of Investigation, for the United States  
21                  Marshals Service, for the Drug Enforcement Ad-  
22                  ministration, and for the Immigration and Nat-  
23                  uralization Service may be used for the purchase,  
24                  lease, maintenance, and operation of aircraft  
25                  and boats, for law enforcement purposes.

1           “(B) *PAYMENT OF REWARDS; PURCHASE OF*  
2           *EVIDENCE.—Funds available for the Federal Bu-*  
3           *reau of Investigation, for the Drug Enforcement*  
4           *Administration, for the Immigration and Natu-*  
5           *ralization Service, and for the Federal Prison*  
6           *System may be used for the payment of rewards,*  
7           *for the purchase of evidence, and for payment for*  
8           *information in connection with law enforcement.*

9           “(C) *PURCHASE OF AMMUNITION AND FIRE-*  
10           *ARMS; FIREARMS COMPETITIONS.—Funds avail-*  
11           *able for United States Attorneys, for the Federal*  
12           *Bureau of Investigation, for the United States*  
13           *Marshals Service, for the Drug Enforcement Ad-*  
14           *ministration, and for the Immigration and Nat-*  
15           *uralization Service may be used for—*

16                   “(i) *the purchase of ammunition and*  
17                   *firearms; and*

18                   “(ii) *participation in firearms com-*  
19                   *petitions.*

20           “(3) *UNIFORMS.—Funds available for the Immi-*  
21           *gration and Naturalization Service and for the Fed-*  
22           *eral Prison System may be used for expenses or al-*  
23           *lowances for uniforms as authorized by section 5901*  
24           *of title 5 but without regard to the general purchase*  
25           *price limitation for the then current fiscal year.*

1           “(4) *FEEES AND EXPENSES OF WITNESSES.*—  
2           *Funds available for Fees and Expenses of Witnesses*  
3           *may be used for expenses, mileage, compensation, and*  
4           *per diem in lieu of subsistence, of witnesses as author-*  
5           *ized by law (including advances of public money), but*  
6           *no witness may be paid more than 1 attendance fee*  
7           *for any 1 calendar day.*

8           “(5) *FEDERAL BUREAU OF INVESTIGATION.*—(A)  
9           *Funds available to the Federal Bureau of Investiga-*  
10          *tion may be used for the conduct of its activities, in-*  
11          *cluding for—*

12                   “(i) *expenses necessary for the detection and*  
13                   *prosecution of crimes against the United States;*

14                   “(ii) *protection of the person of the Attorney*  
15                   *General;*

16                   “(iii) *investigations regarding official mat-*  
17                   *ters under the control of the Department of Jus-*  
18                   *tice and the Department of State, as may be di-*  
19                   *rected by the Attorney General;*

20                   “(iv) *the confidential lease of surveillance*  
21                   *sites for law enforcement purposes; and*

22                   “(v) *acquisition, collection, classification,*  
23                   *and preservation of identification and other*  
24                   *records and their exchange with, and for the offi-*  
25                   *cial use of, the duly authorized officials of the*

1           *Federal Government, of States, of cities, and of*  
2           *such other institutions, as authorized by law,*  
3           *such exchange to be subject to cancellation if dis-*  
4           *semination is made outside the receiving depart-*  
5           *ments or related agencies.*

6           “(B)(i) *The Federal Bureau of Investigation*  
7           *may establish and collect fees for the processing of*  
8           *noncriminal employment and licensing fingerprint*  
9           *records. Such fees shall represent the full cost of fur-*  
10          *nishing the service.*

11          “(ii) *Such fees collected shall be credited to the*  
12          *Salaries and Expenses, Federal Bureau of Investiga-*  
13          *tion appropriation without regard to section 3302(b)*  
14          *of title 31 and, to the extent specified in appropria-*  
15          *tions Acts, shall be available until expended for sala-*  
16          *ries and other expenses incurred in processing such*  
17          *records.*

18          “(iii) *No fee shall be assessed in connection with*  
19          *the processing of requests for criminal history records*  
20          *by criminal justice agencies for criminal justice pur-*  
21          *poses or for employment in criminal justice agencies.*

22          “(6) *IMMIGRATION AND NATURALIZATION SERV-*  
23          *ICE.—Funds available for the Immigration and Natu-*  
24          *ralization Service may be used for the administration*

1       *and enforcement of laws relating to immigration, nat-*  
2       *uralization, and alien registration, including for—*

3               “(A) *acquisition of land as sites for enforce-*  
4               *ment fences, and construction incidental to such*  
5               *fences;*

6               “(B) *cash advances to aliens for meals and*  
7               *lodging en route;*

8               “(C) *refunds of maintenance bills, immigra-*  
9               *tion fines, and other items properly returnable,*  
10              *except deposits of aliens who become public*  
11              *charges and deposits to secure payment of fines*  
12              *and passage money; and*

13              “(D) *expenses and allowances incurred in*  
14              *tracking lost persons, as required by public ex-*  
15              *igencies, in aid of State or local law enforcement*  
16              *agencies.*

17              “(7) *FEDERAL PRISON SYSTEM.—Funds avail-*  
18              *able for the Federal Prison System may be used for*  
19              *the conduct of its activities, including for—*

20              “(A) *the administration, operation, and*  
21              *maintenance of Federal penal and correctional*  
22              *institutions, including inmate medical services*  
23              *and inmate legal services, within the Federal*  
24              *prison system;*

1           “(B) *planning, acquisition of sites, and*  
2           *construction of new facilities, including—*

3                   “(i) *the purchase and acquisition of fa-*  
4                   *ilities, and remodeling and equipping of*  
5                   *such facilities, for penal and correctional*  
6                   *institutions; and*

7                   “(ii) *the payment of United States*  
8                   *prisoners for work performed in the activi-*  
9                   *ties described in this subparagraph;*

10           *which shall remain available until expended;*

11           “(C) *construction of buildings at prison*  
12           *camps and acquisition of land as authorized by*  
13           *section 4010 of title 18;*

14           “(D) *the labor of the United States pris-*  
15           *oners performed in the construction, remodeling,*  
16           *renovating, converting, expanding, planning, de-*  
17           *signing, maintaining, or equipping of prison*  
18           *buildings or facilities; and*

19           “(E) *the purchase and exchange of farm*  
20           *products and livestock.*

21           “(b) *RELATED PROVISIONS.—*

22                   “(1) *LIMITATION OF COMPENSATION OF INDIVID-*  
23                   *UALS EMPLOYED AS ATTORNEYS.—None of the funds*  
24                   *available to the Attorney General may be used to pay*  
25                   *compensation for services provided by an individual*

1       employed as an attorney (other than an individual  
2       employed to provide services as a foreign attorney in  
3       special cases) unless such individual is duly licensed  
4       and authorized to practice as an attorney under the  
5       law of a State, a territory of the United States, or  
6       the District of Columbia.

7               “(2) *REIMBURSEMENTS PAID TO GOVERNMENTAL*  
8       *ENTITIES.—Funds available to the Attorney General*  
9       *that are paid as a reimbursement to a governmental*  
10       *unit in the Department of Justice, to another Federal*  
11       *entity, or to a unit of State or local government may*  
12       *be used under the authority applicable to such unit*  
13       *or such entity that receives such reimbursement.”.*

14       (b) *TECHNICAL AMENDMENT.—The table of sections for*  
15       *chapter 31 of title 28, United States Code, is amended by*  
16       *adding at the end the following:*

      “530B. *Authority to use available funds.*”.

17       **SEC. 302. PERMANENT AUTHORITY RELATING TO ENFORCE-**  
18               **MENT OF LAWS.**

19       (a) *AMENDMENT.—Chapter 31 of title 28, United*  
20       *States Code, as amended by section 301, is amended by add-*  
21       *ing at the end the following:*

22       **“§ 530C. Report on enforcement of laws**

23               “(a) *REPORT REQUIRED.—The Attorney General shall*  
24       *transmit a report to each House of the Congress in any*  
25       *case in which the Attorney General—*

1           “(1) establishes a policy to refrain from enforcing  
2           any provision of any Federal statute whose enforcement  
3           is the responsibility of the Department of  
4           Justice, because of the position of the Attorney General  
5           that such provision is not constitutional; or

6           “(2) determines that the Department of Justice  
7           will contest, or will refrain from defending, in any  
8           judicial, administrative, or other proceeding, any provision  
9           of any Federal statute, because of the position  
10          of the Attorney General that such provision is not  
11          constitutional.

12          “(b) *DEADLINE FOR REPORT.*—Any report required by  
13          subsection (a) shall be transmitted not later than 30 days  
14          after the Attorney General establishes the policy specified  
15          in subsection (a)(1) or makes the determination specified  
16          in subsection (a)(2). Each such report shall—

17                 “(1) specify the provision of the Federal statute  
18                 involved:

19                 “(2) include a detailed statement of the reasons  
20                 for the position of the Attorney General; and

21                 “(3) in the case of a determination specified in  
22                 subsection (a)(2), indicate the nature of the proceeding  
23                 involved.

24          “(c) *DECLARATION.*—In the case of a determination  
25          specified in subsection (a)(2), the representative of the De-

1 *partment of Justice participating in the proceeding shall*  
 2 *make a declaration in such proceeding that the position of*  
 3 *the Attorney General on the constitutionality of the provi-*  
 4 *sion of the Federal statute involved is the position of the*  
 5 *executive branch of the Federal Government.”.*

6 “(b) *TECHNICAL AMENDMENT.—The table of sections*  
 7 *for chapter 31 of title 28, United States Code, as amended*  
 8 *by section 301, is amended by adding at the end the follow-*  
 9 *ing:*

*“530C. Report on enforcement of laws.”.*

10 **SEC. 303. PROTECTION OF THE ATTORNEY GENERAL.**

11 *Section 533(2) of title 28, United States Code, is*  
 12 *amended by inserting “or the person of the Attorney Gen-*  
 13 *eral” before the semicolon at the end.*

14 **TITLE IV—MISCELLANEOUS**

15 **SEC. 401. REPEALERS.**

16 (a) *OPEN-ENDED AUTHORIZATION OF APPROPRIA-*  
 17 *TIONS FOR NATIONAL INSTITUTE OF CORRECTIONS—Chap-*  
 18 *ter 319 of title 18, United States Code, is amended—*

19 (1) *by striking section 4353; and*

20 (2) *in the table of sections for such chapter by*  
 21 *striking the item relating to section 4353.*

22 (b) *OPEN-ENDED AUTHORIZATION OF APPROPRIA-*  
 23 *TIONS FOR UNITED STATES MARSHALS SERVICE.—Section*  
 24 *561 of title 28, United States Code, is amended by striking*  
 25 *subsection (i).*

1 **SEC. 402. TECHNICAL AMENDMENT.**

2        *Section 542(c)(5) of title 28, United States Code, is*  
3 *amended by striking “Fund” the 2nd place it appears and*  
4 *inserting “Fund,”.*

5 **SEC. 403. APPLICABILITY OF TITLE III.**

6        *The amendments made by title III shall not apply*  
7 *with respect to funds available for any fiscal year ending*  
8 *before fiscal year 1999.*