

# Union Calendar No. 66

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2862

[Report No. 109-118]

Making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 10, 2005

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

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## A BILL

Making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, 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, 2006, 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, \$126,956,000, 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 45 permanent positions and 46 full-time equivalent  
11 workyears and \$11,821,000 shall be expended for the De-  
12 partment Leadership Program exclusive of augmentation  
13 that occurred in these offices in fiscal year 2005: *Provided*  
14 *further*, That not to exceed 28 permanent positions, 23  
15 full-time equivalent workyears and \$3,980,000 shall be ex-  
16 pended for the Office of Legislative Affairs: *Provided fur-*  
17 *ther*, That not to exceed 17 permanent positions, 22 full-  
18 time equivalent workyears and \$2,764,000 shall be ex-  
19 pended for the Office of Public Affairs: *Provided further*,  
20 That the latter two aforementioned offices may utilize  
21 non-reimbursable details of career employees within the  
22 caps described in the preceding two provisos.

23 JUSTICE INFORMATION SHARING TECHNOLOGY

24 For necessary expenses for information sharing tech-  
25 nology, including planning, development, deployment and

1 Departmental direction, \$135,000,000, to remain avail-  
2 able until expended.

3 NARROWBAND COMMUNICATIONS/INTEGRATED WIRELESS  
4 NETWORK

5 For the costs of conversion to narrowband commu-  
6 nications, including the cost for operation and mainte-  
7 nance of Land Mobile Radio legacy systems,  
8 \$110,000,000, to remain available until September 30,  
9 2007: *Provided*, That the Attorney General shall transfer  
10 to the “Narrowband Communications” account all funds  
11 made available to the Department of Justice for the pur-  
12 chase of portable and mobile radios: *Provided further*,  
13 That any transfer made under the preceding proviso shall  
14 be subject to section 605 of this Act.

15 ADMINISTRATIVE REVIEW AND APPEALS

16 For expenses necessary for the administration of par-  
17 don and clemency petitions and immigration-related activi-  
18 ties, \$215,685,000.

19 DETENTION TRUSTEE

20 For necessary expenses of the Federal Detention  
21 Trustee, \$1,222,000,000, to remain available until ex-  
22 pended: *Provided*, That the Trustee shall be responsible  
23 for managing the Justice Prisoner and Alien Transpor-  
24 tation System and for overseeing housing related to such  
25 detention: *Provided further*, That any unobligated balances  
26 available in prior years from the funds appropriated under

1 the heading “Federal Prisoner Detention” shall be trans-  
2 ferred to and merged with the appropriation under the  
3 heading “Detention Trustee” and shall be available until  
4 expended.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector  
7 General, \$66,801,000, including not to exceed \$10,000 to  
8 meet unforeseen emergencies of a confidential character.

9 UNITED STATES PAROLE COMMISSION

10 SALARIES AND EXPENSES

11 For necessary expenses of the United States Parole  
12 Commission as authorized, \$11,200,000.

13 LEGAL ACTIVITIES

14 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

15 For expenses necessary for the legal activities of the  
16 Department of Justice, not otherwise provided for, includ-  
17 ing not to exceed \$20,000 for expenses of collecting evi-  
18 dence, to be expended under the direction of, and to be  
19 accounted for solely under the certificate of, the Attorney  
20 General; and rent of private or Government-owned space  
21 in the District of Columbia, \$665,821,000, of which not  
22 to exceed \$10,000,000 for litigation support contracts  
23 shall remain available until expended: *Provided*, That of  
24 the total amount appropriated, not to exceed \$1,000 shall  
25 be available to the United States National Central Bu-  
26 reau, INTERPOL, for official reception and representa-

1 tion expenses: *Provided further*, That notwithstanding sec-  
2 tion 105 of this Act, upon a determination by the Attorney  
3 General that emergent circumstances require additional  
4 funding for litigation activities of the Civil Division, the  
5 Attorney General may transfer such amounts to “Salaries  
6 and Expenses, General Legal Activities” from available  
7 appropriations for the current fiscal year for the Depart-  
8 ment of Justice, as may be necessary to respond to such  
9 circumstances: *Provided further*, That any transfer pursu-  
10 ant to the previous proviso shall be treated as a re-  
11 programming under section 605 of this Act and shall not  
12 be available for obligation or expenditure except in compli-  
13 ance with the procedures set forth in that section.

14       In addition, for reimbursement of expenses of the De-  
15 partment of Justice associated with processing cases  
16 under the National Childhood Vaccine Injury Act of 1986,  
17 not to exceed \$6,333,000, to be appropriated from the  
18 Vaccine Injury Compensation Trust Fund.

19       SALARIES AND EXPENSES, ANTITRUST DIVISION

20       For expenses necessary for the enforcement of anti-  
21 trust and kindred laws, \$144,451,000, to remain available  
22 until expended: *Provided*, That, notwithstanding any other  
23 provision of law, not to exceed \$116,000,000 of offsetting  
24 collections derived from fees collected for premerger notifi-  
25 cation filings under the Hart-Scott-Rodino Antitrust Im-  
26 provements Act of 1976 (15 U.S.C. 18a), regardless of

1 the year of collection, shall be retained and used for nec-  
2 essary expenses in this appropriation, and shall remain  
3 available until expended: *Provided further*, That the sum  
4 herein appropriated from the general fund shall be re-  
5 duced as such offsetting collections are received during fis-  
6 cal year 2006, so as to result in a final fiscal year 2006  
7 appropriation from the general fund estimated at not more  
8 than \$28,451,000.

9 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

10 For necessary expenses of the Offices of the United  
11 States Attorneys, including inter-governmental and coop-  
12 erative agreements, \$1,626,146,000: *Provided*, That of the  
13 total amount appropriated, not to exceed \$8,000 shall be  
14 available for official reception and representation ex-  
15 penses: *Provided further*, That not to exceed \$20,000,000  
16 shall remain available until expended: *Provided further*,  
17 That, in addition to reimbursable full-time equivalent  
18 workyears available to the Offices of the United States At-  
19 torneys, not to exceed 10,465 positions and 10,451 full-  
20 time equivalent workyears shall be supported from the  
21 funds appropriated in this Act for the United States At-  
22 torneys.

23 UNITED STATES TRUSTEE SYSTEM FUND

24 For necessary expenses of the United States Trustee  
25 Program, as authorized, \$214,402,000, to remain avail-  
26 able until expended and to be derived from the United

1 States Trustee System Fund: *Provided*, That, notwith-  
2 standing any other provision of law, deposits to the Fund  
3 shall be available in such amounts as may be necessary  
4 to pay refunds due depositors: *Provided further*, That, not-  
5 withstanding any other provision of law, \$214,402,000 of  
6 offsetting collections pursuant to 28 U.S.C. 589a(b) shall  
7 be retained and used for necessary expenses in this appro-  
8 priation and remain available until expended: *Provided*  
9 *further*, That the sum herein appropriated from the Fund  
10 shall be reduced as such offsetting collections are received  
11 during fiscal year 2006, so as to result in a final fiscal  
12 year 2006 appropriation from the Fund estimated at \$0.

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, \$1,220,000.

18 UNITED STATES MARSHALS SERVICE

19 SALARIES AND EXPENSES

20 For necessary expenses of the United States Mar-  
21 shals Service, \$800,255,000; of which not to exceed  
22 \$6,000 shall be available for official reception and rep-  
23 resentation expenses; and of which \$20,000,000 for infor-  
24 mation technology systems, equipment, and the renovation  
25 of United States Marshals Service prisoner holding space  
26 in United States courthouses and Federal buildings shall

1 remain available until expended: *Provided*, That, in addi-  
2 tion to reimbursable full-time equivalent workyears avail-  
3 able to the United States Marshals Service, not to exceed  
4 4,729 positions and 4,551 full-time equivalent workyears  
5 shall be supported from the funds appropriated in this Act  
6 for the United States Marshals Service.

7 FEES AND EXPENSES OF WITNESSES

8 For fees and expenses of witnesses, for expenses of  
9 contracts for the procurement and supervision of expert  
10 witnesses, for private counsel expenses, including ad-  
11 vances, such sums as are necessary, to remain available  
12 until expended: *Provided*, That not to exceed \$8,000,000  
13 may be made available for construction of buildings for  
14 protected witness safesites: *Provided further*, That not to  
15 exceed \$1,000,000 may be made available for the purchase  
16 and maintenance of armored vehicles for transportation  
17 of protected witnesses: *Provided further*, That not to ex-  
18 ceed \$7,000,000 may be made available for the purchase,  
19 installation, maintenance and upgrade of secure tele-  
20 communications equipment and a secure automated infor-  
21 mation network to store and retrieve the identities and  
22 locations of protected witnesses.

23 SALARIES AND EXPENSES, COMMUNITY RELATIONS

24 SERVICE

25 For necessary expenses of the Community Relations  
26 Service, \$9,659,000: *Provided*, That notwithstanding sec-

1 tion 105 of this Act, upon a determination by the Attorney  
2 General that emergent circumstances require additional  
3 funding for conflict resolution and violence prevention ac-  
4 tivities of the Community Relations Service, the Attorney  
5 General may transfer such amounts to the Community Re-  
6 lations Service, from available appropriations for the cur-  
7 rent fiscal year for the Department of Justice, as may be  
8 necessary to respond to such circumstances: *Provided fur-*  
9 *ther*, That any transfer pursuant to the previous proviso  
10 shall be treated as a reprogramming under section 605  
11 of this Act and shall not be available for obligation or ex-  
12 penditure except in compliance with the procedures set  
13 forth in that section.

14 ASSETS FORFEITURE FUND

15 For expenses authorized by 28 U.S.C. 524(e)(1)(B),  
16 (F), and (G), \$21,468,000, to be derived from the Depart-  
17 ment of Justice Assets Forfeiture Fund.

18 INTERAGENCY LAW ENFORCEMENT

19 INTERAGENCY CRIME AND DRUG ENFORCEMENT

20 For necessary expenses for the identification, inves-  
21 tigation, and prosecution of individuals associated with the  
22 most significant drug trafficking and affiliated money  
23 laundering organizations not otherwise provided for, to in-  
24 clude inter-governmental agreements with State and local  
25 law enforcement agencies engaged in the investigation and  
26 prosecution of individuals involved in organized crime drug

1 trafficking, \$506,940,000, of which \$50,000,000 shall re-  
2 main available until expended: *Provided*, That any  
3 amounts obligated from appropriations under this heading  
4 may be used under authorities available to the organiza-  
5 tions reimbursed from this appropriation.

6 FEDERAL BUREAU OF INVESTIGATION

7 SALARIES AND EXPENSES

8 For necessary expenses of the Federal Bureau of In-  
9 vestigation for detection, investigation, and prosecution of  
10 crimes against the United States; including purchase for  
11 police-type use of not to exceed 3,868 passenger motor ve-  
12 hicles, of which 3,039 will be for replacement only; and  
13 not to exceed \$70,000 to meet unforeseen emergencies of  
14 a confidential character pursuant to 28 U.S.C. 530C,  
15 \$5,741,132,000; of which not to exceed \$150,000,000  
16 shall remain available until expended; of which  
17 \$2,288,897,000 shall be for counterterrorism investiga-  
18 tions, foreign counterintelligence, and other activities re-  
19 lated to our national security; and of which not to exceed  
20 \$25,000,000 is authorized to be made available for making  
21 advances for expenses arising out of contractual or reim-  
22 bursable agreements with State and local law enforcement  
23 agencies while engaged in cooperative activities related to  
24 violent crime, terrorism, organized crime, gang-related  
25 crime, cybercrime, and drug investigations: *Provided*, That

1 not to exceed \$205,000 shall be available for official recep-  
2 tion and representation expenses: *Provided further*, That,  
3 in addition to reimbursable full-time equivalent workyears  
4 available to the Federal Bureau of Investigation, not to  
5 exceed 31,668 positions and 30,525 full-time equivalent  
6 workyears shall be supported from the funds appropriated  
7 in this Act for the Federal Bureau of Investigation.

8 CONSTRUCTION

9 For necessary expenses to construct or acquire build-  
10 ings and sites by purchase, or as otherwise authorized by  
11 law (including equipment for such buildings); conversion  
12 and extension of Federally-owned buildings; and prelimi-  
13 nary planning and design of projects; \$20,105,000, to re-  
14 main available until expended: *Provided*, That  
15 \$10,000,000 shall be available for equipment and associ-  
16 ated costs for a permanent central records complex in  
17 Frederick County, Virginia.

18 DRUG ENFORCEMENT ADMINISTRATION

19 SALARIES AND EXPENSES

20 For necessary expenses of the Drug Enforcement Ad-  
21 ministration, including not to exceed \$70,000 to meet un-  
22 foreseen emergencies of a confidential character pursuant  
23 to 28 U.S.C. 530C; expenses for conducting drug edu-  
24 cation and training programs, including travel and related  
25 expenses for participants in such programs and the dis-  
26 tribution of items of token value that promote the goals

1 of such programs; and purchase of not to exceed 1,043  
2 passenger motor vehicles, of which 937 will be for replace-  
3 ment only, for police-type use, \$1,706,173,000; of which  
4 not to exceed \$75,000,000 shall remain available until ex-  
5 pended; and of which not to exceed \$100,000 shall be  
6 available for official reception and representation ex-  
7 penses: *Provided*, That, in addition to reimbursable full-  
8 time equivalent workyears available to the Drug Enforce-  
9 ment Administration, not to exceed 8,371 positions and  
10 8,270 full-time equivalent workyears shall be supported  
11 from the funds appropriated in this Act for the Drug En-  
12 forcement Administration.

13 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND  
14 EXPLOSIVES  
15 SALARIES AND EXPENSES

16 For necessary expenses of the Bureau of Alcohol, To-  
17 bacco, Firearms and Explosives, including the purchase of  
18 not to exceed 822 vehicles for police-type use, of which  
19 650 shall be for replacement only; not to exceed \$25,000  
20 for official reception and representation expenses; for  
21 training of State and local law enforcement agencies with  
22 or without reimbursement, including training in connec-  
23 tion with the training and acquisition of canines for explo-  
24 sives and fire accelerants detection; and for provision of  
25 laboratory assistance to State and local law enforcement

1 agencies, with or without reimbursement, \$923,613,000,  
2 of which not to exceed \$1,000,000 shall be available for  
3 the payment of attorneys' fees as provided by 18 U.S.C.  
4 924(d)(2); and of which \$10,000,000 shall remain avail-  
5 able until expended: *Provided*, That no funds appropriated  
6 herein shall be available for salaries or administrative ex-  
7 penses in connection with consolidating or centralizing,  
8 within the Department of Justice, the records, or any por-  
9 tion thereof, of acquisition and disposition of firearms  
10 maintained by Federal firearms licensees: *Provided fur-*  
11 *ther*, That no funds appropriated herein shall be used to  
12 pay administrative expenses or the compensation of any  
13 officer or employee of the United States to implement an  
14 amendment or amendments to 27 CFR 178.118 or to  
15 change the definition of "Curios or relics" in 27 CFR  
16 178.11 or remove any item from ATF Publication  
17 5300.11 as it existed on January 1, 1994: *Provided fur-*  
18 *ther*, That none of the funds appropriated herein shall be  
19 available to investigate or act upon applications for relief  
20 from Federal firearms disabilities under 18 U.S.C. 925(c):  
21 *Provided further*, That such funds shall be available to in-  
22 vestigate and act upon applications filed by corporations  
23 for relief from Federal firearms disabilities under section  
24 925(c) of title 18, United States Code: *Provided further*,  
25 That no funds made available by this or any other Act

1 may be used to transfer the functions, missions, or activi-  
2 ties of the Bureau of Alcohol, Tobacco, Firearms and Ex-  
3 plosives to other agencies or Departments in fiscal year  
4 2006: *Provided further*, That no funds appropriated under  
5 this or any other Act with respect to any fiscal year may  
6 be used to disclose part or all of the contents of the Fire-  
7 arms Trace System database maintained by the National  
8 Trace Center of the Bureau of Alcohol, Tobacco, Firearms  
9 and Explosives or any information required to be kept by  
10 licensees pursuant to section 923(g) of title 18, United  
11 States Code, or required to be reported pursuant to para-  
12 graphs (3) and (7) of such section 923(g), to anyone other  
13 than a Federal, State, or local law enforcement agency or  
14 a prosecutor solely in connection with and for use in a  
15 bona fide criminal investigation or prosecution and then  
16 only such information as pertains to the geographic jurisdic-  
17 tion of the law enforcement agency requesting the dis-  
18 closure and not for use in any civil action or proceeding  
19 other than an action or proceeding commenced by the Bu-  
20 reau of Alcohol, Tobacco, Firearms and Explosives, or a  
21 review of such an action or proceeding, to enforce the pro-  
22 visions of chapter 44 of such title, and all such data shall  
23 be immune from legal process and shall not be subject to  
24 subpoena or other discovery in any civil action in a State  
25 or Federal court or in any administrative proceeding other

1 than a proceeding commenced by the Bureau of Alcohol,  
2 Tobacco, Firearms and Explosives to enforce the provi-  
3 sions of that chapter, or a review of such an action or  
4 proceeding; except that this proviso shall not be construed  
5 to prevent the disclosure of statistical information con-  
6 cerning total production, importation, and exportation by  
7 each licensed importer (as defined in section 921(a)(9) of  
8 such title) and licensed manufacturer (as defined in sec-  
9 tion 921(a)(10) of such title): *Provided further*, That no  
10 funds made available by this or any other Act shall be  
11 expended to promulgate or implement any rule requiring  
12 a physical inventory of any business licensed under section  
13 923 of title 18, United States Code: *Provided further*, That  
14 no funds under this Act may be used to electronically re-  
15 trieve information gathered pursuant to 18 U.S.C.  
16 923(g)(4) by name or any personal identification code:  
17 *Provided further*, That no funds authorized or made avail-  
18 able under this or any other Act may be used to deny any  
19 application for a license under section 923 of title 18,  
20 United States Code, or renewal of such a license due to  
21 a lack of business activity, provided that the applicant is  
22 otherwise eligible to receive such a license, and is eligible  
23 to report business income or to claim an income tax deduc-  
24 tion for business expenses under the Internal Revenue  
25 Code of 1986.

## 1 FEDERAL PRISON SYSTEM

## 2 SALARIES AND EXPENSES

3 For expenses necessary of the Federal Prison System  
4 for the administration, operation, and maintenance of  
5 Federal penal and correctional institutions, including pur-  
6 chase (not to exceed 768, of which 701 are for replacement  
7 only) and hire of law enforcement and passenger motor  
8 vehicles, and for the provision of technical assistance and  
9 advice on corrections related issues to foreign govern-  
10 ments, \$4,895,649,000: *Provided*, That the Attorney Gen-  
11 eral may transfer to the Health Resources and Services  
12 Administration such amounts as may be necessary for di-  
13 rect expenditures by that Administration for medical relief  
14 for inmates of Federal penal and correctional institutions:  
15 *Provided further*, That the Director of the Federal Prison  
16 System, where necessary, may enter into contracts with  
17 a fiscal agent/fiscal intermediary claims processor to de-  
18 termine the amounts payable to persons who, on behalf  
19 of the Federal Prison System, furnish health services to  
20 individuals committed to the custody of the Federal Prison  
21 System: *Provided further*, That not to exceed \$6,000 shall  
22 be available for official reception and representation ex-  
23 penses: *Provided further*, That not to exceed \$50,000,000  
24 shall remain available for necessary operations until Sep-  
25 tember 30, 2007: *Provided further*, That, of the amounts

1 provided for Contract Confinement, not to exceed  
2 \$20,000,000 shall remain available until expended to  
3 make payments in advance for grants, contracts and reim-  
4 bursable agreements, and other expenses authorized by  
5 section 501(c) of the Refugee Education Assistance Act  
6 of 1980, for the care and security in the United States  
7 of Cuban and Haitian entrants: *Provided further*, That the  
8 Director of the Federal Prison System may accept donated  
9 property and services relating to the operation of the pris-  
10 on card program from a not-for-profit entity which has  
11 operated such program in the past notwithstanding the  
12 fact that such not-for-profit entity furnishes services  
13 under contracts to the Federal Prison System relating to  
14 the operation of pre-release services, halfway houses or  
15 other custodial facilities.

16 BUILDINGS AND FACILITIES

17 For planning, acquisition of sites and construction of  
18 new facilities; purchase and acquisition of facilities and re-  
19 modeling, and equipping of such facilities for penal and  
20 correctional use, including all necessary expenses incident  
21 thereto, by contract or force account; and constructing,  
22 remodeling, and equipping necessary buildings and facili-  
23 ties at existing penal and correctional institutions, includ-  
24 ing all necessary expenses incident thereto, by contract or  
25 force account, \$70,112,000, to remain available until ex-  
26 pended, of which not to exceed \$14,000,000 shall be avail-

1 able to construct areas for inmate work programs: *Pro-*  
2 *vided*, That labor of United States prisoners may be used  
3 for work performed under this appropriation.

4 FEDERAL PRISON INDUSTRIES, INCORPORATED

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

15 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL  
16 PRISON INDUSTRIES, INCORPORATED

17 Not to exceed \$3,365,000 of the funds of the corpora-  
18 tion shall be available for its administrative expenses, and  
19 for services as authorized by 5 U.S.C. 3109, to be com-  
20 puted on an accrual basis to be determined in accordance  
21 with the corporation's current prescribed accounting sys-  
22 tem, and such amounts shall be exclusive of depreciation,  
23 payment of claims, and expenditures which such account-  
24 ing system requires to be capitalized or charged to cost  
25 of commodities acquired or produced, including selling and  
26 shipping expenses, and expenses in connection with acqui-

1 sition, construction, operation, maintenance, improvement,  
2 protection, or disposition of facilities and other property  
3 belonging to the corporation or in which it has an interest.

4 OFFICE ON VIOLENCE AGAINST WOMEN  
5 VIOLENCE AGAINST WOMEN PREVENTION AND  
6 PROSECUTION PROGRAMS

7 For grants, contracts, cooperative agreements, and  
8 other assistance for the prevention and prosecution of vio-  
9 lence against women as authorized by the Omnibus Crime  
10 Control and Safe Streets Act of 1968 (“the 1968 Act”);  
11 the Violent Crime Control and Law Enforcement Act of  
12 1994 (Public Law 103–322) (“the 1994 Act”); the Vic-  
13 tims of Child Abuse Act of 1990 (“the 1990 Act”); the  
14 Prosecutorial Remedies and Other Tools to End the Ex-  
15 ploitation of Children Today Act of 2003 (Public Law  
16 108–21); the Juvenile Justice and Delinquency Prevention  
17 Act of 1974 (“the 1974 Act”); and the Victims of Traf-  
18 ficking and Violence Protection Act of 2000 (Public Law  
19 106–386); \$387,497,000, including amounts for adminis-  
20 trative costs, to remain available until expended: *Provided*,  
21 That except as otherwise provided by law, not to exceed  
22 three percent of funds made available under this heading  
23 may be used for expenses related to evaluation, training  
24 and technical assistance: *Provided further*, That of the  
25 amount provided—

1           (1) \$11,897,000 for the court-appointed special  
2 advocate program, as authorized by section 217 of  
3 the 1990 Act;

4           (2) \$1,925,000 for child abuse training pro-  
5 grams for judicial personnel and practitioners, as  
6 authorized by section 222 of the 1990 Act;

7           (3) \$983,000 for grants for televised testimony,  
8 as authorized by Part N of the 1968 Act;

9           (4) \$187,308,000 for grants to combat violence  
10 against women, as authorized by part T of the 1968  
11 Act, of which—

12                   (A) \$5,000,000 shall be for the National  
13 Institute of Justice for research and evaluation  
14 of violence against women;

15                   (B) \$10,000,000 shall be for the Office of  
16 Juvenile Justice and Delinquency Prevention  
17 for the Safe Start Program, as authorized by  
18 the 1974 Act; and

19                   (C) \$15,000,000 shall be for transitional  
20 housing assistance grants for victims of domes-  
21 tic violence, stalking or sexual assault as au-  
22 thorized by Public Law 108–21;

23           (5) \$63,491,000 for grants to encourage arrest  
24 policies as authorized by part U of the 1968 Act;

1           (6) \$39,685,000 for rural domestic violence and  
2 child abuse enforcement assistance grants, as au-  
3 thorized by section 40295(a) of the 1994 Act;

4           (7) \$4,415,000 for training programs as au-  
5 thorized by section 40152 of the 1994 Act, and for  
6 related local demonstration projects;

7           (8) \$2,950,000 for grants to improve the stalk-  
8 ing and domestic violence databases, as authorized  
9 by section 40602 of the 1994 Act;

10          (9) \$9,175,000 to reduce violent crimes against  
11 women on campus, as authorized by section 1108(a)  
12 of Public Law 106–386;

13          (10) \$39,740,000 for legal assistance for vic-  
14 tims, as authorized by section 1201(c) of Public Law  
15 106–386;

16          (11) \$4,600,000 for enhancing protection for  
17 older and disabled women from domestic violence  
18 and sexual assault, as authorized by section 40802  
19 of the 1994 Act;

20          (12) \$14,078,000 for the safe havens for chil-  
21 dren pilot program, as authorized by section 1301(a)  
22 of Public Law 106–386; and

23          (13) \$7,250,000 for education and training to  
24 end violence against and abuse of women with dis-

1 abilities, as authorized by section 1402(a) of Public  
2 Law 106–386.

3 OFFICE OF JUSTICE PROGRAMS

4 JUSTICE ASSISTANCE

5 For grants, contracts, cooperative agreements, and  
6 other assistance authorized by title I of the Omnibus  
7 Crime Control and Safe Streets Act of 1968, the Missing  
8 Children’s Assistance Act, including salaries and expenses  
9 in connection therewith, the Prosecutorial Remedies and  
10 Other Tools to end the Exploitation of Children Today Act  
11 of 2003 (Public Law 108–21), and the Victims of Crime  
12 Act of 1984, \$227,466,000, to remain available until ex-  
13 pended.

14 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

15 For grants, contracts, cooperative agreements, and  
16 other assistance authorized by the Violent Crime Control  
17 and Law Enforcement Act of 1994 (Public Law 103–322)  
18 (“the 1994 Act”); the Omnibus Crime Control and Safe  
19 Streets Act of 1968 (“the 1968 Act”); and the Victims  
20 of Trafficking and Violence Protection Act of 2000 (Public  
21 Law 106–386); and other programs; \$1,001,296,000 (in-  
22 cluding amounts for administrative costs, which shall be  
23 transferred to and merged with the “Justice Assistance”  
24 account): *Provided*, That funding provided under this  
25 heading shall remain available until expended, as follows—

1           (1) \$348,466,000 for the Edward Byrne Mem-  
2           rial Justice Assistance Grant program pursuant to  
3           the amendments made by section 201 of H.R. 3036  
4           of the 108th Congress, as passed by the House of  
5           Representatives on March 30, 2004 (except that the  
6           special rules for Puerto Rico established pursuant to  
7           such amendments shall not apply for purposes of  
8           this Act), of which—

9                   (A) \$10,000,000 is for the National Insti-  
10                  tute of Justice in assisting units of local gov-  
11                  ernment to identify, select, develop, modernize,  
12                  and purchase new technologies for use by law  
13                  enforcement; and

14                   (B) \$85,000,000 for Boys and Girls Clubs  
15                  in public housing facilities and other areas in  
16                  cooperation with State and local law enforce-  
17                  ment, as authorized by section 401 of Public  
18                  Law 104–294 (42 U.S.C. 13751 note);

19           (2) \$355,000,000 for the State Criminal Alien  
20           Assistance Program, as authorized by section 242(j)  
21           of the Immigration and Nationality Act;

22           (3) \$30,000,000 for the Southwest Border  
23           Prosecutor Initiative to reimburse State, county,  
24           parish, tribal, or municipal governments only for  
25           costs associated with the prosecution of criminal

1 cases declined by local United States Attorneys of-  
2 fices;

3 (4) \$110,000,000 for discretionary grants au-  
4 thorized by subpart 2 of part E, of title I of the  
5 1968 Act, notwithstanding the provisions of section  
6 511 of said Act;

7 (5) \$10,000,000 for victim services programs  
8 for victims of trafficking, as authorized by section  
9 107(b)(2) of Public Law 106–386;

10 (6) \$871,000 for the Missing Alzheimer’s Dis-  
11 ease Patient Alert Program, as authorized by section  
12 240001(c) of the 1994 Act;

13 (7) \$40,000,000 for Drug Courts, as authorized  
14 by Part EE of the 1968 Act;

15 (8) \$10,000,000 for a prescription drug moni-  
16 toring program;

17 (9) \$40,000,000 for prison rape prevention and  
18 prosecution programs, as authorized by the Prison  
19 Rape Elimination Act of 2003 (Public Law 108–79),  
20 of which \$2,175,000 shall be transferred to the Na-  
21 tional Prison Rape Elimination Commission for au-  
22 thorized activities;

23 (10) \$25,000,000 for grants for residential sub-  
24 stance abuse treatment for State prisoners, as au-  
25 thorized by part S of the 1968 Act;

1           (11) \$10,359,000 for a program to improve  
2           State and local law enforcement intelligence capabili-  
3           ties including antiterrorism training and training to  
4           ensure that constitutional rights, civil liberties, civil  
5           rights, and privacy interests are protected through-  
6           out the intelligence process;

7           (12) \$10,000,000 for a capital litigation im-  
8           provement grant program; and

9           (13) \$11,600,000 for a cannabis eradication  
10          program to be administered by the Drug Enforce-  
11          ment Administration:

12 *Provided*, That, if a unit of local government uses any of  
13 the funds made available under this title to increase the  
14 number of law enforcement officers, the unit of local gov-  
15 ernment will achieve a net gain in the number of law en-  
16 forcement officers who perform nonadministrative public  
17 safety service.

18   WEED AND SEED PROGRAM FUND

19          For necessary expenses, including salaries and re-  
20 lated expenses of the Executive Office for Weed and Seed,  
21 to implement “Weed and Seed” program activities,  
22 \$50,000,000, to remain available until September 30,  
23 2007, for inter-governmental agreements, including  
24 grants, cooperative agreements, and contracts, with State  
25 and local law enforcement agencies, non-profit organiza-  
26 tions, and agencies of local government engaged in the in-

1 vestigation and prosecution of violent and gang-related  
2 crimes and drug offenses in “Weed and Seed” designated  
3 communities, and for either reimbursements or transfers  
4 to appropriation accounts of the Department of Justice  
5 and other Federal agencies which shall be specified by the  
6 Attorney General to execute the “Weed and Seed” pro-  
7 gram strategy: *Provided*, That funds designated by Con-  
8 gress through language for other Department of Justice  
9 appropriation accounts for “Weed and Seed” program ac-  
10 tivities shall be managed and executed by the Attorney  
11 General through the Executive Office for Weed and Seed:  
12 *Provided further*, That the Attorney General may direct  
13 the use of other Department of Justice funds and per-  
14 sonnel in support of “Weed and Seed” program activities  
15 only after the Attorney General notifies the Committees  
16 on Appropriations of the House of Representatives and the  
17 Senate in accordance with section 605 of this Act: *Pro-*  
18 *vided further*, That of the funds appropriated for the Exec-  
19 utive Office for Weed and Seed, not to exceed \$2,000,000  
20 shall be directed for comprehensive community develop-  
21 ment training and technical assistance.

22           COMMUNITY ORIENTED POLICING SERVICES

23           For activities athesized by the Violent Crime Control  
24 and Law Enforcement Act of 1994 (Public Law 103–322)  
25 (including administrative costs), \$520,057,000, to remain  
26 available until expended: *Provided*, That of the funds

1 under this heading, not to exceed \$2,575,000 shall be  
2 available for the Office of Justice Programs for reimburs-  
3 able services associated with programs administered by  
4 the Community Oriented Policing Services Office: *Pro-*  
5 *vided further*, That section 1703(b) and (c) of the Omni-  
6 bus Crime Control and Safe Streets Act of 1968 (“the  
7 1968 Act”) shall not apply to non-hiring grants made pur-  
8 suant to part Q of title I thereof (42 U.S.C. 3796dd et  
9 seq.): *Provided further*, That up to \$29,000,000 of bal-  
10 ances made available as a result of prior year deobligations  
11 may be obligated for program management and adminis-  
12 tration: *Provided further*, That any balances made avail-  
13 able as a result of prior year deobligations in excess of  
14 \$29,000,000 shall only be obligated in accordance with  
15 section 605 of this Act. Of the amounts provided—

16 (1) \$30,000,000 is for the matching grant pro-  
17 gram for law enforcement armor vests as authorized  
18 by section 2501 of part Y of the 1968 Act, of which  
19 not to exceed \$3,000,000 shall be for the National  
20 Institute of Justice to test and evaluate vests;

21 (2) \$60,000,000 is for policing initiatives to  
22 combat methamphetamine production and traf-  
23 ficking and to enhance policing initiatives in “drug  
24 hot spots”;



1           (2) \$83,000,000 for State and local programs  
2 authorized by section 221 of the Act, including  
3 training and technical assistance to assist small,  
4 non-profit organizations with the Federal grants  
5 process;

6           (3) \$70,000,000 for demonstration projects, as  
7 authorized by sections 261 and 262 of the Act;

8           (4) \$5,000,000 for juvenile mentoring pro-  
9 grams;

10          (5) \$80,000,000 for delinquency prevention, as  
11 authorized by section 505 of the Act, of which—

12           (A) \$10,000,000 shall be for the Tribal  
13 Youth Program;

14           (B) \$25,000,000 shall be for a gang resist-  
15 ance education and training program; and

16           (C) \$25,000,000 shall be for grants of  
17 \$360,000 to each State and \$6,640,000 shall be  
18 available for discretionary grants to States, for  
19 programs and activities to enforce State laws  
20 prohibiting the sale of alcoholic beverages to  
21 minors or the purchase or consumption of alco-  
22 holic beverages by minors, prevention and re-  
23 duction of consumption of alcoholic beverages  
24 by minors, and for technical assistance and  
25 training;

1 (6) \$5,000,000 for Project Childsafe;

2 (7) \$15,000,000 for the Secure Our Schools  
3 Act as authorized by Public Law 106–386;

4 (8) \$15,000,000 for programs authorized by  
5 the Victims of Child Abuse Act of 1990; and

6 (9) \$60,000,000 for the Juvenile Accountability  
7 Block Grants program as authorized by Public Law  
8 107–273 and Guam shall be considered a State:

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

17 PUBLIC SAFETY OFFICERS BENEFITS

18 To remain available until expended, for payments au-  
19 thorized by part L of title I of the Omnibus Crime Control  
20 and Safe Streets Act of 1968 (42 U.S.C. 3796), such sums  
21 as are necessary, as authorized by section 6093 of Public  
22 Law 100–690 (102 Stat. 4339–4340); and \$4,884,000, to  
23 remain available until expended for payments as author-  
24 ized by section 1201(b) of said Act; and \$4,064,000 for  
25 educational assistance, as authorized by section 1212 of  
26 the 1968 Act.

## 1       GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

2       SEC. 101. In addition to amounts otherwise made  
3 available in this title for official reception and representa-  
4 tion expenses, a total of not to exceed \$60,000 from funds  
5 appropriated to the Department of Justice in this title  
6 shall be available to the Attorney General for official re-  
7 ception and representation expenses.

8       SEC. 102. None of the funds appropriated by this  
9 title shall be available to pay for an abortion, except where  
10 the life of the mother would be endangered if the fetus  
11 were carried to term, or in the case of rape: *Provided*,  
12 That should this prohibition be declared unconstitutional  
13 by a court of competent jurisdiction, this section shall be  
14 null and void.

15       SEC. 103. None of the funds appropriated under this  
16 title shall be used to require any person to perform, or  
17 facilitate in any way the performance of, any abortion.

18       SEC. 104. Nothing in the preceding section shall re-  
19 move the obligation of the Director of the Bureau of Pris-  
20 ons to provide escort services necessary for a female in-  
21 mate to receive such service outside the Federal facility:  
22 *Provided*, That nothing in this section in any way dimin-  
23 ishes the effect of section 103 intended to address the phil-  
24 osophical beliefs of individual employees of the Bureau of  
25 Prisons.

1        SEC. 105. Not to exceed 5 percent of any appropria-  
2 tion made available for the current fiscal year for the De-  
3 partment of Justice in this Act may be transferred be-  
4 tween such appropriations, but no such appropriation, ex-  
5 cept as otherwise specifically provided, shall be increased  
6 by more than 10 percent by any such transfers: *Provided*,  
7 That any transfer pursuant to this section shall be treated  
8 as a reprogramming of funds under section 605 of this  
9 Act and shall not be available for obligation except in com-  
10 pliance with the procedures set forth in that section.

11        SEC. 106. The Attorney General is authorized to ex-  
12 tend through September 30, 2007, the Personnel Manage-  
13 ment Demonstration Project transferred to the Attorney  
14 General pursuant to section 1115 of the Homeland Secu-  
15 rity Act of 2002, Public Law 107–296 (6 U.S.C. 533)  
16 without limitation on the number of employees or the posi-  
17 tions covered.

18        SEC. 107. None of the funds made available in this  
19 Act may be used by the Drug Enforcement Administration  
20 to establish a procurement quota following the approval  
21 of a new drug application or an abbreviated new drug ap-  
22 plication for a controlled substance.

23        SEC. 108. The limitation established in the preceding  
24 section shall not apply to any new drug application or ab-  
25 breviated new drug application for which the Drug En-

1 enforcement Administration has reviewed and provided pub-  
2 lic comments on labeling, promotion, risk management  
3 plans, and any other documents.

4       SEC. 109. Notwithstanding any other provision of  
5 law, Public Law 102–395 section 102(b) shall extend to  
6 the Bureau of Alcohol, Tobacco, Firearms and Explosives  
7 in the conduct of undercover investigative operations and  
8 shall apply without fiscal year limitation with respect to  
9 any undercover investigative operation initiated by the Bu-  
10 reau of Alcohol, Tobacco, Firearms and Explosives that  
11 is necessary for the detection and prosecution of crimes  
12 against the United States.

13       SEC. 110. Any funds provided in this Act under “De-  
14 partment of Justice” used to implement E-Government  
15 Initiatives shall be subject to the procedures set forth in  
16 section 605 of this Act.

17       SEC. 111. None of the funds made available to the  
18 Department of Justice in this Act may be used for the  
19 purpose of transporting an individual who is a prisoner  
20 pursuant to conviction for crime under State or Federal  
21 law and is classified as a maximum or high security pris-  
22 oner, other than to a prison or other facility certified by  
23 the Federal Bureau of Prisons as appropriately secure for  
24 housing such a prisoner.



1 *vided further*, That not less than \$2,000,000 provided  
2 under this heading shall be for expenses authorized by 19  
3 U.S.C. 2451 and 1677b(c).

4 INTERNATIONAL TRADE COMMISSION

5 SALARIES AND EXPENSES

6 For necessary expenses of the International Trade  
7 Commission, including hire of passenger motor vehicles,  
8 and services as authorized by 5 U.S.C. 3109, and not to  
9 exceed \$2,500 for official reception and representation ex-  
10 penses, \$62,752,000, to remain available until expended.

11 DEPARTMENT OF COMMERCE

12 INTERNATIONAL TRADE ADMINISTRATION

13 OPERATIONS AND ADMINISTRATION

14 For necessary expenses for international trade activi-  
15 ties of the Department of Commerce provided for by law,  
16 and for engaging in trade promotional activities abroad,  
17 including expenses of grants and cooperative agreements  
18 for the purpose of promoting exports of United States  
19 firms, without regard to 44 U.S.C. 3702 and 3703; full  
20 medical coverage for dependent members of immediate  
21 families of employees stationed overseas and employees  
22 temporarily posted overseas; travel and transportation of  
23 employees of the United States and Foreign Commercial  
24 Service between two points abroad, without regard to 49  
25 U.S.C. 40118; employment of Americans and aliens by

1 contract for services; rental of space abroad for periods  
2 not exceeding 10 years, and expenses of alteration, repair,  
3 or improvement; purchase or construction of temporary  
4 demountable exhibition structures for use abroad; pay-  
5 ment of tort claims, in the manner authorized in the first  
6 paragraph of 28 U.S.C. 2672 when such claims arise in  
7 foreign countries; not to exceed \$327,000 for official rep-  
8 resentation expenses abroad; purchase of passenger motor  
9 vehicles for official use abroad, not to exceed \$45,000 per  
10 vehicle; obtaining insurance on official motor vehicles; and  
11 rental of tie lines, \$406,925,000, of which \$13,000,000  
12 is to be derived from fees to be retained and used by the  
13 International Trade Administration, notwithstanding 31  
14 U.S.C. 3302: *Provided*, That \$47,434,000 shall be for  
15 Manufacturing and Services; \$39,815,000 shall be for  
16 Market Access and Compliance; \$62,134,000 shall be for  
17 the Import Administration of which not less than  
18 \$3,000,000 is for the Office of China Compliance;  
19 \$231,722,000 shall be for the United States and Foreign  
20 Commercial Service; and \$25,820,000 shall be for Execu-  
21 tive Direction and Administration: *Provided further*, That  
22 the provisions of the first sentence of section 105(f) and  
23 all of section 108(c) of the Mutual Educational and Cul-  
24 tural Exchange Act of 1961 (22 U.S.C. 2455(f) and  
25 2458(c)) shall apply in carrying out these activities with-

1 out regard to section 5412 of the Omnibus Trade and  
2 Competitiveness Act of 1988 (15 U.S.C. 4912); and that  
3 for the purpose of this Act, contributions under the provi-  
4 sions of the Mutual Educational and Cultural Exchange  
5 Act of 1961 shall include payment for assessments for  
6 services provided as part of these activities.

7 BUREAU OF INDUSTRY AND SECURITY

8 OPERATIONS AND ADMINISTRATION

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

1 \$77,000,000, to remain available until expended, of which  
2 \$14,767,000 shall be for inspections and other activities  
3 related to national security: *Provided*, That the provisions  
4 of the first sentence of section 105(f) and all of section  
5 108(c) of the Mutual Educational and Cultural Exchange  
6 Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply  
7 in carrying out these activities: *Provided further*, That  
8 payments and contributions collected and accepted for ma-  
9 terials or services provided as part of such activities may  
10 be retained for use in covering the cost of such activities,  
11 and for providing information to the public with respect  
12 to the export administration and national security activi-  
13 ties of the Department of Commerce and other export con-  
14 trol programs of the United States and other govern-  
15 ments.

16 ECONOMIC DEVELOPMENT ADMINISTRATION

17 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

18 For grants for economic development assistance as  
19 provided by the Public Works and Economic Development  
20 Act of 1965, and for trade adjustment assistance,  
21 \$200,985,000, to remain available until expended.

22 SALARIES AND EXPENSES

23 For necessary expenses of administering the eco-  
24 nomic development assistance programs as provided for by  
25 law, \$26,584,000: *Provided*, That these funds may be used  
26 to monitor projects approved pursuant to title I of the

1 Public Works Employment Act of 1976, title II of the  
2 Trade Act of 1974, and the Community Emergency  
3 Drought Relief Act of 1977.

4 MINORITY BUSINESS DEVELOPMENT AGENCY

5 MINORITY BUSINESS DEVELOPMENT

6 For necessary expenses of the Department of Com-  
7 merce in fostering, promoting, and developing minority  
8 business enterprise, including expenses of grants, con-  
9 tracts, and other agreements with public or private organi-  
10 zations, \$30,024,000.

11 ECONOMIC AND INFORMATION INFRASTRUCTURE

12 ECONOMIC AND STATISTICAL ANALYSIS

13 SALARIES AND EXPENSES

14 For necessary expenses, as authorized by law, of eco-  
15 nomic and statistical analysis programs of the Department  
16 of Commerce, \$80,304,000, to remain available until Sep-  
17 tember 30, 2007.

18 BUREAU OF THE CENSUS

19 SALARIES AND EXPENSES

20 For expenses necessary for collecting, compiling, ana-  
21 lyzing, preparing, and publishing statistics, provided for  
22 by law, \$208,029,000.

23 PERIODIC CENSUSES AND PROGRAMS

24 For necessary expenses related to the 2010 decennial  
25 census, \$463,596,000, to remain available until September  
26 30, 2007: *Provided*, That of the total amount available re-

1 lated to the 2010 decennial census, \$213,849,000 is for  
2 the Re-engineered Design Process for the Short-Form  
3 Only Census, \$169,948,000 is for the American Commu-  
4 nity Survey, and \$79,799,000 is for the Master Address  
5 File/Topologically Integrated Geographic Encoding and  
6 Referencing (MAF/TIGER) system.

7       In addition, for expenses to collect and publish statis-  
8 ties for other periodic censuses and programs provided for  
9 by law, \$160,612,000, to remain available until September  
10 30, 2007, of which \$72,928,000 is for economic statistics  
11 programs and \$87,684,000 is for demographic statistics  
12 programs: *Provided*, That regarding construction of a fa-  
13 cility at the Suitland Federal Center, quarterly reports re-  
14 garding the expenditure of funds and project planning, de-  
15 sign and cost decisions shall be provided by the Bureau,  
16 in cooperation with the General Services Administration,  
17 to the Committees on Appropriations of the Senate and  
18 the House of Representatives: *Provided further*, That none  
19 of the funds provided in this or any other Act under the  
20 heading “Bureau of the Census, Periodic Censuses and  
21 Programs” shall be used to fund the construction and ten-  
22 ant build-out costs of a facility at the Suitland Federal  
23 Center: *Provided further*, That none of the funds provided  
24 in this or any other Act for any fiscal year may be used

1 for the collection of Census data on race identification that  
2 does not include “some other race” as a category.

3 NATIONAL TELECOMMUNICATIONS AND INFORMATION

4 ADMINISTRATION

5 SALARIES AND EXPENSES

6 For necessary expenses, as provided for by law, of  
7 the National Telecommunications and Information Ad-  
8 ministration (NTIA), \$17,716,000: *Provided*, That, not-  
9 withstanding 31 U.S.C. 1535(d), the Secretary of Com-  
10 merce shall charge Federal agencies for costs incurred in  
11 spectrum management, analysis, and operations, and re-  
12 lated services and such fees shall be retained and used  
13 as offsetting collections for costs of such spectrum serv-  
14 ices, to remain available until expended: *Provided further*,  
15 That the Secretary of Commerce is authorized to retain  
16 and use as offsetting collections all funds transferred, or  
17 previously transferred, from other Government agencies  
18 for all costs incurred in telecommunications research, en-  
19 gineering, and related activities by the Institute for Tele-  
20 communication Sciences of NTIA, in furtherance of its as-  
21 signed functions under this paragraph, and such funds re-  
22 ceived from other Government agencies shall remain avail-  
23 able until expended.

1 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING  
2 AND CONSTRUCTION

3 For the administration of the program as authorized  
4 by section 392 of the Communications Act of 1934,  
5 \$2,000,000, to remain available until expended as author-  
6 ized by section 391 of the Act.

7 UNITED STATES PATENT AND TRADEMARK OFFICE  
8 SALARIES AND EXPENSES

9 For necessary expenses of the United States Patent  
10 and Trademark Office provided for by law, including de-  
11 fense of suits instituted against the Under Secretary of  
12 Commerce for Intellectual Property and Director of the  
13 United States Patent and Trademark Office,  
14 \$1,703,300,000, to remain available until expended: *Pro-*  
15 *vided*, That the sum herein appropriated from the general  
16 fund shall be reduced as offsetting collections assessed and  
17 collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41  
18 and 376 are received during fiscal year 2006, so as to re-  
19 sult in a fiscal year 2006 appropriation from the general  
20 fund estimated at \$0: *Provided further*, That during fiscal  
21 year 2006, should the total amount of offsetting fee collec-  
22 tions be less than \$1,703,300,000, this amount shall be  
23 reduced accordingly: *Provided further*, That not less than  
24 657 full-time equivalents, 690 positions and \$85,017,000  
25 shall be for the examination of trademark applications;

1 and not less than 6,050 full-time equivalents, 6,304 posi-  
2 tions and \$926,356,000 shall be for the examination and  
3 searching of patent applications: *Provided further*, That  
4 not more than 265 full-time equivalents, 272 positions and  
5 \$37,490,000 shall be for the Office of the General Coun-  
6 sel: *Provided further*, That not more than 82 full-time  
7 equivalents, 83 positions and \$25,393,000 shall be for the  
8 Office of the Administrator for External Affairs: *Provided*  
9 *further*, That from amounts provided herein, not to exceed  
10 \$1,000 shall be made available in fiscal year 2006 for offi-  
11 cial reception and representation expenses: *Provided fur-*  
12 *ther*, That notwithstanding section 1353 of title 31,  
13 United States Code, no employee of the United States  
14 Patent and Trademark Office may accept payment or re-  
15 imbursement from a non-Federal entity for travel, subsist-  
16 ence, or related expenses for the purpose of enabling an  
17 employee to attend and participate in a convention, con-  
18 ference, or meeting when the entity offering payment or  
19 reimbursement is a person or corporation subject to regu-  
20 lation by the Office, or represents a person or corporation  
21 subject to regulation by the Office, unless the person or  
22 corporation is an organization exempt from taxation pur-  
23 suant to section 501(c)(3) of the Internal Revenue Code  
24 of 1986: *Provided further*, That in fiscal year 2006, from  
25 the amounts made available for “Salaries and Expenses”

1 for the United States Patent and Trademark Office  
2 (PTO), the amounts necessary to pay: (1) the difference  
3 between the percentage of basic pay contributed by the  
4 PTO and employees under section 8334(a) of title 5,  
5 United States Code, and the normal cost percentage (as  
6 defined by section 8331(17) of that title) of basic pay, of  
7 employees subject to subchapter III of chapter 83 of that  
8 title; and (2) the present value of the otherwise unfunded  
9 accruing costs, as determined by the Office of Personnel  
10 Management, of post-retirement life insurance and post-  
11 retirement health benefits coverage for all PTO employees,  
12 shall be transferred to the Civil Service Retirement and  
13 Disability Fund, the Employees Life Insurance Fund, and  
14 the Employees Health Benefits Fund, as appropriate, and  
15 shall be available for the authorized purposes of those ac-  
16 counts.

17 SCIENCE AND TECHNOLOGY

18 TECHNOLOGY ADMINISTRATION

19 SALARIES AND EXPENSES

20 For necessary expenses for the Under Secretary for  
21 Technology Office of Technology Policy, \$6,460,000.

22 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

23 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

24 For necessary expenses of the National Institute of  
25 Standards and Technology, \$397,744,000, to remain

1 available until expended, of which not to exceed \$760,000  
2 may be transferred to the “Working Capital Fund”.

3 MANUFACTURING EXTENSION PARTNERSHIPS

4 For necessary expenses of Manufacturing Extension  
5 Partnerships of the National Institute of Standards and  
6 Technology, \$106,000,000, to remain available until ex-  
7 pended.

8 CONSTRUCTION OF RESEARCH FACILITIES

9 For construction of new research facilities, including  
10 architectural and engineering design, and for renovation  
11 and maintenance of existing facilities, not otherwise pro-  
12 vided for the National Institute of Standards and Tech-  
13 nology, as authorized by 15 U.S.C. 278c-278e,  
14 \$45,000,000, to remain available until expended.

15 NATIONAL OCEANIC AND ATMOSPHERIC

16 ADMINISTRATION

17 OPERATIONS, RESEARCH, AND FACILITIES

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses of activities authorized by law  
20 for the National Oceanic and Atmospheric Administration,  
21 including maintenance, operation, and hire of aircraft and  
22 vessels; grants, contracts, or other payments to nonprofit  
23 organizations for the purposes of conducting activities  
24 pursuant to cooperative agreements; and relocation of fa-  
25 cilities, \$2,444,000,000, to remain available until Sep-  
26 tember 30, 2007: *Provided*, That fees and donations re-

1 ceived by the National Ocean Service for the management  
2 of national marine sanctuaries may be retained and used  
3 for the salaries and expenses associated with those activi-  
4 ties, notwithstanding 31 U.S.C. 3302: *Provided further,*  
5 That in addition, \$3,000,000 shall be derived by transfer  
6 from the fund entitled “Coastal Zone Management” and  
7 in addition \$77,000,000 shall be derived by transfer from  
8 the fund entitled “Promote and Develop Fishery Products  
9 and Research Pertaining to American Fisheries”: *Pro-*  
10 *vided further,* That of the \$2,543,000,000 provided for in  
11 direct obligations under this heading \$2,444,000,000 is  
12 appropriated from the General Fund, \$80,000,000 is pro-  
13 vided by transfer, and \$19,000,000 is derived from  
14 deobligations from prior years: *Provided further,* That no  
15 general administrative charge shall be applied against an  
16 assigned activity included in this Act or the report accom-  
17 panying this Act: *Provided further,* That the total amount  
18 available for the National Oceanic and Atmospheric Ad-  
19 ministration corporate services administrative support  
20 costs shall not exceed \$189,010,000: *Provided further,*  
21 That payments of funds made available under this heading  
22 to the Department of Commerce Working Capital Fund  
23 including Department of Commerce General Counsel legal  
24 services shall not exceed \$40,700,000: *Provided further,*  
25 That any deviation from the amounts designated for spe-

1 cific activities in the report accompanying this Act, or any  
2 use of deobligated balances of funds provided under this  
3 heading in previous years, shall be subject to the proce-  
4 dures set forth in section 605 of this Act.

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

11 PROCUREMENT, ACQUISITION AND CONSTRUCTION

12 For procurement, acquisition and construction of  
13 capital assets, including alteration and modification costs,  
14 of the National Oceanic and Atmospheric Administration,  
15 \$936,000,000 to remain available until September 30,  
16 2008: *Provided*, That of the amounts provided for the Na-  
17 tional Polar-orbiting Operational Environmental Satellite  
18 System, funds shall only be made available on a dollar for  
19 dollar matching basis with funds provided for the same  
20 purpose by the Department of Defense: *Provided further*,  
21 That except to the extent expressly prohibited by any  
22 other law, the Department of Defense may delegate pro-  
23 curement functions related to the National Polar-orbiting  
24 Operational Environmental Satellite System to officials of  
25 the Department of Commerce pursuant to section 2311  
26 of title 10, United States Code: *Provided further*, That any

1 deviation from the amounts designated for specific activi-  
2 ties in the report accompanying this Act, or any use of  
3 deobligated balances of funds provided under this heading  
4 in previous years, shall be subject to the procedures set  
5 forth in section 605 of this Act: *Provided further*, That  
6 none of the funds provided in this Act or any other Act  
7 under the heading “National Oceanic and Atmospheric  
8 Administration, Procurement, Acquisition and Construc-  
9 tion” shall be used to fund the General Services Adminis-  
10 tration’s standard construction and tenant build-out costs  
11 of a facility at the Suitland Federal Center.

12                   PACIFIC COASTAL SALMON RECOVERY

13       For necessary expenses associated with the restora-  
14 tion of Pacific salmon populations, \$50,000,000: *Provided*,  
15 That this amount shall be available to fund grants to the  
16 States of Washington, Oregon, Idaho, California, and  
17 Alaska, and to the Columbia River and Pacific Coastal  
18 Tribes for projects necessary for restoration of salmon and  
19 steelhead populations that are listed as threatened or en-  
20 dangered, or identified by a State as at-risk to be so-listed,  
21 for maintaining populations necessary for exercise of tribal  
22 treaty fishing rights or native subsistence fishing, or for  
23 conservation of Pacific coastal salmon and steelhead habi-  
24 tat: *Provided further*, That funds disbursed to States shall  
25 be subject to a matching requirement of funds or docu-  
26 mented in-kind contributions of at least thirty-three per-

1 cent of the Federal funds: *Provided further*, That, in order  
2 to fulfill the matching requirement in the previous proviso,  
3 non-Federal contributions of funds pursuant to the pre-  
4 vious proviso must be used in direct support of this pro-  
5 gram.

6 COASTAL ZONE MANAGEMENT FUND

7 Of amounts collected pursuant to section 308 of the  
8 Coastal Zone Management Act of 1972 (16 U.S.C.  
9 1456a), not to exceed \$3,000,000 shall be transferred to  
10 the “Operations, Research, and Facilities” account to off-  
11 set the costs of implementing such Act.

12 FISHERIES FINANCE PROGRAM ACCOUNT

13 For the costs of direct loans, \$60,000, as authorized  
14 by the Merchant Marine Act of 1936: *Provided*, That such  
15 costs, including the cost of modifying such loans, shall be  
16 as defined in the Federal Credit Reform Act of 1990: *Pro-*  
17 *vided further*, That these funds are only available to sub-  
18 sidize gross obligations for the principal amount of direct  
19 loans not to exceed \$5,000,000 for Individual Fishing  
20 Quota loans, and not to exceed \$18,900,000 for fishing  
21 capacity reduction loans: *Provided further*, That none of  
22 the funds made available under this heading may be used  
23 for direct loans for any new fishing vessel that will in-  
24 crease the harvesting capacity in any United States fish-  
25 ery.

1 OTHER  
2 DEPARTMENTAL MANAGEMENT  
3 SALARIES AND EXPENSES

4 For expenses necessary for the departmental manage-  
5 ment of the Department of Commerce provided for by law,  
6 including not to exceed \$5,000 for official entertainment,  
7 \$47,466,000: *Provided*, That not to exceed 12 full-time  
8 equivalents and \$1,621,000 shall be expended for the leg-  
9 islative affairs function of the Department.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector  
12 General in carrying out the provisions of the Inspector  
13 General Act of 1978 (5 U.S.C. App.), \$22,758,000.

14 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

15 SEC. 201. During the current fiscal year, applicable  
16 appropriations and funds made available to the Depart-  
17 ment of Commerce by this Act shall be available for the  
18 activities specified in the Act of October 26, 1949 (15  
19 U.S.C. 1514), to the extent and in the manner prescribed  
20 by the Act, and, notwithstanding 31 U.S.C. 3324, may  
21 be used for advanced payments not otherwise authorized  
22 only upon the certification of officials designated by the  
23 Secretary of Commerce that such payments are in the  
24 public interest.

25 SEC. 202. During the current fiscal year, appropria-  
26 tions made available to the Department of Commerce by

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

6       SEC. 203. Not to exceed 5 percent of any appropria-  
7 tion made available for the current fiscal year for the De-  
8 partment of Commerce in this Act may be transferred be-  
9 tween such appropriations, but no such appropriation shall  
10 be increased by more than 10 percent by any such trans-  
11 fers: *Provided*, That any transfer pursuant to this section  
12 shall be treated as a reprogramming of funds under sec-  
13 tion 605 of this Act and shall not be available for obliga-  
14 tion or expenditure except in compliance with the proce-  
15 dures set forth in that section: *Provided further*, That the  
16 Secretary of Commerce shall notify the Committees on Ap-  
17 propriations at least 15 days in advance of the acquisition  
18 or disposal of any capital asset (including land, structures,  
19 and equipment) not specifically provided for in this or any  
20 other Departments of Commerce, Justice, and State, the  
21 Judiciary, and Related Agencies Appropriations Act.

22       SEC. 204. Any costs incurred by a department or  
23 agency funded under this title resulting from personnel  
24 actions taken in response to funding reductions included  
25 in this title or from actions taken for the care and protec-

1 tion of loan collateral or grant property shall be absorbed  
2 within the total budgetary resources available to such de-  
3 partment or agency: *Provided*, That the authority to trans-  
4 fer funds between appropriations accounts as may be nec-  
5 essary to carry out this section is provided in addition to  
6 authorities included elsewhere in this Act: *Provided fur-*  
7 *ther*, That use of funds to carry out this section shall be  
8 treated as a reprogramming of funds under section 605  
9 of this Act and shall not be available for obligation or ex-  
10 penditure except in compliance with the procedures set  
11 forth in that section.

12 SEC. 205. Any funds provided in this Act under “De-  
13 partment of Commerce” used to implement E-Government  
14 Initiatives shall be subject to the procedures set forth in  
15 section 605 of this Act.

16 This title may be cited as the “Department of Com-  
17 merce and Related Agencies Appropriations Act, 2006”.

### 18 TITLE III—SCIENCE

#### 19 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

20 For necessary expenses of the Office of Science and  
21 Technology Policy, in carrying out the purposes of the Na-  
22 tional Science and Technology Policy, Organization, and  
23 Priorities Act of 1976 (42 U.S.C. 6601–6671), hire of  
24 passenger motor vehicles, and services as authorized by  
25 5 U.S.C. 3109, not to exceed \$2,500 for official reception

1 and representation expenses, and rental of conference  
2 rooms in the District of Columbia, \$5,564,000.

3 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION  
4 SCIENCE, AERONAUTICS AND EXPLORATION  
5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses, not otherwise provided for,  
7 in the conduct and support of science, aeronautics and ex-  
8 ploration research and development activities, including  
9 research, development, operations, support and services;  
10 maintenance; construction of facilities including repair, re-  
11 habilitation, revitalization, and modification of facilities,  
12 construction of new facilities and additions to existing fa-  
13 cilities, facility planning and design, and restoration, and  
14 acquisition or condemnation of real property, as author-  
15 ized by law; environmental compliance and restoration;  
16 space flight, spacecraft control and communications activi-  
17 ties including operations, production, and services; pro-  
18 gram management; personnel and related costs, including  
19 uniforms or allowances therefor, as authorized by 5 U.S.C.  
20 5901–5902; travel expenses; purchase and hire of pas-  
21 senger motor vehicles; not to exceed \$35,000 for official  
22 reception and representation expenses; and purchase,  
23 lease, charter, maintenance and operation of mission and  
24 administrative aircraft, \$9,725,750,000, to remain avail-  
25 able until September 30, 2007, of which amounts as deter-  
26 mined by the Administrator for salaries and benefits;

1 training, travel and awards; facility and related costs; in-  
2 formation technology services; science, engineering, fabri-  
3 cating and testing services; and other administrative serv-  
4 ices may be transferred to “Exploration Capabilities” in  
5 accordance with section 312(b) of the National Aero-  
6 nautics and Space Act of 1958, as amended by Public Law  
7 106–377: *Provided*, That any funds provided under this  
8 heading used to implement E-Government Initiatives shall  
9 be subject to the procedures set forth in section 605 of  
10 this Act.

11 EXPLORATION CAPABILITIES

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses, not otherwise provided for,  
14 in the conduct and support of exploration capabilities re-  
15 search and development activities, including research, de-  
16 velopment, operations, support and services; maintenance;  
17 construction of facilities including repair, rehabilitation,  
18 revitalization and modification of facilities, construction of  
19 new facilities and additions to existing facilities, facility  
20 planning and design, and acquisition or condemnation of  
21 real property, as authorized by law; environmental compli-  
22 ance and restoration; space flight, spacecraft control and  
23 communications activities including operations, produc-  
24 tion, and services; program management; personnel and  
25 related costs, including uniforms or allowances therefor,  
26 as authorized by 5 U.S.C. 5901–5902; travel expenses;

1 purchase and hire of passenger motor vehicles; not to ex-  
2 ceed \$35,000 for official reception and representation ex-  
3 penses; and purchase, lease, charter, maintenance and op-  
4 eration of mission and administrative aircraft,  
5 \$6,712,900,000, to remain available until September 30,  
6 2007, of which amounts as determined by the Adminis-  
7 trator for salaries and benefits; training, travel and  
8 awards; facility and related costs; information technology  
9 services; science, engineering, fabricating and testing serv-  
10 ices; and other administrative services may be transferred  
11 to “Science, Aeronautics and Exploration” in accordance  
12 with section 312(b) of the National Aeronautics and Space  
13 Act of 1958, as amended by Public Law 106–377: *Pro-*  
14 *vided*, That any funds provided under this heading used  
15 to implement E-Government Initiatives shall be subject to  
16 the procedures set forth in section 605 of this Act.

17 OFFICE OF INSPECTOR GENERAL

18 For necessary expenses of the Office of Inspector  
19 General in carrying out the Inspector General Act of 1978,  
20 as amended, \$32,400,000.

21 ADMINISTRATIVE PROVISIONS

22 Notwithstanding the limitation on the availability of  
23 funds appropriated for “Science, Aeronautics and Explo-  
24 ration”, or “Exploration Capabilities” by this appropria-  
25 tions Act, when any activity has been initiated by the in-  
26 currence of obligations for construction of facilities or en-

1 vironmental compliance and restoration activities as au-  
2 thorized by law, such amount available for such activity  
3 shall remain available until expended. This provision does  
4 not apply to the amounts appropriated for institutional  
5 minor revitalization and construction of facilities, and in-  
6 stitutional facility planning and design.

7       Notwithstanding the limitation on the availability of  
8 funds appropriated for “Science, Aeronautics and Explo-  
9 ration”, or “Exploration Capabilities” by this appropria-  
10 tions Act, the amounts appropriated for construction of  
11 facilities shall remain available until September 30, 2008.

12       From amounts made available in this Act for these  
13 activities, subject to the operating plan procedures of the  
14 House and Senate Committees on Appropriations, the Ad-  
15 ministrator may transfer amounts between the “Science,  
16 Aeronautics, and Exploration” account and the “Explo-  
17 ration Capabilities” account during fiscal year 2006.

18       Funds for announced prizes otherwise authorized  
19 shall remain available, without fiscal year limitation, until  
20 the prize is claimed or the offer is withdrawn.

21       Funding made available under the headings “Explo-  
22 ration Capabilities” and “Science, Aeronautics, and Ex-  
23 ploration” in this Act shall be governed by the terms and  
24 conditions specified in the statement of managers accom-  
25 panying the conference report for this Act.

## 1 NATIONAL SCIENCE FOUNDATION

## 2 RESEARCH AND RELATED ACTIVITIES

3 For necessary expenses in carrying out the National  
4 Science Foundation Act of 1950, as amended (42 U.S.C.  
5 1861–1875), and the Act to establish a National Medal  
6 of Science (42 U.S.C. 1880–1881); services as authorized  
7 by 5 U.S.C. 3109; maintenance and operation of aircraft  
8 and purchase of flight services for research support; ac-  
9 quisition of aircraft; \$4,377,520,000 to remain available  
10 until September 30, 2007, of which not to exceed  
11 \$425,000,000 shall remain available until expended for  
12 Polar research and operations support, and for reim-  
13 bursement to other Federal agencies for operational and  
14 science support and logistical and other related activities  
15 for the United States Antarctic program: *Provided*, That  
16 from amounts specified for Polar research and operations  
17 support, the National Science Foundation may reimburse  
18 the Coast Guard for such sums as determined by the Di-  
19 rector of the National Science Foundation to be nec-  
20 essary to support the Foundation’s mission requirements:  
21 *Provided further*, That any reimbursement pursuant to  
22 the previous proviso shall be treated as a reprogramming  
23 under section 605 of this Act and shall not be available  
24 for obligation or expenditure except in compliance with  
25 the procedures set forth in that section: *Provided further*,

1 That receipts for scientific support services and materials  
2 furnished by the National Research Centers and other  
3 National Science Foundation supported research facilities  
4 may be credited to this appropriation: *Provided further*,  
5 That funds under this heading may be available for inno-  
6 vation inducement prizes.

7 MAJOR RESEARCH EQUIPMENT AND FACILITIES

8 CONSTRUCTION

9 For necessary expenses for the acquisition, construc-  
10 tion, commissioning, and upgrading of major research  
11 equipment, facilities, and other such capital assets pursu-  
12 ant to the National Science Foundation Act of 1950, as  
13 amended, including authorized travel, \$193,350,000, to  
14 remain available until expended.

15 EDUCATION AND HUMAN RESOURCES

16 For necessary expenses in carrying out science and  
17 engineering education and human resources programs  
18 and activities pursuant to the National Science Founda-  
19 tion Act of 1950, as amended (42 U.S.C. 1861–1875),  
20 including services as authorized by 5 U.S.C. 3109, and  
21 rental of conference rooms in the District of Columbia,  
22 \$807,000,000, to remain available until September 30,  
23 2007.

24 SALARIES AND EXPENSES

25 For salaries and expenses necessary in carrying out  
26 the National Science Foundation Act of 1950, as amended

1 (42 U.S.C. 1861–1875); services authorized by 5 U.S.C.  
2 3109; hire of passenger motor vehicles; not to exceed  
3 \$9,000 for official reception and representation expenses;  
4 uniforms or allowances therefor, as authorized by 5 U.S.C.  
5 5901–5902; rental of conference rooms in the District of  
6 Columbia; and reimbursement of the General Services Ad-  
7 ministration for security guard services; \$250,000,000:  
8 *Provided*, That contracts may be entered into under “Sala-  
9 ries and Expenses” in fiscal year 2006 for maintenance  
10 and operation of facilities, and for other services, to be  
11 provided during the next fiscal year.

12 OFFICE OF THE NATIONAL SCIENCE BOARD

13 For necessary expenses (including payment of sala-  
14 ries, authorized travel, hire of passenger motor vehicles,  
15 the rental of conference rooms in the District of Colum-  
16 bia, and the employment of experts and consultants  
17 under section 3109 of title 5, United States Code) in-  
18 volved in carrying out section 4 of the National Science  
19 Foundation Act of 1950 (42 U.S.C. 1863) and Public  
20 Law 86–209 (42 U.S.C. 1880 et seq.), \$4,000,000: *Pro-*  
21 *vided*, That not more than \$9,000 shall be available for  
22 official reception and representation expenses.

23 OFFICE OF INSPECTOR GENERAL

24 For necessary expenses of the Office of Inspector  
25 General as authorized by the Inspector General Act of

1 1978, as amended, \$11,500,000, to remain available until  
2 September 30, 2007.

3 This title may be cited as the “Science Appropria-  
4 tions Act, 2006”.

5 TITLE IV—DEPARTMENT OF STATE AND  
6 RELATED AGENCY

7 DEPARTMENT OF STATE

8 ADMINISTRATION OF FOREIGN AFFAIRS

9 DIPLOMATIC AND CONSULAR PROGRAMS

10 For necessary expenses of the Department of State  
11 and the Foreign Service not otherwise provided for, includ-  
12 ing employment, without regard to civil service and classi-  
13 fication laws, of persons on a temporary basis (not to ex-  
14 ceed \$700,000 of this appropriation), as authorized by  
15 section 801 of the United States Information and Edu-  
16 cational Exchange Act of 1948; representation to certain  
17 international organizations in which the United States  
18 participates pursuant to treaties ratified pursuant to the  
19 advice and consent of the Senate or specific Acts of Con-  
20 gress; arms control, nonproliferation and disarmament ac-  
21 tivities as authorized; acquisition by exchange or purchase  
22 of passenger motor vehicles as authorized by law; and for  
23 expenses of general administration, \$3,747,118,000: *Pro-*  
24 *vided*, That not to exceed 71 permanent positions and  
25 \$9,804,000 shall be for the Bureau of Legislative Affairs:

1 *Provided further*, That, of the amount made available  
2 under this heading, not to exceed \$4,000,000 may be  
3 transferred to, and merged with, funds in the “Emer-  
4 gencies in the Diplomatic and Consular Service” appro-  
5 priations account, to be available only for emergency evac-  
6 uations and terrorism rewards: *Provided further*, That, of  
7 the amount made available under this heading,  
8 \$340,000,000 shall be available only for public diplomacy  
9 international information programs: *Provided further*,  
10 That of the amount made available under this heading,  
11 \$3,000,000 shall be available only for the operations of  
12 the Office on Right-Sizing the United States Government  
13 Overseas Presence: *Provided further*, That funds available  
14 under this heading may be available for a United States  
15 Government interagency task force to examine, coordinate  
16 and oversee United States participation in the United Na-  
17 tions headquarters renovation project: *Provided further*,  
18 That no funds may be obligated or expended for proc-  
19 essing licenses for the export of satellites of United States  
20 origin (including commercial satellites and satellite compo-  
21 nents) to the People’s Republic of China unless, at least  
22 15 days in advance, the Committees on Appropriations of  
23 the House of Representatives and the Senate are notified  
24 of such proposed action.



## 1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector  
3 General, \$29,983,000, notwithstanding section 209(a)(1)  
4 of the Foreign Service Act of 1980 (Public Law 96-465),  
5 as it relates to post inspections.

## 6 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

7 For expenses of educational and cultural exchange  
8 programs, as authorized, \$410,400,000, to remain avail-  
9 able until expended: *Provided*, That not to exceed  
10 \$2,000,000, to remain available until expended, may be  
11 credited to this appropriation from fees or other payments  
12 received from or in connection with English teaching, edu-  
13 cational advising and counseling programs, and exchange  
14 visitor programs as authorized.

## 15 REPRESENTATION ALLOWANCES

16 For representation allowances as authorized,  
17 \$8,281,000.

## 18 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

19 For expenses, not otherwise provided, to enable the  
20 Secretary of State to provide for extraordinary protective  
21 services, as authorized, \$9,390,000, to remain available  
22 until September 30, 2007.

## 23 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

24 For necessary expenses for carrying out the Foreign  
25 Service Buildings Act of 1926 (22 U.S.C. 292-303), pre-  
26 serving, maintaining, repairing, and planning for buildings

1 that are owned or directly leased by the Department of  
2 State, renovating, in addition to funds otherwise available,  
3 the Harry S Truman Building, and carrying out the Dip-  
4 lomatic Security Construction Program as authorized,  
5 \$603,510,000, to remain available until expended as au-  
6 thorized, of which not to exceed \$25,000 may be used for  
7 domestic and overseas representation as authorized: *Pro-*  
8 *vided*, That none of the funds appropriated in this para-  
9 graph shall be available for acquisition of furniture, fur-  
10 nishings, or generators for other departments and agen-  
11 cies.

12 In addition, for the costs of worldwide security up-  
13 grades, acquisition, and construction as authorized,  
14 \$910,200,000, to remain available until expended.

15 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR

16 SERVICE

17 For expenses necessary to enable the Secretary of  
18 State to meet unforeseen emergencies arising in the Diplo-  
19 matic and Consular Service, \$10,000,000, to remain avail-  
20 able until expended as authorized, of which not to exceed  
21 \$1,000,000 may be transferred to and merged with the  
22 Repatriation Loans Program Account, subject to the same  
23 terms and conditions.

24 REPATRIATION LOANS PROGRAM ACCOUNT

25 For the cost of direct loans, \$712,000, as authorized:  
26 *Provided*, That such costs, including the cost of modifying

1 such loans, shall be as defined in section 502 of the Con-  
2 gressional Budget Act of 1974. In addition, for adminis-  
3 trative expenses necessary to carry out the direct loan pro-  
4 gram, \$607,000, which may be transferred to and merged  
5 with the Diplomatic and Consular Programs account  
6 under Administration of Foreign Affairs.

7 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

8 For necessary expenses to carry out the Taiwan Rela-  
9 tions Act (Public Law 96–8), \$19,751,000.

10 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND  
11 DISABILITY FUND

12 For payment to the Foreign Service Retirement and  
13 Disability Fund, as authorized by law, \$131,700,000.

14 INTERNATIONAL ORGANIZATIONS

15 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

16 For expenses, not otherwise provided for, necessary  
17 to meet annual obligations of membership in international  
18 multilateral organizations, pursuant to treaties ratified  
19 pursuant to the advice and consent of the Senate, conven-  
20 tions or specific Acts of Congress, \$1,166,212,000: *Pro-*  
21 *vided*, That the Secretary of State shall, at the time of  
22 the submission of the President’s budget to Congress  
23 under section 1105(a) of title 31, United States Code,  
24 transmit to the Committees on Appropriations of the Sen-  
25 ate and of the House of Representatives the most recent  
26 biennial budget prepared by the United Nations for the

1 operations of the United Nations: *Provided further*, That  
2 the Secretary of State shall notify the Committees on Ap-  
3 propriations at least 15 days in advance (or in an emer-  
4 gency, as far in advance as is practicable) of any United  
5 Nations action to increase funding for any United Nations  
6 program without identifying an offsetting decrease else-  
7 where in the United Nations budget and cause the United  
8 Nations budget for the biennium 2006–2007 to exceed the  
9 revised United Nations budget level for the biennium  
10 2004–2005 of \$3,695,480,000: *Provided further*, That any  
11 payment of arrearages under this title shall be directed  
12 toward special activities that are mutually agreed upon by  
13 the United States and the respective international organi-  
14 zation: *Provided further*, That none of the funds appro-  
15 priated in this paragraph shall be available for a United  
16 States contribution to an international organization for  
17 the United States share of interest costs made known to  
18 the United States Government by such organization for  
19 loans incurred on or after October 1, 1984, through exter-  
20 nal borrowings.

21 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

22 ACTIVITIES

23 For necessary expenses to pay assessed and other ex-  
24 penses of international peacekeeping activities directed to  
25 the maintenance or restoration of international peace and  
26 security, \$1,035,500,000, of which 15 percent shall re-

1 main available until September 30, 2007: *Provided*, That  
2 none of the funds made available under this Act shall be  
3 obligated or expended for any new or expanded United  
4 Nations peacekeeping mission unless, at least 15 days in  
5 advance of voting for the new or expanded mission in the  
6 United Nations Security Council (or in an emergency as  
7 far in advance as is practicable): (1) the Committees on  
8 Appropriations of the House of Representatives and the  
9 Senate and other appropriate committees of the Congress  
10 are notified of the estimated cost and length of the mis-  
11 sion, the vital national interest that will be served, and  
12 the planned exit strategy; (2) the Committees on Appro-  
13 priations of the House of Representatives and the Senate  
14 and other appropriate committees of the Congress are no-  
15 tified that the United Nations has taken appropriate  
16 measures to prevent United Nations employees, contractor  
17 personnel, and peacekeeping forces serving in any United  
18 Nations peacekeeping mission from trafficking in persons,  
19 exploiting victims of trafficking, or committing acts of ille-  
20 gal sexual exploitation, and to hold accountable any such  
21 individuals who engage in any such acts while partici-  
22 pating in the peacekeeping mission; and (3) a reprogram-  
23 ming of funds pursuant to section 605 of this Act is sub-  
24 mitted, and the procedures therein followed, setting forth  
25 the source of funds that will be used to pay for the cost

1 of the new or expanded mission: *Provided further*, That  
2 funds shall be available for peacekeeping expenses only  
3 upon a certification by the Secretary of State to the appro-  
4 priate committees of the Congress that American manu-  
5 facturers and suppliers are being given opportunities to  
6 provide equipment, services, and material for United Na-  
7 tions peacekeeping activities equal to those being given to  
8 foreign manufacturers and suppliers: *Provided further*,  
9 That none of the funds made available under this heading  
10 are available to pay the United States share of the cost  
11 of court monitoring that is part of any United Nations  
12 peacekeeping mission.

13                   INTERNATIONAL COMMISSIONS

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

17       INTERNATIONAL BOUNDARY AND WATER COMMISSION,  
18                   UNITED STATES AND MEXICO

19       For necessary expenses for the United States Section  
20 of the International Boundary and Water Commission,  
21 United States and Mexico, and to comply with laws appli-  
22 cable to the United States Section, including not to exceed  
23 \$6,000 for representation; as follows:

24                   SALARIES AND EXPENSES

25       For salaries and expenses, not otherwise provided for,  
26 \$27,000,000.

## 1 CONSTRUCTION

2 For detailed plan preparation and construction of au-  
3 thorized projects, \$5,300,000, to remain available until ex-  
4 pended, as authorized.

## 5 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

6 For necessary expenses, not otherwise provided, for  
7 the International Joint Commission and the International  
8 Boundary Commission, United States and Canada, as au-  
9 thorized by treaties between the United States and Can-  
10 ada or Great Britain, and for the Border Environment  
11 Cooperation Commission as authorized by Public Law  
12 103-182, \$9,500,000, of which not to exceed \$9,000 shall  
13 be available for representation expenses incurred by the  
14 International Joint Commission.

## 15 INTERNATIONAL FISHERIES COMMISSIONS

16 For necessary expenses for international fisheries  
17 commissions, not otherwise provided for, as authorized by  
18 law, \$22,000,000: *Provided*, That the United States' share  
19 of such expenses may be advanced to the respective com-  
20 missions pursuant to 31 U.S.C. 3324.

## 21 OTHER

## 22 PAYMENT TO THE ASIA FOUNDATION

23 For a grant to the Asia Foundation, as authorized  
24 by the Asia Foundation Act (22 U.S.C. 4402),  
25 \$10,000,000, to remain available until expended, as au-  
26 thorized.

## 1 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

2 For necessary expenses of Eisenhower Exchange Fel-  
3 lowships, Incorporated, as authorized by sections 4 and  
4 5 of the Eisenhower Exchange Fellowship Act of 1990 (20  
5 U.S.C. 5204–5205), all interest and earnings accruing to  
6 the Eisenhower Exchange Fellowship Program Trust  
7 Fund on or before September 30, 2006, to remain avail-  
8 able until expended: *Provided*, That none of the funds ap-  
9 propriated herein shall be used to pay any salary or other  
10 compensation, or to enter into any contract providing for  
11 the payment thereof, in excess of the rate authorized by  
12 5 U.S.C. 5376; or for purposes which are not in accord-  
13 ance with OMB Circulars A–110 (Uniform Administrative  
14 Requirements) and A–122 (Cost Principles for Non-profit  
15 Organizations), including the restrictions on compensation  
16 for personal services.

## 17 ISRAELI ARAB SCHOLARSHIP PROGRAM

18 For necessary expenses of the Israeli Arab Scholar-  
19 ship Program as authorized by section 214 of the Foreign  
20 Relations Authorization Act, Fiscal Years 1992 and 1993  
21 (22 U.S.C. 2452), all interest and earnings accruing to  
22 the Israeli Arab Scholarship Fund on or before September  
23 30, 2006, to remain available until expended.

## 24 EAST-WEST CENTER

25 To enable the Secretary of State to provide for car-  
26 rying out the provisions of the Center for Cultural and

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

8 NATIONAL ENDOWMENT FOR DEMOCRACY

9 For grants made by the Department of State to the  
10 National Endowment for Democracy as authorized by the  
11 National Endowment for Democracy Act, \$50,000,000, to  
12 remain available until expended.

13 RELATED AGENCY

14 BROADCASTING BOARD OF GOVERNORS

15 INTERNATIONAL BROADCASTING OPERATIONS

16 For expenses necessary to enable the Broadcasting  
17 Board of Governors, as authorized, to carry out inter-  
18 national communication activities, including the purchase,  
19 installation, rent, and improvement of facilities for radio  
20 and television transmission and reception to Cuba, and to  
21 make and supervise grants for radio and television broad-  
22 casting to the Middle East, \$620,000,000: *Provided*, That  
23 of the total amount in this heading, not to exceed \$16,000  
24 may be used for official receptions within the United  
25 States as authorized, not to exceed \$35,000 may be used  
26 for representation abroad as authorized, and not to exceed

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

11 BROADCASTING CAPITAL IMPROVEMENTS

12 For the purchase, rent, construction, and improve-  
13 ment of facilities for radio and television transmission and  
14 reception, and purchase and installation of necessary  
15 equipment for radio and television transmission and recep-  
16 tion as authorized, \$10,893,000, to remain available until  
17 expended, as authorized.

18 GENERAL PROVISIONS—DEPARTMENT OF STATE AND  
19 RELATED AGENCY

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

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

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

23        SEC. 404. (a) The Senior Policy Operating Group on  
24 Trafficking in Persons, established under section 406 of  
25 division B of Public Law 108–7 to coordinate agency ac-

1 tivities regarding policies (including grants and grant poli-  
2 cies) involving the international trafficking in persons,  
3 shall coordinate all such policies related to the activities  
4 of traffickers and victims of severe forms of trafficking.

5 (b) None of the funds provided in this or any other  
6 Act shall be expended to perform functions that duplicate  
7 coordinating responsibilities of the Operating Group.

8 (c) The Operating Group shall continue to report only  
9 to the authorities that appointed them pursuant to section  
10 406 of division B of Public Law 108–7.

11 SEC. 405. Any funds provided in this Act under “De-  
12 partment of State” used to implement E-Government Ini-  
13 tiatives shall be subject to the procedures set forth in sec-  
14 tion 605 of this Act.

15 SEC. 406. (a) Subsection (f) of section 36 of the State  
16 Department Basic Authorities Act of 1956 (22 U.S.C.  
17 2708(f)) is amended—

18 (1) by striking “(f) INELIGIBILITY.—An offi-  
19 cer” and inserting the following:

20 “(f) INELIGIBILITY.—

21 “(1) IN GENERAL.—Except as provided in para-  
22 graph (2), an officer”; and

23 (2) by adding at the end the following new  
24 paragraph:

1           “(2)     EXCEPTION     IN     CERTAIN     CIR-  
2     CUMSTANCES.—The Secretary may pay a reward to  
3     an officer or employee of a foreign government (or  
4     any entity thereof) who, while in the performance of  
5     his or her official duties, furnishes information de-  
6     scribed in such subsection, if the Secretary deter-  
7     mines that such payment satisfies the following con-  
8     ditions:

9           “(A) Such payment is appropriate in light  
10          of the exceptional or high-profile nature of the  
11          information furnished pursuant to such sub-  
12          section.

13          “(B) Such payment may aid in furnishing  
14          further information described in such sub-  
15          section.

16          “(C) Such payment is formally requested  
17          by such agency.”.

18          (b) Subsection (b) of such section (22 U.S.C.  
19 2708(b)) is amended in the matter preceding paragraph  
20 (1) by inserting “or to an officer or employee of a foreign  
21 government in accordance with subsection (f)(2)” after  
22 “individual”.

23          This title may be cited as the “Department of State  
24 and Related Agency Appropriations Act, 2006”.

1                   TITLE V—RELATED AGENCIES  
2                   ANTITRUST MODERNIZATION COMMISSION  
3                   SALARIES AND EXPENSES

4           For necessary expenses of the Antitrust Moderniza-  
5 tion Commission, as authorized by Public Law 107–273,  
6 \$1,172,000, to remain available until expended.

7                   COMMISSION FOR THE PRESERVATION OF AMERICA’S  
8                   HERITAGE ABROAD  
9                   SALARIES AND EXPENSES

10          For expenses for the Commission for the Preservation  
11 of America’s Heritage Abroad, \$499,000, as authorized by  
12 section 1303 of Public Law 99–83.

13                   COMMISSION ON CIVIL RIGHTS  
14                   SALARIES AND EXPENSES

15          For necessary expenses of the Commission on Civil  
16 Rights, including hire of passenger motor vehicles,  
17 \$9,096,000: *Provided*, That none of the funds appro-  
18 priated in this paragraph shall be used to employ in excess  
19 of four full-time individuals under Schedule C of the Ex-  
20 cepted Service exclusive of one special assistant for each  
21 Commissioner: *Provided further*, That none of the funds  
22 appropriated in this paragraph shall be used to reimburse  
23 Commissioners for more than 75 billable days, with the  
24 exception of the chairperson, who is permitted 125 billable  
25 days.

1 COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM  
2 SALARIES AND EXPENSES

3 For necessary expenses for the United States Com-  
4 mission on International Religious Freedom, as authorized  
5 by title II of the International Religious Freedom Act of  
6 1998 (Public Law 105–292), \$3,200,000, to remain avail-  
7 able until expended.

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

11 For necessary expenses of the Commission on Secu-  
12 rity and Cooperation in Europe, as authorized by Public  
13 Law 94–304, \$2,030,000, to remain available until ex-  
14 pended as authorized by section 3 of Public Law 99–7.

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

18 For necessary expenses of the Congressional-Execu-  
19 tive Commission on the People’s Republic of China, as au-  
20 thorized, \$1,900,000, including not more than \$3,000 for  
21 the purpose of official representation, to remain available  
22 until expended.



1           FEDERAL COMMUNICATIONS COMMISSION  
2                           SALARIES AND EXPENSES

3           For necessary expenses of the Federal Communica-  
4 tions Commission, as authorized by law, including uni-  
5 forms and allowances therefor, as authorized by 5 U.S.C.  
6 5901–5902; not to exceed \$4,000 for official reception and  
7 representation expenses; purchase and hire of motor vehi-  
8 cles; special counsel fees; and services as authorized by  
9 5 U.S.C. 3109, \$289,771,000: *Provided*, That  
10 \$288,771,000 of offsetting collections shall be assessed  
11 and collected pursuant to section 9 of title I of the Com-  
12 munications Act of 1934, shall be retained and used for  
13 necessary expenses in this appropriation, and shall remain  
14 available until expended: *Provided further*, That the sum  
15 herein appropriated shall be reduced as such offsetting  
16 collections are received during fiscal year 2006 so as to  
17 result in a final fiscal year 2006 appropriation estimated  
18 at \$1,000,000: *Provided further*, That any offsetting col-  
19 lections received in excess of \$288,771,000 in fiscal year  
20 2006 shall remain available until expended, but shall not  
21 be available for obligation until October 1, 2006: *Provided*  
22 *further*, That any funds provided under this heading used  
23 to implement E-Government Initiatives shall be subject to  
24 the procedures set forth in section 605 of this Act.

## 1 FEDERAL TRADE COMMISSION

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Trade Com-  
4 mission, including uniforms or allowances therefor, as au-  
5 thorized by 5 U.S.C. 5901–5902; services as authorized  
6 by 5 U.S.C. 3109; hire of passenger motor vehicles; and  
7 not to exceed \$2,000 for official reception and representa-  
8 tion expenses, \$211,000,000, to remain available until ex-  
9 pended: *Provided*, That not to exceed \$300,000 shall be  
10 available for use to contract with a person or persons for  
11 collection services in accordance with the terms of 31  
12 U.S.C. 3718: *Provided further*, That, notwithstanding any  
13 other provision of law, not to exceed \$116,000,000 of off-  
14 setting collections derived from fees collected for  
15 premerger notification filings under the Hart-Scott-Ro-  
16 dino Antitrust Improvements Act of 1976 (15 U.S.C.  
17 18a), regardless of the year of collection, shall be retained  
18 and used for necessary expenses in this appropriation:  
19 *Provided further*, That \$23,000,000 in offsetting collec-  
20 tions derived from fees sufficient to implement and enforce  
21 the Telemarketing Sales Rule, promulgated under the  
22 Telephone Consumer Fraud and Abuse Prevention Act  
23 (15 U.S.C. 6101 et seq.), shall be credited to this account,  
24 and be retained and used for necessary expenses in this  
25 appropriation: *Provided further*, That the sum herein ap-

1 appropriated from the general fund shall be reduced as such  
2 offsetting collections are received during fiscal year 2006,  
3 so as to result in a final fiscal year 2006 appropriation  
4 from the general fund estimated at not more than  
5 \$72,000,000: *Provided further*, That none of the funds  
6 made available to the Federal Trade Commission may be  
7 used to enforce subsection (e) of section 43 of the Federal  
8 Deposit Insurance Act (12 U.S.C. 1831t) or section  
9 151(b)(2) of the Federal Deposit Insurance Corporation  
10 Improvement Act of 1991 (12 U.S.C. 1831t note).

11                                   HELP COMMISSION

12                                   SALARIES AND EXPENSES

13           For necessary expenses of the HELP Commission,  
14 \$1,000,000, to remain available until expended.

15                                   LEGAL SERVICES CORPORATION

16                                   PAYMENT TO THE LEGAL SERVICES CORPORATION

17           For payment to the Legal Services Corporation to  
18 carry out the purposes of the Legal Services Corporation  
19 Act of 1974, \$330,803,000, of which \$313,683,000 is for  
20 basic field programs and required independent audits;  
21 \$2,539,000 is for the Office of Inspector General, of which  
22 such amounts as may be necessary may be used to conduct  
23 additional audits of recipients; \$12,826,000 is for manage-  
24 ment and administration; and \$1,755,000 is for client self-  
25 help and information technology.

1 ADMINISTRATIVE PROVISION—LEGAL SERVICES  
2 CORPORATION

3 None of the funds appropriated in this Act to the  
4 Legal Services Corporation shall be expended for any pur-  
5 pose prohibited or limited by, or contrary to any of the  
6 provisions of, sections 501, 502, 503, 504, 505, and 506  
7 of Public Law 105–119, and all funds appropriated in this  
8 Act to the Legal Services Corporation shall be subject to  
9 the same terms and conditions set forth in such sections,  
10 except that all references in sections 502 and 503 to 1997  
11 and 1998 shall be deemed to refer instead to 2005 and  
12 2006, respectively.

13 MARINE MAMMAL COMMISSION  
14 SALARIES AND EXPENSES

15 For necessary expenses of the Marine Mammal Com-  
16 mission as authorized by title II of Public Law 92–522,  
17 \$1,865,000.

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, \$888,117,000, to remain available until ex-

1 pending; of which not to exceed \$10,000 may be used to-  
2 ward funding a permanent secretariat for the Inter-  
3 national Organization of Securities Commissions; and of  
4 which not to exceed \$100,000 shall be available for ex-  
5 penses for consultations and meetings hosted by the Com-  
6 mission with foreign governmental and other regulatory  
7 officials, members of their delegations, appropriate rep-  
8 resentatives and staff to exchange views concerning devel-  
9 opments relating to securities matters, development and  
10 implementation of cooperation agreements concerning se-  
11 curities matters and provision of technical assistance for  
12 the development of foreign securities markets, such ex-  
13 penses to include necessary logistic and administrative ex-  
14 penses and the expenses of Commission staff and foreign  
15 invitees in attendance at such consultations and meetings  
16 including: (1) such incidental expenses as meals taken in  
17 the course of such attendance; (2) any travel and trans-  
18 portation to or from such meetings; and (3) any other re-  
19 lated lodging or subsistence: *Provided*, That fees and  
20 charges authorized by sections 6(b) of the Securities Ex-  
21 change Act of 1933 (15 U.S.C. 77f(b)), and 13(e), 14(g)  
22 and 31 of the Securities Exchange Act of 1934 (15 U.S.C.  
23 78m(e), 78n(g), and 78ee), shall be credited to this ac-  
24 count as offsetting collections: *Provided further*, That not  
25 to exceed \$863,117,000 of such offsetting collections shall

1 be available until expended for necessary expenses of this  
2 account: *Provided further*, That \$25,000,000 shall be de-  
3 rived from prior year unobligated balances from funds pre-  
4 viously appropriated to the Securities and Exchange Com-  
5 mission: *Provided further*, That the total amount appro-  
6 priated under this heading from the general fund for fiscal  
7 year 2006 shall be reduced as such offsetting fees are re-  
8 ceived so as to result in a final total fiscal year 2006 ap-  
9 propriation from the general fund estimated at not more  
10 than \$0.

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 108-447, 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, \$318,029,000: *Provided*, That the Adminis-  
19 trator is authorized to charge fees to cover the cost of pub-  
20 lications developed by the Small Business Administration,  
21 and certain loan servicing activities: *Provided further*,  
22 That, notwithstanding 31 U.S.C. 3302, revenues received  
23 from all such activities shall be credited to this account,  
24 to be available for carrying out these purposes without fur-  
25 ther appropriations: *Provided further*, That, of the funds

1 made available under this heading, \$1,000,000 shall be  
2 for the National Veterans Business Development Corpora-  
3 tion: *Provided further*, That any funds provided under this  
4 heading used to implement E-Government Initiatives shall  
5 be subject to the procedures set forth in section 605 of  
6 this Act.

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, \$13,500,000.

11 SURETY BOND GUARANTEES REVOLVING FUND

12 For additional capital for the Surety Bond Guarant-  
13 tees Revolving Fund, authorized by the Small Business  
14 Investment Act, as amended, \$2,861,000, to remain avail-  
15 able until expended.

16 BUSINESS LOANS PROGRAM ACCOUNT

17 For the cost of direct loans, \$1,000,000, to remain  
18 available until expended: *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 subject to section 502 of the  
22 Congressional Budget Act of 1974, during fiscal year  
23 2006 commitments to guarantee loans under section 503  
24 of the Small Business Investment Act of 1958, shall not  
25 exceed \$6,000,000,000: *Provided further*, That during fis-  
26 cal year 2006 commitments for general business loans au-

1 thorized under section 7(a) of the Small Business Act,  
2 shall not exceed \$16,500,000,000: *Provided further*, That  
3 during fiscal year 2006 commitments to guarantee loans  
4 for debentures under section 303(b) of the Small Business  
5 Investment Act of 1958, shall not exceed \$3,000,000,000:  
6 *Provided further*, That during fiscal year 2006 guarantees  
7 of trust certificates authorized by section 5(g) of the Small  
8 Business Act shall not exceed a principal amount of  
9 \$12,000,000,000.

10 In addition, for administrative expenses to carry out  
11 the direct and guaranteed loan programs, \$124,961,000,  
12 which may be transferred to and merged with the appro-  
13 priations for Salaries and Expenses.

14 DISASTER LOANS PROGRAM ACCOUNT

15 For the cost of direct loans authorized by section 7(b)  
16 of the Small Business Act, \$79,538,000, to remain avail-  
17 able until expended: *Provided*, That such costs, including  
18 the cost of modifying such loans, shall be as defined in  
19 section 502 of the Congressional Budget Act of 1974.

20 In addition, for administrative expenses to carry out  
21 the direct loan program authorized by section 7(b), of the  
22 Small Business Act, \$49,716,000, which may be trans-  
23 ferred to and merged with appropriations for Salaries and  
24 Expenses, of which \$900,000 is for the Office of Inspector  
25 General of the Small Business Administration for audits  
26 and reviews of disaster loans and the disaster loan pro-

1 gram and shall be transferred to and merged with appro-  
2 priations for the Office of Inspector General; of which  
3 \$40,316,000 is for direct administrative expenses of loan  
4 making and servicing to carry out the direct loan program,  
5 to remain available until expended; and of which  
6 \$8,500,000 is for indirect administrative expenses: *Pro-*  
7 *vided*, That any amount in excess of \$8,500,000 to be  
8 transferred to and merged with appropriations for Salaries  
9 and Expenses for indirect administrative expenses shall be  
10 treated as a reprogramming of funds under section 605  
11 of this Act and shall not be available for obligation or ex-  
12 penditure except in compliance with the procedures set  
13 forth in that section.

14 ADMINISTRATIVE PROVISION—SMALL BUSINESS

15 ADMINISTRATION

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

## 1 STATE JUSTICE INSTITUTE

## 2 SALARIES AND EXPENSES

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

## 8 UNITED STATES-CHINA ECONOMIC AND SECURITY

## 9 REVIEW COMMISSION

## 10 SALARIES AND EXPENSES

11 For necessary expenses of the United States-China  
12 Economic and Security Review Commission, \$4,000,000,  
13 including not more than \$5,000 for the purpose of official  
14 representation, to remain available until expended.

## 15 UNITED STATES INSTITUTE OF PEACE

## 16 OPERATING EXPENSES

17 For necessary expenses of the United States Institute  
18 of Peace as authorized in the United States Institute of  
19 Peace Act, \$22,850,000, to remain available until ex-  
20 pended.

## 21 TITLE VI—GENERAL PROVISIONS

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

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

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

11       SEC. 604. If any provision of this Act or the applica-  
12 tion of such provision to any person or circumstances shall  
13 be held invalid, the remainder of the Act and the applica-  
14 tion of each provision to persons or circumstances other  
15 than those as to which it is held invalid shall not be af-  
16 fected thereby.

17       SEC. 605. (a) None of the funds provided under this  
18 Act, or provided under previous appropriations Acts to the  
19 agencies funded by this Act that remain available for obli-  
20 gation or expenditure in fiscal year 2006, or provided from  
21 any accounts in the Treasury of the United States derived  
22 by the collection of fees available to the agencies funded  
23 by this Act, shall be available for obligation or expenditure  
24 through a reprogramming of funds that: (1) creates new  
25 programs; (2) eliminates a program, project, or activity;

1 (3) increases funds or personnel by any means for any  
2 project or activity for which funds have been denied or  
3 restricted; (4) relocates an office or employees; (5) reorga-  
4 nizes or renames offices; (6) reorganizes, programs or ac-  
5 tivities; or (7) contracts out or privatizes any functions  
6 or activities presently performed by Federal employees;  
7 unless the Appropriations Committees of both Houses of  
8 Congress are notified 15 days in advance of such re-  
9 programming of funds.

10 (b) None of the funds provided under this Act, or  
11 provided under previous appropriations Acts to the agen-  
12 cies funded by this Act that remain available for obligation  
13 or expenditure in fiscal year 2006, or provided from any  
14 accounts in the Treasury of the United States derived by  
15 the collection of fees available to the agencies funded by  
16 this Act, shall be available for obligation or expenditure  
17 for activities, programs, or projects through a reprogram-  
18 ming of funds in excess of \$500,000 or 10 percent, which-  
19 ever is less, that: (1) augments existing programs,  
20 projects, or activities; (2) reduces by 10 percent funding  
21 for any existing program, project, or activity, or numbers  
22 of personnel by 10 percent as approved by Congress; or  
23 (3) results from any general savings, including savings  
24 from a reduction in personnel, which would result in a  
25 change in existing programs, activities, or projects as ap-

1 proved by Congress; unless the Appropriations Commit-  
2 tees of both Houses of Congress are notified 15 days in  
3 advance of such reprogramming of funds.

4       SEC. 606. None of the funds made available in this  
5 Act may be used to implement, administer, or enforce any  
6 guidelines of the Equal Employment Opportunity Com-  
7 mission covering harassment based on religion, when it is  
8 made known to the Federal entity or official to which such  
9 funds are made available that such guidelines do not differ  
10 in any respect from the proposed guidelines published by  
11 the Commission on October 1, 1993 (58 Fed. Reg.  
12 51266).

13       SEC. 607. If it has been finally determined by a court  
14 or Federal agency that any person intentionally affixed a  
15 label bearing a “Made in America” inscription, or any in-  
16 scription with the same meaning, to any product sold in  
17 or shipped to the United States that is not made in the  
18 United States, the person shall be ineligible to receive any  
19 contract or subcontract made with funds made available  
20 in this Act, pursuant to the debarment, suspension, and  
21 ineligibility procedures described in sections 9.400 through  
22 9.409 of title 48, Code of Federal Regulations.

23       SEC. 608. None of the funds made available by this  
24 Act may be used for any United Nations undertaking  
25 when it is made known to the Federal official having au-

1 thority to obligate or expend such funds that: (1) the  
2 United Nations undertaking is a peacekeeping mission; (2)  
3 such undertaking will involve United States Armed Forces  
4 under the command or operational control of a foreign na-  
5 tional; and (3) the President's military advisors have not  
6 submitted to the President a recommendation that such  
7 involvement is in the national security interests of the  
8 United States and the President has not submitted to the  
9 Congress such a recommendation.

10 SEC. 609. The Departments of Commerce, Justice,  
11 and State, the National Science Foundation, the National  
12 Aeronautics and Space Administration, the Federal Com-  
13 munications Commission, the Securities and Exchange  
14 Commission and the Small Business Administration shall  
15 provide to the Committees on Appropriations of the Sen-  
16 ate and of the House of Representatives a quarterly ac-  
17 counting of the cumulative balances of any unobligated  
18 funds that were received by such agency during any pre-  
19 vious fiscal year.

20 SEC. 610. (a) None of the funds appropriated or oth-  
21 erwise made available by this Act shall be expended for  
22 any purpose for which appropriations are prohibited by  
23 section 609 of the Departments of Commerce, Justice, and  
24 State, the Judiciary, and Related Agencies Appropriations  
25 Act, 1999.

1           (b) The requirements in subparagraphs (A) and (B)  
2 of section 609 of that Act shall continue to apply during  
3 fiscal year 2006.

4           SEC. 611. Any costs incurred by a department or  
5 agency funded under this Act resulting from personnel ac-  
6 tions taken in response to funding reductions included in  
7 this Act shall be absorbed within the total budgetary re-  
8 sources available to such department or agency: *Provided*,  
9 That the authority to transfer funds between appropria-  
10 tions accounts as may be necessary to carry out this sec-  
11 tion is provided in addition to authorities included else-  
12 where in this Act: *Provided further*, That use of funds to  
13 carry out this section shall be treated as a reprogramming  
14 of funds under section 605 of this Act and shall not be  
15 available for obligation or expenditure except in compli-  
16 ance with the procedures set forth in that section.

17           SEC. 612. None of the funds provided by this Act  
18 shall be available to promote the sale or export of tobacco  
19 or tobacco products, or to seek the reduction or removal  
20 by any foreign country of restrictions on the marketing  
21 of tobacco or tobacco products, except for restrictions  
22 which are not applied equally to all tobacco or tobacco  
23 products of the same type.

24           SEC. 613. (a) None of the funds appropriated or oth-  
25 erwise made available by this Act shall be expended for

1 any purpose for which appropriations are prohibited by  
2 section 616 of the Departments of Commerce, Justice, and  
3 State, the Judiciary, and Related Agencies Appropriations  
4 Act, 1999.

5 (b) The requirements in subsections (b) and (c) of  
6 section 616 of that Act shall continue to apply during fis-  
7 cal year 2006.

8 SEC. 614. None of the funds appropriated pursuant  
9 to this Act or any other provision of law may be used for—

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

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

24 SEC. 615. None of the funds made available in this  
25 Act may be used to pay the salaries and expenses of per-

1 sonnel of the Department of Justice to obligate more than  
2 \$625,000,000 during fiscal year 2006 from the Fund es-  
3 tablished by section 1402 of chapter XIV of title II of  
4 Public Law 98–473 (42 U.S.C. 10601).

5       SEC. 616. None of the funds made available to the  
6 Department of Justice in this Act may be used to discrimi-  
7 nate against or denigrate the religious or moral beliefs of  
8 students who participate in programs for which financial  
9 assistance is provided from those funds, or of the parents  
10 or legal guardians of such students.

11       SEC. 617. None of the funds appropriated or other-  
12 wise made available to the Department of State shall be  
13 available for the purpose of granting either immigrant or  
14 nonimmigrant visas, or both, consistent with the deter-  
15 mination of the Secretary of State under section 243(d)  
16 of the Immigration and Nationality Act, to citizens, sub-  
17 jects, nationals, or residents of countries that the Sec-  
18 retary of Homeland Security has determined deny or un-  
19 reasonably delay accepting the return of citizens, subjects,  
20 nationals, or residents under that section.

21       SEC. 618. None of the funds made available in this  
22 Act may be transferred to any department, agency, or in-  
23 strumentality of the United States Government, except  
24 pursuant to a transfer made by, or transfer authority pro-  
25 vided in, this Act or any other appropriation Act.

1        SEC. 619. The Departments of Commerce, Justice,  
2 and State, the Securities and Exchange Commission and  
3 the Small Business Administration shall, not later than  
4 two months after the date of the enactment of this Act,  
5 certify that telecommuting opportunities have increased  
6 over levels certified to the Committees on Appropriations  
7 for fiscal year 2005: *Provided*, That, of the total amounts  
8 appropriated to the Departments of Commerce, Justice,  
9 and State, the Securities and Exchange Commission and  
10 the Small Business Administration, \$5,000,000 shall be  
11 available to each only upon such certification: *Provided*  
12 *further*, That each Department or agency shall provide  
13 quarterly reports to the Committees on Appropriations on  
14 the status of telecommuting programs, including the num-  
15 ber and percentage of Federal employees eligible for, and  
16 participating in, such programs: *Provided further*, That  
17 each Department or agency shall maintain a “Telework  
18 Coordinator” to be responsible for overseeing the imple-  
19 mentation and operations of telecommuting programs, and  
20 serve as a point of contact on such programs for the Com-  
21 mittees on Appropriations.

22        SEC. 620. The National Aeronautics and Space Ad-  
23 ministration and the National Science Foundation shall,  
24 not later than two months after the date of the enactment  
25 of this Act, certify that telecommuting opportunities are

1 made available to 100 percent of the eligible workforce:  
2 *Provided*, That, of the total amounts appropriated to the  
3 National Aeronautics and Space Administration and the  
4 National Science Foundation, \$5,000,000 shall be avail-  
5 able to each agency only upon such certification: *Provided*  
6 *further*, That both agencies shall provide quarterly reports  
7 to the Committees on Appropriations on the status of tele-  
8 commuting programs, including the number of Federal  
9 employees eligible for, and participating in, such pro-  
10 grams: *Provided further*, That both agencies shall des-  
11 ignate a “Telework Coordinator” to be responsible for  
12 overseeing the implementation and operations of telecom-  
13 muting programs, and serve as a point of contact on such  
14 programs for the Committees on Appropriations.

15       SEC. 621. (a) Tracing studies conducted by the Bu-  
16 reau of Alcohol, Tobacco, Firearms and Explosives are re-  
17 leased without adequate disclaimers regarding the limita-  
18 tions of the data.

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

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

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

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

18 SEC. 622. None of the funds made available in this  
19 Act may be used in violation of section 212(a)(10)(C) of  
20 the Immigration and Nationality Act.

21 SEC. 623. None of the funds appropriated or other-  
22 wise made available under this Act may be used to issue  
23 patents on claims directed to or encompassing a human  
24 organism.

1       SEC. 624. None of the funds made available in this  
2 Act may be used to pay expenses for any United States  
3 delegation to any specialized agency, body, or commission  
4 of the United Nations if such commission is chaired or  
5 presided over by a country, the government of which the  
6 Secretary of State has determined, for purposes of section  
7 6(j)(1) of the Export Administration Act of 1979 (50  
8 U.S.C. App. 2405(j)(1)), has provided support for acts of  
9 international terrorism.

10       SEC. 625. (a) Except as provided in subsection (b),  
11 a project to construct a diplomatic facility of the United  
12 States may not include office space or other accommoda-  
13 tions for an employee of a Federal agency or department  
14 if the Secretary of State determines that such department  
15 or agency has not provided to the Department of State  
16 the full amount of funding required by subsection (e) of  
17 section 604 of the Secure Embassy Construction and  
18 Counterterrorism Act of 1999 (as enacted into law by sec-  
19 tion 1000(a)(7) of Public Law 106–113 and contained in  
20 appendix G of that Act; 113 Stat. 1501A–453), as amend-  
21 ed by section 629 of the Departments of Commerce, Jus-  
22 tice, and State, the Judiciary, and Related Agencies Ap-  
23 propriations Act, 2005.

24       (b) Notwithstanding the prohibition in subsection (a),  
25 a project to construct a diplomatic facility of the United

1 States may include office space or other accommodations  
2 for members of the Marine Corps.

3 SEC. 626. None of the funds made available in this  
4 Act shall be used in any way whatsoever to support or  
5 justify the use of torture by any official or contract em-  
6 ployee of the United States Government.

7 SEC. 627. Of the amounts made available in this Act,  
8 \$393,616,321 from “Department of State”; \$27,938,072  
9 from “Department of Justice”; \$14,107,754 from “De-  
10 partment of Commerce”; \$426,314 from “United States  
11 Trade Representative”; \$575,116 from “Broadcasting  
12 Board of Governors”; \$291,855 from “National Aero-  
13 nautics and Space Administration”; and \$79,754 from  
14 “National Science Foundation” shall be available for the  
15 purposes of implementing the Capital Security Cost Shar-  
16 ing program.

17 SEC. 628. None of the funds made available in this  
18 Act may be used in contravention of the provisions of sub-  
19 sections (e) and (f) of section 301 of the United States  
20 Leadership Against HIV/AIDS, Tuberculosis, and Malaria  
21 Act of 2003 (Public Law 108–25; 22 U.S.C. 7631(e) and  
22 (f)).

23 SEC. 629. None of the funds made available to NASA  
24 in this Act may be used for voluntary separation incentive  
25 payments as provided for in subchapter II of chapter 35

1 of title 5, United States Code, unless the Administrator  
2 of NASA has first certified to Congress that such pay-  
3 ments would not result in the loss of skills related to the  
4 safety of the Space Shuttle or the International Space Sta-  
5 tion or to the conduct of independent safety oversight in  
6 the National Aeronautics and Space Administration.

7       SEC. 630. Notwithstanding 40 U.S.C. 524, 571, and  
8 572, the Administrator of the National Aeronautics and  
9 Space Administration may sell the National Aeronautics  
10 and Space Administration-owned property on the Camp  
11 Parks Military Reservation, Alameda County, California,  
12 and credit the net proceeds of such sales as offsetting col-  
13 lections to its Exploration, science and aeronautics ac-  
14 count. Such funds shall be available until expended; to be  
15 used to replace the facilities at Camp Parks that are still  
16 required, to improve other National Aeronautics and  
17 Space Administration-owned facilities, or both.

18       SEC. 631. (a) IN GENERAL.—The President of the  
19 United States through his designee the Administrator of  
20 the National Aeronautics and Space Administration and  
21 in consultation with other Federal agencies shall develop  
22 a national aeronautics policy to guide the aeronautics pro-  
23 grams of the Administration through 2020.

24       (b) CONTENT.—At a minimum, the national aero-  
25 nautics policy shall describe—

1           (1) the priority areas of research for aero-  
2           nautics through fiscal year 2011;

3           (2) the basis on which and the process by which  
4           priorities for ensuing fiscal years will be selected;

5           (3) the facilities and personnel needed to carry  
6           out the program through fiscal year 2011; and

7           (4) the budget assumptions on which the na-  
8           tional aeronautics policy is based.

9           (c) CONSIDERATIONS.—In developing the national  
10          aeronautics policy, the Administrator shall consider the  
11          following questions, which shall be discussed in the policy  
12          statement—

13           (1) the extent to which NASA should focus on  
14          long-term, high-risk research or more incremental  
15          research or both and the expected impact on the  
16          U.S. aircraft and airline industries of those deci-  
17          sions;

18           (2) the extent to which NASA should address  
19          military and commercial needs;

20           (3) how NASA will coordinate its aeronautics  
21          program with other Federal agencies; and

22           (4) the extent to which NASA will fund univer-  
23          sity research and the expected impact of that fund-  
24          ing on the supply of U.S. workers for the aero-  
25          nautics industry.

1 (d) CONSULTATION.—In developing the national aer-  
2 onautics policy, the Administrator shall consult widely  
3 with academic and industry experts and with other Fed-  
4 eral agencies. The Administrator may enter into an ar-  
5 rangement with the National Academy of Sciences to help  
6 develop the national aeronautics policy.

7 (e) SCHEDULE.—The Administrator shall submit the  
8 new national aeronautics policy to the House and Senate  
9 Committees on Appropriations and to the House Com-  
10 mittee on Science and the Senate Committee on Com-  
11 merce, Science, and Transportation no later than the date  
12 on which the President submits the proposed budget for  
13 the Federal government for fiscal year 2007 to the Con-  
14 gress. The Administrator shall make available to the Con-  
15 gress any study done by a non-governmental entity that  
16 was used in the development of the national aeronautics  
17 policy.

18 SEC. 632. Any funds provided in this Act under “Na-  
19 tional Science Foundation” used to implement E-Govern-  
20 ment Initiatives shall be subject to the procedures set  
21 forth in section 605 of this Act.

22 SEC. 633. (a) Notwithstanding any other provision  
23 of law or treaty, none of the funds appropriated or other-  
24 wise made available under this Act or any other Act may  
25 be expended or obligated by a department, agency, or in-

1 strumentality of the United States to pay administrative  
2 expenses or to compensate an officer or employee of the  
3 United States in connection with requiring an export li-  
4 cense for the export to Canada of components, parts, ac-  
5 cessories or attachments for firearms listed in Category  
6 I, section 121.1 of title 22, Code of Federal Regulations  
7 (International Trafficking in Arms Regulations (ITAR),  
8 part 121, as it existed on April 1, 2005) with a total value  
9 not exceeding \$500 wholesale in any transaction, provided  
10 that the conditions of subsection (b) of this section are  
11 met by the exporting party for such articles.

12 (b) The foregoing exemption from obtaining an ex-  
13 port license—

14 (1) does not exempt an exporter from filing any  
15 Shipper's Export Declaration or notification letter  
16 required by law, or from being otherwise eligible  
17 under the laws of the United States to possess, ship,  
18 transport, or export the articles enumerated in sub-  
19 section (a); and

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

22 (A) fully automatic firearms and compo-  
23 nents and parts for such firearms, other than  
24 for end use by the Federal Government, or a

1 Provincial or Municipal Government of Canada,  
2 or

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

8 (C) articles for export from Canada to an-  
9 other foreign destination.

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

18 (d) The President may require export licenses under  
19 this section on a temporary basis if the President deter-  
20 mines, upon publication first in the Federal Register, that  
21 the Government of Canada has implemented or main-  
22 tained inadequate import controls for the articles specified  
23 in subsection (a), such that a significant diversion of such  
24 articles has and continues to take place for use in inter-  
25 national terrorism or in the escalation of a conflict in an-

1 other nation. The President shall terminate the require-  
2 ments of a license when reasons for the temporary require-  
3 ments have ceased.

4       SEC. 634. Notwithstanding any other provision of  
5 law, no department, agency, or instrumentality of the  
6 United States receiving appropriated funds under this Act  
7 or any other Act shall obligate or expend in any way such  
8 funds to pay administrative expenses or the compensation  
9 of any officer or employee of the United States to deny  
10 any application submitted pursuant to 22 U.S.C.  
11 2778(b)(1)(B) and qualified pursuant to 27 CFR Sec.  
12 478.112 or .113, for a permit to import United States ori-  
13 gin “curios or relics” firearms, parts, or ammunition.

14       SEC. 635. None of the funds made available in this  
15 Act may be used to include in any bilateral or multilateral  
16 trade agreement the text of—

17           (1) paragraph 2 of Article 16.7 of the United  
18 States-Singapore Free Trade Agreement;

19           (2) paragraph 4 of Article 17.9 of the United  
20 States-Australia Free Trade Agreement; or

21           (3) paragraph 4 of Article 15.9 of the United  
22 States-Morocco Free Trade Agreement.

1 TITLE VII—RESCISSIONS  
2 DEPARTMENT OF JUSTICE  
3 LEGAL ACTIVITIES  
4 ASSETS FORFEITURE FUND  
5 (RESCISSION)

6 Of the unobligated balances available under this  
7 heading, \$62,000,000 are rescinded.

8 OFFICE OF JUSTICE PROGRAMS  
9 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE  
10 (RESCISSION)

11 Of the unobligated balances available under this  
12 heading, \$38,500,000 are rescinded.

13 COMMUNITY ORIENTED POLICING SERVICES  
14 (RESCISSION)

15 Of the unobligated balances available under this  
16 heading, \$86,500,000 are rescinded.

17 DEPARTMENT OF COMMERCE  
18 EMERGENCY STEEL GUARANTEED LOAN PROGRAM  
19 ACCOUNT  
20 (RESCISSION)

21 Of the unobligated balances available under this  
22 heading from prior year appropriations, \$35,000,000 are  
23 rescinded.

1                                   RELATED AGENCIES  
2       UNITED STATES-CANADA ALASKA RAIL COMMISSION  
3                                   SALARIES AND EXPENSES  
4                                   (RESCISSION)

5       Of the unobligated balances available under this  
6 heading from prior year appropriations, \$2,000,000 are  
7 rescinded.

8       This Act may be cited as the “Science, State, Justice,  
9 Commerce, and Related Agencies Appropriations Act,  
10 2006”.



Union Calendar No. 66

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

**H. R. 2862**

[Report No. 109-118]

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**A BILL**

Making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

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JUNE 10, 2005

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