

Union Calendar No. 128

105TH CONGRESS
1ST SESSION

H. R. 2267

[Report No. 105-207]

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

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 1997

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

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
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, 1998, 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, \$76,199,000, of which not to ex-
8 ceed \$3,317,000 is for the Facilities Program 2000, to
9 remain available until expended: *Provided*, That not to ex-
10 ceed 43 permanent positions and 44 full-time equivalent
11 workyears and \$7,860,000 shall be expended for the De-
12 partment Leadership Program exclusive of augmentation
13 that occurred in these offices in fiscal year 1997: *Provided*
14 *further*, That not to exceed 41 permanent positions and
15 48 full-time equivalent workyears and \$4,660,000 shall be
16 expended for the Offices of Legislative Affairs and Public
17 Affairs: *Provided further*, That the latter two aforemen-
18 tioned offices shall not be augmented by personnel details,
19 temporary transfers of personnel on either a reimbursable
20 or non-reimbursable basis or any other type of formal or
21 informal transfer or reimbursement of personnel or funds
22 on either a temporary or long-term basis.

23 COUNTERTERRORISM FUND

24 For necessary expenses, as determined by the Attor-
25 ney General, \$20,000,000, to remain available until ex-
26 pended, to reimburse any Department of Justice organiza-

1 tion for (1) the costs incurred in reestablishing the oper-
2 ational capability of an office or facility which has been
3 damaged or destroyed as a result of any domestic or inter-
4 national terrorist incident, (2) the costs of providing sup-
5 port to counter, investigate or prosecute domestic or inter-
6 national terrorism, including payment of rewards in con-
7 nection with these activities, and (3) the costs of conduct-
8 ing a terrorism threat assessment of Federal agencies and
9 their facilities: *Provided*, That funds provided under this
10 heading shall be available only after the Attorney General
11 notifies the Committees on Appropriations of the House
12 of Representatives and the Senate in accordance with sec-
13 tion 605 of this Act.

14 ADMINISTRATIVE REVIEW AND APPEALS

15 For expenses necessary for the administration of par-
16 don and clemency petitions and immigration related activi-
17 ties, \$66,700,000.

18 VIOLENT CRIME REDUCTION PROGRAMS, ADMINISTRATIVE
19 REVIEW AND APPEALS

20 For activities authorized by section 130005 of the
21 Violent Crime Control and Law Enforcement Act of 1994
22 (Public Law 103–322), as amended, \$59,000,000, to re-
23 main available until expended, which shall be derived from
24 the Violent Crime Reduction Trust Fund.

1 OFFICE OF INSPECTOR GENERAL

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

19 UNITED STATES PAROLE COMMISSION

20 SALARIES AND EXPENSES

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

1 LEGAL ACTIVITIES

2 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

3 For expenses, necessary for the legal activities of the
4 Department of Justice, not otherwise provided for, includ-
5 ing not to exceed \$20,000 for expenses of collecting evi-
6 dence, to be expended under the direction of, and to be
7 accounted for solely under the certificate of, the Attorney
8 General; and rent of private or Government-owned space
9 in the District of Columbia; \$445,000,000, of which not
10 to exceed \$10,000,000 for litigation support contracts
11 shall remain available until expended: *Provided*, That of
12 the funds available in this appropriation, not to exceed
13 \$17,525,000 shall remain available until expended for of-
14 fice automation systems for the legal divisions covered by
15 this appropriation, and for the United States Attorneys,
16 the Antitrust Division, and offices funded through “Sala-
17 ries and Expenses”, General Administration: *Provided fur-*
18 *ther*, That of the total amount appropriated, not to exceed
19 \$1,000 shall be available to the United States National
20 Central Bureau, INTERPOL, for official reception and
21 representation expenses.

22 In addition, for reimbursement of expenses of the De-
23 partment of Justice associated with processing cases
24 under the National Childhood Vaccine Injury Act of 1986,

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

3 VIOLENT CRIME REDUCTION PROGRAMS, GENERAL LEGAL
4 ACTIVITIES

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

11 SALARIES AND EXPENSES, ANTITRUST DIVISION

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

1 available until expended, but shall not be available for obli-
2 gation until October 1, 1998.

3 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

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

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

3 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES

4 ATTORNEYS

5 For activities authorized by sections 40114, 130005,
6 190001(b), 190001(d), and 250005 of the Violent Crime
7 Control and Law Enforcement Act of 1994 (Public Law
8 103–322), as amended, and section 815 of the
9 Antiterrorism and Effective Death Penalty Act of 1996
10 (Public Law 104–132), \$62,828,000, to remain available
11 until expended, which shall be derived from the Violent
12 Crime Reduction Trust Fund.

13 UNITED STATES TRUSTEE SYSTEM FUND

14 For necessary expenses of the United States Trustee
15 Program, as authorized by 28 U.S.C. 589a(a),
16 \$107,950,000, to remain available until expended and to
17 be derived from the United States Trustee System Fund:
18 *Provided*, That, notwithstanding any other provision of
19 law, deposits to the Fund shall be available in such
20 amounts as may be necessary to pay refunds due deposi-
21 tors: *Provided further*, That, notwithstanding any other
22 provision of law, \$107,950,000 of offsetting collections de-
23 rived from fees collected pursuant to 28 U.S.C. 589a(b)
24 shall be retained and used for necessary expenses in this
25 appropriation and remain available until expended: *Pro-*
26 *vided further*, That the sum herein appropriated from the

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

8 SALARIES AND EXPENSES, FOREIGN CLAIMS

9 SETTLEMENT COMMISSION

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

13 SALARIES AND EXPENSES, UNITED STATES MARSHALS

14 SERVICE

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

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

10 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES

11 MARSHALS SERVICE

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

17 FEDERAL PRISONER DETENTION

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

24 FEES AND EXPENSES OF WITNESSES

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

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

16 SALARIES AND EXPENSES, COMMUNITY RELATIONS

17 SERVICE

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

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

11 ASSETS FORFEITURE FUND

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

16 RADIATION EXPOSURE COMPENSATION

17 ADMINISTRATIVE EXPENSES

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

22 PAYMENT TO RADIATION EXPOSURE COMPENSATION

23 TRUST FUND

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

1 INTERAGENCY LAW ENFORCEMENT

2 INTERAGENCY CRIME AND DRUG ENFORCEMENT

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

19 FEDERAL BUREAU OF INVESTIGATION

20 SALARIES AND EXPENSES

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

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

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

9 VIOLENT CRIME REDUCTION PROGRAMS

10 For activities authorized by the Violent Crime Con-
11 trol and Law Enforcement Act of 1994 (Public Law 103-
12 322), as amended (“the 1994 Act”), and the
13 Antiterrorism and Effective Death Penalty Act of 1996
14 (“the Antiterrorism Act”), \$179,121,000, to remain avail-
15 able until expended, which shall be derived from the Vio-
16 lent Crime Reduction Trust Fund; of which \$102,127,000
17 shall be for activities authorized by section 190001(c) of
18 the 1994 Act and section 811 of the Antiterrorism Act;
19 \$57,994,000 shall be for activities authorized by section
20 190001(b) of the 1994 Act; \$4,000,000 shall be for train-
21 ing and investigative assistance authorized by section
22 210501 of the 1994 Act; \$9,500,000 shall be for grants
23 to States, as authorized by section 811(b) of the
24 Antiterrorism Act; and \$5,500,000 shall be for establish-
25 ing DNA quality-assurance and proficiency-testing stand-
26 ards, establishing an index to facilitate law enforcement

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

3 TELECOMMUNICATIONS CARRIER COMPLIANCE FUND

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

11 CONSTRUCTION

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

18 DRUG ENFORCEMENT ADMINISTRATION

19 SALARIES AND EXPENSES

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

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

21 VIOLENT CRIME REDUCTION PROGRAMS

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

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

4 CONSTRUCTION

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

11 IMMIGRATION AND NATURALIZATION SERVICE

12 SALARIES AND EXPENSES

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

1 ice and United States Marshals Service's Buffalo Deten-
2 tion Facility; \$1,609,441,000; of which not to exceed
3 \$400,000 for research shall remain available until ex-
4 pended; of which not to exceed \$10,000,000 shall be avail-
5 able for costs associated with the training program for
6 basic officer training, and \$5,000,000 is for payments or
7 advances arising out of contractual or reimbursable agree-
8 ments with State and local law enforcement agencies while
9 engaged in cooperative activities related to immigration;
10 and of which not to exceed \$5,000,000 is to fund or reim-
11 burse other Federal agencies for the costs associated with
12 the care, maintenance, and repatriation of smuggled illegal
13 aliens: *Provided*, That none of the funds available to the
14 Immigration and Naturalization Service shall be available
15 to pay any employee overtime pay in an amount in excess
16 of \$30,000 during the calendar year beginning January
17 1, 1998: *Provided further*, That uniforms may be pur-
18 chased without regard to the general purchase price limi-
19 tation for the current fiscal year: *Provided further*, That
20 not to exceed \$5,000 shall be available for official recep-
21 tion and representation expenses: *Provided further*, That
22 none of the funds provided in this or any other Act shall
23 be used for the continued operation of the San Clemente
24 and Temecula checkpoints unless the checkpoints are open
25 and traffic is being checked on a continuous 24-hour basis:

1 *Provided further*, That not to exceed 32 permanent posi-
2 tions and 32 full-time equivalent workyears and
3 \$3,101,000 shall be expended for the Office of Legislative
4 Affairs and Public Affairs: *Provided further*, That the lat-
5 ter two aforementioned offices shall not be augmented by
6 personnel details, temporary transfers of personnel on ei-
7 ther a reimbursable or non-reimbursable basis or any
8 other type of formal or informal transfer or reimburse-
9 ment of personnel or funds on either a temporary or long-
10 term basis: *Provided further*, That, during fiscal year 1998
11 and each fiscal year thereafter, none of the funds appro-
12 priated or otherwise made available to the Immigration
13 and Naturalization Service may be used to accept, process,
14 or forward to the Federal Bureau of Investigation any
15 FD-258 fingerprint card, for the purpose of conducting
16 criminal background checks for any benefit under the Im-
17 migration and Nationality Act, which has been prepared
18 by, or received from, any individual or entity other than
19 an office of the Immigration and Naturalization Service
20 or State or local law enforcement agency and beginning
21 on March 1, 1998 and each fiscal year thereafter only an
22 office of the Immigration and Naturalization Service may
23 accept, process or forward FD-258 fingerprint cards to
24 the Federal Bureau of Investigation for any of these appli-
25 cations which require an interview: *Provided further*, That,

1 during fiscal year 1998 and each fiscal year thereafter,
2 none of the funds appropriated or otherwise made avail-
3 able to the Immigration and Naturalization Service shall
4 be used to complete adjudication of an application for nat-
5 uralization unless the Immigration and Naturalization
6 Service has received confirmation from the Federal Bu-
7 reau of Investigation that a full criminal background
8 check has been completed, except for those exempted by
9 regulation as of January 1, 1997: *Provided further*, That
10 the number of positions filled through non-career appoint-
11 ment at the Immigration and Naturalization Service, for
12 which funding is provided in this Act or is otherwise made
13 available to the Immigration and Naturalization Service,
14 shall not exceed four permanent positions and four full-
15 time equivalent workyears: *Provided further*, That notwith-
16 standing any other provision of law, during fiscal year
17 1998, the Attorney General is authorized and directed to
18 impose disciplinary action, including termination of em-
19 ployment, pursuant to policies and procedures applicable
20 to employees of the Federal Bureau of Investigation, for
21 any employee of the Immigration and Naturalization Serv-
22 ice who violates policies and procedures set forth by the
23 Department of Justice relative to the granting of citizen-
24 ship or who willfully deceives the Congress or Department
25 Leadership on any matter.

1 VIOLENT CRIME REDUCTION PROGRAMS

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

10 CONSTRUCTION

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

17 FEDERAL PRISON SYSTEM

18 SALARIES AND EXPENSES

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

1 Health Resources and Services Administration such
2 amounts as may be necessary for direct expenditures by
3 that Administration for medical relief for inmates of Fed-
4 eral penal and correctional institutions: *Provided further,*
5 That the Director of the Federal Prison System (FPS),
6 where necessary, may enter into contracts with a fiscal
7 agent/fiscal intermediary claims processor to determine
8 the amounts payable to persons who, on behalf of the
9 FPS, furnish health services to individuals committed to
10 the custody of the FPS: *Provided further,* That uniforms
11 may be purchased without regard to the general purchase
12 price limitation for the current fiscal year: *Provided fur-*
13 *ther,* That not to exceed \$6,000 shall be available for offi-
14 cial reception and representation expenses: *Provided fur-*
15 *ther,* That not to exceed \$90,000,000 for the activation
16 of new facilities shall remain available until September 30,
17 1999: *Provided further,* That of the amounts provided for
18 Contract Confinement, not to exceed \$20,000,000 shall re-
19 main available until expended to make payments in ad-
20 vance for grants, contracts and reimbursable agreements,
21 and other expenses authorized by section 501(c) of the
22 Refugee Education Assistance Act of 1980, as amended,
23 for the care and security in the United States of Cuban
24 and Haitian entrants: *Provided further,* That notwith-
25 standing section 4(d) of the Service Contract Act of 1965

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

5 VIOLENT CRIME REDUCTION PROGRAMS

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

12 BUILDINGS AND FACILITIES

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

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

12 FEDERAL PRISON INDUSTRIES, INCORPORATED

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

23 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL

24 PRISON INDUSTRIES, INCORPORATED

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

1 for services as authorized by 5 U.S.C. 3109, to be com-
2 puted on an accrual basis to be determined in accordance
3 with the corporation's current prescribed accounting sys-
4 tem, and such amounts shall be exclusive of depreciation,
5 payment of claims, and expenditures which the said ac-
6 counting system requires to be capitalized or charged to
7 cost of commodities acquired or produced, including sell-
8 ing and shipping expenses, and expenses in connection
9 with acquisition, construction, operation, maintenance, im-
10 provement, protection, or disposition of facilities and other
11 property belonging to the corporation or in which it has
12 an interest.

13 OFFICE OF JUSTICE PROGRAMS

14 JUSTICE ASSISTANCE

15 For grants, contracts, cooperative agreements, and
16 other assistance authorized by title I of the Omnibus
17 Crime Control and Safe Streets Act of 1968, as amended,
18 and the Missing Children's Assistance Act, as amended,
19 including salaries and expenses in connection therewith,
20 and with the Victims of Crime Act of 1984, as amended,
21 and sections 819 and 821 of the Antiterrorism and Effec-
22 tive Death Penalty Act of 1996, \$162,500,000, to remain
23 available until expended, as authorized by section 1001 of
24 title I of the Omnibus Crime Control and Safe Streets Act,
25 as amended by Public Law 102-534 (106 Stat. 3524); of

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

3 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

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

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

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

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

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

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

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

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

7 WEED AND SEED PROGRAM FUND

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

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

6 COMMUNITY ORIENTED POLICING SERVICES

7 VIOLENT CRIME REDUCTION PROGRAMS

8 For activities authorized by the Violent Crime Con-
9 trol and Law Enforcement Act of 1994, Public Law 103–
10 322 (“the 1994 Act”) (including administrative costs),
11 \$1,400,000,000, to remain available until expended, which
12 shall be derived from the Violent Crime Reduction Trust
13 Fund, for Public Safety and Community Policing Grants
14 pursuant to title I of the 1994 Act: *Provided*, That not
15 to exceed 186 permanent positions and 186 full-time
16 equivalent workyears and \$20,553,000 shall be expended
17 for program management and administration: *Provided*
18 *further*, That of the unobligated balances available in this
19 program, \$100,000,000 shall be used for innovative com-
20 munity policing programs, of which \$35,000,000 shall be
21 used for a law enforcement technology program,
22 \$35,000,000 shall be used for policing initiatives in drug
23 “hot spots”, and \$30,000,000 shall be used for policing
24 initiatives to combat methamphetamine trafficking.

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

7 JUVENILE JUSTICE PROGRAMS

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

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

24 In addition, for grants, contracts, cooperative agree-
25 ments, and other assistance authorized by the Victims of
26 Child Abuse Act of 1990, as amended, \$7,000,000, to re-

1 main available until expended, as authorized by section
2 214B of such Act.

3 PUBLIC SAFETY OFFICERS BENEFITS

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

12 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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

21 SEC. 102. Authorities contained in the Department
22 of Justice Appropriation Authorization Act, Fiscal Year
23 1980 (Public Law 96–132, 93 Stat. 1040 (1979)), as
24 amended, shall remain in effect until the termination date
25 of this Act or until the effective date of a Department

1 of Justice Appropriation Authorization Act, whichever is
2 earlier.

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

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

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

21 SEC. 106. Notwithstanding any other provision of
22 law, not to exceed \$10,000,000 of the funds made avail-
23 able in this Act may be used to establish and publicize
24 a program under which publicly-advertised, extraordinary
25 rewards may be paid, which shall not be subject to spend-

1 ing limitations contained in sections 3059 and 3072 of
2 title 18, United States Code: *Provided*, That any reward
3 of \$100,000 or more, up to a maximum of \$2,000,000,
4 may not be made without the personal approval of the
5 President or the Attorney General and such approval may
6 not be delegated.

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

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

22 SEC. 109. (a) Section 1402(d)(2) of the Victims of
23 Crime Act of 1984, (42 U.S.C. 10601(d)), is amended—
24 (1) by striking paragraph (1); and

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

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

12 TITLE II—DEPARTMENT OF COMMERCE AND
13 RELATED AGENCIES
14 TRADE AND INFRASTRUCTURE DEVELOPMENT
15 RELATED AGENCIES
16 OFFICE OF THE UNITED STATES TRADE
17 REPRESENTATIVE
18 SALARIES AND EXPENSES

19 For necessary expenses of the Office of the United
20 States Trade Representative, including the hire of pas-
21 senger motor vehicles and the employment of experts and
22 consultants as authorized by 5 U.S.C. 3109, \$21,700,000,
23 of which \$2,500,000 shall remain available until expended:
24 *Provided*, That not to exceed \$98,000 shall be available
25 for official reception and representation expenses.

1 INTERNATIONAL TRADE COMMISSION

2 SALARIES AND EXPENSES

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

8 DEPARTMENT OF COMMERCE

9 INTERNATIONAL TRADE ADMINISTRATION

10 OPERATIONS AND ADMINISTRATION

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

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

21 EXPORT ADMINISTRATION

22 OPERATIONS AND ADMINISTRATION

23 For necessary expenses for export administration and
24 national security activities of the Department of Com-
25 merce, including costs associated with the performance of

1 export administration field activities both domestically and
2 abroad; full medical coverage for dependent members of
3 immediate families of employees stationed overseas; em-
4 ployment of Americans and aliens by contract for services
5 abroad; rental of space abroad for periods not exceeding
6 ten years, and expenses of alteration, repair, or improve-
7 ment; payment of tort claims, in the manner authorized
8 in the first paragraph of 28 U.S.C. 2672 when such claims
9 arise in foreign countries; not to exceed \$15,000 for offi-
10 cial representation expenses abroad; awards of compensa-
11 tion to informers under the Export Administration Act of
12 1979, and as authorized by 22 U.S.C. 401(b); purchase
13 of passenger motor vehicles for official use and motor vehi-
14 cles for law enforcement use with special requirement vehi-
15 cles eligible for purchase without regard to any price limi-
16 tation otherwise established by law; \$41,000,000, to re-
17 main available until expended: *Provided*, That the provi-
18 sions of the first sentence of section 105(f) and all of sec-
19 tion 108(c) of the Mutual Educational and Cultural Ex-
20 change Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall
21 apply in carrying out these activities: *Provided further*,
22 That payments and contributions collected and accepted
23 for materials or services provided as part of such activities
24 may be retained for use in covering the cost of such activi-
25 ties, and for providing information to the public with re-

1 spect to the export administration and national security
2 activities of the Department of Commerce and other ex-
3 port control programs of the United States and other gov-
4 ernments.

5 ECONOMIC DEVELOPMENT ADMINISTRATION

6 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

7 For grants for economic development assistance as
8 provided by the Public Works and Economic Development
9 Act of 1965, as amended, Public Law 91–304, and such
10 laws that were in effect immediately before September 30,
11 1982, and for trade adjustment assistance, \$340,000,000:
12 *Provided*, That none of the funds appropriated or other-
13 wise made available under this heading may be used di-
14 rectly or indirectly for attorneys’ or consultants’ fees in
15 connection with securing grants and contracts made by
16 the Economic Development Administration: *Provided fur-*
17 *ther*, That, notwithstanding any other provision of law, the
18 Secretary of Commerce may provide financial assistance
19 for projects to be located on military installations closed
20 or scheduled for closure or realignment to grantees eligible
21 for assistance under the Public Works and Economic De-
22 velopment Act of 1965, as amended, without it being re-
23 quired that the grantee have title or ability to obtain a
24 lease for the property, for the useful life of the project,
25 when in the opinion of the Secretary of Commerce, such

1 financial assistance is necessary for the economic develop-
2 ment of the area: *Provided further*, That the Secretary of
3 Commerce may, as the Secretary considers appropriate,
4 consult with the Secretary of Defense regarding the title
5 to land on military installations closed or scheduled for
6 closure or realignment.

7 SALARIES AND EXPENSES

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

15 MINORITY BUSINESS DEVELOPMENT AGENCY

16 MINORITY BUSINESS DEVELOPMENT

17 For necessary expenses of the Department of Com-
18 merce in fostering, promoting, and developing minority
19 business enterprise, including expenses of grants, con-
20 tracts, and other agreements with public or private organi-
21 zations, \$25,000,000.

22 ECONOMIC AND INFORMATION INFRASTRUCTURE

23 ECONOMIC AND STATISTICAL ANALYSIS

24 SALARIES AND EXPENSES

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

1 of Commerce, \$47,000,000, to remain available until Sep-
2 tember 30, 1999.

3 ECONOMICS AND STATISTICS ADMINISTRATION

4 REVOLVING FUND

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

16 BUREAU OF THE CENSUS

17 SALARIES AND EXPENSES

18 For expenses necessary for collecting, compiling, ana-
19 lyzing, preparing, and publishing statistics, provided for
20 by law, \$136,499,000.

21 PERIODIC CENSUSES AND PROGRAMS

22 For expenses necessary to conduct the decennial cen-
23 sus, \$100,000,000, to remain available until expended:
24 *Provided*, That this amount shall not be used for any ac-
25 tivities related to the design, planning, testing, or imple-
26 mentation of the use of sampling or any other statistical

1 procedure, including statistical adjustment, to make a de-
2 termination of the population for purposes of the appor-
3 tionment of Representatives in Congress among the sev-
4 eral States. In addition, for expenses necessary to conduct
5 the decennial census, \$281,800,000, to remain available
6 until expended, which shall be available for obligation or
7 expenditure only upon the subsequent enactment of a law
8 authorizing the methods by which the decennial census
9 shall be conducted in the year 2000 for the purposes of
10 the apportionment of Representatives among the several
11 States.

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

15 NATIONAL TELECOMMUNICATIONS AND INFORMATION

16 ADMINISTRATION

17 SALARIES AND EXPENSES

18 For necessary expenses, as provided for by law, of
19 the National Telecommunications and Information Ad-
20 ministration (NTIA), \$17,100,000, to remain available
21 until expended: *Provided*, That notwithstanding 31 U.S.C.
22 1535(d), the Secretary of Commerce shall charge Federal
23 agencies for costs incurred in spectrum management,
24 analysis, and operations, and related services and such
25 fees shall be retained and used as offsetting collections for

1 costs of such spectrum services, to remain available until
2 expended: *Provided further*, That hereafter, notwithstand-
3 ing any other provision of law, NTIA shall not authorize
4 spectrum use or provide any spectrum functions pursuant
5 to the NTIA Organization Act, 47 U.S.C. 902–903, to any
6 Federal entity without reimbursement as required by
7 NTIA for such spectrum management costs, and Federal
8 entities withholding payment of such cost shall not use
9 spectrum: *Provided further*, That the Secretary of Com-
10 merce is authorized to retain and use as offsetting collec-
11 tions all funds transferred, or previously transferred, from
12 other Government agencies for all costs incurred in tele-
13 communications research, engineering, and related activi-
14 ties by the Institute for Telecommunication Sciences of
15 the NTIA, in furtherance of its assigned functions under
16 this paragraph, and such funds received from other Gov-
17 ernment agencies shall remain available until expended.

18 PUBLIC BROADCASTING FACILITIES, PLANNING AND
19 CONSTRUCTION

20 For grants authorized by section 392 of the Commu-
21 nications Act of 1934, as amended, \$16,750,000, to re-
22 main available until expended as authorized by section 391
23 of the Act, as amended: *Provided*, That not to exceed
24 \$1,500,000 shall be available for program administration
25 as authorized by section 391 of the Act: *Provided further*,
26 That, notwithstanding the provisions of section 391 of the

1 Act, the prior year unobligated balances may be made
2 available for grants for projects for which applications
3 have been submitted and approved during any fiscal year.

4 INFORMATION INFRASTRUCTURE GRANTS

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

21 PATENT AND TRADEMARK OFFICE

22 SALARIES AND EXPENSES

23 For necessary expenses of the Patent and Trademark
24 Office provided for by law, including defense of suits insti-
25 tuted against the Commissioner of Patents and Trade-
26 marks, \$27,000,000, to remain available until expended:

1 *Provided*, That the funds made available under this head-
2 ing are to be derived from deposits in the Patent and
3 Trademark Office Fee Surcharge Fund as authorized by
4 law: *Provided further*, That the amounts made available
5 under the Fund shall not exceed amounts deposited; and
6 such fees as shall be collected pursuant to 15 U.S.C. 1113
7 and 35 U.S.C. 41 and 376, shall remain available until
8 expended.

9 TECHNOLOGY ADMINISTRATION

10 UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF

11 TECHNOLOGY POLICY

12 SALARIES AND EXPENSES

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

17 SCIENCE AND TECHNOLOGY

18 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

19 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

20 For necessary expenses of the National Institute of
21 Standards and Technology, \$282,852,000, to remain
22 available until expended, of which not to exceed
23 \$1,625,000 may be transferred to the “Working Capital
24 Fund”.

1 INDUSTRIAL TECHNOLOGY SERVICES

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

7 In addition, for necessary expenses of the Advanced
8 Technology Program of the National Institute of Stand-
9 ards and Technology, \$185,100,000, to remain available
10 until expended, of which not to exceed \$74,100,000 shall
11 be available for the award of new grants, and of which
12 not to exceed \$500,000 may be transferred to the “Work-
13 ing Capital Fund”.

14 CONSTRUCTION OF RESEARCH FACILITIES

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

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

5 For necessary expenses of activities authorized by law
6 for the National Oceanic and Atmospheric Administration,
7 including maintenance, operation, and hire of aircraft; not
8 to exceed 270 commissioned officers on the active list as
9 of September 30, 1998; grants, contracts, or other pay-
10 ments to nonprofit organizations for the purposes of con-
11 ducting activities pursuant to cooperative agreements; and
12 relocation of facilities as authorized by 33 U.S.C. 883i;
13 \$1,406,400,000, to remain available until expended: *Pro-*
14 *vided*, That, notwithstanding 31 U.S.C. 3302 but consist-
15 ent with other existing law, fees shall be assessed, col-
16 lected, and credited to this appropriation as offsetting col-
17 lections to be available until expended, to recover the costs
18 of administering aeronautical charting programs: *Provided*
19 *further*, That the sum herein appropriated from the Gen-
20 eral Fund shall be reduced as such additional fees are re-
21 ceived during fiscal year 1998, so as to result in a final
22 General Fund appropriation estimated at not more than
23 \$1,403,400,000: *Provided further*, That any such addi-
24 tional fees received in excess of \$3,000,000 in fiscal year
25 1998 shall not be available for obligation until October
26 1, 1998: *Provided further*, That fees and donations re-

1 ceived by the National Ocean Service for the management
2 of the national marine sanctuaries may be retained and
3 used for the salaries and expenses associated with those
4 activities, notwithstanding 31 U.S.C. 3302: *Provided fur-*
5 *ther*, That in addition, \$62,381,000 shall be derived by
6 transfer from the fund entitled “Promote and Develop
7 Fishery Products and Research Pertaining to American
8 Fisheries”: *Provided further*, That grants to States pursu-
9 ant to sections 306 and 306A of the Coastal Zone Man-
10 agement Act of 1972, as amended, shall not exceed
11 \$2,000,000: *Provided further*, That of the \$1,498,681,000
12 provided for in direct obligations under this heading (of
13 which \$1,403,400,000 is appropriated from the General
14 Fund, \$67,581,000 is provided by transfer, and
15 \$27,700,000 is derived from unobligated balances and
16 deobligations from prior years), \$219,624,000 shall be for
17 the National Ocean Service, \$326,943,000 shall be for the
18 National Marine Fisheries Service, \$237,463,000 shall be
19 for Oceanic and Atmospheric Research, \$511,154,000
20 shall be for the National Weather Service, \$119,835,000
21 shall be for the National Environmental Satellite, Data,
22 and Information Service, \$66,712,000 shall be for Pro-
23 gram Support, \$5,000,000 shall be for Fleet Maintenance,
24 and \$11,950,000 shall be for Facilities Maintenance: *Pro-*
25 *vided further*, That unexpended balances in the accounts

1 “Construction” and “Fleet Modernization, Shipbuilding
2 and Conversion” shall be transferred to and merged with
3 this account, to remain available until expended for the
4 purposes for which the funds were originally appropriated.

5 CAPITAL ASSETS ACQUISITION

6 (INCLUDING TRANSFERS OF FUNDS)

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

1 COASTAL ZONE MANAGEMENT FUND

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

7 FISHERMEN'S CONTINGENCY FUND

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

12 FOREIGN FISHING OBSERVER FUND

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

22 FISHERIES FINANCE PROGRAM ACCOUNT

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

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

6 GENERAL ADMINISTRATION

7 SALARIES AND EXPENSES

8 For expenses necessary for the general administra-
 9 tion of the Department of Commerce provided for by law,
 10 including not to exceed \$3,000 for official entertainment,
 11 \$28,490,000.

12 OFFICE OF INSPECTOR GENERAL

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

17 NATIONAL OCEANIC AND ATMOSPHERIC

18 ADMINISTRATION

19 OPERATIONS, RESEARCH, AND FACILITIES

20 (RESCISSION)

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

23 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

24 SEC. 201. During the current fiscal year, applicable
 25 appropriations and funds made available to the Depart-
 26 ment of Commerce by this Act shall be available for the

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

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

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

20 SEC. 204. None of the funds provided in this or any
21 previous Act, or hereinafter made available to the Depart-
22 ment of Commerce, shall be available to reimburse the Un-
23 employment Trust Fund or any other fund or account of
24 the Treasury to pay for any expenses paid before October
25 1, 1992, as authorized by section 8501 of title 5, United

1 States Code, for services performed after April 20, 1990,
2 by individuals appointed to temporary positions within the
3 Bureau of the Census for purposes relating to the 1990
4 decennial census of population.

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

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

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

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

1 carry out this section shall be treated as a reprogramming
2 of funds under section 605 of this Act and shall not be
3 available for obligation or expenditure except in compli-
4 ance with the procedures set forth in that section.

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

10 TITLE III—THE JUDICIARY

11 SUPREME COURT OF THE UNITED STATES

12 SALARIES AND EXPENSES

13 For expenses necessary for the operation of the Su-
14 preme Court, as required by law, excluding care of the
15 building and grounds, including purchase or hire, driving,
16 maintenance, and operation of an automobile for the Chief
17 Justice, not to exceed \$10,000 for the purpose of trans-
18 porting Associate Justices, and hire of passenger motor
19 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
20 to exceed \$10,000 for official reception and representation
21 expenses; and for miscellaneous expenses, to be expended
22 as the Chief Justice may approve; \$29,278,000.

23 CARE OF THE BUILDING AND GROUNDS

24 For such expenditures as may be necessary to enable
25 the Architect of the Capitol to carry out the duties im-
26 posed upon him by the Act approved May 7, 1934 (40

1 U.S.C. 13a–13b), \$3,400,000, of which \$410,000 shall re-
2 main available until expended.

3 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
4 CIRCUIT

5 SALARIES AND EXPENSES

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

9 UNITED STATES COURT OF INTERNATIONAL TRADE

10 SALARIES AND EXPENSES

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

15 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

16 JUDICIAL SERVICES

17 SALARIES AND EXPENSES

18 (INCLUDING TRANSFER OF FUNDS)

19 For the salaries of circuit and district judges (includ-
20 ing judges of the territorial courts of the United States),
21 justices and judges retired from office or from regular ac-
22 tive service, judges of the United States Court of Federal
23 Claims, bankruptcy judges, magistrate judges, and all
24 other officers and employees of the Federal Judiciary not
25 otherwise specifically provided for, and necessary expenses
26 of the courts, as authorized by law, \$2,700,069,000 (in-

1 cluding the purchase of firearms and ammunition); of
2 which not to exceed \$13,454,000 shall remain available
3 until expended for space alteration projects; and of which
4 not to exceed \$10,000,000 shall remain available until ex-
5 pended for furniture and furnishings related to new space
6 alteration and construction projects.

7 In addition, for expenses of the United States Court
8 of Federal Claims associated with processing cases under
9 the National Childhood Vaccine Injury Act of 1986, not
10 to exceed \$2,450,000, to be appropriated from the Vaccine
11 Injury Compensation Trust Fund.

12 VIOLENT CRIME REDUCTION PROGRAMS

13 For activities of the Federal Judiciary as authorized
14 by law, \$40,000,000, to remain available until expended,
15 which shall be derived from the Violent Crime Reduction
16 Trust Fund, as authorized by section 190001(a) of Public
17 Law 103–322, and sections 818 and 823 of Public Law
18 104–132.

19 DEFENDER SERVICES

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

1 3006A(e)); the compensation (in accordance with Criminal
2 Justice Act maximums) and reimbursement of expenses
3 of attorneys appointed to assist the court in criminal cases
4 where the defendant has waived representation by counsel;
5 the compensation and reimbursement of travel expenses
6 of guardians ad litem acting on behalf of financially eligi-
7 ble minor or incompetent offenders in connection with
8 transfers from the United States to foreign countries with
9 which the United States has a treaty for the execution
10 of penal sentences; and the compensation of attorneys ap-
11 pointed to represent jurors in civil actions for the protec-
12 tion of their employment, as authorized by 28 U.S.C.
13 1875(d); \$329,529,000, to remain available until ex-
14 pended as authorized by 18 U.S.C. 3006A(i).

15 FEES OF JURORS AND COMMISSIONERS

16 For fees and expenses of jurors as authorized by 28
17 U.S.C. 1871 and 1876; compensation of jury commis-
18 sioners as authorized by 28 U.S.C. 1863; and compensa-
19 tion of commissioners appointed in condemnation cases
20 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-
21 cedure (28 U.S.C. Appendix Rule 71A(h)); \$66,196,000,
22 to remain available until expended: *Provided*, That the
23 compensation of land commissioners shall not exceed the
24 daily equivalent of the highest rate payable under section
25 5332 of title 5, United States Code.

1 COURT SECURITY

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

16 ADMINISTRATIVE OFFICE OF THE UNITED STATES

17 COURTS

18 SALARIES AND EXPENSES

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

1 FEDERAL JUDICIAL CENTER

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Judicial Cen-
4 ter, as authorized by Public Law 90–219, \$17,495,000;
5 of which \$1,800,000 shall remain available through Sep-
6 tember 30, 1999, to provide education and training to
7 Federal court personnel; and of which not to exceed
8 \$1,000 is authorized for official reception and representa-
9 tion expenses.

10 JUDICIAL RETIREMENT FUNDS

11 PAYMENT TO JUDICIARY TRUST FUNDS

12 For payment to the Judicial Officers' Retirement
13 Fund, as authorized by 28 U.S.C. 377(o), \$25,000,000;
14 to the Judicial Survivors' Annuities Fund, as authorized
15 by 28 U.S.C. 376(c), \$7,400,000; and to the United
16 States Court of Federal Claims Judges' Retirement Fund,
17 as authorized by 28 U.S.C. 178(l), \$1,800,000.

18 UNITED STATES SENTENCING COMMISSION

19 SALARIES AND EXPENSES

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

1 GENERAL PROVISIONS—THE JUDICIARY

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

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

18 SEC. 303. Notwithstanding any other provision of
19 law, the salaries and expenses appropriation for district
20 courts, courts of appeals, and other judicial services shall
21 be available for official reception and representation ex-
22 penses of the Judicial Conference of the United States:
23 *Provided*, That such available funds shall not exceed
24 \$10,000 and shall be administered by the Director of the

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

3 TITLE IV—DEPARTMENT OF STATE AND
4 RELATED AGENCIES

5 DEPARTMENT OF STATE

6 ADMINISTRATION OF FOREIGN AFFAIRS

7 DIPLOMATIC AND CONSULAR PROGRAMS

8 For necessary expenses of the Department of State
9 and the Foreign Service not otherwise provided for, includ-
10 ing expenses authorized by the State Department Basic
11 Authorities Act of 1956, as amended; representation to
12 certain international organizations in which the United
13 States participates pursuant to treaties, ratified pursuant
14 to the advice and consent of the Senate, or specific Acts
15 of Congress; acquisition by exchange or purchase of pas-
16 senger motor vehicles as authorized by 31 U.S.C. 1343,
17 40 U.S.C. 481(c) and 22 U.S.C. 2674; and for expenses
18 of general administration; \$1,715,087,000: *Provided*, That
19 all fees collected under the authority of section 140(a)(1)
20 of the Foreign Relations Authorization Act, Fiscal Years
21 1994 and 1995 (Public Law 103–236) shall be deposited
22 in fiscal year 1998 as an offsetting collection to appropria-
23 tions made under this heading to recover the costs of pro-
24 viding border security and shall remain available until ex-
25 pended.

1 Of the funds provided under this heading,
2 \$24,856,000 shall be available only for the Diplomatic
3 Telecommunications Service for operation of existing base
4 services and not to exceed \$17,312,000 shall be available
5 only for the enhancement of the Diplomatic Telecommuni-
6 cations Service and shall remain available until expended.

7 In addition, not to exceed \$700,000 in registration
8 fees collected pursuant to section 38 of the Arms Export
9 Control Act, as amended, may be used in accordance with
10 section 45 of the State Department Basic Authorities Act
11 of 1956 (22 U.S.C. 2717); in addition not to exceed
12 \$1,252,000 shall be derived from fees collected from other
13 executive agencies for lease or use of facilities located at
14 the International Center in accordance with section 4 of
15 the International Center Act (Public Law 90-553), as
16 amended, and in addition, as authorized by section 5 of
17 such Act \$490,000, to be derived from the reserve author-
18 ized by that section, to be used for the purposes set out
19 in that section; and in addition not to exceed \$15,000
20 which shall be derived from reimbursements, surcharges,
21 and fees for use of Blair House facilities in accordance
22 with section 46 of the State Department Basic Authorities
23 Act of 1956 (22 U.S.C. 2718(a)).

24 Notwithstanding section 402 of this Act, not to ex-
25 ceed 20 percent of the amounts made available in this Act

1 in the appropriation accounts “Diplomatic and Consular
2 Programs” and “Salaries and Expenses” under the head-
3 ing “Administration of Foreign Affairs” may be trans-
4 ferred between such appropriation accounts: *Provided*,
5 That any transfer pursuant to this sentence shall be treat-
6 ed as a reprogramming of funds under section 605 of this
7 Act and shall not be available for obligation or expenditure
8 except in compliance with the procedures set forth in that
9 section.

10 In addition, for counterterrorism requirements over-
11 seas, including security guards and equipment,
12 \$23,700,000, to remain available until expended.

13 SALARIES AND EXPENSES

14 For expenses necessary for the general administra-
15 tion of the Department of State and the Foreign Service,
16 provided for by law, including expenses authorized by sec-
17 tion 9 of the Act of August 31, 1964, as amended (31
18 U.S.C. 3721), and the State Department Basic Authori-
19 ties Act of 1956, as amended, \$363,513,000.

20 CAPITAL INVESTMENT FUND

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

1 OFFICE OF INSPECTOR GENERAL

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

8 REPRESENTATION ALLOWANCES

9 For representation allowances as authorized by sec-
10 tion 905 of the Foreign Service Act of 1980, as amended
11 (22 U.S.C. 4085), \$4,300,000.

12 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

13 For expenses, not otherwise provided, to enable the
14 Secretary of State to provide for extraordinary protective
15 services in accordance with the provisions of section 214
16 of the State Department Basic Authorities Act of 1956
17 (22 U.S.C. 4314) and 3 U.S.C. 208, \$7,900,000, to re-
18 main available until September 30, 1999.

19 SECURITY AND MAINTENANCE OF UNITED STATES

20 MISSIONS

21 For necessary expenses for carrying out the Foreign
22 Service Buildings Act of 1926, as amended (22 U.S.C.
23 292–300), and the Diplomatic Security Construction Pro-
24 gram as authorized by title IV of the Omnibus Diplomatic
25 Security and Antiterrorism Act of 1986 (22 U.S.C. 4851),
26 \$373,081,000, to remain available until expended as au-

1 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

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

4 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
5 DISABILITY FUND

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

8 INTERNATIONAL ORGANIZATIONS AND CONFERENCES

9 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

10 For expenses, not otherwise provided for, necessary
11 to meet annual obligations of membership in international
12 multilateral organizations, pursuant to treaties ratified
13 pursuant to the advice and consent of the Senate, conven-
14 tions or specific Acts of Congress, \$978,952,000, of which
15 not to exceed \$54,000,000 shall remain available until ex-
16 pended for payment of arrearages: *Provided*, That none
17 of the funds appropriated or otherwise made available by
18 this Act for payment of arrearages may be obligated or
19 expended unless such obligation or expenditure is ex-
20 pressly authorized by the enactment of a subsequent Act
21 that makes payment of arrearages contingent upon re-
22 forms that should include the following: a reduction in the
23 United States assessed share of the United Nations regu-
24 lar budget to 20 percent and of peacekeeping operations
25 to 25 percent; reimbursement for goods and services pro-
26 vided by the United States to the United Nations; certifi-

1 cation that the United Nations and its specialized or affili-
2 ated agencies have not taken any action to infringe on the
3 sovereignty of the United States; a ceiling on United
4 States contributions to international organizations after
5 fiscal year 1998 of \$900,000,000; establishment of a
6 merit-based personnel system at the United Nations that
7 includes a code of conduct and a personnel evaluation sys-
8 tem; United States membership on the Advisory Commit-
9 tee on Administrative and Budgetary Questions that over-
10 sees the United Nations budget; access to United Nations
11 financial data by the General Accounting Office; and
12 achievement of a negative growth budget and the estab-
13 lishment of independent inspectors general for affiliated
14 organizations; and improved consultation procedures with
15 the Congress: *Provided further*, That any payment of ar-
16 rearages shall be directed toward special activities that are
17 mutually agreed upon by the United States and the re-
18 spective international organization: *Provided further*, That
19 20 percent of the funds appropriated in this paragraph
20 for the assessed contribution of the United States to the
21 United Nations shall be withheld from obligation and ex-
22 penditure until a certification is made under section
23 401(b) of Public Law 103–236 and under such other re-
24 quirements related to the Office of Internal Oversight
25 Services of the United Nations as may be enacted into

1 law for fiscal year 1998: *Provided further*, That certifi-
2 cation under section 401(b) of Public Law 103–236 for
3 fiscal year 1998 may only be made if the Committees on
4 Appropriations and Foreign Relations of the Senate and
5 the Committees on Appropriations and International Rela-
6 tions of the House of Representatives are notified of the
7 steps taken, and anticipated, to meet the requirements of
8 section 401(b) of Public Law 103–236 at least 15 days
9 in advance of the proposed certification: *Provided further*,
10 That none of the funds appropriated in this paragraph
11 shall be available for a United States contribution to an
12 international organization for the United States share of
13 interest costs made known to the United States Govern-
14 ment by such organization for loans incurred on or after
15 October 1, 1984, through external borrowings: *Provided*
16 *further*, That of the funds appropriated in this paragraph,
17 \$100,000,000 may be made available only on a semi-an-
18 nual basis pursuant to a certification by the Secretary of
19 State on a semi-annual basis, that the United Nations has
20 taken no action during the preceding six months to in-
21 crease funding for any United Nations program without
22 identifying an offsetting decrease during that six-month
23 period elsewhere in the United Nations budget and cause
24 the United Nations to exceed the expected reform budget
25 for the biennium 1998–1999 of \$2,533,000,000: *Provided*

1 tions peacekeeping mission unless, at least fifteen days in
2 advance of voting for the new or expanded mission in the
3 United Nations Security Council (or in an emergency, as
4 far in advance as is practicable), (1) the Committees on
5 Appropriations of the House of Representatives and the
6 Senate and other appropriate Committees of the Congress
7 are notified of the estimated cost and length of the mis-
8 sion, the vital national interest that will be served, and
9 the planned exit strategy; and (2) a reprogramming of
10 funds pursuant to section 605 of this Act is submitted,
11 and the procedures therein followed, setting forth the
12 source of funds that will be used to pay for the cost of
13 the new or expanded mission: *Provided further*, That funds
14 shall be available for peacekeeping expenses only upon a
15 certification by the Secretary of State to the appropriate
16 committees of the Congress that American manufacturers
17 and suppliers are being given opportunities to provide
18 equipment, services, and material for United Nations
19 peacekeeping activities equal to those being given to for-
20 eign manufacturers and suppliers.

21 INTERNATIONAL CONFERENCES AND CONTINGENCIES

22 For necessary expenses authorized by section 5 of the
23 State Department Basic Authorities Act of 1956, in addi-
24 tion to funds otherwise available for these purposes, con-
25 tributions for the United States share of general expenses
26 of international organizations and conferences and rep-

1 representation to such organizations and conferences, as pro-
2 vided for by 22 U.S.C. 2656 and 2672, and personal serv-
3 ices notwithstanding 5 U.S.C. 5102, \$1,500,000, to re-
4 main available until expended as authorized by 22 U.S.C.
5 2696(c), of which not to exceed \$200,000 may be ex-
6 pended for representation as authorized by 22 U.S.C.
7 4085: *Provided*, That these funds shall be available for
8 obligation or expenditure only after submission of a plan
9 for the expenditure of these funds in accordance with the
10 procedures set forth in section 605 of this Act.

11 INTERNATIONAL COMMISSIONS

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

15 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

16 UNITED STATES AND MEXICO

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

22 SALARIES AND EXPENSES

23 For salaries and expenses, not otherwise provided for,
24 \$17,490,000.

1 CONSTRUCTION

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

7 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

8 For necessary expenses, not otherwise provided for
9 the International Joint Commission and the International
10 Boundary Commission, United States and Canada, as au-
11 thorized by treaties between the United States and Can-
12 ada or Great Britain, and for the Border Environment
13 Cooperation Commission as authorized by Public Law
14 103-182; \$5,490,000, of which not to exceed \$9,000 shall
15 be available for representation expenses incurred by the
16 International Joint Commission.

17 INTERNATIONAL FISHERIES COMMISSIONS

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

23 OTHER

24 PAYMENT TO THE ASIA FOUNDATION

25 For a grant to the Asia Foundation, as authorized
26 by section 501 of Public Law 101-246, \$8,000,000, to

1 remain available until expended, as authorized by section
2 24(c) of the State Department Basic Authorities Act of
3 1956 (22 U.S.C. 2696(c)).

4 RELATED AGENCIES

5 ARMS CONTROL AND DISARMAMENT AGENCY

6 ARMS CONTROL AND DISARMAMENT ACTIVITIES

7 For necessary expenses not otherwise provided, for
8 arms control, nonproliferation, and disarmament activi-
9 ties, \$41,500,000, of which not to exceed \$50,000 shall
10 be for official reception and representation expenses as au-
11 thorized by the Act of September 26, 1961, as amended
12 (22 U.S.C. 2551 et seq.).

13 UNITED STATES INFORMATION AGENCY

14 INTERNATIONAL INFORMATION PROGRAMS

15 For expenses, not otherwise provided for, necessary
16 to enable the United States Information Agency, as au-
17 thorized by the Mutual Educational and Cultural Ex-
18 change Act of 1961, as amended (22 U.S.C. 2451 et seq.),
19 the United States Information and Educational Exchange
20 Act of 1948, as amended (22 U.S.C. 1431 et seq.), and
21 Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to
22 carry out international communication, educational and
23 cultural activities; and to carry out related activities au-
24 thorized by law, including employment, without regard to
25 civil service and classification laws, of persons on a tem-

1 porary basis (not to exceed \$700,000 of this appropria-
2 tion), as authorized by section 801 of such Act of 1948
3 (22 U.S.C. 1471), and entertainment, including official re-
4 ceptions, within the United States, not to exceed \$25,000
5 as authorized by section 804(3) of such Act of 1948 (22
6 U.S.C. 1474(3)); \$430,597,000: *Provided*, That not to ex-
7 ceed \$1,400,000 may be used for representation abroad
8 as authorized by section 302 of such Act of 1948 (22
9 U.S.C. 1452) and section 905 of the Foreign Service Act
10 of 1980 (22 U.S.C. 4085): *Provided further*, That not to
11 exceed \$6,000,000, to remain available until expended,
12 may be credited to this appropriation from fees or other
13 payments received from or in connection with English
14 teaching, library, motion pictures, educational advising
15 and counseling, exchange visitor program services, and
16 publication programs as authorized by section 810 of such
17 Act of 1948 (22 U.S.C. 1475e): *Provided further*, That
18 not to exceed \$920,000 to remain available until expended
19 may be used to carry out projects involving security con-
20 struction and related improvements for agency facilities
21 not physically located together with Department of State
22 facilities abroad.

23

TECHNOLOGY FUND

24 For expenses necessary to enable the United States
25 Information Agency to provide for the procurement of in-
26 formation technology improvements, as authorized by the

1 United States Information and Educational Exchange Act
2 of 1948, as amended (22 U.S.C. 1431 et seq.), the Mutual
3 Educational and Cultural Exchange Act of 1961, as
4 amended (22 U.S.C. 2451 et seq.), and Reorganization
5 Plan No. 2 of 1977 (91 Stat. 1636), \$5,050,000, to re-
6 main available until expended.

7 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

8 For expenses of educational and cultural exchange
9 programs, as authorized by the Mutual Educational and
10 Cultural Exchange Act of 1961, as amended (22 U.S.C.
11 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91
12 Stat. 1636), \$193,731,000, to remain available until ex-
13 pended as authorized by section 105 of such Act of 1961
14 (22 U.S.C. 2455): *Provided*, That not to exceed \$800,000,
15 to remain available until expended, may be credited to this
16 appropriation from fees or other payments received from
17 or in connection with English teaching and publication
18 programs and educational advising and counseling as au-
19 thorized by section 810 of the United States Information
20 and Educational Exchange Act of 1948 (22 U.S.C.
21 1475e).

22 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST

23 FUND

24 For necessary expenses of Eisenhower Exchange Fel-
25 lowships, Incorporated, as authorized by sections 4 and
26 5 of the Eisenhower Exchange Fellowship Act of 1990 (20

1 U.S.C. 5204–5205), all interest and earnings accruing to
2 the Eisenhower Exchange Fellowship Program Trust
3 Fund on or before September 30, 1998, to remain avail-
4 able until expended: *Provided*, That none of the funds ap-
5 propriated herein shall be used to pay any salary or other
6 compensation, or to enter into any contract providing for
7 the payment thereof, in excess of the rate authorized by
8 5 U.S.C. 5376; or for purposes which are not in accord-
9 ance with OMB Circulars A–110 (Uniform Administrative
10 Requirements) and A–122 (Cost Principles for Non-profit
11 Organizations), including the restrictions on compensation
12 for personal services.

13 ISRAELI ARAB SCHOLARSHIP PROGRAM

14 For necessary expenses of the Israeli Arab Scholar-
15 ship Program as authorized by section 214 of the Foreign
16 Relations Authorization Act, Fiscal Years 1992 and 1993
17 (22 U.S.C. 2452), all interest and earnings accruing to
18 the Israeli Arab Scholarship Fund on or before September
19 30, 1998, to remain available until expended.

20 INTERNATIONAL BROADCASTING OPERATIONS

21 For expenses necessary to enable the United States
22 Information Agency, as authorized by the United States
23 Information and Educational Exchange Act of 1948, as
24 amended, the Radio Broadcasting to Cuba Act, as amend-
25 ed, the Television Broadcasting to Cuba Act, the United
26 States International Broadcasting Act of 1994, as amend-

1 ed, and Reorganization Plan No. 2 of 1977, to carry out
2 international communication activities, including the pur-
3 chase, installation, rent, construction, and improvement of
4 facilities and equipment for radio and television trans-
5 mission and reception to Cuba, \$391,550,000, of which
6 \$30,000,000 shall remain available until expended, not to
7 exceed \$16,000 may be used for official receptions within
8 the United States as authorized by section 804(3) of such
9 Act of 1948 (22 U.S.C. 1747(3)), not to exceed \$35,000
10 may be used for representation abroad as authorized by
11 section 302 of such Act of 1948 (22 U.S.C. 1452) and
12 section 905 of the Foreign Service Act of 1980 (22 U.S.C.
13 4085), and not to exceed \$39,000 may be used for official
14 reception and representation expenses of Radio Free Eu-
15 rope/Radio Liberty; and in addition, not to exceed
16 \$2,000,000 in receipts from advertising and revenue from
17 business ventures, not to exceed \$500,000 in receipts from
18 cooperating international organizations, and not to exceed
19 \$1,000,000 in receipts from privatization efforts of the
20 Voice of America and the International Broadcasting Bu-
21 reau, as authorized by section 810 of such Act of 1948
22 (22 U.S.C. 1475e), to remain available until expended for
23 carrying out authorized purposes: *Provided*, That no funds
24 shall be used for television broadcasting to Cuba after Oc-
25 tober 1, 1997, if the President certifies that continued

1 funding is not in the national interest of the United
2 States.

3 RADIO CONSTRUCTION

4 For the purchase, rent, construction, and improve-
5 ment of facilities for radio transmission and reception, and
6 purchase and installation of necessary equipment for radio
7 and television transmission and reception as authorized by
8 section 801 of the United States Information and Edu-
9 cational Exchange Act of 1948 (22 U.S.C. 1471),
10 \$40,000,000, to remain available until expended, as au-
11 thorized by section 704(a) of such Act of 1948 (22 U.S.C.
12 1477b(a)).

13 NATIONAL ENDOWMENT FOR DEMOCRACY

14 For grants made by the United States Information
15 Agency to the National Endowment for Democracy as au-
16 thorized by the National Endowment for Democracy Act,
17 \$30,000,000, to remain available until expended.

18 GENERAL PROVISIONS—DEPARTMENT OF STATE AND
19 RELATED AGENCIES

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 5
23 U.S.C.; for services as authorized by 5 U.S.C. 3109; and
24 hire of passenger transportation pursuant to 31 U.S.C.
25 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 United States Informa-
9 tion Agency 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. (1) For purposes of implementing the
19 International Cooperative Administrative Support Services
20 program in fiscal year 1998, the amounts referred to in
21 paragraph (2) shall be transferred in accordance with the
22 provisions of section 404.

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

1 (A) \$108,932,000 of the amount made available
2 under the paragraph “DIPLOMATIC AND CONSULAR
3 PROGRAMS”.

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

7 SEC. 404. Funds transferred pursuant to section 403
8 shall be transferred to the specified appropriation, allo-
9 cated to the specified account or accounts in the specified
10 amount, be merged with funds in such account or accounts
11 that are available for administrative support expenses of
12 overseas activities, and be available for the same purposes,
13 and subject to the same terms and conditions, as the funds
14 with which merged, as follows:

15 (1) Appropriations for the Legislative Branch—

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

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

20 (2) Appropriations for the Office of the United
21 States Trade Representative, for salaries and ex-
22 penses, \$302,000.

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

1 (4) Appropriations for the Department of Jus-
2 tice—

3 (A) for legal activities—

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

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

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

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

12 (D) for the Immigration and Naturaliza-
13 tion Service, for salaries and expenses,
14 \$1,313,000.

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

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

21 (7) Appropriations to the President—

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

24 (B) for the Economic Support Fund,
25 \$336,000;

1 (C) for the Agency for International Devel-
2 opment—

3 (i) for operating expenses,
4 \$6,008,000;

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

7 (iii) for the Development Assistance
8 Fund, \$124,000;

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

11 (v) for assistance for the new inde-
12 pendent states of the former Soviet Union,
13 \$818,000;

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

16 (vii) for international disaster assist-
17 ance, \$306,000;

18 (D) for the Peace Corps, \$3,672,000; and

19 (E) for the Department of State—

20 (i) for international narcotics control
21 \$1,117,000; and

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

24 (8) Appropriations for the Department of De-
25 fense—

1 (A) for operation and maintenance—

2 (i) for operation and maintenance,
3 Army, \$4,394,000;

4 (ii) for operation and maintenance,
5 Navy, \$1,824,000;

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

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

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

12 (9) Appropriations for the American Battle
13 Monuments Commission, for salaries and expenses,
14 \$210,000.

15 (10) Appropriations for the Department of Ag-
16 riculture—

17 (A) for the Animal and Plant Health In-
18 spection Service, for salaries and expenses,
19 \$932,000;

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

22 (C) for the Agricultural Research Service,
23 \$16,000.

24 (11) Appropriations for the Department of
25 Treasury—

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

3 (B) for departmental offices, for salaries
4 and expenses, \$804,000;

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

7 (D) for the Bureau of Alcohol, Tobacco,
8 and Firearms, for salaries and expenses,
9 \$17,000;

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

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

14 (12) Appropriations for the Department of
15 Transportation—

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

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

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

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

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

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

5 (C) for the Centers for Disease Control
6 and Prevention, for disease control, research,
7 and training, \$522,000; and

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

10 (16) Appropriations for the Department of the
11 Interior—

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

14 (B) for the United States Geological Sur-
15 vey, for surveys, investigations, and research,
16 \$80,000; and

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

19 (17) Appropriations for the Department of Vet-
20 erans Affairs, for departmental administration, for
21 general operating expenses, \$453,000.

22 (18) Appropriations for the National Aero-
23 nautics and Space Administration, for mission sup-
24 port, \$183,000.

1 (19) Appropriations for the National Science
2 Foundation, for research and related activities,
3 \$39,000.

4 (20) Appropriations for the Federal Emergency
5 Management Agency, for salaries and expenses,
6 \$4,000.

7 (21) Appropriations for the Department of En-
8 ergy—

9 (A) for departmental administration,
10 \$150,000; and

11 (B) for atomic energy defense activities,
12 for other defense activities, \$54,000.

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

15 TITLE V—RELATED AGENCIES

16 DEPARTMENT OF TRANSPORTATION

17 MARITIME ADMINISTRATION

18 OPERATING-DIFFERENTIAL SUBSIDIES

19 (LIQUIDATION OF CONTRACT AUTHORITY)

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

24 MARITIME SECURITY PROGRAM

25 For necessary expenses to maintain and preserve a
26 U.S.-flag merchant fleet to serve the national security

1 needs of the United States, \$35,500,000, to remain avail-
2 able until expended.

3 OPERATIONS AND TRAINING

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

10 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

11 ACCOUNT

12 For the cost of guaranteed loans, as authorized by
13 the Merchant Marine Act, 1936, \$35,000,000, to remain
14 available until expended: *Provided*, That such costs, in-
15 cluding the cost of modifying such loans, shall be as de-
16 fined in section 502 of the Congressional Budget Act of
17 1974, as amended: *Provided further*, That these funds are
18 available to subsidize total loan principal, any part of
19 which is to be guaranteed, not to exceed \$1,000,000,000.

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

1 ADMINISTRATIVE PROVISIONS—MARITIME

2 ADMINISTRATION

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

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

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

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

7 COMMISSION ON CIVIL RIGHTS
8 SALARIES AND EXPENSES

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

21 COMMISSION ON IMMIGRATION REFORM
22 SALARIES AND EXPENSES

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

1 gration Act of 1990, \$496,000, to remain available until
2 expended.

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

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

10 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
11 SALARIES AND EXPENSES

12 For necessary expenses of the Equal Employment
13 Opportunity Commission as authorized by title VII of the
14 Civil Rights Act of 1964, as amended (29 U.S.C. 206(d)
15 and 621-634), the Americans with Disabilities Act of
16 1990, and the Civil Rights Act of 1991, including services
17 as authorized by 5 U.S.C. 3109; hire of passenger motor
18 vehicles as authorized by 31 U.S.C. 1343(b); non-mone-
19 tary awards to private citizens; and not to exceed
20 \$27,500,000 for payments to State and local enforcement
21 agencies for services to the Commission pursuant to title
22 VII of the Civil Rights Act of 1964, as amended, sections
23 6 and 14 of the Age Discrimination in Employment Act,
24 the Americans with Disabilities Act of 1990, and the Civil
25 Rights Act of 1991; \$239,740,000: *Provided*, That the

1 Commission is authorized to make available for official re-
2 ception and representation expenses not to exceed \$2,500
3 from available funds.

4 FEDERAL COMMUNICATIONS COMMISSION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Federal Communica-
7 tions Commission, as authorized by law, including uni-
8 forms and allowances therefor, as authorized by 5 U.S.C.
9 5901–02; not to exceed \$600,000 for land and structure;
10 not to exceed \$500,000 for improvement and care of
11 grounds and repair to buildings; not to exceed \$4,000 for
12 official reception and representation expenses; purchase
13 (not to exceed 16) and hire of motor vehicles; special coun-
14 sel fees; and services as authorized by 5 U.S.C. 3109;
15 \$187,079,000, of which not to exceed \$300,000 shall re-
16 main available until September 30, 1999, for research and
17 policy studies: *Provided*, That \$152,523,000 of offsetting
18 collections shall be assessed and collected pursuant to sec-
19 tion 9 of title I of the Communications Act of 1934, as
20 amended, and shall be retained and used for necessary ex-
21 penses in this appropriation, and shall remain available
22 until expended: *Provided further*, That the sum herein ap-
23 propriated shall be reduced as such offsetting collections
24 are received during fiscal year 1998 so as to result in a
25 final fiscal year 1998 appropriation estimated at

1 \$34,556,000: *Provided further*, That any offsetting collec-
2 tions received in excess of \$152,523,000 in fiscal year
3 1998 shall remain available until expended, but shall not
4 be available for obligation until October 1, 1998.

5 FEDERAL MARITIME COMMISSION

6 SALARIES AND EXPENSES

7 For necessary expenses of the Federal Maritime
8 Commission as authorized by section 201(d) of the Mer-
9 chant Marine Act of 1936, as amended (46 App. U.S.C.
10 1111), including services as authorized by 5 U.S.C. 3109;
11 hire of passenger motor vehicles as authorized by 31
12 U.S.C. 1343(b); and uniforms or allowances therefor, as
13 authorized by 5 U.S.C. 5901–02; \$13,500,000: *Provided*,
14 That not to exceed \$2,000 shall be available for official
15 reception and representation expenses.

16 FEDERAL TRADE COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Federal Trade Com-
19 mission, including uniforms or allowances therefor, as au-
20 thorized by 5 U.S.C. 5901–5902; services as authorized
21 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
22 not to exceed \$2,000 for official reception and representa-
23 tion expenses; \$95,000,000: *Provided*, That not to exceed
24 \$300,000 shall be available for use to contract with a per-
25 son or persons for collection services in accordance with

1 the terms of 31 U.S.C. 3718, as amended: *Provided fur-*
2 *ther*, That notwithstanding any other provision of law, not
3 to exceed \$70,000,000 of offsetting collections derived
4 from fees collected for premerger notification filings under
5 the Hart-Scott-Rodino Antitrust Improvements Act of
6 1976 (15 U.S.C. 18(a)) shall be retained and used for nec-
7 essary expenses in this appropriation, and shall remain
8 available until expended: *Provided further*, That the sum
9 herein appropriated from the General Fund shall be re-
10 duced as such offsetting collections are received during fis-
11 cal year 1998, so as to result in a final fiscal year 1998
12 appropriation from the General Fund estimated at not
13 more than \$25,000,000, to remain available until ex-
14 pended: *Provided further*, That any fees received in excess
15 of \$70,000,000 in fiscal year 1998 shall remain available
16 until expended, but shall not be available for obligation
17 until October 1, 1998: *Provided further*, That none of the
18 funds made available to the Federal Trade Commission
19 shall be available for obligation for expenses authorized
20 by section 151 of the Federal Deposit Insurance Corpora-
21 tion Improvement Act of 1991 (Public Law 102-242, 105
22 Stat. 2282-2285).

1 LEGAL SERVICES CORPORATION

2 PAYMENT TO THE LEGAL SERVICES CORPORATION

3 For payment to the Legal Services Corporation to
4 carry out the purposes of the Legal Services Corporation
5 Act of 1974, as amended, \$141,000,000, of which
6 \$134,575,000 is for basic field programs and required
7 independent audits; \$1,125,000 is for the Office of Inspec-
8 tor General, of which such amounts as may be necessary
9 may be used to conduct additional audits of recipients; and
10 \$5,300,000 is for management and administration.

11 ADMINISTRATIVE PROVISION—LEGAL SERVICES

12 CORPORATION

13 SEC. 501. (a) CONTINUATION OF COMPETITIVE SE-
14 LECTION PROCESS.—None of the funds appropriated in
15 this Act to the Legal Services Corporation may be used
16 to provide financial assistance to any person or entity ex-
17 cept through a competitive selection process conducted in
18 accordance with regulations promulgated by the Corpora-
19 tion in accordance with the criteria set forth in subsections
20 (c), (d), and (e) of section 503 of Public Law 104–134
21 (110 Stat. 1321–52 et seq.).

22 (b) INAPPLICABILITY OF CERTAIN PROCEDURES.—

23 Sections 1007(a)(9) and 1011 of the Legal Services Cor-
24 poration Act (42 U.S.C. 2996f(a)(9) and 2996j) shall not
25 apply to the provision, denial, suspension, or termination

1 of any financial assistance using funds appropriated in
2 this Act.

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

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

21 (1) sections 501, 502, 505, 506, and 507 of
22 Public Law 104–134 (110 Stat. 1321–51 et seq.),
23 and all funds appropriated in this Act to the Legal
24 Services Corporation shall be subject to the same
25 terms and conditions as set forth in such sections,

1 except that all references in such sections to 1995
2 and 1996 shall be deemed to refer instead to 1997
3 and 1998, respectively; and

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

9 (A) subsection (c) of such section 504 shall
10 not apply;

11 (B) paragraph (3) of section 508(b) of
12 Public Law 104–134 (110 Stat. 1321–58) shall
13 apply with respect to the requirements of sub-
14 section (a)(13) of such section 504, except that
15 all references in such section 508(b) to the date
16 of enactment shall be deemed to refer to April
17 26, 1996; and

18 (C) subsection (a)(11) of such section 504
19 shall not be construed to prohibit a recipient
20 from using funds derived from a source other
21 than the Corporation to provide related legal
22 assistance to—

23 (i) an alien who has been battered or
24 subjected to extreme cruelty in the United
25 States by a spouse or a parent, or by a

1 member of the spouse's or parent's family
2 residing in the same household as the alien
3 and the spouse or parent consented or ac-
4 quiesced to such battery or cruelty; or

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

16 (b) DEFINITIONS.—For purposes of subsection
17 (a)(2)(C):

18 (1) The term “battered or subjected to extreme
19 cruelty” has the meaning given such term under reg-
20 ulations issued pursuant to subtitle G of the Vio-
21 lence Against Women Act of 1994 (Pub. L. 103–
22 322; 108 Stat. 1953).

23 (2) The term “related legal assistance” means
24 legal assistance directly related to the prevention of,

1 or obtaining of relief from, the battery or cruelty de-
2 scribed in such subsection.

3 SEC. 503. (a) CONTINUATION OF AUDIT REQUIRE-
4 MENTS.—The requirements of section 509 of Public Law
5 104–134 (110 Stat. 1321–58 et seq.), other than sub-
6 section (l) of such section, shall apply during fiscal year
7 1998.

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

13 SEC. 504. (a) DEBARMENT.—The Legal Services
14 Corporation may debar a recipient, on a showing of good
15 cause, from receiving an additional award of financial as-
16 sistance from the Corporation. Any such action to debar
17 a recipient shall be instituted after the Corporation pro-
18 vides notice and an opportunity for a hearing to the recipi-
19 ent.

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

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

24 (1) prior termination of the financial assistance
25 of the recipient, under part 1640 of title 45, Code

1 of Federal Regulations (or any similar corresponding
2 regulation or ruling);

3 (2) prior termination in whole, under part 1606
4 of title 45, Code of Federal Regulations (or any
5 similar corresponding regulation or ruling), of the
6 most recent financial assistance received by the re-
7 cipient, prior to date of the debarment decision;

8 (3) substantial violation by the recipient of the
9 statutory or regulatory restrictions that prohibit re-
10 cipients from using financial assistance made avail-
11 able by the Legal Services Corporation or other fi-
12 nancial assistance for purposes prohibited under the
13 Legal Services Corporation Act (42 U.S.C. 2996 et
14 seq.) or for involvement in any activity prohibited
15 by, or inconsistent with, section 504 of Public Law
16 104–134 (110 Stat. 1321–53 et seq.), section
17 502(a)(2) of Public Law 104–208 (110 Stat. 3009–
18 59 et seq.), or section 502(a)(2) of this Act;

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

22 (5) the filing of a lawsuit by the recipient, on
23 behalf of the recipient, as part of any program re-
24 ceiving any Federal funds, naming the Corporation,

1 or any agency or employee of a Federal, State, or
2 local government, as a defendant.

3 MARINE MAMMAL COMMISSION

4 SALARIES AND EXPENSES

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

8 SECURITIES AND EXCHANGE COMMISSION

9 SALARIES AND EXPENSES

10 For necessary expenses for the Securities and Ex-
11 change Commission, including services as authorized by
12 5 U.S.C. 3109, the rental of space (to include multiple
13 year leases) in the District of Columbia and elsewhere, and
14 not to exceed \$3,000 for official reception and representa-
15 tion expenses, \$283,000,000, of which not to exceed
16 \$10,000 may be used toward funding a permanent sec-
17 retariat for the International Organization of Securities
18 Commissions, and of which not to exceed \$100,000 shall
19 be available for expenses for consultations and meetings
20 hosted by the Commission with foreign governmental and
21 other regulatory officials, members of their delegations,
22 appropriate representatives and staff to exchange views
23 concerning developments relating to securities matters, de-
24 velopment and implementation of cooperation agreements
25 concerning securities matters and provision of technical

1 assistance for the development of foreign securities mar-
2 kets, such expenses to include necessary logistic and ad-
3 ministrative expenses and the expenses of Commission
4 staff and foreign invitees in attendance at such consulta-
5 tions and meetings including (1) such incidental expenses
6 as meals taken in the course of such attendance, (2) any
7 travel and transportation to or from such meetings, and
8 (3) any other related lodging or subsistence: *Provided,*
9 That fees and charges authorized by sections 6(b)(4) of
10 the Securities Act of 1933 (15 U.S.C. 77f(b)(4)) and
11 31(d) of the Securities Exchange Act of 1934 (15 U.S.C.
12 78ee(d)) shall be credited to this account as offsetting col-
13 lections: *Provided further,* That not to exceed
14 \$249,523,000 of such offsetting collections shall be avail-
15 able until expended for necessary expenses of this account:
16 *Provided further,* That the total amount appropriated for
17 fiscal year 1998 under this heading shall be reduced as
18 all such offsetting fees are deposited to this appropriation
19 so as to result in a final total fiscal year 1998 appropria-
20 tion from the General Fund estimated at not more than
21 \$33,477,000: *Provided further,* That any such fees col-
22 lected in excess of \$249,523,000 shall remain available
23 until expended but shall not be available for obligation
24 until October 1, 1998.

1 SMALL BUSINESS ADMINISTRATION

2 SALARIES AND EXPENSES

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

19 OFFICE OF INSPECTOR GENERAL

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

24 BUSINESS LOANS PROGRAM ACCOUNT

25 For the cost of guaranteed loans, \$187,100,000, as
26 authorized by 15 U.S.C. 631 note, of which \$45,000,000

1 shall remain available until September 30, 1999: *Provided*,
2 That such costs, including the cost of modifying such
3 loans, shall be as defined in section 502 of the Congres-
4 sional Budget Act of 1974: *Provided further*, That during
5 fiscal year 1998, commitments to guarantee loans under
6 section 503 of the Small Business Investment Act of 1958,
7 as amended, shall not exceed the amount of financings au-
8 thorized under section 20(n)(2)(B) of the Small Business
9 Act, as amended.

10 In addition, for administrative expenses to carry out
11 the direct and guaranteed loan programs, \$94,000,000,
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 disaster loans and associated adminis-
16 trative expenses, \$199,100,000, to remain available until
17 expended: *Provided*, That such costs for direct loans, in-
18 cluding the cost of modifying such loans, shall be as de-
19 fined in section 502 of the Congressional Budget Act of
20 1974: *Provided further*, That of the amounts available
21 under this heading, \$500,000 shall be transferred to and
22 merged with appropriations for the Office of Inspector
23 General of the Small Business Administration for audits
24 and reviews of disaster loans and the disaster loan pro-
25 gram.

1 SURETY BOND GUARANTEES REVOLVING FUND

2 For additional capital for the “Surety Bond Guarant-
3 tees Revolving Fund”, authorized by the Small Business
4 Investment Act, as amended, \$3,500,000, to remain avail-
5 able without fiscal year limitation as authorized by 15
6 U.S.C. 631 note.

7 ADMINISTRATIVE PROVISION—SMALL BUSINESS

8 ADMINISTRATION

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

19 STATE JUSTICE INSTITUTE

20 SALARIES AND EXPENSES

21 For necessary expenses of the State Justice Institute,
22 as authorized by the State Justice Institute Authorization
23 Act of 1992 (Public Law 102–572 (106 Stat. 4515–
24 4516)), \$3,000,000, to remain available until expended:
25 *Provided*, That not to exceed \$2,500 shall be available for
26 official reception and representation expenses.

1 TITLE VI—GENERAL PROVISIONS

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

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

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

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

21 SEC. 605. (a) None of the funds provided under this
22 Act, or provided under previous appropriations Acts to the
23 agencies funded by this Act that remain available for obli-
24 gation or expenditure in fiscal year 1998, or provided from
25 any accounts in the Treasury of the United States derived

1 by the collection of fees available to the agencies funded
2 by this Act, shall be available for obligation or expenditure
3 through a reprogramming of funds which (1) creates new
4 programs; (2) eliminates a program, project, or activity;
5 (3) increases funds or personnel by any means for any
6 project or activity for which funds have been denied or
7 restricted; (4) relocates an office or employees; (5) reorga-
8 nizes offices, programs, or activities; or (6) contracts out
9 or privatizes any functions, or activities presently per-
10 formed by Federal employees; unless the Appropriations
11 Committees of both Houses of Congress are notified fif-
12 teen days in advance of such reprogramming of funds.

13 (b) None of the funds provided under this Act, or
14 provided under previous appropriations Acts to the agen-
15 cies funded by this Act that remain available for obligation
16 or expenditure in fiscal year 1998, or provided from any
17 accounts in the Treasury of the United States derived by
18 the collection of fees available to the agencies funded by
19 this Act, shall be available for obligation or expenditure
20 for activities, programs, or projects through a reprogram-
21 ming of funds in excess of \$500,000 or 10 percent, which-
22 ever is less, that (1) augments existing programs, projects,
23 or activities; (2) reduces by 10 percent funding for any
24 existing program, project, or activity, or numbers of per-
25 sonnel by 10 percent as approved by Congress; or (3) re-

1 sults from any general savings from a reduction in person-
2 nel which would result in a change in existing programs,
3 activities, or projects as approved by Congress; unless the
4 Appropriations Committees of both Houses of Congress
5 are notified fifteen days in advance of such reprogram-
6 ming of funds.

7 SEC. 606. None of the funds made available in this
8 Act may be used for the construction, repair (other than
9 emergency repair), overhaul, conversion, or modernization
10 of vessels for the National Oceanic and Atmospheric Ad-
11 ministration in shipyards located outside of the United
12 States.

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

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

24 (c) PROHIBITION OF CONTRACTS WITH PERSONS
25 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—

1 If it has been finally determined by a court or Federal
2 agency that any person intentionally affixed a label bear-
3 ing a “Made in America” inscription, or any inscription
4 with the same meaning, to any product sold in or shipped
5 to the United States that is not made in the United
6 States, the person shall be ineligible to receive any con-
7 tract or subcontract made with funds made available in
8 this Act, pursuant to the debarment, suspension, and ineli-
9 gibility procedures described in sections 9.400 through
10 9.409 of title 48, Code of Federal Regulations.

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

20 SEC. 609. None of the funds appropriated or other-
21 wise made available by this Act may be obligated or ex-
22 pended to pay for any cost incurred for (1) opening or
23 operating any United States diplomatic or consular post
24 in the Socialist Republic of Vietnam that was not operat-
25 ing on July 11, 1995; (2) expanding any United States

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

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

13 (2) Recovering and repatriating American re-
14 mains.

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

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

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

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

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

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

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

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

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

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

23 SEC. 612. None of the funds made available in title
24 II for the National Oceanic and Atmospheric Administra-
25 tion (NOAA) under the heading “Fleet Modernization,

1 Shipbuilding and Conversion” may be used to implement
2 sections 603, 604, and 605 of Public Law 102–567.

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

16 SEC. 614. None of the funds made available in this
17 Act to the Federal Bureau of Prisons may be used to dis-
18 tribute or make available any commercially published in-
19 formation or material to a prisoner when it is made known
20 to the Federal official having authority to obligate or ex-
21 pend such funds that such information or material is sexu-
22 ally explicit or features nudity.

23 SEC. 615. Of the funds appropriated in this Act
24 under the heading “OFFICE OF JUSTICE PROGRAMS—
25 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE”, not

1 more than ninety percent of the amount to be awarded
2 to an entity under the Local Law Enforcement Block
3 Grant shall be made available to such an entity when it
4 is made known to the Federal official having authority to
5 obligate or expend such funds that the entity that employs
6 a public safety officer (as such term is defined in section
7 1204 of title I of the Omnibus Crime Control and Safe
8 Streets Act of 1968) does not provide such a public safety
9 officer who retires or is separated from service due to in-
10 jury suffered as the direct and proximate result of a per-
11 sonal injury sustained in the line of duty while responding
12 to an emergency situation or a hot pursuit (as such terms
13 are defined by State law) with the same or better level
14 of health insurance benefits that are paid by the entity
15 at the time of retirement or separation.

16 SEC. 616. EXPENSE REIMBURSEMENT.—Any Mem-
17 ber of Congress and any individual who is paid by the
18 Clerk of the House of Representatives or the Secretary
19 of the Senate shall be entitled to receive a reimbursement
20 for any legal expenses and other legitimate expenses in-
21 curred by such Member or individual in connection with
22 a Department of Justice prosecution arising from or in
23 connection with the performance of official duties and
24 brought against such Member or individual if such Mem-
25 ber or individual is acquitted of the charges brought, the

1 charges are dismissed by a court, or the conviction is re-
2 versed on appeal.

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

Union Calendar No. 128

105TH CONGRESS
1ST Session

H. R. 2267

[Report No. 105-207]

A BILL

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

JULY 25, 1997

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