

## Union Calendar No. 324

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

# H. R. 5326

[Report No. 112-463]

Making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

---

### IN THE HOUSE OF REPRESENTATIVES

MAY 2, 2012

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

---

## A BILL

Making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.



1 or improvement; purchase or construction of temporary  
2 demountable exhibition structures for use abroad; pay-  
3 ment of tort claims, in the manner authorized in the first  
4 paragraph of section 2672 of title 28, United States Code,  
5 when such claims arise in foreign countries; not to exceed  
6 \$294,300 for official representation expenses abroad; pur-  
7 chase of passenger motor vehicles for official use abroad,  
8 not to exceed \$45,000 per vehicle; obtaining insurance on  
9 official motor vehicles; and rental of tie lines,  
10 \$467,737,000, to remain available until September 30,  
11 2014, of which \$9,439,000 is to be derived from fees to  
12 be retained and used by the International Trade Adminis-  
13 tration, notwithstanding section 3302 of title 31, United  
14 States Code: *Provided*, That, of amounts provided under  
15 this heading, not less than \$11,400,000 shall be for China  
16 antidumping and countervailing duty enforcement and  
17 compliance activities: *Provided further*, That the provisions  
18 of the first sentence of section 105(f) and all of section  
19 108(c) of the Mutual Educational and Cultural Exchange  
20 Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply  
21 in carrying out these activities; and that for the purpose  
22 of this Act, contributions under the provisions of the Mu-  
23 tual Educational and Cultural Exchange Act of 1961 shall  
24 include payment for assessments for services provided as  
25 part of these activities.

1                   BUREAU OF INDUSTRY AND SECURITY  
2                   OPERATIONS AND ADMINISTRATION

3           For necessary expenses for export administration and  
4 national security activities of the Department of Com-  
5 merce, including costs associated with the performance of  
6 export administration field activities both domestically and  
7 abroad; full medical coverage for dependent members of  
8 immediate families of employees stationed overseas; em-  
9 ployment of citizens of the United States and aliens by  
10 contract for services abroad; payment of tort claims, in  
11 the manner authorized in the first paragraph of section  
12 2672 of title 28, United States Code, when such claims  
13 arise in foreign countries; not to exceed \$13,500 for offi-  
14 cial representation expenses abroad; awards of compensa-  
15 tion to informers under the Export Administration Act of  
16 1979, and as authorized by section 1(b) of the Act of June  
17 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase  
18 of passenger motor vehicles for official use and motor vehi-  
19 cles for law enforcement use with special requirement vehi-  
20 cles eligible for purchase without regard to any price limi-  
21 tation otherwise established by law, \$101,000,000, to re-  
22 main available until expended: *Provided*, That the provi-  
23 sions of the first sentence of section 105(f) and all of sec-  
24 tion 108(c) of the Mutual Educational and Cultural Ex-  
25 change Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall

1 apply in carrying out these activities: *Provided further*,  
2 That payments and contributions collected and accepted  
3 for materials or services provided as part of such activities  
4 may be retained for use in covering the cost of such activi-  
5 ties, and for providing information to the public with re-  
6 spect to the export administration and national security  
7 activities of the Department of Commerce and other ex-  
8 port control programs of the United States and other gov-  
9 ernments.

10           ECONOMIC DEVELOPMENT ADMINISTRATION

11           ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

12           For grants for economic development assistance as  
13 provided by the Public Works and Economic Development  
14 Act of 1965, for trade adjustment assistance, for the cost  
15 of loan guarantees authorized by section 26 of the Steven-  
16 son-Wydler Technology Innovation Act of 1980 (15 U.S.C.  
17 3721), and for grants, \$182,000,000, to remain available  
18 until expended; of which \$5,000,000 shall be for projects  
19 to facilitate the relocation, to the United States, of a  
20 source of employment located outside the United States;  
21 and of which up to \$5,000,000 shall be for loan guaran-  
22 tees under section 26: *Provided*, That the costs for loan  
23 guarantees, including the cost of modifying such loans,  
24 shall be as defined in section 502 of the Congressional  
25 Budget Act of 1974: *Provided further*, That these funds

1 for loan guarantees under such section 26 are available  
2 to subsidize total loan principal, any part of which is to  
3 be guaranteed, not to exceed \$70,000,000.

4 SALARIES AND EXPENSES

5 For necessary expenses of administering the eco-  
6 nomic development assistance programs as provided for by  
7 law, \$37,500,000: *Provided*, That these funds may be used  
8 to monitor projects approved pursuant to title I of the  
9 Public Works Employment Act of 1976, title II of the  
10 Trade Act of 1974, and the Community Emergency  
11 Drought Relief Act of 1977.

12 MINORITY BUSINESS DEVELOPMENT AGENCY

13 MINORITY BUSINESS DEVELOPMENT

14 For necessary expenses of the Department of Com-  
15 merce in fostering, promoting, and developing minority  
16 business enterprise, including expenses of grants, con-  
17 tracts, and other agreements with public or private organi-  
18 zations, \$28,689,000.

19 ECONOMIC AND STATISTICAL ANALYSIS

20 SALARIES AND EXPENSES

21 For necessary expenses, as authorized by law, of eco-  
22 nomic and statistical analysis programs of the Department  
23 of Commerce, \$96,000,000, to remain available until Sep-  
24 tember 30, 2014.

1 BUREAU OF THE CENSUS  
2 SALARIES AND EXPENSES

3 For necessary expenses for collecting, compiling, ana-  
4 lyzing, preparing and publishing statistics, provided for by  
5 law, \$253,336,000: *Provided*, That, from amounts pro-  
6 vided herein, funds may be used for promotion, outreach,  
7 and marketing activities.

8 PERIODIC CENSUSES AND PROGRAMS

9 For necessary expenses for collecting, compiling, ana-  
10 lyzing, preparing and publishing statistics for periodic cen-  
11 suses and programs, provided for by law, \$625,357,000,  
12 to remain available until September 30, 2014: *Provided*,  
13 That from amounts provided herein, funds may be used  
14 for promotion, outreach, and marketing activities.

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), \$45,568,000, to remain available  
21 until September 30, 2014: *Provided*, That, notwith-  
22 standing 31 U.S.C. 1535(d), the Secretary of Commerce  
23 shall charge Federal agencies for costs incurred in spec-  
24 trum management, analysis, operations, and related serv-  
25 ices, and such fees shall be retained and used as offsetting

1 collections for costs of such spectrum services, to remain  
2 available until expended: *Provided further*, That the Sec-  
3 retary of Commerce is authorized to retain and use as off-  
4 setting collections all funds transferred, or previously  
5 transferred, from other Government agencies for all costs  
6 incurred in telecommunications research, engineering, and  
7 related activities by the Institute for Telecommunication  
8 Sciences of NTLA, in furtherance of its assigned functions  
9 under this paragraph, and such funds received from other  
10 Government agencies shall remain available until ex-  
11 pended.

12 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING  
13 AND CONSTRUCTION

14 For the administration of prior-year grants, recov-  
15 eries and unobligated balances of funds previously appro-  
16 priated are available for the administration of all open  
17 grants until their expiration.

18 U.S. PATENT AND TRADEMARK OFFICE  
19 SALARIES AND EXPENSES  
20 (INCLUDING TRANSFERS OF FUNDS)

21 For necessary expenses of the United States Patent  
22 and Trademark Office (USPTO) provided for by law, in-  
23 cluding defense of suits instituted against the Under Sec-  
24 retary of Commerce for Intellectual Property and Director  
25 of the USPTO, \$2,933,241,000 to remain available until



1 expended: *Provided*, That the sum herein appropriated  
2 from the general fund shall be reduced as offsetting collec-  
3 tions of fees and surcharges assessed and collected by the  
4 USPTO under any law are received during fiscal year  
5 2013, so as to result in a fiscal year 2013 appropriation  
6 from the general fund estimated at \$0: *Provided further*,  
7 That during fiscal year 2013, should the total amount of  
8 such offsetting collections be less than \$2,933,241,000  
9 this amount shall be reduced accordingly: *Provided fur-*  
10 *ther*, That any amount received in excess of  
11 \$2,933,241,000 in fiscal year 2013 and deposited in the  
12 Patent and Trademark Fee Reserve Fund shall remain  
13 available until expended: *Provided further*, That the Direc-  
14 tor of USPTO shall submit a spending plan to the Com-  
15 mittees on Appropriations of the House of Representatives  
16 and the Senate for any amounts made available by the  
17 preceding proviso and such spending plan shall be treated  
18 as a reprogramming under section 505 of this Act and  
19 shall not be available for obligation or expenditure except  
20 in compliance with the procedures set forth in that section:  
21 *Provided further*, That from amounts provided herein, not  
22 to exceed \$900 shall be made available in fiscal year 2013  
23 for official reception and representation expenses: *Pro-*  
24 *vided further*, That in fiscal year 2013 from the amounts  
25 made available for “Salaries and Expenses” for the

1 USPTO, the amounts necessary to pay (1) the difference  
2 between the percentage of basic pay contributed by the  
3 USPTO and employees under section 8334(a) of title 5,  
4 United States Code, and the normal cost percentage (as  
5 defined by section 8331(17) of that title) as provided by  
6 the Office of Personnel Management (OPM) for USPTO's  
7 specific use, of basic pay, of employees subject to sub-  
8 chapter III of chapter 83 of that title, and (2) the present  
9 value of the otherwise unfunded accruing costs, as deter-  
10 mined by OPM for USPTO's specific use of post-retire-  
11 ment life insurance and post-retirement health benefits  
12 coverage for all USPTO employees who are enrolled in  
13 Federal Employees Health Benefits (FEHB) and Federal  
14 Employees Group Life Insurance (FEGLI), shall be trans-  
15 ferred to the Civil Service Retirement and Disability  
16 Fund, the FEGLI Fund, and the FEHB Fund, as appro-  
17 priate, and shall be available for the authorized purposes  
18 of those accounts: *Provided further*, That any differences  
19 between the present value factors published in OPM's  
20 yearly 300 series benefit letters and the factors that OPM  
21 provides for USPTO's specific use shall be recognized as  
22 an imputed cost on USPTO's financial statements, where  
23 applicable: *Provided further*, That, notwithstanding any  
24 other provision of law, all fees and surcharges assessed  
25 and collected by USPTO are available for USPTO only

1 pursuant to section 42(c) of title 35, United States Code,  
2 as amended by section 22 of the Leahy-Smith America  
3 Invents Act (Public Law 112–29): *Provided further*, That  
4 within the amounts appropriated, \$2,000,000 shall be  
5 transferred to the “Office of Inspector General” account  
6 for activities associated with carrying out investigations  
7 and audits related to the USPTO.

8 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY  
9 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

10 For necessary expenses of the National Institute of  
11 Standards and Technology, \$621,173,000, to remain  
12 available until expended, of which not to exceed  
13 \$9,000,000 may be transferred to the “Working Capital  
14 Fund” *Provided*, That not to exceed \$5,000 shall be for  
15 official reception and representation expenses.

16 INDUSTRIAL TECHNOLOGY SERVICES

17 For necessary expenses for industrial technology  
18 services, \$149,000,000, to remain available until ex-  
19 pended, of which \$128,000,000 shall be for the Manufac-  
20 turing Extension Partnership, and of which \$21,000,000  
21 shall be for the Advanced Manufacturing Technology Con-  
22 sortia.

23 CONSTRUCTION OF RESEARCH FACILITIES

24 For construction of new research facilities, including  
25 architectural and engineering design, and for renovation

1 and maintenance of existing facilities, not otherwise pro-  
2 vided for the National Institute of Standards and Tech-  
3 nology, as authorized by sections 13 through 15 of the  
4 National Institute of Standards and Technology Act (15  
5 U.S.C. 278c–278e), \$60,000,000, to remain available until  
6 expended: *Provided*, That the Secretary of Commerce shall  
7 include in the budget justification materials that the Sec-  
8 retary submits to Congress in support of the Department  
9 of Commerce budget (as submitted with the budget of the  
10 President under section 1105(a) of title 31, United States  
11 Code) an estimate for each National Institute of Stand-  
12 ards and Technology construction project having a total  
13 multi-year program cost of more than \$5,000,000 and si-  
14 multaneously the budget justification materials shall in-  
15 clude an estimate of the budgetary requirements for each  
16 such project for each of the five subsequent fiscal years.

17 NATIONAL OCEANIC AND ATMOSPHERIC

18 ADMINISTRATION

19 OPERATIONS, RESEARCH, AND FACILITIES

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses of activities authorized by law  
22 for the National Oceanic and Atmospheric Administration,  
23 including maintenance, operation, and hire of aircraft and  
24 vessels; grants, contracts, or other payments to nonprofit  
25 organizations for the purposes of conducting activities

1 pursuant to cooperative agreements; and relocation of fa-  
2 cilities, \$2,968,371,000, to remain available until Sep-  
3 tember 30, 2014, except that funds provided for coopera-  
4 tive enforcement shall remain available until September  
5 30, 2015: *Provided*, That fees and donations received by  
6 the National Ocean Service for the management of na-  
7 tional marine sanctuaries may be retained and used for  
8 the salaries and expenses associated with those activities,  
9 notwithstanding section 3302 of title 31, United States  
10 Code: *Provided further*, That in addition, \$119,064,000  
11 shall be derived by transfer from the fund entitled “Pro-  
12 mote and Develop Fishery Products and Research Per-  
13 taining to American Fisheries”: *Provided further*, That of  
14 the \$3,102,435,000 provided for in direct obligations  
15 under this heading, \$2,968,371,000 is appropriated from  
16 the general fund, \$119,064,000 is provided by transfer,  
17 and \$15,000,000 is derived from recoveries of prior year  
18 obligations: *Provided further*, That the total amount avail-  
19 able for National Oceanic and Atmospheric Administra-  
20 tion corporate services administrative support costs shall  
21 not exceed \$207,013,000: *Provided further*, That any devi-  
22 ation from the amounts designated for specific activities  
23 in the statement accompanying this Act, or any use of  
24 deobligated balances of funds provided under this heading

1 in previous years, shall be subject to the procedures set  
2 forth in section 505 of this Act.

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

9 PROCUREMENT, ACQUISITION AND CONSTRUCTION

10 For procurement, acquisition and construction of  
11 capital assets, including alteration and modification costs,  
12 of the National Oceanic and Atmospheric Administration,  
13 \$1,931,948,000, to remain available until September 30,  
14 2015, except that funds provided for construction of facili-  
15 ties shall remain available until expended: *Provided*, That  
16 of the \$1,946,948,000 provided for in direct obligations  
17 under this heading, \$1,931,948,000 is appropriated from  
18 the general fund and \$15,000,000 is provided from recov-  
19 eries of prior year obligations: *Provided further*, That any  
20 deviation from the amounts designated for specific activi-  
21 ties in the statement accompanying this Act, or any use  
22 of deobligated balances of funds provided under this head-  
23 ing in previous years, shall be subject to the procedures  
24 set forth in section 505 of this Act: *Provided further*, That  
25 the Secretary of Commerce shall include in budget jus-

1 tification materials that the Secretary submits to Congress  
2 in support of the Department of Commerce budget (as  
3 submitted with the budget of the President under section  
4 1105(a) of title 31, United States Code) an estimate for  
5 each National Oceanic and Atmospheric Administration  
6 procurement, acquisition or construction project having a  
7 total of more than \$5,000,000 and simultaneously the  
8 budget justification shall include an estimate of the budg-  
9 etary requirements for each such project for each of the  
10 5 subsequent fiscal years.

11                   PACIFIC COASTAL SALMON RECOVERY

12       For necessary expenses associated with the restora-  
13 tion of Pacific salmon populations, \$65,000,000, to re-  
14 main available until September 30, 2014: *Provided*, That,  
15 of the funds provided herein, the Secretary of Commerce  
16 may issue grants to the States of Washington, Oregon,  
17 Idaho, Nevada, California, and Alaska, and to the Feder-  
18 ally recognized tribes of the Columbia River and Pacific  
19 Coast (including Alaska), for projects necessary for con-  
20 servation of salmon and steelhead populations that are  
21 listed as threatened or endangered, or that are identified  
22 by a State as at-risk to be so listed, for maintaining popu-  
23 lations necessary for exercise of tribal treaty fishing rights  
24 or native subsistence fishing, or for conservation of Pacific  
25 coastal salmon and steelhead habitat, based on guidelines

1 to be developed by the Secretary of Commerce: *Provided*  
2 *further*, That all funds shall be allocated based on sci-  
3 entific and other merit principles and shall not be available  
4 for marketing activities: *Provided further*, That funds dis-  
5 bursed to States shall be subject to a matching require-  
6 ment of funds or documented in-kind contributions of at  
7 least 33 percent of the Federal funds.

8                   FISHERMEN'S CONTINGENCY FUND

9           For carrying out the provisions of title IV of Public  
10 Law 95-372, not to exceed \$350,000, to be derived from  
11 receipts collected pursuant to that Act, to remain available  
12 until expended.

13                   FISHERIES FINANCE PROGRAM ACCOUNT

14           Subject to section 502 of the Congressional Budget  
15 Act of 1974, during fiscal year 2013, obligations of direct  
16 loans may not exceed \$24,000,000 for Individual Fishing  
17 Quota loans and not to exceed \$59,000,000 for traditional  
18 direct loans as authorized by the Merchant Marine Act  
19 of 1936: *Provided*, That none of the funds made available  
20 under this heading may be used for direct loans for any  
21 new fishing vessel that will increase the harvesting capac-  
22 ity in any United States fishery.



## 1 DEPARTMENTAL MANAGEMENT

## 2 SALARIES AND EXPENSES

3 For necessary expenses for the management of the  
4 Department of Commerce provided for by law, including  
5 not to exceed \$4,500 for official reception and representa-  
6 tion, \$55,000,000: *Provided*, That the Secretary of Com-  
7 merce shall maintain a task force on job repatriation and  
8 manufacturing growth and shall produce an annual report  
9 on related incentive strategies, implementation plans and  
10 program results.

## 11 OFFICE OF INSPECTOR GENERAL

12 For necessary expenses of the Office of Inspector  
13 General in carrying out the provisions of the Inspector  
14 General Act of 1978 (5 U.S.C. App.), \$28,753,000.

## 15 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

16 SEC. 101. During the current fiscal year, applicable  
17 appropriations and funds made available to the Depart-  
18 ment of Commerce by this Act shall be available for the  
19 activities specified in the Act of October 26, 1949 (15  
20 U.S.C. 1514), to the extent and in the manner prescribed  
21 by the Act, and, notwithstanding 31 U.S.C. 3324, may  
22 be used for advanced payments not otherwise authorized  
23 only upon the certification of officials designated by the  
24 Secretary of Commerce that such payments are in the  
25 public interest.

1       SEC. 102. During the current fiscal year, appropria-  
2 tions made available to the Department of Commerce by  
3 this Act for salaries and expenses shall be available for  
4 hire of passenger motor vehicles as authorized by 31  
5 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.  
6 3109; and uniforms or allowances therefor, as authorized  
7 by law (5 U.S.C. 5901–5902).

8       SEC. 103. Not to exceed 5 percent of any appropria-  
9 tion made available for the current fiscal year for the De-  
10 partment of Commerce in this Act may be transferred be-  
11 tween such appropriations, but no such appropriation shall  
12 be increased by more than 10 percent by any such trans-  
13 fers: *Provided*, That any transfer pursuant to this section  
14 shall be treated as a reprogramming of funds under sec-  
15 tion 505 of this Act and shall not be available for obliga-  
16 tion or expenditure except in compliance with the proce-  
17 dures set forth in that section: *Provided further*, That the  
18 Secretary of Commerce shall notify the Committees on Ap-  
19 propriations at least 15 days in advance of the acquisition  
20 or disposal of any capital asset (including land, structures,  
21 and equipment) not specifically provided for in this Act  
22 or any other law appropriating funds for the Department  
23 of Commerce.

24       SEC. 104. Any costs incurred by a department or  
25 agency funded under this title resulting from personnel

1 actions taken in response to funding reductions included  
2 in this title or from actions taken for the care and protec-  
3 tion of loan collateral or grant property shall be absorbed  
4 within the total budgetary resources available to such de-  
5 partment or agency: *Provided*, That the authority to trans-  
6 fer funds between appropriations accounts as may be nec-  
7 essary to carry out this section is provided in addition to  
8 authorities included elsewhere in this Act: *Provided fur-*  
9 *ther*, That use of funds to carry out this section shall be  
10 treated as a reprogramming of funds under section 505  
11 of this Act and shall not be available for obligation or ex-  
12 penditure except in compliance with the procedures set  
13 forth in that section.

14 SEC. 105. (a) Section 105(f) of the Commerce, Jus-  
15 tice, Science, and Related Agencies Appropriations Act,  
16 2012 (Public Law 112–55) is amended—

17 (1) by striking “paragraph (2)” and inserting  
18 “subsection (e)(2)”; and

19 (2) by striking “this subsection” and inserting  
20 “subsection (e)”.

21 (b) The requirements set forth by section 105 of the  
22 Commerce, Justice, Science, and Related Agencies Appro-  
23 priations Act, 2012 (Public Law 112–55), as amended by  
24 subsection (a) of this section, are hereby adopted by ref-  
25 erence.

1        SEC. 106. Notwithstanding any other provision of  
2 law, the Secretary may furnish services (including but not  
3 limited to utilities, telecommunications, and security serv-  
4 ices) necessary to support the operation, maintenance, and  
5 improvement of space that persons, firms, or organizations  
6 are authorized, pursuant to the Public Buildings Coopera-  
7 tive Use Act of 1976 or other authority, to use or occupy  
8 in the Herbert C. Hoover Building, Washington, DC, or  
9 other buildings, the maintenance, operation, and protec-  
10 tion of which has been delegated to the Secretary from  
11 the Administrator of General Services pursuant to the  
12 Federal Property and Administrative Services Act of 1949  
13 on a reimbursable or non-reimbursable basis. Amounts re-  
14 ceived as reimbursement for services provided under this  
15 section or the authority under which the use or occupancy  
16 of the space is authorized, up to \$200,000, shall be cred-  
17 ited to the appropriation or fund which initially bears the  
18 costs of such services.

19        SEC. 107. Nothing in this title shall be construed to  
20 prevent a grant recipient from deterring child pornog-  
21 raphy, copyright infringement, or any other unlawful ac-  
22 tivity over its networks.

23        SEC. 108. The Administrator of the National Oceanic  
24 and Atmospheric Administration is authorized to use, with  
25 their consent, with reimbursement and subject to the lim-

1 its of available appropriations, the land, services, equip-  
2 ment, personnel, and facilities of any department, agency,  
3 or instrumentality of the United States, or of any State,  
4 local government, Indian tribal government, Territory, or  
5 possession, or of any political subdivision thereof, or of  
6 any foreign government or international organization, for  
7 purposes related to carrying out the responsibilities of any  
8 statute administered by the National Oceanic and Atmos-  
9 pheric Administration.

10 SEC. 109. The Department of Commerce shall pro-  
11 vide a monthly report to the Committees on Appropria-  
12 tions of the House of Representatives and the Senate on  
13 any official travel to China by any employee of the U.S.  
14 Department of Commerce, including the purpose of such  
15 travel.

16 This title may be cited as the “Department of Com-  
17 merce Appropriations Act, 2013”.

## 18 TITLE II

### 19 DEPARTMENT OF JUSTICE

#### 20 GENERAL ADMINISTRATION

#### 21 SALARIES AND EXPENSES

22 For expenses necessary for the administration of the  
23 Department of Justice, \$110,322,000, of which not to ex-  
24 ceed \$4,000,000 for security and construction of Depart-

1 ment of Justice facilities shall remain available until ex-  
2 pended.

3 JUSTICE INFORMATION SHARING TECHNOLOGY

4 For necessary expenses for information sharing tech-  
5 nology, including planning, development, deployment and  
6 departmental direction, \$33,426,000, to remain available  
7 until expended.

8 ADMINISTRATIVE REVIEW AND APPEALS

9 (INCLUDING TRANSFER OF FUNDS)

10 For expenses necessary for the administration of par-  
11 don and clemency petitions and immigration-related activi-  
12 ties, \$313,438,000, of which \$4,000,000 shall be derived  
13 by transfer from the Executive Office for Immigration Re-  
14 view fees deposited in the “Immigration Examinations  
15 Fee” account.

16 OFFICE OF INSPECTOR GENERAL

17 For necessary expenses of the Office of Inspector  
18 General, \$84,199,000, including not to exceed \$10,000 to  
19 meet unforeseen emergencies of a confidential character.

20 UNITED STATES PAROLE COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the United States Parole  
23 Commission as authorized, \$12,772,000.

## 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, \$863,367,000, of which not  
10 to exceed \$10,000,000 for litigation support contracts  
11 shall remain available until expended: *Provided*, That of  
12 the total amount appropriated, not to exceed \$9,000 shall  
13 be available to INTERPOL Washington for official recep-  
14 tion and representation expenses: *Provided further*, That  
15 notwithstanding section 205 of this Act, upon a deter-  
16 mination by the Attorney General that emergent cir-  
17 cumstances require additional funding for litigation activi-  
18 ties of the Civil Division, the Attorney General may trans-  
19 fer such amounts to “Salaries and Expenses, General  
20 Legal Activities” from available appropriations for the  
21 current fiscal year for the Department of Justice, as may  
22 be necessary to respond to such circumstances: *Provided*  
23 *further*, That any transfer pursuant to the previous pro-  
24 viso shall be treated as a reprogramming under section  
25 505 of this Act and shall not be available for obligation

1 or expenditure except in compliance with the procedures  
2 set forth in that section: *Provided further*, That of the  
3 amount appropriated, such sums as may be necessary  
4 shall be available to reimburse the Office of Personnel  
5 Management for salaries and expenses associated with the  
6 election monitoring program under section 8 of the Voting  
7 Rights Act of 1965 (42 U.S.C. 1973f): *Provided further*,  
8 That of the amounts provided under this heading for the  
9 election monitoring program, \$3,390,000 shall remain  
10 available until expended.

11 In addition, for reimbursement of expenses of the De-  
12 partment of Justice associated with processing cases  
13 under the National Childhood Vaccine Injury Act of 1986,  
14 not to exceed \$7,833,000, to be appropriated from the  
15 Vaccine Injury Compensation Trust Fund.

16 SALARIES AND EXPENSES, ANTITRUST DIVISION

17 For expenses necessary for the enforcement of anti-  
18 trust and kindred laws, \$159,587,000, to remain available  
19 until expended: *Provided*, That notwithstanding any other  
20 provision of law, fees collected for premerger notification  
21 filings under the Hart-Scott-Rodino Antitrust Improve-  
22 ments Act of 1976 (15 U.S.C. 18a), regardless of the year  
23 of collection (and estimated to be \$115,000,000 in fiscal  
24 year 2013), shall be retained and used for necessary ex-  
25 penses in this appropriation, and shall remain available



1 until expended: *Provided further*, That the sum herein ap-  
2 propriated from the general fund shall be reduced as such  
3 offsetting collections are received during fiscal year 2013,  
4 so as to result in a final fiscal year 2013 appropriation  
5 from the general fund estimated at \$44,587,000.

6 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

7 For necessary expenses of the Offices of the United  
8 States Attorneys, including inter-governmental and coop-  
9 erative agreements, \$1,965,000,000: *Provided*, That of the  
10 total amount appropriated, not to exceed \$7,200 shall be  
11 available for official reception and representation ex-  
12 penses: *Provided further*, That not to exceed \$25,000,000  
13 shall remain available until expended: *Provided further*,  
14 That each United States Attorney shall establish or par-  
15 ticipate in a United States Attorney-led task force on  
16 human trafficking.

17 UNITED STATES TRUSTEE SYSTEM FUND

18 For necessary expenses of the United States Trustee  
19 Program, as authorized, \$223,258,000, to remain avail-  
20 able until expended and to be derived from the United  
21 States Trustee System Fund: *Provided*, That, notwith-  
22 standing any other provision of law, deposits to the Fund  
23 shall be available in such amounts as may be necessary  
24 to pay refunds due depositors: *Provided further*, That, not-  
25 withstanding any other provision of law, \$223,258,000 of

1 offsetting collections pursuant to section 589a(b) of title  
2 28, United States Code, shall be retained and used for  
3 necessary expenses in this appropriation and shall remain  
4 available until expended: *Provided further*, That the sum  
5 herein appropriated from the Fund shall be reduced as  
6 such offsetting collections are received during fiscal year  
7 2013, so as to result in a final fiscal year 2013 appropria-  
8 tion from the Fund estimated at \$0.

9 SALARIES AND EXPENSES, FOREIGN CLAIMS

10 SETTLEMENT COMMISSION

11 For expenses necessary to carry out the activities of  
12 the Foreign Claims Settlement Commission, including  
13 services as authorized by section 3109 of title 5, United  
14 States Code, \$2,000,000.

15 FEES AND EXPENSES OF WITNESSES

16 For fees and expenses of witnesses, for expenses of  
17 contracts for the procurement and supervision of expert  
18 witnesses, for private counsel expenses, including ad-  
19 vances, and for expenses of foreign counsel, \$270,000,000,  
20 to remain available until expended, of which not to exceed  
21 \$10,000,000 is for construction of buildings for protected  
22 witness safesites; not to exceed \$3,000,000 is for the pur-  
23 chase and maintenance of armored and other vehicles for  
24 witness security caravans; and not to exceed \$11,000,000  
25 is for the purchase, installation, maintenance, and up-

1 grade of secure telecommunications equipment and a se-  
2 cure automated information network to store and retrieve  
3 the identities and locations of protected witnesses.

4 SALARIES AND EXPENSES, COMMUNITY RELATIONS  
5 SERVICE

6 For necessary expenses of the Community Relations  
7 Service, \$11,456,000: *Provided*, That notwithstanding sec-  
8 tion 205 of this Act, upon a determination by the Attorney  
9 General that emergent circumstances require additional  
10 funding for conflict resolution and violence prevention ac-  
11 tivities of the Community Relations Service, the Attorney  
12 General may transfer such amounts to the Community Re-  
13 lations Service, from available appropriations for the cur-  
14 rent fiscal year for the Department of Justice, as may be  
15 necessary to respond to such circumstances: *Provided fur-*  
16 *ther*, That any transfer pursuant to the preceding proviso  
17 shall be treated as a reprogramming under section 505  
18 of this Act and shall not be available for obligation or ex-  
19 penditure except in compliance with the procedures set  
20 forth in that section.

21 ASSETS FORFEITURE FUND

22 For expenses authorized by subparagraphs (B), (F),  
23 and (G) of section 524(e)(1) of title 28, United States  
24 Code, \$20,948,000, to be derived from the Department  
25 of Justice Assets Forfeiture Fund.

1 UNITED STATES MARSHALS SERVICE  
2 SALARIES AND EXPENSES

3 For necessary expenses of the United States Mar-  
4 shals Service, \$1,188,488,000, of which not to exceed  
5 \$6,000 shall be available for official reception and rep-  
6 resentation expenses, and not to exceed \$15,000,000 shall  
7 remain available until expended.

8 CONSTRUCTION

9 For construction in space controlled, occupied or uti-  
10 lized by the United States Marshals Service for prisoner  
11 holding and related support, \$10,000,000, to remain avail-  
12 able until expended.

13 FEDERAL PRISONER DETENTION  
14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses related to United States pris-  
16 oners in the custody of the United States Marshals Service  
17 as authorized by section 4013 of title 18, United States  
18 Code, \$1,647,383,000, to remain available until expended:  
19 *Provided*, That not to exceed \$20,000,000 shall be consid-  
20 ered “funds appropriated for State and local law enforce-  
21 ment assistance” pursuant to section 4013(b) of title 18,  
22 United States Code: *Provided further*, That the United  
23 States Marshals Service shall be responsible for managing  
24 the Justice Prisoner and Alien Transportation System:  
25 *Provided further*, That any unobligated balances available

1 from funds appropriated under the heading “General Ad-  
2 ministration, Detention Trustee” shall be transferred to  
3 and merged with the appropriation under this heading.

4 NATIONAL SECURITY DIVISION

5 SALARIES AND EXPENSES

6 For expenses necessary to carry out the activities of  
7 the National Security Division, \$90,039,000, of which not  
8 to exceed \$5,000,000 for information technology systems  
9 shall remain available until expended: *Provided*, That not-  
10 withstanding section 205 of this Act, upon a determina-  
11 tion by the Attorney General that emergent circumstances  
12 require additional funding for the activities of the National  
13 Security Division, the Attorney General may transfer such  
14 amounts to this heading from available appropriations for  
15 the current fiscal year for the Department of Justice, as  
16 may be necessary to respond to such circumstances: *Pro-*  
17 *vided further*, That any transfer pursuant to the preceding  
18 proviso shall be treated as a reprogramming under section  
19 505 of this Act and shall not be available for obligation  
20 or expenditure except in compliance with the procedures  
21 set forth in that section.

22 INTERAGENCY LAW ENFORCEMENT

23 INTERAGENCY CRIME AND DRUG ENFORCEMENT

24 For necessary expenses for the identification, inves-  
25 tigation, and prosecution of individuals associated with the

1 most significant drug trafficking, and affiliated money  
2 laundering organizations not otherwise provided for, to in-  
3 clude inter-governmental agreements with State and local  
4 law enforcement agencies engaged in the investigation and  
5 prosecution of individuals involved in organized crime drug  
6 trafficking, \$521,793,000, of which \$50,000,000 shall re-  
7 main available until expended: *Provided*, That any  
8 amounts obligated from appropriations under this heading  
9 may be used under authorities available to the organiza-  
10 tions reimbursed from this appropriation.

11                   FEDERAL BUREAU OF INVESTIGATION

12                                 SALARIES AND EXPENSES

13         For necessary expenses of the Federal Bureau of In-  
14 vestigation for detection, investigation, and prosecution of  
15 crimes against the United States, \$8,185,007,000, of  
16 which not to exceed \$216,000,000 shall remain available  
17 until expended: *Provided*, That not to exceed \$184,500  
18 shall be available for official reception and representation  
19 expenses.

20                                 CONSTRUCTION

21         For necessary expenses, to include the cost of equip-  
22 ment, furniture, and information technology requirements,  
23 related to construction or acquisition of buildings, facili-  
24 ties and sites by purchase, or as otherwise authorized by  
25 law; conversion, modification and extension of Federally-

1 owned buildings; preliminary planning and design of  
2 projects; and operation and maintenance of secure work  
3 environment facilities and secure networking capabilities;  
4 \$80,982,000, to remain available until expended.

5 DRUG ENFORCEMENT ADMINISTRATION

6 SALARIES AND EXPENSES

7 For necessary expenses of the Drug Enforcement Ad-  
8 ministration, including not to exceed \$70,000 to meet un-  
9 foreseen emergencies of a confidential character pursuant  
10 to section 530C of title 28, United States Code; and ex-  
11 penses for conducting drug education and training pro-  
12 grams, including travel and related expenses for partici-  
13 pants in such programs and the distribution of items of  
14 token value that promote the goals of such programs,  
15 \$2,043,904,000; of which not to exceed \$75,000,000 shall  
16 remain available until expended and not to exceed \$90,000  
17 shall be available for official reception and representation  
18 expenses.

19 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND

20 EXPLOSIVES

21 SALARIES AND EXPENSES

22 For necessary expenses of the Bureau of Alcohol, To-  
23 bacco, Firearms and Explosives, for training of State and  
24 local law enforcement agencies with or without reimburse-  
25 ment, including training in connection with the training

1 and acquisition of canines for explosives and fire  
2 accelerants detection; and for provision of laboratory as-  
3 sistance to State and local law enforcement agencies, with  
4 or without reimbursement, \$1,153,345,000, of which not  
5 to exceed \$36,000 shall be for official reception and rep-  
6 resentation expenses, not to exceed \$1,000,000 shall be  
7 available for the payment of attorneys' fees as provided  
8 by section 924(d)(2) of title 18, United States Code, and  
9 not to exceed \$20,000,000 shall remain available until ex-  
10 pended: *Provided*, That, in the current fiscal year and any  
11 fiscal year thereafter, no funds appropriated under this  
12 or any other Act shall be used to pay administrative ex-  
13 penses or the compensation of any officer or employee of  
14 the United States to implement an amendment or amend-  
15 ments to section 478.118 of title 27, Code of Federal Reg-  
16 ulations, or to change the definition of "Curios or relics"  
17 in section 478.11 of title 27, Code of Federal Regulations,  
18 or remove any item from ATF Publication 5300.11 as it  
19 existed on January 1, 1994: *Provided further*, That none  
20 of the funds appropriated herein shall be available to in-  
21 vestigate or act upon applications for relief from Federal  
22 firearms disabilities under section 925(c) of title 18,  
23 United States Code: *Provided further*, That such funds  
24 shall be available to investigate and act upon applications  
25 filed by corporations for relief from Federal firearms dis-



1 abilities under section 925(e) of title 18, United States  
2 Code: *Provided further*, That no funds made available by  
3 this or any other Act may be used to transfer the func-  
4 tions, missions, or activities of the Bureau of Alcohol, To-  
5 bacco, Firearms and Explosives to other agencies or De-  
6 partments: *Provided further*, That, in the current fiscal  
7 year and any fiscal year thereafter, no funds made avail-  
8 able by this or any other Act shall be expended to promul-  
9 gate or implement any rule requiring a physical inventory  
10 of any business licensed under section 923 of title 18,  
11 United States Code: *Provided further*, That, in the current  
12 fiscal year and any fiscal year thereafter, no funds author-  
13 ized or made available under this or any other Act may  
14 be used to deny any application for a license under section  
15 923 of title 18, United States Code, or renewal of such  
16 a license due to a lack of business activity, provided that  
17 the applicant is otherwise eligible to receive such a license,  
18 and is eligible to report business income or to claim an  
19 income tax deduction for business expenses under the In-  
20 ternal Revenue Code of 1986.

21 FEDERAL PRISON SYSTEM

22 SALARIES AND EXPENSES

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses of the Federal Prison System  
25 for the administration, operation, and maintenance of

1 Federal penal and correctional institutions, and for the  
2 provision of technical assistance and advice on corrections  
3 related issues to foreign governments, \$6,820,217,000:  
4 *Provided*, That the Attorney General may transfer to the  
5 Health Resources and Services Administration such  
6 amounts as may be necessary for direct expenditures by  
7 that Administration for medical relief for inmates of Fed-  
8 eral penal and correctional institutions: *Provided further*,  
9 That the Director of the Federal Prison System, where  
10 necessary, may enter into contracts with a fiscal agent or  
11 fiscal intermediary claims processor to determine the  
12 amounts payable to persons who, on behalf of the Federal  
13 Prison System, furnish health services to individuals com-  
14 mitted to the custody of the Federal Prison System: *Pro-*  
15 *vided further*, That not to exceed \$5,400 shall be available  
16 for official reception and representation expenses: *Pro-*  
17 *vided further*, That not to exceed \$50,000,000 shall re-  
18 main available for necessary operations until September  
19 30, 2014: *Provided further*, That, of the amounts provided  
20 for contract confinement, not to exceed \$20,000,000 shall  
21 remain available until expended to make payments in ad-  
22 vance for grants, contracts and reimbursable agreements,  
23 and other expenses authorized by section 501(c) of the  
24 Refugee Education Assistance Act of 1980 (8 U.S.C. 1522  
25 note), for the care and security in the United States of

1 Cuban and Haitian entrants: *Provided further*, That the  
2 Director of the Federal Prison System may accept donated  
3 property and services relating to the operation of the pris-  
4 on card program from a nonprofit entity which has oper-  
5 ated such program in the past notwithstanding the fact  
6 that such nonprofit entity furnishes services under con-  
7 tracts to the Federal Prison System relating to the oper-  
8 ation of pre-release services, halfway houses, or other cus-  
9 todial facilities.

10 BUILDINGS AND FACILITIES

11 For planning, acquisition of sites and construction of  
12 new facilities; purchasing and acquiring facilities and re-  
13 modeling, and equipping of such facilities for penal and  
14 correctional use, including all necessary expenses incident  
15 thereto, by contract or force account; and constructing,  
16 remodeling, and equipping necessary buildings and facili-  
17 ties at existing penal and correctional institutions, includ-  
18 ing all necessary expenses incident thereto, by contract or  
19 force account, \$90,000,000, to remain available until ex-  
20 pended, of which not less than \$66,965,000 shall be avail-  
21 able only for modernization, maintenance and repair, and  
22 of which not to exceed \$14,000,000 shall be available to  
23 construct areas for inmate work programs: *Provided*, That  
24 labor of United States prisoners may be used for work  
25 performed under this appropriation.

1 FEDERAL PRISON INDUSTRIES, INCORPORATED

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

12 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL  
13 PRISON INDUSTRIES, INCORPORATED

14 Not to exceed \$2,700,000 of the funds of the Federal  
15 Prison Industries, Incorporated shall be available for its  
16 administrative expenses, and for services as authorized by  
17 section 3109 of title 5, United States Code, to be com-  
18 puted on an accrual basis to be determined in accordance  
19 with the corporation's current prescribed accounting sys-  
20 tem, and such amounts shall be exclusive of depreciation,  
21 payment of claims, and expenditures which such account-  
22 ing system requires to be capitalized or charged to cost  
23 of commodities acquired or produced, including selling and  
24 shipping expenses, and expenses in connection with acqui-  
25 sition, construction, operation, maintenance, improvement,

1 protection, or disposition of facilities and other property  
2 belonging to the corporation or in which it has an interest.

3 STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

4 OFFICE ON VIOLENCE AGAINST WOMEN

5 VIOLENCE AGAINST WOMEN PREVENTION AND

6 PROSECUTION PROGRAMS

7 For grants, contracts, cooperative agreements, and  
8 other assistance for the prevention and prosecution of vio-  
9 lence against women, as authorized by the Omnibus Crime  
10 Control and Safe Streets Act of 1968 (42 U.S.C. 3711  
11 et seq.) (“the 1968 Act”); the Violent Crime Control and  
12 Law Enforcement Act of 1994 (Public Law 103–322)  
13 (“the 1994 Act”); the Victims of Child Abuse Act of 1990  
14 (Public Law 101–647) (“the 1990 Act”); the Prosecu-  
15 torial Remedies and Other Tools to end the Exploitation  
16 of Children Today Act of 2003 (Public Law 108–21); the  
17 Juvenile Justice and Delinquency Prevention Act of 1974  
18 (42 U.S.C. 5601 et seq.) (“the 1974 Act”); the Victims  
19 of Trafficking and Violence Protection Act of 2000 (Public  
20 Law 106–386) (“the 2000 Act”); and the Violence  
21 Against Women and Department of Justice Reauthoriza-  
22 tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);  
23 and for related victims services, \$415,000,000, to remain  
24 available until expended: *Provided*, That except as other-  
25 wise provided by law, not to exceed 5 percent of funds

1 made available under this heading may be used for ex-  
2 penses related to evaluation, training, and technical assist-  
3 ance: *Provided further*, That of the amount provided—

4 (1) \$189,000,000 is for grants to combat vio-  
5 lence against women, as authorized by part T of the  
6 1968 Act;

7 (2) \$25,000,000 is for transitional housing as-  
8 sistance grants for victims of domestic violence,  
9 stalking or sexual assault as authorized by section  
10 40299 of the 1994 Act;

11 (3) \$3,500,000 is for the National Institute of  
12 Justice for research and evaluation of violence  
13 against women and related issues addressed by  
14 grant programs of the Office on Violence Against  
15 Women, which shall be transferred to “Research,  
16 Evaluation, and Statistics” for administration by the  
17 Office of Justice Programs;

18 (4) \$10,000,000 is for a grant program to pro-  
19 vide services to advocate for and respond to youth  
20 victims of domestic violence, dating violence, sexual  
21 assault, and stalking; assistance to children and  
22 youth exposed to such violence; programs to engage  
23 men and youth in preventing such violence; and as-  
24 sistance to middle and high school students through  
25 education and other services related to such violence:

1       *Provided*, That unobligated balances available for  
2       the programs authorized by sections 41201, 41204,  
3       41303 and 41305 of the 1994 Act shall be available  
4       for this program: *Provided further*, That 10 percent  
5       of the total amount available for this grant program  
6       shall be available for grants under the program au-  
7       thorized by section 2015 of the 1968 Act: *Provided*  
8       *further*, That the definitions and grant conditions in  
9       section 40002 of the 1994 Act shall apply to this  
10      program;

11           (5) \$50,000,000 is for grants to encourage ar-  
12      rest policies as authorized by part U of the 1968  
13      Act;

14           (6) \$23,000,000 is for sexual assault victims  
15      assistance, as authorized by section 41601 of the  
16      1994 Act;

17           (7) \$36,500,000 is for rural domestic violence  
18      and child abuse enforcement assistance grants, as  
19      authorized by section 40295 of the 1994 Act;

20           (8) \$9,000,000 is for grants to reduce violent  
21      crimes against women on campus, as authorized by  
22      section 304 of the 2005 Act;

23           (9) \$41,000,000 is for legal assistance for vic-  
24      tims, as authorized by section 1201 of the 2000 Act;

1           (10) \$4,250,000 is for enhanced training and  
2 services to end violence against and abuse of women  
3 in later life, as authorized by section 40802 of the  
4 1994 Act;

5           (11) \$11,500,000 is for the safe havens for  
6 children program, as authorized by section 1301 of  
7 the 2000 Act;

8           (12) \$5,750,000 is for education and training  
9 to end violence against and abuse of women with  
10 disabilities, as authorized by section 1402 of the  
11 2000 Act;

12           (13) \$4,500,000 is for the court training and  
13 improvements program, as authorized by section  
14 41002 of the 1994 Act;

15           (14) \$500,000 is for the National Resource  
16 Center on Workplace Responses to assist victims of  
17 domestic violence, as authorized by section 41501 of  
18 the 1994 Act;

19           (15) \$1,000,000 is for analysis and research on  
20 violence against Indian women, including as author-  
21 ized by section 904 of the 2005 Act, which may be  
22 transferred to “Research, Evaluation, and Statis-  
23 tics” for administration by the Office of Justice Pro-  
24 grams; and



1           (16) \$500,000 is for the Office on Violence  
2       Against Women to establish a national clearinghouse  
3       that provides training and technical assistance on  
4       issues relating to sexual assault of American Indian  
5       and Alaska Native women.

6                           OFFICE OF JUSTICE PROGRAMS

7                   RESEARCH, EVALUATION AND STATISTICS

8       For grants, contracts, cooperative agreements, and  
9       other assistance authorized by title I of the Omnibus  
10      Crime Control and Safe Streets Act of 1968 (“the 1968  
11      Act”); the Juvenile Justice and Delinquency Prevention  
12      Act of 1974 (“the 1974 Act”); the Missing Children’s As-  
13      sistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial  
14      Remedies and Other Tools to end the Exploitation of Chil-  
15      dren Today Act of 2003 (Public Law 108–21); the Justice  
16      for All Act of 2004 (Public Law 108–405); the Violence  
17      Against Women and Department of Justice Reauthoriza-  
18      tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);  
19      the Victims of Child Abuse Act of 1990 (Public Law 101–  
20      647); the Second Chance Act of 2007 (Public Law 110–  
21      199); the Victims of Crime Act of 1984 (Public Law 98–  
22      473); the Adam Walsh Child Protection and Safety Act  
23      of 2006 (Public Law 109–248) (“the Adam Walsh Act”);  
24      the PROTECT Our Children Act of 2008 (Public Law  
25      110–401); subtitle D of title II of the Homeland Security

1 Act of 2002 (Public Law 107–296) (“the 2002 Act”); the  
2 NICS Improvement Amendments Act of 2007 (Public  
3 Law 110–180); and other programs; \$112,000,000, to re-  
4 main available until expended, of which—

5 (1) \$45,000,000 is for criminal justice statistics  
6 programs, and other activities, as authorized by part  
7 C of title I of the 1968 Act;

8 (2) \$40,000,000 is for research, development,  
9 and evaluation programs, and other activities as au-  
10 thorized by part B of title I of the 1968 Act and  
11 subtitle D of title II of the 2002 Act; and

12 (3) \$27,000,000 is for regional information  
13 sharing activities, as authorized by part M of title I  
14 of the 1968 Act.

15 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

16 For grants, contracts, cooperative agreements, and  
17 other assistance authorized by the Violent Crime Control  
18 and Law Enforcement Act of 1994 (Public Law 103–322)  
19 (“the 1994 Act”); the Omnibus Crime Control and Safe  
20 Streets Act of 1968 (“the 1968 Act”); the Justice for All  
21 Act of 2004 (Public Law 108–405); the Victims of Child  
22 Abuse Act of 1990 (Public Law 101–647) (“the 1990  
23 Act”); the Trafficking Victims Protection Reauthorization  
24 Act of 2005 (Public Law 109–164); the Violence Against  
25 Women and Department of Justice Reauthorization Act

1 of 2005 (Public Law 109–162) (“the 2005 Act”); the  
2 Adam Walsh Child Protection and Safety Act of 2006  
3 (Public Law 109–248) (“the Adam Walsh Act”); the Vic-  
4 tims of Trafficking and Violence Protection Act of 2000  
5 (Public Law 106–386); the NICS Improvement Amend-  
6 ments Act of 2007 (Public Law 110–180); subtitle D of  
7 title II of the Homeland Security Act of 2002 (Public Law  
8 107–296) (“the 2002 Act”); the Second Chance Act of  
9 2007 (Public Law 110–199); the Prioritizing Resources  
10 and Organization for Intellectual Property Act of 2008  
11 (Public Law 110–403); the Victims of Crime Act of 1984  
12 (Public Law 98–473); the Mentally Ill Offender Treat-  
13 ment and Crime Reduction Reauthorization and Improve-  
14 ment Act of 2008 (Public Law 110–416); and other pro-  
15 grams, \$962,500,000, to remain available until expended  
16 as follows—

17           (1) \$370,000,000 for the Edward Byrne Memo-  
18           rial Justice Assistance Grant program as authorized  
19           by subpart 1 of part E of title I of the 1968 Act  
20           (except that section 1001(c), and the special rules  
21           for Puerto Rico under section 505(g), of title I of  
22           the 1968 Act shall not apply for purposes of this  
23           Act), of which, notwithstanding such subpart 1,  
24           \$5,000,000 is for a Preventing Violence Against  
25           Law Enforcement Officer Resilience and Surviv-

1 ability Initiative (VALOR), and \$4,000,000 is for  
2 use by the National Institute of Justice for research  
3 targeted toward developing a better understanding  
4 of the domestic radicalization phenomenon, and ad-  
5 vancing evidence-based strategies for effective inter-  
6 vention and prevention;

7 (2) \$165,000,000 for the State Criminal Alien  
8 Assistance Program, as authorized by section  
9 241(i)(5) of the Immigration and Nationality Act (8  
10 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction  
11 shall request compensation for any cost greater than  
12 the actual cost for Federal immigration and other  
13 detainees housed in State and local detention facili-  
14 ties;

15 (3) \$20,000,000 for competitive grants to im-  
16 prove the functioning of the criminal justice system,  
17 to prevent or combat juvenile delinquency, and to as-  
18 sist victims of crime (other than compensation);

19 (4) \$13,500,000 for victim services programs  
20 for victims of trafficking, as authorized by section  
21 107(b)(2) of Public Law 106–386 and for programs  
22 authorized under Public Law 109–164;

23 (5) \$41,000,000 for drug courts, as authorized  
24 by section 1001(a)(25)(A) of title I of the 1968 Act;

1           (6) \$4,000,000 for a veterans treatment courts  
2 program;

3           (7) \$9,000,000 for mental health courts and  
4 adult and juvenile collaboration program grants, as  
5 authorized by parts V and HH of title I of the 1968  
6 Act, and the Mentally Ill Offender Treatment and  
7 Crime Reduction Reauthorization and Improvement  
8 Act of 2008 (Public Law 110–416);

9           (8) \$15,000,000 for grants for Residential Sub-  
10 stance Abuse Treatment for State Prisoners, as au-  
11 thORIZED by part S of title I of the 1968 Act;

12           (9) \$1,000,000 for the Capital Litigation Im-  
13 provement Grant Program, as authorized by section  
14 426 of Public Law 108–405, and for grants for  
15 wrongful conviction review;

16           (10) \$7,000,000 for economic, high technology  
17 and Internet crime prevention grants, including as  
18 authorized by section 401 of Public Law 110–403;

19           (11) \$20,000,000 for implementation of the  
20 Adam Walsh Act and related activities;

21           (12) \$20,000,000 for the matching grant pro-  
22 gram for law enforcement armor vests, as authorized  
23 by section 2501 of title I of the 1968 Act;

24           (13) \$1,000,000 for the National Sex Offender  
25 Public Website;

1           (14) \$12,000,000 for grants to assist State and  
2           tribal governments and related activities, as author-  
3           ized by the NICS Improvement Amendments Act of  
4           2007 (Public Law 110–180);

5           (15) \$6,000,000 for the National Criminal His-  
6           tory Improvement Program for grants to upgrade  
7           criminal records;

8           (16) \$125,000,000 for DNA-related and foren-  
9           sic programs and activities, of which—

10           (A) \$117,000,000 is for a DNA analysis  
11           and capacity enhancement program and for  
12           other local, State, and Federal forensic activi-  
13           ties, including the purposes authorized under  
14           section 2 of the DNA Analysis Backlog Elimini-  
15           nation Act of 2000 (the Debbie Smith DNA  
16           Backlog Grant Program);

17           (B) \$4,000,000 is for the purposes de-  
18           scribed in the Kirk Bloodsworth Post-Convic-  
19           tion DNA Testing Program (Public Law 108–  
20           405, section 412); and

21           (C) \$4,000,000 is for Sexual Assault Fo-  
22           rensic Exam Program Grants, including as au-  
23           thorized by section 304 of Public Law 108–405;

1           (17) \$4,500,000 for the court-appointed special  
2 advocate program, as authorized by section 217 of  
3 the 1990 Act;

4           (18) \$38,000,000 for assistance to Indian  
5 tribes;

6           (19) \$1,000,000 for the purposes described in  
7 the Missing Alzheimer’s Disease Patient Alert Pro-  
8 gram (section 240001 of the 1994 Act);

9           (20) \$7,000,000 for a program to monitor pre-  
10 scription drugs and scheduled listed chemical prod-  
11 ucts;

12           (21) \$12,500,000 for prison rape prevention  
13 and prosecution grants to States and units of local  
14 government, and other programs, as authorized by  
15 the Prison Rape Elimination Act of 2003 (Public  
16 Law 108–79); and

17           (22) \$70,000,000 for offender reentry programs  
18 and research, as authorized by the Second Chance  
19 Act of 2007 (Public Law 110–199), of which  
20 \$6,000,000 is for a program to improve State, local  
21 and tribal probation supervision efforts and strate-  
22 gies:

23 *Provided*, That, if a unit of local government uses any of  
24 the funds made available under this heading to increase  
25 the number of law enforcement officers, the unit of local

1 government will achieve a net gain in the number of law  
2 enforcement officers who perform non-administrative pub-  
3 lic sector safety service.

4 JUVENILE JUSTICE PROGRAMS

5 For grants, contracts, cooperative agreements, and  
6 other assistance authorized by the Juvenile Justice and  
7 Delinquency Prevention Act of 1974 (“the 1974 Act”); the  
8 Omnibus Crime Control and Safe Streets Act of 1968  
9 (“the 1968 Act”); the Violence Against Women and De-  
10 partment of Justice Reauthorization Act of 2005 (Public  
11 Law 109–162) (“the 2005 Act”); the Missing Children’s  
12 Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial  
13 Remedies and Other Tools to end the Exploitation of Chil-  
14 dren Today Act of 2003 (Public Law 108–21); the Victims  
15 of Child Abuse Act of 1990 (Public Law 101–647) (“the  
16 1990 Act”); the Adam Walsh Child Protection and Safety  
17 Act of 2006 (Public Law 109–248) (“the Adam Walsh  
18 Act”); the PROTECT Our Children Act of 2008 (Public  
19 Law 110–401); and other juvenile justice programs,  
20 \$209,500,000, to remain available until expended as fol-  
21 lows—

22 (1) \$33,000,000 for programs authorized by  
23 section 221 of the 1974 Act, and for training and  
24 technical assistance to assist small, nonprofit organi-  
25 zations with the Federal grants process;



1 (2) \$90,000,000 for youth mentoring grants;

2 (3) \$18,000,000 for programs authorized by  
3 the Victims of Child Abuse Act of 1990;

4 (4) \$67,000,000 for missing and exploited chil-  
5 dren programs, including as authorized by sections  
6 404(b) and 405(a) of the 1974 Act (except that sec-  
7 tion 102(b)(4)(B) of the PROTECT Our Children  
8 Act of 2008 (Public Law 110–401) shall not apply  
9 for purposes of this Act); and

10 (5) \$1,500,000 for child abuse training pro-  
11 grams for judicial personnel and practitioners, as  
12 authorized by section 222 of the 1990 Act:

13 *Provided*, That not more than 10 percent of each amount  
14 may be used for research, evaluation, and statistics activi-  
15 ties designed to benefit the programs or activities author-  
16 ized: *Provided further*, That not more than 2 percent of  
17 each amount may be used for training and technical as-  
18 sistance: *Provided further*, That the previous two provisos  
19 shall not apply to grants and projects authorized by sec-  
20 tions 261 and 262 of the 1974 Act.

21 PUBLIC SAFETY OFFICER BENEFITS

22 For payments and expenses authorized under section  
23 1001(a)(4) of title I of the Omnibus Crime Control and  
24 Safe Streets Act of 1968, such sums as are necessary (in-  
25 cluding amounts for administrative costs), to remain avail-

1 able until expended; and \$16,300,000 for payments au-  
2 thorized by section 1201(b) of such Act and for edu-  
3 cational assistance authorized by section 1218 of such Act,  
4 to remain available until expended: *Provided*, That not-  
5 withstanding section 205 of this Act, upon a determina-  
6 tion by the Attorney General that emergent circumstances  
7 require additional funding for such disability and edu-  
8 cation payments, the Attorney General may transfer such  
9 amounts to “Public Safety Officers Benefits” from avail-  
10 able appropriations for the Department of Justice as may  
11 be necessary to respond to such circumstances: *Provided*  
12 *further*, That any transfer pursuant to the previous pro-  
13 viso shall be treated as a reprogramming under section  
14 505 of this Act and shall not be available for obligation  
15 or expenditure except in compliance with the procedures  
16 set forth in that section.

17           COMMUNITY ORIENTED POLICING SERVICES

18       COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

19       For activities authorized by the Violent Crime Con-  
20 trol and Law Enforcement Act of 1994 (Public Law 103–  
21 322); the Omnibus Crime Control and Safe Streets Act  
22 of 1968 (“the 1968 Act”); and the Violence Against  
23 Women and Department of Justice Reauthorization Act  
24 of 2005 (Public Law 109–162) (“the 2005 Act”),  
25 \$72,500,000, to remain available until expended: *Pro-*

1 *vided*, That any balances made available through prior  
2 year deobligations shall only be available in accordance  
3 with section 505 of this Act: *Provided further*, That of the  
4 amount provided—

5 (1) \$12,500,000 is for anti-methamphetamine-  
6 related activities, which shall be transferred to the  
7 Drug Enforcement Administration upon enactment  
8 of this Act;

9 (2) \$20,000,000 is for improving tribal law en-  
10 forcement, including hiring, equipment, training, and  
11 anti-methamphetamine activities; and

12 (3) \$40,000,000 is for grants under section  
13 1701 of title I of the 1968 Act (42 U.S.C. 3796dd)  
14 for the hiring and rehiring of additional career law  
15 enforcement officers under part Q of such title not-  
16 withstanding subsection (i) of such section: *Pro-*  
17 *vided*, That, notwithstanding section 1704(c) of such  
18 title (42 U.S.C. 3796dd–3(c)), funding for hiring or  
19 rehiring a career law enforcement officer may not  
20 exceed \$125,000 unless the Director of the Office of  
21 Community Oriented Policing Services grants a  
22 waiver from this limitation.

23 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

24 SEC. 201. In addition to amounts otherwise made  
25 available in this title for official reception and representa-

1 tion expenses, a total of not to exceed \$50,000 from funds  
2 appropriated to the Department of Justice in this title  
3 shall be available to the Attorney General for official re-  
4 ception and representation expenses.

5       SEC. 202. None of the funds appropriated by this  
6 title shall be available to pay for an abortion, except where  
7 the life of the mother would be endangered if the fetus  
8 were carried to term, or in the case of rape: *Provided*,  
9 That should this prohibition be declared unconstitutional  
10 by a court of competent jurisdiction, this section shall be  
11 null and void.

12       SEC. 203. None of the funds appropriated under this  
13 title shall be used to require any person to perform, or  
14 facilitate in any way the performance of, any abortion.

15       SEC. 204. Nothing in the preceding section shall re-  
16 move the obligation of the Director of the Bureau of Pris-  
17 ons to provide escort services necessary for a female in-  
18 mate to receive such service outside the Federal facility:  
19 *Provided*, That nothing in this section in any way dimin-  
20 ishes the effect of section 203 intended to address the phil-  
21 osophical beliefs of individual employees of the Bureau of  
22 Prisons.

23       SEC. 205. Not to exceed 5 percent of any appropria-  
24 tion made available for the current fiscal year for the De-  
25 partment of Justice in this Act may be transferred be-

1 tween such appropriations, but no such appropriation, ex-  
2 cept as otherwise specifically provided, shall be increased  
3 by more than 10 percent by any such transfers: *Provided*,  
4 That any transfer pursuant to this section shall be treated  
5 as a reprogramming of funds under section 505 of this  
6 Act and shall not be available for obligation except in com-  
7 pliance with the procedures set forth in that section.

8       SEC. 206. The Attorney General is authorized to ex-  
9 tend through September 30, 2014, the Personnel Manage-  
10 ment Demonstration Project transferred to the Attorney  
11 General pursuant to section 1115 of the Homeland Secu-  
12 rity Act of 2002 (Public Law 107–296; 28 U.S.C. 599B)  
13 without limitation on the number of employees or the posi-  
14 tions covered.

15       SEC. 207. Notwithstanding any other provision of  
16 law, during the current fiscal year and any fiscal year  
17 thereafter, section 102(b) of the Departments of Com-  
18 merce, Justice, and State, the Judiciary, and Related  
19 Agencies Appropriations Act, 1993 (Public Law 102–395)  
20 shall extend to the Bureau of Alcohol, Tobacco, Firearms  
21 and Explosives in the conduct of undercover investigative  
22 operations and shall apply with respect to any undercover  
23 investigative operation by the Bureau of Alcohol, Tobacco,  
24 Firearms and Explosives that is necessary for the detec-  
25 tion and prosecution of crimes against the United States.

1        SEC. 208. None of the funds made available to the  
2 Department of Justice in this Act may be used for the  
3 purpose of transporting an individual who is a prisoner  
4 pursuant to conviction for crime under State or Federal  
5 law and is classified as a maximum or high security pris-  
6 oner, other than to a prison or other facility certified by  
7 the Federal Bureau of Prisons as appropriately secure for  
8 housing such a prisoner.

9        SEC. 209. (a) None of the funds appropriated by this  
10 Act may be used by Federal prisons to purchase cable tele-  
11 vision services, to rent or purchase videocassettes, video-  
12 cassette recorders, or other audiovisual or electronic equip-  
13 ment used primarily for recreational purposes.

14        (b) Subsection (a) does not preclude the rental, main-  
15 tenance, or purchase of audiovisual or electronic equip-  
16 ment for inmate training, religious, or educational pro-  
17 grams.

18        SEC. 210. None of the funds made available under  
19 this title shall be obligated or expended for any new or  
20 enhanced information technology program having total es-  
21 timated development costs in excess of \$100,000,000, un-  
22 less the Deputy Attorney General and the investment re-  
23 view board certify to the Committees on Appropriations  
24 of the House of Representatives and the Senate that the  
25 information technology program has appropriate program

1 management controls and contractor oversight mecha-  
2 nisms in place, and that the program is compatible with  
3 the enterprise architecture of the Department of Justice.

4       SEC. 211. The notification thresholds and procedures  
5 set forth in section 505 of this Act shall apply to devi-  
6 ations from the amounts designated for specific activities  
7 in this Act and accompanying statement, and to any use  
8 of deobligated balances of funds provided under this title  
9 in previous years.

10       SEC. 212. None of the funds appropriated by this Act  
11 may be used to plan for, begin, continue, finish, process,  
12 or approve a public-private competition under the Office  
13 of Management and Budget Circular A-76 or any suc-  
14 cessor administrative regulation, directive, or policy for  
15 work performed by employees of the Bureau of Prisons  
16 or of Federal Prison Industries, Incorporated.

17       SEC. 213. Notwithstanding any other provision of  
18 law, no funds shall be available for the salary, benefits,  
19 or expenses of any United States Attorney assigned dual  
20 or additional responsibilities by the Attorney General or  
21 his designee that exempt that United States Attorney  
22 from the residency requirements of section 545 of title 28,  
23 United States Code.

24       SEC. 214. At the discretion of the Attorney General,  
25 and in addition to any amounts that otherwise may be

1 available (or authorized to be made available) by law, with  
2 respect to funds appropriated by this title under the head-  
3 ings “Research, Evaluation, and Statistics”, “State and  
4 Local Law Enforcement Assistance”, and “Juvenile Jus-  
5 tice Programs”—

6 (1) up to 3 percent of funds made available to  
7 the Office of Justice Programs for grant or reim-  
8 bursement programs may be used by such Office to  
9 provide training and technical assistance; and

10 (2) up to 2 percent of funds made available for  
11 grant or reimbursement programs under such head-  
12 ings, except for amounts appropriated specifically for  
13 research, evaluation, or statistical programs adminis-  
14 tered by the National Institute of Justice and the  
15 Bureau of Justice Statistics, shall be transferred to  
16 and merged with funds provided to the National In-  
17 stitute of Justice and the Bureau of Justice Statis-  
18 tics, to be used by them for research, evaluation or  
19 statistical purposes, without regard to the authoriza-  
20 tions for such grant or reimbursement programs.

21 SEC. 215. The Attorney General may, upon request  
22 by a grantee and based upon a determination of fiscal  
23 hardship, waive the requirements of sections 2976(g)(1),  
24 2978(e)(1) and (2), and 2904 of title I of the Omnibus  
25 Crime Control and Safe Streets Act of 1968 (42 U.S.C.



1 3797w(g)(1), 3797w-2(e)(1) and (2), 3797q-3) and sec-  
2 tion 6(c)(3) of the Prison Rape Elimination Act of 2003  
3 (42 U.S.C. 15605(e)(3)) with respect to funds appro-  
4 priated in this or any other Act making appropriations  
5 for fiscal years 2010 through 2013 for Adult and Juvenile  
6 Offender State and Local Reentry Demonstration Projects  
7 and for State, Tribal, and Local Reentry Courts author-  
8 ized under part FF of title I of such Act of 1968, and  
9 for the Prosecution Drug Treatment Alternatives to Pris-  
10 on Program authorized under part CC of such Act of  
11 1968, and Grants to Protect Inmates and Safeguard Com-  
12 munities under such Act of 2003.

13 SEC. 216. Notwithstanding any other provision of  
14 law, section 20109(a) of subtitle A of title II of the Violent  
15 Crime Control and Law Enforcement Act of 1994 (42  
16 U.S.C. 13709(a)) shall not apply to amounts made avail-  
17 able by this or any other Act.

18 SEC. 217. None of the funds made available under  
19 this Act, other than for the national instant criminal back-  
20 ground check system established under section 103 of the  
21 Brady Handgun Violence Prevention Act (18 U.S.C. 922  
22 note), may be used by a Federal law enforcement officer  
23 to facilitate the transfer of an operable firearm to an indi-  
24 vidual if the Federal law enforcement officer knows or sus-  
25 pects that the individual is an agent of a drug cartel unless

1 law enforcement personnel of the United States continu-  
2 ously monitor or control the firearm at all times.

3       SEC. 218. None of the funds made available to the  
4 Department of Justice in this Act may be used for the  
5 purpose of implementing the requirement for public enti-  
6 ties, places of public accommodation, and commercial fa-  
7 cilities to provide a permanent means of accessible entry  
8 to pools and spas under the revised regulations for titles  
9 II and III of the Americans with Disabilities Act of 1990  
10 (28 C.F.R. 35.101 et seq.; 36.101 et seq.).

11       SEC. 219. None of the funds made available by this  
12 Act may be used to require a person licensed under section  
13 923 of title 18, United States Code, to report information  
14 to the Department of Justice regarding the sale of mul-  
15 tiple rifles or shotguns to the same person.

16       This title may be cited as the “Department of Justice  
17 Appropriations Act, 2013”.

### 18                                   TITLE III

### 19                                   SCIENCE

#### 20           OFFICE OF SCIENCE AND TECHNOLOGY POLICY

21       For necessary expenses of the Office of Science and  
22 Technology Policy, in carrying out the purposes of the Na-  
23 tional Science and Technology Policy, Organization, and  
24 Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of  
25 passenger motor vehicles, and services as authorized by

1 section 3109 of title 5, United States Code, not to exceed  
2 \$2,250 for official reception and representation expenses,  
3 and rental of conference rooms in the District of Colum-  
4 bia, \$5,850,000.

5 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION  
6 SCIENCE

7 For necessary expenses, not otherwise provided for,  
8 in the conduct and support of science research and devel-  
9 opment activities, including research, development, oper-  
10 ations, support, and services; maintenance and repair, fa-  
11 cility planning and design; space flight, spacecraft control,  
12 and communications activities; program management; per-  
13 sonnel and related costs, including uniforms or allowances  
14 therefor, as authorized by sections 5901 and 5902 of title  
15 5, United States Code; travel expenses; purchase and hire  
16 of passenger motor vehicles; and purchase, lease, charter,  
17 maintenance, and operation of mission and administrative  
18 aircraft, \$5,095,000,000, to remain available until Sep-  
19 tember 30, 2014, of which up to \$14,500,000 shall be  
20 available for a reimbursable agreement with the Depart-  
21 ment of Energy for the purpose of re-establishing facilities  
22 to produce fuel required for radioisotope thermoelectric  
23 generators to enable future missions: *Provided*, That not  
24 less than \$150,000,000 shall be for Mars Next Decade:  
25 *Provided further*, That no funds shall be obligated for

1 Mars Next Decade unless and until the National Research  
2 Council has certified to the Committees on Appropriations  
3 that the chosen mission concept will lead to the accom-  
4 plishment of Mars sample return as described in the most  
5 recent planetary science decadal survey: *Provided further*,  
6 That, in the event that the National Research Council de-  
7 termines that the Mars Next Decade mission concept will  
8 not lead to the accomplishment of Mars sample return,  
9 all funding provided for Mars Next Decade shall be reallo-  
10 cated to the development of a Jupiter Europa orbiter, con-  
11 sistent with the priorities established in the aforemen-  
12 tioned decadal survey: *Provided further*, That the formula-  
13 tion and development costs (with development cost as de-  
14 fined under section 30104 of title 51, United States Code)  
15 for the James Webb Space Telescope shall not exceed  
16 \$8,000,000,000: *Provided further*, That should the indi-  
17 vidual identified under subsection (c)(2)(E) of section  
18 30104 of title 51, United States Code, as responsible for  
19 the James Webb Space Telescope determine that the de-  
20 velopment cost of the program is likely to exceed that limi-  
21 tation, the individual shall immediately notify the Admin-  
22 istrator and the increase shall be treated as if it meets  
23 the 30 percent threshold described in subsection (f) of sec-  
24 tion 30104.

## 1 AERONAUTICS

2 For necessary expenses, not otherwise provided for,  
3 in the conduct and support of aeronautics research and  
4 development activities, including research, development,  
5 operations, support, and services; maintenance and repair,  
6 facility planning and design; space flight, spacecraft con-  
7 trol, and communications activities; program manage-  
8 ment; personnel and related costs, including uniforms or  
9 allowances therefor, as authorized by sections 5901 and  
10 5902 of title 5, United States Code; travel expenses; pur-  
11 chase and hire of passenger motor vehicles; and purchase,  
12 lease, charter, maintenance, and operation of mission and  
13 administrative aircraft, \$569,900,000, to remain available  
14 until September 30, 2014.

## 15 SPACE TECHNOLOGY

16 For necessary expenses, not otherwise provided for,  
17 in the conduct and support of space research and tech-  
18 nology development activities, including research, develop-  
19 ment, operations, support, and services; maintenance and  
20 repair, facility planning and design; space flight, space-  
21 craft control, and communications activities; program  
22 management; personnel and related costs, including uni-  
23 forms or allowances therefor, as authorized by sections  
24 5901 and 5902 of title 5, United States Code; travel ex-  
25 penses; purchase and hire of passenger motor vehicles; and

1 purchase, lease, charter, maintenance, and operation of  
2 mission and administrative aircraft, \$632,500,000, to re-  
3 main available until September 30, 2014.

4 EXPLORATION

5 For necessary expenses, not otherwise provided for,  
6 in the conduct and support of exploration research and  
7 development activities, including research, development,  
8 operations, support, and services; maintenance and repair,  
9 facility planning and design; space flight, spacecraft con-  
10 trol, and communications activities; program manage-  
11 ment; personnel and related costs, including uniforms or  
12 allowances therefor, as authorized by sections 5901 and  
13 5902 of title 5, United States Code; travel expenses; pur-  
14 chase and hire of passenger motor vehicles; and purchase,  
15 lease, charter, maintenance, and operation of mission and  
16 administrative aircraft, \$3,711,900,000, to remain avail-  
17 able until September 30, 2014: *Provided*, That not less  
18 than \$1,024,900,000 shall be for the Orion Multi-Purpose  
19 Crew Vehicle: *Provided further*, That not less than  
20 \$1,857,000,000 shall be for the Space Launch System,  
21 which shall have a lift capability not less than 130 metric  
22 tons and which shall have an upper stage and other core  
23 elements developed simultaneously: *Provided further*, That  
24 of the funds made available for the Space Launch System,  
25 \$1,454,200,000 shall be for launch vehicle development



1 velopment, operations, support, and services; program  
2 management; personnel and related costs, including uni-  
3 forms or allowances therefor, as authorized by sections  
4 5901 and 5902 of title 5, United States Code; travel ex-  
5 penses; purchase and hire of passenger motor vehicles; and  
6 purchase, lease, charter, maintenance, and operation of  
7 mission and administrative aircraft, \$100,000,000, to re-  
8 main available until September 30, 2014, of which  
9 \$9,000,000 shall be for the Experimental Program to  
10 Stimulate Competitive Research and \$24,000,000 shall be  
11 for the National Space Grant College program.

12 CROSS AGENCY SUPPORT

13 For necessary expenses, not otherwise provided for,  
14 in the conduct and support of science, aeronautics, explo-  
15 ration, space operations and education research and devel-  
16 opment activities, including research, development, oper-  
17 ations, support, and services; maintenance and repair, fa-  
18 cility planning and design; space flight, spacecraft control,  
19 and communications activities; program management; per-  
20 sonnel and related costs, including uniforms or allowances  
21 therefor, as authorized by sections 5901 and 5902 of title  
22 5, United States Code; travel expenses; purchase and hire  
23 of passenger motor vehicles; not to exceed \$63,000 for of-  
24 ficial reception and representation expenses; and purchase,  
25 lease, charter, maintenance, and operation of mission and



1 administrative aircraft, \$2,843,500,000, to remain avail-  
2 able until September 30, 2014.

3 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND  
4 RESTORATION

5 For necessary expenses for construction of facilities  
6 including repair, rehabilitation, revitalization, and modi-  
7 fication of facilities, construction of new facilities and ad-  
8 ditions to existing facilities, facility planning and design,  
9 and restoration, and acquisition or condemnation of real  
10 property, as authorized by law, and environmental compli-  
11 ance and restoration, \$598,000,000, to remain available  
12 until September 30, 2018: *Provided*, That hereafter, not-  
13 withstanding section 315 of the National Aeronautics and  
14 Space Act of 1958 (51 U.S.C. 20145), all proceeds from  
15 leases entered into under that section shall be deposited  
16 into this account: *Provided further*, That such proceeds  
17 shall be available for a period of 5 years and in amounts  
18 as provided in annual appropriations Acts: *Provided fur-*  
19 *ther*, That such proceeds referred to in the two preceding  
20 provisos shall be available for obligation for fiscal year  
21 2013 in an amount not to exceed \$3,791,000: *Provided*  
22 *further*, That each annual budget request shall include an  
23 annual estimate of gross receipts and collections and pro-  
24 posed use of all funds collected pursuant to section 315

1 of the National Aeronautics and Space Act of 1958 (51  
2 U.S.C. 20145).

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector  
5 General in carrying out the Inspector General Act of 1978,  
6 \$38,000,000, of which \$500,000 shall remain available  
7 until September 30, 2014.

8 ADMINISTRATIVE PROVISIONS

9 Funds for announced prizes otherwise authorized  
10 shall remain available, without fiscal year limitation, until  
11 the prize is claimed or the offer is withdrawn.

12 Not to exceed 5 percent of any appropriation made  
13 available for the current fiscal year for the National Aero-  
14 nautics and Space Administration in this Act may be  
15 transferred between such appropriations, but no such ap-  
16 propriation, except as otherwise specifically provided, shall  
17 be increased by more than 10 percent (or, in the case of  
18 “Construction and Environmental Compliance and Res-  
19 toration”, 15 percent) by any such transfers. Balances so  
20 transferred shall be merged with and available for the  
21 same purposes and the same time period as the appropria-  
22 tions to which transferred. Any transfer pursuant to this  
23 provision shall be treated as a reprogramming of funds  
24 under section 505 of this Act and shall not be available

1 for obligation except in compliance with the procedures set  
2 forth in that section.

3 Section 1105 of the National Aeronautics and Space  
4 Administration Authorization Act of 2010 (42 U.S.C.  
5 18431) is amended by striking “The Administrator may  
6 not” and all that follows through “inefficiency.”.

7 The National Aeronautics and Space Administration  
8 shall submit a spending plan, signed by the Administrator,  
9 to the Committees on Appropriations of the House of Rep-  
10 resentatives and the Senate within 45 days after the en-  
11 actment of this Act. This spending plan shall be provided  
12 at the theme, program, project and activity level. The  
13 spending plan, as well as any subsequent change of an  
14 amount established in that spending plan that meets the  
15 notification requirements of section 505 of this Act, shall  
16 be treated as a reprogramming under section 505 of this  
17 Act and shall not be available for obligation or expenditure  
18 except in compliance with the procedures set forth in that  
19 section.

20 Section 30102(e) of title 51, United States Code, is  
21 amended—

22 (1) in paragraph (2) by striking “and” at the  
23 end;

24 (2) in paragraph (3) by striking the period at  
25 the end inserting “; and”; and

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

2 “(4) refunds or rebates received on an on-going  
3 basis from a credit card services provider under the  
4 National Aeronautics and Space Administration’s  
5 credit card programs.”.

6 NATIONAL SCIENCE FOUNDATION

7 RESEARCH AND RELATED ACTIVITIES

8 For necessary expenses in carrying out the National  
9 Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.),  
10 and Public Law 86–209 (42 U.S.C. 1880 et seq.); services  
11 as authorized by section 3109 of title 5, United States  
12 Code; maintenance and operation of aircraft and purchase  
13 of flight services for research support; acquisition of air-  
14 craft; and authorized travel; \$5,942,693,000, to remain  
15 available until September 30, 2014, of which not to exceed  
16 \$500,000,000 shall remain available until expended for  
17 polar research and operations support, and for reimburse-  
18 ment to other Federal agencies for operational and science  
19 support and logistical and other related activities for the  
20 United States Antarctic program: *Provided*, That receipts  
21 for scientific support services and materials furnished by  
22 the National Research Centers and other National Science  
23 Foundation supported research facilities may be credited  
24 to this appropriation.

## 1 MAJOR RESEARCH EQUIPMENT AND FACILITIES

## 2 CONSTRUCTION

3 For necessary expenses for the acquisition, construc-  
4 tion, commissioning, and upgrading of major research  
5 equipment, facilities, and other such capital assets pursu-  
6 ant to the National Science Foundation Act of 1950 (42  
7 U.S.C. 1861 et seq.), including authorized travel,  
8 \$196,170,000, to remain available until expended: *Pro-*  
9 *vided*, That none of the funds may be used to reimburse  
10 the Judgment Fund established under section 1304 of title  
11 31, United States Code.

## 12 EDUCATION AND HUMAN RESOURCES

13 For necessary expenses in carrying out science, math-  
14 ematics and engineering education and human resources  
15 programs and activities pursuant to the National Science  
16 Foundation Act of 1950 (42 U.S.C. 1861 et seq.), includ-  
17 ing services as authorized by section 3109 of title 5,  
18 United States Code, authorized travel, and rental of con-  
19 ference rooms in the District of Columbia, \$875,610,000,  
20 to remain available until September 30, 2014.

## 21 AGENCY OPERATIONS AND AWARD MANAGEMENT

22 For agency operations and award management nec-  
23 essary in carrying out the National Science Foundation  
24 Act of 1950 (42 U.S.C. 1861 et seq.); services authorized  
25 by section 3109 of title 5, United States Code; hire of pas-

1 senger motor vehicles; uniforms or allowances therefor, as  
2 authorized by sections 5901 and 5902 of title 5, United  
3 States Code; rental of conference rooms in the District of  
4 Columbia; and reimbursement of the Department of  
5 Homeland Security for security guard services;  
6 \$299,400,000: *Provided*, That not to exceed \$8,280 is for  
7 official reception and representation expenses: *Provided*  
8 *further*, That contracts may be entered into under this  
9 heading in fiscal year 2013 for maintenance and operation  
10 of facilities and for other services to be provided during  
11 the next fiscal year.

12 OFFICE OF THE NATIONAL SCIENCE BOARD

13 For necessary expenses (including payment of sala-  
14 ries, authorized travel, hire of passenger motor vehicles,  
15 the rental of conference rooms in the District of Columbia,  
16 and the employment of experts and consultants under sec-  
17 tion 3109 of title 5, United States Code) involved in car-  
18 rying out section 4 of the National Science Foundation  
19 Act of 1950 (42 U.S.C. 1863) and Public Law 86–209  
20 (42 U.S.C. 1880 et seq.), \$4,440,000: *Provided*, That not  
21 to exceed \$2,500 shall be available for official reception  
22 and representation expenses.

23 OFFICE OF INSPECTOR GENERAL

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

1 1978, \$14,200,000, of which \$400,000 shall remain avail-  
2 able until September 30, 2014.

3 ADMINISTRATIVE PROVISION

4 Not to exceed 5 percent of any appropriation made  
5 available for the current fiscal year for the National  
6 Science Foundation in this Act may be transferred be-  
7 tween such appropriations, but no such appropriation shall  
8 be increased by more than 15 percent by any such trans-  
9 fers. Any transfer pursuant to this section shall be treated  
10 as a reprogramming of funds under section 505 of this  
11 Act and shall not be available for obligation except in com-  
12 pliance with the procedures set forth in that section.

13 TITLE IV

14 RELATED AGENCIES

15 COMMISSION ON CIVIL RIGHTS

16 SALARIES AND EXPENSES

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses of the Commission on Civil  
19 Rights, including hire of passenger motor vehicles,  
20 \$9,193,000: *Provided*, That none of the funds appro-  
21 priated in this paragraph shall be used to employ in excess  
22 of four full-time individuals under Schedule C of the Ex-  
23 cepted Service exclusive of one special assistant for each  
24 Commissioner: *Provided further*, That none of the funds  
25 appropriated in this paragraph shall be used to reimburse

1 Commissioners for more than 75 billable days, with the  
2 exception of the chairperson, who is permitted 125 billable  
3 days: *Provided further*, That none of the funds appro-  
4 priated in this paragraph shall be used for any activity  
5 or expense that is not explicitly authorized by section 3  
6 of the Civil Rights Commission Act of 1983 (42 U.S.C.  
7 1975a): *Provided further*, That there shall be an Inspector  
8 General at the Commission on Civil Rights who shall have  
9 the duties, responsibilities, and authorities specified in the  
10 Inspector General Act of 1978: *Provided further*, That an  
11 individual appointed to the position of Inspector General  
12 of the Government Accountability Office (GAO) shall, by  
13 virtue of such appointment, also hold the position of In-  
14 spector General of the Commission on Civil Rights: *Pro-*  
15 *vided further*, That the Inspector General of the Commis-  
16 sion on Civil Rights shall utilize personnel of the Office  
17 of Inspector General of GAO in performing the duties of  
18 the Inspector General of the Commission on Civil Rights,  
19 and shall not appoint any individuals to positions within  
20 the Commission on Civil Rights: *Provided further*, That  
21 of the amounts made available in this paragraph,  
22 \$250,000 shall be transferred directly to the Office of In-  
23 spector General of GAO upon enactment of this Act for  
24 salaries and expenses necessary to carry out the duties of  
25 the Inspector General of the Commission on Civil Rights.





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 section 3109 of title 5,  
6 United States Code, and not to exceed \$2,250 for official  
7 reception and representation expenses, \$83,000,000, to re-  
8 main available until expended.

9                   LEGAL SERVICES CORPORATION

10           PAYMENT TO THE LEGAL SERVICES CORPORATION

11           For payment to the Legal Services Corporation to  
12 carry out the purposes of the Legal Services Corporation  
13 Act of 1974, \$328,000,000, of which \$302,400,000 is for  
14 basic field programs and required independent audits;  
15 \$4,200,000 is for the Office of Inspector General, of which  
16 such amounts as may be necessary may be used to conduct  
17 additional audits of recipients; \$17,000,000 is for manage-  
18 ment and grants oversight; \$3,400,000 is for client self-  
19 help and information technology; and \$1,000,000 is for  
20 loan repayment assistance: *Provided*, That the Legal Serv-  
21 ices Corporation may continue to provide locality pay to  
22 officers and employees at a rate no greater than that pro-  
23 vided by the Federal Government to Washington, DC-  
24 based employees as authorized by section 5304 of title 5,  
25 United States Code, notwithstanding section 1005(d) of

1 the Legal Services Corporation Act (42 U.S.C. 2996(d)):  
2 *Provided further*, That the authorities provided in section  
3 205 of this Act shall be applicable to the Legal Services  
4 Corporation: *Provided further*, That, for the purposes of  
5 sections 505, 533 and 535 of this Act, the Legal Services  
6 Corporation shall be considered an agency of the United  
7 States Government.

8 ADMINISTRATIVE PROVISIONS—LEGAL SERVICES  
9 CORPORATION

10 None of the funds appropriated in this Act to the  
11 Legal Services Corporation shall be expended for any pur-  
12 pose prohibited or limited by, or contrary to any of the  
13 provisions of, sections 501, 502, 503, 504, 505, and 506  
14 of Public Law 105–119, and all funds appropriated in this  
15 Act to the Legal Services Corporation shall be subject to  
16 the same terms and conditions set forth in such sections,  
17 except that all references in sections 502 and 503 to 1997  
18 and 1998 shall be deemed to refer instead to 2012 and  
19 2013, respectively.

20 Section 501(a)(2)(A) of the Departments of Com-  
21 merce, Justice, and State, the Judiciary, and Related  
22 Agencies Appropriations Act, 1996 (Public Law 104–134)  
23 is amended by striking “on the basis of the most recent  
24 decennial census of population conducted pursuant to sec-

1 tion 141 of title 13, United States Code” and inserting  
2 “triennially by the Bureau of the Census”.

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 the Marine Mammal  
7 Protection Act of 1972 (16 U.S.C. 1361 et seq.),  
8 \$3,025,000.

9 OFFICE OF THE UNITED STATES TRADE

10 REPRESENTATIVE

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of the United  
13 States Trade Representative, including the hire of pas-  
14 senger motor vehicles and the employment of experts and  
15 consultants as authorized by section 3109 of title 5,  
16 United States Code, \$51,251,000, of which \$1,000,000  
17 shall remain available until expended: *Provided*, That not  
18 to exceed \$111,600 shall be available for official reception  
19 and representation expenses.

20 STATE JUSTICE INSTITUTE

21 SALARIES AND EXPENSES

22 For necessary expenses of the State Justice Institute,  
23 as authorized by the State Justice Institute Authorization  
24 Act of 1984 (42 U.S.C. 10701 et seq.) \$5,121,000, of  
25 which \$500,000 shall remain available until September 30,

1 2014: *Provided*, That not to exceed \$2,250 shall be avail-  
2 able for official reception and representation expenses:  
3 *Provided further*, That, for the purposes of section 505  
4 of this Act, the State Justice Institute shall be considered  
5 an agency of the United States Government.

## 6 TITLE V

### 7 GENERAL PROVISIONS

#### 8 (INCLUDING RESCISSIONS)

9 SEC. 501. No part of any appropriation contained in  
10 this Act shall be used for publicity or propaganda purposes  
11 not authorized by the Congress.

12 SEC. 502. No part of any appropriation contained in  
13 this Act shall remain available for obligation beyond the  
14 current fiscal year unless expressly so provided herein.

15 SEC. 503. The expenditure of any appropriation  
16 under this Act for any consulting service through procure-  
17 ment contract, pursuant to section 3109 of title 5, United  
18 States Code, shall be limited to those contracts where such  
19 expenditures are a matter of public record and available  
20 for public inspection, except where otherwise provided  
21 under existing law, or under existing Executive order  
22 issued pursuant to existing law.

23 SEC. 504. If any provision of this Act or the applica-  
24 tion of such provision to any person or circumstances shall  
25 be held invalid, the remainder of the Act and the applica-

1 tion of each provision to persons or circumstances other  
2 than those as to which it is held invalid shall not be af-  
3 fected thereby.

4       SEC. 505. None of the funds provided under this Act,  
5 or provided under previous appropriations Acts to the  
6 agencies funded by this Act that remain available for obli-  
7 gation or expenditure in fiscal year 2013, or provided from  
8 any accounts in the Treasury of the United States derived  
9 by the collection of fees available to the agencies funded  
10 by this Act, shall be available for obligation or expenditure  
11 through a reprogramming of funds that: (1) creates or ini-  
12 tiates a new program, project or activity; (2) eliminates  
13 a program, project or activity; (3) increases funds or per-  
14 sonnel by any means for any project or activity for which  
15 funds have been denied or restricted; (4) relocates an of-  
16 fice or employees; (5) reorganizes or renames offices, pro-  
17 grams or activities; (6) contracts out or privatizes any  
18 functions or activities presently performed by Federal em-  
19 ployees; (7) augments existing programs, projects or ac-  
20 tivities in excess of \$500,000 or 10 percent, whichever is  
21 less, or reduces by 10 percent funding for any program,  
22 project or activity, or numbers of personnel by 10 percent;  
23 or (8) results from any general savings, including savings  
24 from a reduction in personnel, which would result in a  
25 change in existing programs, projects or activities as ap-

1 proved by Congress; unless the House and Senate Com-  
2 mittees on Appropriations are notified 15 days in advance  
3 of such reprogramming of funds.

4       SEC. 506. (a) If it has been finally determined by  
5 a court or Federal agency that any person intentionally  
6 affixed a label bearing a “Made in America” inscription,  
7 or any inscription with the same meaning, to any product  
8 sold in or shipped to the United States that is not made  
9 in the United States, the person shall be ineligible to re-  
10 ceive any contract or subcontract made with funds made  
11 available in this Act, pursuant to the debarment, suspen-  
12 sion, and ineligibility procedures described in sections  
13 9.400 through 9.409 of title 48, Code of Federal Regula-  
14 tions.

15       (b)(1) To the extent practicable, with respect to au-  
16 thorized purchases of promotional items, funds made  
17 available by this Act shall be used to purchase items that  
18 are manufactured, produced, or assembled in the United  
19 States, its territories, or its possessions.

20       (2) The term “promotional items” has the meaning  
21 given the term in OMB Circular A–87, Attachment B,  
22 Item (1)(f)(3).

23       SEC. 507. (a) The Departments of Commerce and  
24 Justice, the National Science Foundation, and the Na-  
25 tional Aeronautics and Space Administration shall provide

1 to the Committees on Appropriations of the House of Rep-  
2 resentatives and the Senate a quarterly report on the sta-  
3 tus of balances of appropriations at the account level. For  
4 unobligated, uncommitted balances and unobligated, com-  
5 mitted balances the quarterly reports shall separately  
6 identify the amounts attributable to each source year of  
7 appropriation from which the balances were derived. For  
8 balances that are obligated, but unexpended, the quarterly  
9 reports shall separately identify amounts by the year of  
10 obligation.

11 (b) The report described in subsection (a) shall be  
12 submitted within 30 days of the end of the first quarter  
13 of fiscal year 2013, and subsequent reports shall be sub-  
14 mitted within 30 days of the end of each quarter there-  
15 after.

16 (c) If a department or agency is unable to fulfill any  
17 aspect of a reporting requirement described in subsection  
18 (a) due to a limitation of a current accounting system,  
19 the department or agency shall fulfill such aspect to the  
20 maximum extent practicable under such accounting sys-  
21 tem and shall identify and describe in each quarterly re-  
22 port the extent to which such aspect is not fulfilled.

23 SEC. 508. Any costs incurred by a department or  
24 agency funded under this Act resulting from, or to pre-  
25 vent, personnel actions taken in response to funding re-



1 ductions included in this Act shall be absorbed within the  
2 total budgetary resources available to such department or  
3 agency: *Provided*, That the authority to transfer funds be-  
4 tween appropriations accounts as may be necessary to  
5 carry out this section is provided in addition to authorities  
6 included elsewhere in this Act: *Provided further*, That use  
7 of funds to carry out this section shall be treated as a  
8 reprogramming of funds under section 505 of this Act and  
9 shall not be available for obligation or expenditure except  
10 in compliance with the procedures set forth in that section.

11       SEC. 509. None of the funds provided by this Act  
12 shall be available to promote the sale or export of tobacco  
13 or tobacco products, or to seek the reduction or removal  
14 by any foreign country of restrictions on the marketing  
15 of tobacco or tobacco products, except for restrictions  
16 which are not applied equally to all tobacco or tobacco  
17 products of the same type.

18       SEC. 510. None of the funds made available in this  
19 Act may be used to pay the salaries and expenses of per-  
20 sonnel of the Department of Justice to obligate more than  
21 \$720,000,000 during fiscal year 2013 from the fund es-  
22 tablished by section 1402 of chapter XIV of title II of  
23 Public Law 98-473 (42 U.S.C. 10601).

24       SEC. 511. None of the funds made available to the  
25 Department of Justice in this Act may be used to discrimi-

1 nate against or denigrate the religious or moral beliefs of  
2 students who participate in programs for which financial  
3 assistance is provided from those funds, or of the parents  
4 or legal guardians of such students.

5       SEC. 512. None of the funds made available in this  
6 Act may be transferred to any department, agency, or in-  
7 strumentality of the United States Government, except  
8 pursuant to a transfer made by, or transfer authority pro-  
9 vided in, this Act or any other appropriations Act.

10       SEC. 513. Any funds provided in this Act used to im-  
11 plement E-Government Initiatives shall be subject to the  
12 procedures set forth in section 505 of this Act.

13       SEC. 514. (a) Tracing studies conducted by the Bu-  
14 reau of Alcohol, Tobacco, Firearms and Explosives are re-  
15 leased without adequate disclaimers regarding the limita-  
16 tions of the data.

17       (b) For fiscal year 2013 and thereafter, the Bureau  
18 of Alcohol, Tobacco, Firearms and Explosives shall include  
19 in all such data releases, language similar to the following  
20 that would make clear that trace data cannot be used to  
21 draw broad conclusions about firearms-related crime:

22               (1) Firearm traces are designed to assist law  
23 enforcement authorities in conducting investigations  
24 by tracking the sale and possession of specific fire-  
25 arms. Law enforcement agencies may request fire-

1 arms traces for any reason, and those reasons are  
2 not necessarily reported to the Federal Government.  
3 Not all firearms used in crime are traced and not all  
4 firearms traced are used in crime.

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

16 SEC. 515. (a) The Inspectors General of the Depart-  
17 ment of Commerce, the Department of Justice, the Na-  
18 tional Aeronautics and Space Administration, the Na-  
19 tional Science Foundation, and the Legal Services Cor-  
20 poration shall conduct audits, pursuant to the Inspector  
21 General Act (5 U.S.C. App.), of grants or contracts for  
22 which funds are appropriated by this Act, and shall submit  
23 reports to Congress on the progress of such audits, which  
24 may include preliminary findings and a description of  
25 areas of particular interest, within 180 days after initi-

1 ating such an audit and every 180 days thereafter until  
2 any such audit is completed.

3 (b) Within 60 days after the date on which an audit  
4 described in subsection (a) by an Inspector General is  
5 completed, the Secretary, Attorney General, Adminis-  
6 trator, Director, or President, as appropriate, shall make  
7 the results of the audit available to the public on the Inter-  
8 net website maintained by the Department, Administra-  
9 tion, Foundation, or Corporation, respectively. The results  
10 shall be made available in redacted form to exclude—

11 (1) any matter described in section 552(b) of  
12 title 5, United States Code; and

13 (2) sensitive personal information for any indi-  
14 vidual, the public access to which could be used to  
15 commit identity theft or for other inappropriate or  
16 unlawful purposes.

17 (c) A grant or contract funded by amounts appro-  
18 priated by this Act may not be used for the purpose of  
19 defraying the costs of a banquet or conference that is not  
20 directly and programmatically related to the purpose for  
21 which the grant or contract was awarded, such as a ban-  
22 quet or conference held in connection with planning, train-  
23 ing, assessment, review, or other routine purposes related  
24 to a project funded by the grant or contract.

1 (d) Any person awarded a grant or contract funded  
2 by amounts appropriated by this Act shall submit a state-  
3 ment to the Secretary of Commerce, the Attorney General,  
4 the Administrator, Director, or President, as appropriate,  
5 certifying that no funds derived from the grant or contract  
6 will be made available through a subcontract or in any  
7 other manner to another person who has a financial inter-  
8 est in the person awarded the grant or contract.

9 (e) The provisions of the preceding subsections of this  
10 section shall take effect 30 days after the date on which  
11 the Director of the Office of Management and Budget, in  
12 consultation with the Director of the Office of Government  
13 Ethics, determines that a uniform set of rules and require-  
14 ments, substantially similar to the requirements in such  
15 subsections, consistently apply under the executive branch  
16 ethics program to all Federal departments, agencies, and  
17 entities.

18 SEC. 516. (a) None of the funds appropriated or oth-  
19 erwise made available under this Act may be used by the  
20 Departments of Commerce and Justice, the National Aer-  
21 onautics and Space Administration, or the National  
22 Science Foundation to acquire an information technology  
23 system unless the head of the entity involved, in consulta-  
24 tion with the Federal Bureau of Investigation or other ap-  
25 propriate Federal entity, has made an assessment of any

1 associated risk of cyber-espionage or sabotage associated  
2 with the acquisition of such system, including any risk as-  
3 sociated with such system being produced, manufactured  
4 or assembled by one or more entities that are owned, di-  
5 rected or subsidized by the People's Republic of China.

6 (b) None of the funds appropriated or otherwise  
7 made available under this Act may be used to acquire an  
8 information technology system described in an assessment  
9 required by subsection (a) and produced, manufactured or  
10 assembled by one or more entities that are owned, directed  
11 or subsidized by the People's Republic of China unless the  
12 head of the assessing entity described in subsection (a)  
13 determines, and reports that determination to the Com-  
14 mittees on Appropriations of the House of Representatives  
15 and the Senate, that the acquisition of such system is in  
16 the national interest of the United States.

17 SEC. 517. None of the funds made available in this  
18 Act shall be used in any way whatsoever to support or  
19 justify the use of torture by any official or contract em-  
20 ployee of the United States Government.

21 SEC. 518. (a) Notwithstanding any other provision  
22 of law or treaty, in the current fiscal year and any fiscal  
23 year thereafter, none of the funds appropriated or other-  
24 wise made available under this Act or any other Act may  
25 be expended or obligated by a department, agency, or in-

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

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

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

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

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

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

6                   (C) articles for export from Canada to an-  
7                   other foreign destination.

8           (e) accordance with this section, the District Direc-  
9           tors of Customs and postmasters shall permit the perma-  
10           nent or temporary export without a license of any unclassi-  
11           fied articles specified in subsection (a) to Canada for end  
12           use in Canada or return to the United States, or tem-  
13           porary import of Canadian-origin items from Canada for  
14           end use in the United States or return to Canada for a  
15           Canadian citizen.

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



1 ments of a license when reasons for the temporary require-  
2 ments have ceased.

3       SEC. 519. Notwithstanding any other provision of  
4 law, in the current fiscal year and any fiscal year there-  
5 after, no department, agency, or instrumentality of the  
6 United States receiving appropriated funds under this Act  
7 or any other Act shall obligate or expend in any way such  
8 funds to pay administrative expenses or the compensation  
9 of any officer or employee of the United States to deny  
10 any application submitted pursuant to 22 U.S.C.  
11 2778(b)(1)(B) and qualified pursuant to 27 CFR section  
12 478.112 or .113, for a permit to import United States ori-  
13 gin “curios or relics” firearms, parts, or ammunition.

14       SEC. 520. None of the funds made available in this  
15 Act may be used to include in any new bilateral or multi-  
16 lateral trade agreement the text of—

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

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

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

23       SEC. 521. None of the funds made available in this  
24 Act may be used to authorize or issue a national security  
25 letter in contravention of any of the following laws author-

1 izing the Federal Bureau of Investigation to issue national  
2 security letters: The Right to Financial Privacy Act; The  
3 Electronic Communications Privacy Act; The Fair Credit  
4 Reporting Act; The National Security Act of 1947; USA  
5 PATRIOT Act; and the laws amended by these Acts.

6       SEC. 522. If at any time during any quarter, the pro-  
7 gram manager of a project within the jurisdiction of the  
8 Departments of Commerce or Justice, the National Aero-  
9 nautics and Space Administration, or the National Science  
10 Foundation totaling more than \$75,000,000 has reason-  
11 able cause to believe that the total program cost has in-  
12 creased by 10 percent, the program manager shall imme-  
13 diately inform the respective Secretary, Administrator, or  
14 Director. The Secretary, Administrator, or Director shall  
15 notify the House and Senate Committees on Appropria-  
16 tions within 30 days in writing of such increase, and shall  
17 include in such notice: the date on which such determina-  
18 tion was made; a statement of the reasons for such in-  
19 creases; the action taken and proposed to be taken to con-  
20 trol future cost growth of the project; changes made in  
21 the performance or schedule milestones and the degree to  
22 which such changes have contributed to the increase in  
23 total program costs or procurement costs; new estimates  
24 of the total project or procurement costs; and a statement

1 validating that the project's management structure is ade-  
2 quate to control total project or procurement costs.

3 SEC. 523. Funds appropriated by this Act, or made  
4 available by the transfer of funds in this Act, for intel-  
5 ligence or intelligence related activities are deemed to be  
6 specifically authorized by the Congress for purposes of sec-  
7 tion 504 of the National Security Act of 1947 (50 U.S.C.  
8 414) during fiscal year 2013 until the enactment of the  
9 Intelligence Authorization Act for fiscal year 2013.

10 SEC. 524. The Departments, agencies, and commis-  
11 sions funded under this Act, shall establish and maintain  
12 on the homepages of their Internet websites—

13 (1) a direct link to the Internet websites of  
14 their Offices of Inspectors General; and

15 (2) a mechanism on the Offices of Inspectors  
16 General website by which individuals may anony-  
17 mously report cases of waste, fraud, or abuse with  
18 respect to those Departments, agencies, and commis-  
19 sions.

20 SEC. 525. None of the funds appropriated or other-  
21 wise made available by this Act may be used to enter into  
22 a contract in an amount greater than \$5,000,000 or to  
23 award a grant in excess of such amount unless the pro-  
24 spective contractor or grantee certifies in writing to the  
25 agency awarding the contract or grant that, to the best

1 of its knowledge and belief, the contractor or grantee has  
2 filed all Federal tax returns required during the three  
3 years preceding the certification, has not been convicted  
4 of a criminal offense under the Internal Revenue Code of  
5 1986, and has not, more than 90 days prior to certifi-  
6 cation, been notified of any unpaid Federal tax assessment  
7 for which the liability remains unsatisfied, unless the as-  
8 sessment is the subject of an installment agreement or  
9 offer in compromise that has been approved by the Inter-  
10 nal Revenue Service and is not in default, or the assess-  
11 ment is the subject of a non-frivolous administrative or  
12 judicial proceeding.

13 (RESCISSIONS)

14 SEC. 526. (a) Of the unobligated balances available  
15 to the Department of Justice, the following funds are  
16 hereby rescinded, not later than September 30, 2013, from  
17 the following accounts in the specified amounts—

18 (1) “Working Capital Fund”, \$26,000,000;

19 (2) “Legal Activities, Assets Forfeiture Fund”,  
20 \$675,000,000, of which \$314,000,000 shall be per-  
21 manently rescinded;

22 (3) “Bureau of Alcohol, Tobacco, Firearms and  
23 Explosives, Violent Crime Reduction Program”,  
24 \$1,028,000;

1           (4) “Federal Prison System, Buildings and Fa-  
2           cilities”, \$64,700,000;

3           (5) “State and Local Law Enforcement Activi-  
4           ties, Office on Violence Against Women, Violence  
5           Against Women Prevention and Prosecution Pro-  
6           grams”, \$12,000,000;

7           (6) “State and Local Law Enforcement Activi-  
8           ties, Office of Justice Programs”, \$43,000,000; and

9           (7) “State and Local Law Enforcement Activi-  
10          ties, Community Oriented Policing Services”,  
11          \$12,200,000.

12          (b) The Department of Justice shall submit to the  
13          Committees on Appropriations of the House of Represent-  
14          atives and the Senate a report no later than September  
15          1, 2013 specifying the amount of each rescission made  
16          pursuant to subsection (a).

17          SEC. 527. None of the funds made available in this  
18          Act may be used to purchase first class or premium airline  
19          travel in contravention of sections 301–10.122 through  
20          301–10.124 of title 41 of the Code of Federal Regulations.

21          SEC. 528. None of the funds made available in this  
22          Act may be used to send or otherwise pay for the attend-  
23          ance of more than 50 employees from a Federal depart-  
24          ment or agency at any single conference occurring outside  
25          the United States, unless such conference is a law enforce-

1 ment training or operational conference for law enforce-  
2 ment personnel and the majority of Federal employees in  
3 attendance are law enforcement personnel stationed out-  
4 side the United States.

5 SEC. 529. None of the funds appropriated or other-  
6 wise made available in this or any other Act may be used  
7 to transfer, release, or assist in the transfer or release to  
8 or within the United States, its territories, or possessions  
9 Khalid Sheikh Mohammed or any other detainee who—

10 (1) is not a United States citizen or a member  
11 of the Armed Forces of the United States; and

12 (2) is or was held on or after June 24, 2009,  
13 at the United States Naval Station, Guantanamo  
14 Bay, Cuba, by the Department of Defense.

15 SEC. 530. (a) None of the funds appropriated or oth-  
16 erwise made available in this or any other Act may be used  
17 to construct, acquire, or modify any facility in the United  
18 States, its territories, or possessions to house any indi-  
19 vidual described in subsection (c) for the purposes of de-  
20 tention or imprisonment in the custody or under the effec-  
21 tive control of the Department of Defense.

22 (b) The prohibition in subsection (a) shall not apply  
23 to any modification of facilities at United States Naval  
24 Station, Guantanamo Bay, Cuba.

1 (c) An individual described in this subsection is any  
2 individual who, as of June 24, 2009, is located at United  
3 States Naval Station, Guantanamo Bay, Cuba, and who—

4 (1) is not a citizen of the United States or a  
5 member of the Armed Forces of the United States;  
6 and

7 (2) is—

8 (A) in the custody or under the effective  
9 control of the Department of Defense; or

10 (B) otherwise under detention at United  
11 States Naval Station, Guantanamo Bay, Cuba.

12 SEC. 531. None of the funds made available in this  
13 Act may be distributed to the Association of Community  
14 Organizations for Reform Now (ACORN) or its subsidi-  
15 aries.

16 SEC. 532. To the extent practicable, funds made  
17 available in this Act should be used to purchase light bulbs  
18 that are “Energy Star” qualified or have the “Federal En-  
19 ergy Management Program” designation.

20 SEC. 533. The Director of the Office of Management  
21 and Budget shall instruct any department, agency, or in-  
22 strumentality of the United States Government receiving  
23 funds appropriated in this Act to track undisbursed bal-  
24 ances in expired grant accounts and include in its annual

1 performance plan and performance and accountability re-  
2 ports the following:

3 (1) Details on future action the department,  
4 agency, or instrumentality will take to resolve  
5 undisbursed balances in expired grant accounts.

6 (2) The method that the department, agency, or  
7 instrumentality uses to track undisbursed balances  
8 in expired grant accounts.

9 (3) Identification of undisbursed balances in ex-  
10 pired grant accounts that may be returned to the  
11 Treasury of the United States.

12 (4) In the preceding 3 fiscal years, details on  
13 the total number of expired grant accounts with  
14 undisbursed balances (on the first day of each fiscal  
15 year) for the department, agency, or instrumentality  
16 and the total finances that have not been obligated  
17 to a specific project remaining in the accounts.

18 SEC. 534. (a) None of the funds made available by  
19 this Act may be used for the National Aeronautics and  
20 Space Administration (NASA) or the Office of Science  
21 and Technology Policy (OSTP) to develop, design, plan,  
22 promulgate, implement, or execute a bilateral policy, pro-  
23 gram, order, or contract of any kind to participate, col-  
24 laborate, or coordinate bilaterally in any way with China  
25 or any Chinese-owned company unless such activities are



1 specifically authorized by a law enacted after the date of  
2 enactment of this Act.

3 (b) The limitation in subsection (a) shall also apply  
4 to any funds used to effectuate the hosting of official Chi-  
5 nese visitors at facilities belonging to or utilized by NASA.

6 (c) The limitations described in subsections (a) and  
7 (b) shall not apply to activities which NASA or OSTP has  
8 certified—

9 (1) pose no risk of resulting in the transfer of  
10 technology, data, or other information with national  
11 security or economic security implications to China  
12 or a Chinese-owned company; and

13 (2) will not involve knowing interactions with  
14 officials who have been determined by the United  
15 States to have direct involvement with violations of  
16 human rights.

17 (d) Any certification made under subsection (c) shall  
18 be submitted to the Committees on Appropriations of the  
19 House of Representatives and the Senate no later than  
20 30 days prior to the activity in question and shall include  
21 a description of the purpose of the activity, its agenda,  
22 its major participants, and its location and timing.

23 SEC. 535. (a) The head of any department, agency,  
24 board or commission funded by this Act shall submit quar-  
25 terly reports to the Inspector General, or the senior ethics

1 official for any entity without an inspector general, of the  
2 appropriate department, agency, board or commission re-  
3 garding the costs and contracting procedures relating to  
4 each conference held by the department, agency, board or  
5 commission during fiscal year 2013 for which the cost to  
6 the Government was more than \$20,000.

7 (b) Each report submitted under subsection (a) shall  
8 include, for each conference described in that subsection  
9 held during the applicable quarter—

10 (1) a description of the subject of and number  
11 of participants attending that conference;

12 (2) a detailed statement of the costs to the Gov-  
13 ernment relating to that conference, including—

14 (A) the cost of any food or beverages;

15 (B) the cost of any audio-visual services;

16 and

17 (C) a discussion of the methodology used  
18 to determine which costs relate to that con-  
19 ference; and

20 (3) a description of the contracting procedures  
21 relating to that conference, including—

22 (A) whether contracts were awarded on a  
23 competitive basis for that conference; and

24 (B) a discussion of any cost comparison  
25 conducted by the department, agency, board or

1           commission in evaluating potential contractors  
2           for that conference.

3           SEC. 536. None of the funds made available in this  
4 Act may be used to pay the salaries or expenses of per-  
5 sonnel to deny, or fail to act on, an application for the  
6 importation of any model of shotgun if—

7           (1) all other requirements of law with respect to  
8           the proposed importation are met; and

9           (2) no application for the importation of such  
10 model of shotgun, in the same configuration, had  
11 been denied by the Attorney General prior to Janu-  
12 ary 1, 2011, on the basis that the shotgun was not  
13 particularly suitable for or readily adaptable to  
14 sporting purposes.

15           SEC. 537. (a) None of the funds made available in  
16 this Act may be used to maintain or establish a computer  
17 network unless such network blocks the viewing,  
18 downloading, and exchanging of pornography.

19           (b) Nothing in subsection (a) shall limit the use of  
20 funds necessary for any Federal, State, tribal, or local law  
21 enforcement agency or any other entity carrying out crimi-  
22 nal investigations, prosecution, or adjudication activities.

23           SEC. 538. None of the funds made available by this  
24 Act may be used to enter into a contract, memorandum  
25 of understanding, or cooperative agreement with, make a

1 grant to, or provide a loan or loan guarantee to, any cor-  
2 poration that was convicted of a felony criminal violation  
3 under any Federal law within the preceding 24 months,  
4 where the awarding agency is aware of the conviction, un-  
5 less an agency has considered suspension or debarment  
6 of the corporation and has made a determination that this  
7 further action is not necessary to protect the interests of  
8 the Government.

9       SEC. 539. None of the funds made available by this  
10 Act may be used to enter into a contract, memorandum  
11 of understanding, or cooperative agreement with, make a  
12 grant to, or provide a loan or loan guarantee to, any cor-  
13 poration that has any unpaid Federal tax liability that has  
14 been assessed, for which all judicial and administrative  
15 remedies have been exhausted or have lapsed, and that  
16 is not being paid in a timely manner pursuant to an agree-  
17 ment with the authority responsible for collecting the tax  
18 liability, where the awarding agency is aware of the unpaid  
19 tax liability, unless an agency has considered suspension  
20 or debarment of the corporation and has made a deter-  
21 mination that this further action is not necessary to pro-  
22 tect the interests of the Government.

23       SEC. 540. None of the funds made available by this  
24 Act may be used to implement, administer, or enforce the  
25 final regulations on “Disparate Impact and Reasonable

1 Factors Other Than Age Under the Age Discrimination  
2 in Employment Act” published by the Equal Employment  
3 Opportunity Commission in the Federal Register on  
4 March 30, 2012 (77 Fed. Reg. 19080 et seq.).

5 SPENDING REDUCTION ACCOUNT

6 SEC. 541. The amount by which the applicable alloca-  
7 tion of new budget authority made by the Committee on  
8 Appropriations of the House of Representatives under sec-  
9 tion 302(b) of the Congressional Budget Act of 1974 ex-  
10 ceeds the amount of proposed new budget authority is \$0.

11 This Act may be cited as the “Commerce, Justice,  
12 Science, and Related Agencies Appropriations Act, 2013”.

Union Calendar No. 324

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

**H. R. 5326**

[Report No. 112-463]

---

---

## **A BILL**

Making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

---

---

MAY 2, 2012

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