Whereas, on September 11, 2001, acts of treacherous violence were committed against the United States and its citizens; and
Whereas, such acts render it both necessary and appropriate that the United States exercise its rights to self-defense, and to protect United States citizens both at home and abroad; and
Whereas, in light of the threat to the national security and foreign policy of the United States posed by these grave acts of violence, and
Whereas, such acts continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States,
Whereas, the President has authority under the Constitution to take action to deter and prevent acts of international terrorism against the United States,
Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE.
This joint resolution may be cited as the "Authorization for Use of Military Force".

SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.
(a) That the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.
(b) That the President is authorized, in his determination pursuant to section 8(a)(1) of the War Powers Resolution, the Congress declares consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares to have the constitutional authority to use all necessary and appropriate force to repel any armed attack against the United States, to aid in repelling any armed attack against the United States, to take all necessary measures to preclude further acts of international terrorism against the United States, to protect United States citizens both at home and abroad, to protect um against the United States and its citizens; and
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For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 for the purchase of equipment, not to exceed $2,000,000 for automated data processing and telecommunication equipment, and not to exceed $5,000,000 for development, for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; purchase of not to exceed 1,477 passenger motor vehicles, of which 1,354 shall be used for replacement only, for police-type use not involving the general purchase price limitation; not to exceed $1,354 passenger motor vehicles, of which 1,354 shall be used for replacement only, for police-type use not involving the general purchase price limitation.
For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration, naturalization, and Federal law enforcement agencies while engaged in cooperation with, funds in the "Immigration and Naturalization Service, Construction" appropriations account, to be available only for the construction of detention facilities: Provided, That the Director of the Department of Health and Human Services, and the Attorney General may transfer to the Health and Human Services and the Department of Justice, respectively, such funds as the Director and Attorney General may deem necessary, to appropriate in whole or in part to the_epsion expenses: Provided further, That uniforms may be purchased without regard to the general purchase price limitation on contracts set forth in the current fiscal year for such corporation, including purchase of (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $3,429,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the capital asset control system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposal of facilities and other property belonging to the corporation or in which it has an interest.

OFFICE OF JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by section 1061 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended ("the 1968 Act"), and the Missing Children's Assistance Act, as amended, including salaries and expenses in connection therewith, and with the Victims of Crime Act of 1984, as amended, $290,738,000, to remain available until expended, as authorized by section 1061 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (106 Stat. 534), of which not to exceed $2,000,000 shall be available for administration of the Antiterrorism and Effective Death Penalty Act of 1996, and not to exceed $5,000,000 shall be available to the Victims of Trafficking and Violence Protection Act (Public Law 106–326) and T visas under the Victims of State, Local, and Tribal Policing, $5,100,000, to remain available until expended, to be used and account for solely confidential character, to be expended under the direction of, and to be accounted for solely under the authority of, the Attorney General to the Immigration and Naturalization Service, Construction" appropriations account, to be available only for the construction of detention facilities: Provided, That the amount made available under this heading, $66,524,000, to remain available until expended, shall be transferred to, and merged with, funds in the "Immigration and Naturalization Service, Construction" appropriations account, to be available only for the construction of detention facilities: Provided further, That, of the amount made available under this heading, $9,962,000 shall be available for partial site and planning for the U.S. Northeast/ Northern Mid-Atlantic facility to be located in Bennington, Vermont, and in the State of New Hampshire.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of sites and construction of new facilities; purchase and acquisition of sites and construction of new facilities; purchase and acquisition of sites and construction of new facilities; purchase and acquisition of sites and construction of new facilities; purchase and acquisition of sites and construction of new facilities; purchase and acquisition of sites and construction of new facilities; purchase and acquisition of sites and construction of new facilities; purchase and acquisition of sites and construction of new facilities; purchase and acquisition of sites and construction of new facilities; purchase and acquisition of sites and construction of new facilities; purchase and acquisition of sites and construction of new facilities; purchase and acquisition of sites and construction of new facilities; purchase and acquisition of sites and construction of new facilities; purchase and acquisition of sites and construction of new facilities; 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STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322), as amended ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968, as amended ("the 1968 Act"); their abuse Act of 1988, as amended ("the 1990 Act"); $2,094,900,000 (including amounts for administrative costs, which shall be transferred to and merged with the "Law Enforcement Assistance account", to remain available until expended as follows:

(1) $400,000,000 for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives and Senate on October 14, 1995, except that for purposes of this Act, Guam shall be considered a "State", the Commonwealth of Puerto Rico shall be considered a "unit of local government" as well as a "State", and the purposes set forth in paragraphs (A), (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728 and for establishing crime prevention programs involving cooperation between community residents and law enforcement personnel in order to control, detect, investigate crime or the prosecution of criminals; Provided, That no funds provided under this heading may be used as matching funds for any other Federal grant program, of which:

(a) $80,000,000 shall be for Boys and Girls Clubs in the prevention and treatment of violent crime, including, of which $25,444,000 shall be used for the COPS hiring program, of which $180,000,000 shall be available until expended as follows:

(b) $200,000,000 for the Attorney General to conduct a study and prepare a report to be submitted to the Congress of the United States, the Senate Appropriations Committee, the House of Representatives Appropriations Committee and the House of Representatives Committees on the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which authorize the Attorney General to execute the "Weed and Seed" program strategy: Provided, That funds designated by Congress through language in other Department of Justice appropriation accounts for "Weed and Seed" program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: Provided further, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of "Weed and Seed" program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

CITY-ORIENTED POLICING SERVICES

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322 ("the 1994 Act") (including administrative costs), $1,049,659,000, to remain available until expended as follows:

(1) $200,000 for the Attorney General to Combat Violence Against Women, to States, units of local government, and Indian tribal governments, as authorized by section 101(a)(18) of the 1994 Act, of which:

(a) $1,000,000 shall be for the Bureau of Justice Statistics for grants, contracts, and other assistance for domestic violence federal case processing systems; and

(b) $2,500,000 shall be for the National Institute of Justice for grants, contracts, and other assistance for research and evaluation of violence against women; and

(c) $10,000,000 shall be for the Office of Juvenile Justice and Delinquency Prevention for the Safe Start Program, to be administered by authorized part C of the Juvenile Justice and Delinquency Act of 1974, as amended, and

(d) $200,000 for the Attorney General to conduct a study and prepare a report to be submitted to the Congress of the United States, the Senate Appropriations Committee, the House of Representatives Appropriations Committee and the House of Representatives Committees on the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which authorize the Attorney General to execute the "Weed and Seed" program strategy: Provided, That funds designated by Congress through language in other Department of Justice appropriation accounts for "Weed and Seed" program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: Provided further, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of "Weed and Seed" program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement "Weed and Seed" program activities, $58,925,000, to remain available until expended, for inter-governmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies, non-profit organizations, and agencies of local government, engaged in the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which authorize the Attorney General to execute the "Weed and Seed" program strategy: Provided, That funds designated by Congress through language in other Department of Justice appropriation accounts for "Weed and Seed" program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: Provided further, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of "Weed and Seed" program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

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For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322 ("the 1994 Act") (including administrative costs), $1,049,659,000, to remain available until expended as follows:

(27) $1,298,000 for the Motor Vehicle Theft Prevention Program, as authorized by section 240001(c) of the 1994 Act.

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement "Weed and Seed" program activities, $58,925,000, to remain available until expended, for inter-governmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies, non-profit organizations, and agencies of local government, engaged in the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which authorize the Attorney General to execute the "Weed and Seed" program strategy: Provided, That funds designated by Congress through language in other Department of Justice appropriation accounts for "Weed and Seed" program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: Provided further, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of "Weed and Seed" program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

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For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322 ("the 1994 Act") (including administrative costs), $1,049,659,000, to remain available until expended as follows:

(27) $1,298,000 for the Motor Vehicle Theft Prevention Program, as authorized by section 240001(c) of the 1994 Act.
For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, that portion of the salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Assistance, $324,928,000, to remain available until expended, as authorized by section 299 of part I of title II and section 506 of title V of the Act, as amended by Public Law 102–106, of which: (1) notwithstanding any other provision of law, $6,847,000 shall be available for expenses authorized by part A of title II of the Act, and $88,804,000 shall be available for expenses authorized by part B of title II of the Act, and $15,391,000 shall be available for expenses authorized by part C of title II of the Act, of which $300,000 shall be available only for the “From Darkness to Light” program in Charleston, South Carolina, of which $5,000,000 is to fund the Strengthening Abuse and Neglect Courts Act, of which not to exceed $5,000,000 shall be available for grants for local juvenile justice programs to provide services and treatment for juvenile offenders during incarceration that are consistent with guidelines issued by the Attorney General, of which $500,000 is for the Boy Scouts, of which $1,000,000 is for the Elyson Project in Pennsylvania to reduce placement in institutions of mentally ill youth, $400,000 for the Center for Correctional Education at Indiana University of Pennsylvania to develop and establish a program to train educators within correctional facilities in Pennsylvania to conduct a multi-State information sharing demonstration project, of which $7,202,000, to remain available until September 30, 2003, shall be transferred to, and merged with, funds in the Federal Bureau of Investigation, “Salaries and Expenses” appropriations account to be available only to expand the Violent Criminal Apprehension Program, of which $3,800,000 will be for a grant to the Jersey City Police Department’s Crime Identification System to upgrade communications systems, of which $350,000 shall be transferred to and merged with, funds in the “Salaries and Expenses”, General Legal Activities appropriations account to be available only for equipment to connect to the National Information Sharing and Telecommunications System, of which $3,000,000 shall be for a grant to the Law Enforcement Innovation Center at the University of Tennessee, of which $2,000,000 shall be available only for law enforcement technology upgrades for Berlin, New Hampshire, and of which $4,000,000, to remain available until September 30, 2003, shall be transferred to, and merged with, funds in the Federal Bureau of Investigation, “Salaries and Expenses” appropriations account to be available only to maintain or establish regional high-speed DNA forensic labs in affiliation with the Federal Bureau of Investigation Laboratory Division, of which $1,000,000, to remain available until September 30, 2003, shall be transferred to, and merged with, funds in the “Salaries and Expenses”, General Legal Activities appropriations account to be available only for court security, of which $3,000,000 shall be used for policing initiatives to reduce methamphetamine production and trafficking and to enhance policing initiatives in drug “hot spots”, of which $1,300,000 shall be for a grant to the California Department of Justice for a methamphetamine initiative, of which $1,100,000 shall be for a methamphetamine initiative in the State of Missouri, of which $99,780,000 for a prosecution assistance program to reimburse State, county, parish, or municipal governments only for Federal costs associated with the prosecution of criminal cases declined by local U.S. Attorneys, of which $49,780,000 shall be for a national program to reduce gun violence, and of which $50,000,000 shall be for the Southwest Border Prosecutor Initiative; of which $15,963,000 shall be for a national program to reduce gun violence, and of which $50,000,000 shall be for the Southwest Border Prosecutor Initiative; of which $22,851,000 is for the Safe Schools Initiative; and of which $14,934,000 shall be for an offender re-entry program; Provided, That of the amounts made available for the Safe Schools Initiative and Community Policing Grants, not to exceed $32,812,000 shall be expended for program management and administration: Provided further, That of the amounts made available for the Safe Schools Initiative and Community Policing Grants, not to exceed $40,000,000 shall be available for the direct hiring of law enforcement officers through the Universal Hiring Program: Provided further, That section 170(b) and (c) of the 1968 Act shall not apply to non-hiring grants made pursuant to part Q of title I thereof (42 U.S.C. 17072 d.d. et seq.).
against obtaining maintenance or repair services from private sector entities for equipment under warranty, the Attorney General is authorized to seek reimbursement from such entities for warranty work performed at Department of Justice facilities and, notwithstanding any other provision of law, to credit any payment made for such work to any appropriation charged therefore.

SEC. 108. Section 286(e)(1) of the Immigration and Nationality Act (8 U.S.C. 1356(e)(1)) is amended to read as follows: "(1)(A) Except as provided in subparagraph (B), the Attorney General is authorized to charge and collect the amount of $1.50 for each individual with respect to whom immigration inspection services or preinspection services are provided in connection with the arrival in the United States of such individual as a passenger on a commercial vessel, if the passenger's journey originated in any of the following: "(i) Mexico. "(ii) Canada. "(iii) A State, territory, or possession of the United States. "(iv) Any adjacent island (within the meaning of section 101(b)(5)). "(B) The authority of subparagraph (A) does not apply to immigration inspection services or preinspection services provided at a designated port of entry in connection with the arrival of a passenger by means of a Great Lakes international ferry, or by means of any vessel that transits the Great Lakes or its connecting waterways, if the ferry or other vessel operates on a regular schedule.

SEC. 109. Section 245(i) of the Immigration and Nationality Act (8 U.S.C. 1255(i)) is amended—

(1) in paragraph (1), by amending the first sentence to read as follows: "Notwithstanding the provisions of subsections (a) and (c) of this section, aliens physically present in the United States who— "(A) entered the United States without inspection; or "(B) is within one of the classes enumerated in subsection (c) of this section, may apply to the Attorney General for the adjustment of his or her status to that of an alien lawfully admitted for permanent residence; and—" "(2) by amending paragraph (3)(B) to read as follows: "(B) One-half of any remaining portion of such fees shall be deposited by the Attorney General into the Immigration Examination Fee Account established under section 286(m), and one-half of any remaining portion of such fees shall be deposited at the United States Treasury, for the purpose of this Act, contributions under the provisions of the first sentence of section 105(f) and all of section 106(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2456(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

EXPORT ADMINISTRATION OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration operations and administration for the fiscal year 2002, not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and for such additional expenses as may be necessary for the regulation and control of exports, including the processing of applications for licenses to export to any country; and for the operation and administration of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and employment of experts and consultants as authorized by 2 U.S.C. 1517; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in section 101(b)(5).

THE SECRETARY OF COMMERCE

For necessary expenses for the operation of the Office of the Secretary of Commerce, not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and for such additional expenses as may be necessary for the regulation and control of exports, including the processing of applications for licenses to export to any country; and for the operation and administration of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and employment of experts and consultants as authorized by 2 U.S.C. 1517; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in section 101(b)(5).

ECONOMIC AND STATISTICAL ANALYSIS

For necessary expenses for the operation of the Office of Economic Analysis, not to exceed $28,381,000.

PROJECTS SUPPORTED BY MATCHING GRANTS

For such additional expenses as may be necessary for the development and support of foreign private institutions which provide technical assistance to the governments of other countries, not to exceed $12,000,000.
Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously released or transferred, to other agencies for all costs incurred in telecommunication, research, engineering, and related activities by the Institute for Telecommunication Sciences, and as provided under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, $43,466,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed $2,358,000 shall be available for program administration as authorized by section 391 of the Act. Provided further, That notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, $15,501,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed $3,097,000 shall be available for program administration and other support activities as authorized by section 391: Provided further, That, of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: Provided further, That, notwithstanding anything in sections 391 and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety, or other social services: Provided further, That notwithstanding any other provision of law, no entity that receives telecommunication services at preferential rates under section 254(h) of the Act (47 U.S.C. 254(h)) or receives assistance under the regional information sharing systems grant program of the Department of Homeland Security shall be obligated for payment of assistance pursuant to section 502(h) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h) may use funds under this heading to cover any costs of the entity that would otherwise be covered by such preferential rates or such assistance, as the case may be.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, $856,701,000, to remain available until expended, which amount shall be derived from offsetting collections of fees collected pursuant to 35 U.S.C. 145, 156, 166, and 376, and shall be retained and used for necessary expenses in this appropriation: Provided, That the sum herein appropriated from the general fund shall be reduced by the amount collected and offset by offsetting collections received during fiscal year 2002, as so to result in fiscal year 2002 appropriation from the general fund estimated at $0: Provided further, That during fiscal year 2002, the total amount of fees collected and offsetting collections be less than $856,701,000, the total amounts available to the United States Patent and Trademark Office shall be reduced accordingly: Provided further, That an additional amount not to exceed $238,300,000 from fees collected in prior fiscal years shall be available for obligation in fiscal year 2002 and any fiscal year thereafter: Provided further, That not to exceed $5,000 shall be made available in fiscal year 2002 for official reception and representation expenses.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology/Office of Technology Policy, $8,238,000.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, $343,296,000, to remain available until expended, of which not to exceed $1,250,000 shall be transferred to the "Working Capital Fund": Provided further, That in addition, not to exceed $1,000,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Resources".

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, $105,137,000, to remain available until expended: Provided, That the Secretary of Commerce is authorized to enter into agreements with one or more nonprofit organizations for the purpose of carrying out collaborative research and development initiatives pertaining to 15 U.S.C. 278c paragraphs (a) and (b) and is authorized to seek and accept contributions from public and private sources to support these initiatives.

For necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, $204,290,000, to remain available until expended, of which not to exceed $60,700,000 shall be available for the award of new grants.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation of existing facilities, not otherwise provided for in the National Institute of Standards and Technology, $15 U.S.C. 278k paragraph (a), and is authorized to seek and accept contributions from public and private sources to support these initiatives.

For construction of new research facilities, $300,000 shall be available to the National Oceanic and Atmospheric Administration, to be used for the salaries and expenses associated with the planning and design of research facilities which shall be located in Lafayette, Louisiana: Provided further, That not to exceed $60,000,000 shall be available to the National Oceanic and Atmospheric Administration, to be used for the salaries and expenses associated with the planning and design of research facilities which shall be located in Anchorage, Alaska: Provided further, That no general administrative charge shall be applied against any research activity included in this Act and, when provided to the National Marine Fisheries Service, not less than $29,000,000 shall be available for Alaskan Steller sea lion research: Provided further, That such sums as are necessary shall be available to the National Marine Fisheries Service, in collaboration with the United States Fish and Wildlife Service, to conduct a review of the agencies’ joint regulations governing consultations on Federal agency actions under subsection (a)(2) of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536), so as to streamline the consultation process to ensure that consultations are completed within the deadlines provided in that section and have streamlined documentation requirements consistent with that section, and to make any necessary modifications to those regulations not later than April 1, 2003. Provided further, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed $2,000,000: Provided further, That of the amount provided under this heading, $3,000,000 shall be available for the purposes of conducting activities consistent with that section, and to make any necessary modifications to those regulations not later than April 1, 2003. Provided further, That any use of deobligated balances of funds in excess of 5 percent may be available for telecommunications research activities for projects related directly to the development of a National Information Infrastructure: Provided further, That notwithstanding anything in sections 391 and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety, or other social services: Provided further, That notwithstanding any other provision of law, no entity that receives telecommunications services at preferential rates under section 254(h) of the Act (47 U.S.C. 254(h)) or receives assistance under the regional information sharing systems grant program of the Department of Homeland Security shall be obligated for payment of assistance pursuant to section 502(h) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h) may use funds under this heading to cover any costs of the entity that would otherwise be covered by such preferential rates or such assistance, as the case may be.

SALARIES AND EXPENSES

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized by 33 U.S.C. 278l, $8,238,000.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(Including Transfers)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized by 33 U.S.C. 278l, $8,238,000.
In addition, there is hereby established the Business Management Fund of the National Oceanic and Atmospheric Administration, which shall be available without fiscal year limitation for expense and equipment necessary for the maintenance and operations of such services and projects and for the Business Management Fund of the National Oceanic and Atmospheric Administration. Provided further, That any inventories, equipment, systems, real property and other assets over $25,000, pertaining to the services to be provided by the Business Management Fund may be used for direct loans for any new fishing vessel. Such funds may be transferred to and used for the Coastal and Estuarine Land Conservation Program, $83,410,000, to remain available until expended: Provided further, That none of the funds provided in this Act or any other Act under the heading 'National Oceanic and Atmospheric Administration Fund' shall be used to fund the General Services Administration's standard construction and tenant build-out costs of a facility at the Seattle Federal Center.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses to carry out the conservation activities defined in section 250(c)(4)(E) of the Magnuson-Stevens Fishery Conservation and Management Act of 1976 to 1983, as amended, including fees imposed under the foreign fishery observer requirements of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 94-265), not to exceed $3,000,000 shall be transferred to the Operations, Research, and Facilities account to offset the costs of implementing such Act.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, to not exceed $952,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended (Public Law 94–267 and the Fish Promotion Act (Public Law 96–561), to be derived from the fees imposed under the foreign fishery observer programs authorized by these Acts, not to exceed $197,000, to remain available until expended.

FISHERIES FISHER PROGRAM ACCOUNT

For the cost of direct loans, $287,000, as authorized by the Merchant Marine Act of 1936, as amended, and section 502 of the Congressional Budget Act of 1975, as amended (Public Law 96–301), to be derived from receipts collected pursuant to that Act, to remain available until expended.

DEPARTMENTAL MANAGEMENT

Salaries and Expenses

For necessary expenses for the departmental management of the Department of Commerce provided for by law, including not to exceed $6,000,000 for office leases, $62,000,000, to remain available until expended: Provided, That any inventories, equipment, and other assets pertaining to the services to be provided by such funds may be used for the purpose of providing capital shall be used to capitalize such fund: Provided further, That such fund shall be paid in advance from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operating such fund, including accrued lease, depreciation of fund plant and equipment, amortization of automated data processing (ADP) software and systems, and all other necessary expenses of the Fund, to be used to maintain a reasonable operating reserve, as determined by the Secretary: Provided further, That such fund shall provide services on a competitive basis: Provided further, That an amount not to exceed 4 percent of such funds shall be available for the activities specified in the Congressional Budget Act of 1974, as amended, and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized by law, to be available until expended: Provided further, That the National Oceanic and Atmospheric Administration Business Management Fund may be credited with advances and reimbursements made available to the Department of Commerce by this Act for salaries and expenses that shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1342 and 1944, services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5911–5902).

SEC. 204. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.
the total annual income to such fund may be re- 
maintained and shall remain available for 
contract and administration of the health ser-
ices program of the Department of Com-
merce to incur costs not previously specified 
in the report under paragraph (1), the disburse-
ment may not be made until 15 days after 
the date on which such bureau or organization 
submits to the Committees on Appropriations of the 
Senate and House of Representatives a Memo-
randum of Agreement providing for such bureau 
or organization to incur such costs.

(B) Each Memorandum of Agreement under 
this paragraph shall specify the provision of 
statute providing authority for the disbursement 
and shall include an amount of the modification or the purpose of the 
section 605 applies, without regard to the 
30 days after the end of each fiscal year, 
amounts in excess of this reserve limitation shall 
be deposited as miscellaneous receipts in the 
Treasury: Provided further, That such franchise 
fund pilot program shall terminate pursuant to 
section 403(i) of Public Law 103-356.

SEC. 209. (a) Notwithstanding any other provi-
sion of law, of the amounts made available elsewhere 
in this title to the “National Institute of Stan-
dards and Technology, Construction of Research 
Facilities,” $5,000,000 is appropriated to fund a 
cooperative agreement with the Medica University 
of South Carolina, $6,000,000 is appro-
prated to the Thayer School of Engineering for the 
national materials and biomass 
search initiative, $3,000,000 is appropriated to the Institute for Information 
Infrastructure Protection at the Institute for Security Technology Studies, 
and $4,000,000 is appropriated for the Institute for Politics.

SEC. 290. (a) Notwithstanding any other provi-
sion of law, the total amount of funds that may be 
transferred into the “Working Capital Fund” in fiscal year 2002, or in any fiscal year there-
after, may not exceed $171,000,000.

(b) All transfers of funds, functions, or per-
served by the Working Capital Fund in fiscal year 2002 and any fiscal year thereafter 
shall be subject to section 605, without regard to the 
amount of the reprogramming or the purpose of the 
funds so reprogrammed.

(c) Of the amounts available under this sec-
tion for salaries of the staff of the 
Department of Commerce, the amount obligated for that pur-
pose before December 15, 2001, may not exceed 
$29,250,000.

(d)(1) Not later than December 15, 2001, the 
Secretary of Commerce shall submit to the 
Committee on Appropriations of the Senate and 
House of Representatives a report setting forth the 
proposed disbursements from the Working 
Capital Fund during fiscal year 2002.

(2) Of the proposed disbursements in the 
report under paragraph (1)—

(A) not more than $7,000,000 of the proposed 
disbursements may be for the Commerce Admin-
istrative Management System or support for the 
Commerce Administrative Management System 
Support Center; and

(B) none of the proposed disbursements for 
that System may be from or attributable to the 
National Oceanic and Atmospheric Admin-
istration.

(3) Disbursements from the Working Capital 
Fund in fiscal year 2002 may not be made until 
15 days after the date on which the report is 
submitted under paragraph (1).

(4) Any modifications of a proposed disburse-
ment from the Working Capital Fund previously 
specified in the report under paragraph (1) shall 
be treated as a reprogramming of funds to which 
section 605 applies, without regard to the 
amount transferred or the purpose of the 
disbursement, as so modified.

(A) If a disbursement from the Working 
Capital Fund in fiscal year 2002 will require any 
burden in the Department of Commerce to incur costs not previously specified 
in the report under paragraph (1), the disburse-
ment may not be made until 15 days after the 
date on which such bureau or organization 
submits to the Committees on Appropriations of the 
United States, justices and judges retired from 
ofice or from regular active service, judges of 
the United States Court of Appeals, bankruptcy judges, magistrate judges, and all 
other officers and employees of the Federal Ju-
diciary not otherwise specifically provided for, 
the amount of any compensation authorized 
by law, $3,559,012,000 (including the pur-
chase of firearms and ammunition); of which 
not to exceed $27,817,000 shall remain available 
under this heading until expended; $257,710,000 
for furniture and furnishings related to new 
spase alteration and construction projects: Pro-
vided, That, of the amount made available 
under this heading, $32,000, shall be transferred 
to, and merged with, funds in the “Salaries and 
Expenses, United States Marshals Service” appro-
priations account in title I of the Act, to be 
available only for court operations in Lander, 
Wyoming.

In addition, for expenses of the United States 
Court of Federal Claims associated with proc-
cedures under the National Childhood Vac-
in Injury Act of 1986, not to exceed $2,692,000, 
to be appropriated from the Vaccine Injury 
Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Public Defender 
and Community Defender Organizations: the compensation and reimbursement of expenses of 
attorneys appointed to represent persons under 
the Criminal Justice Act of 1964, as amended; 
the compensation and reimbursement of ex-
penses of persons furnishing investigative, 
expert and other services under the Criminal 
Justice Act of 1964 (18 U.S.C. 3006(a)(4)); the 
compensation (in accordance with the Criminal 
Justice Act maximums) and reimbursement of expenses of 
attorneys appointed to assist the court in 
criminal cases where the defendant has waived 
representation by counsel; compensation and 
reimbursement of travel expenses of guar-
dians ad litem acting on behalf of financially 
eligible minor or incompetent offenders in connec-
tion with transfers from the United States to 
foreign countries with which the United States 
has a treaty for the execution of penal sentences; and the compensation of attorneys ap-
pointed to represent juveniles for the 
protection of their employment, as author-
ized by 28 U.S.C. 1875(d), $643,756,000, of which 
$257,710,000 is for federal defender organiza-
tions, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized 
by 28 U.S.C. 1871 and 1876; compensation of 
jury commissioners as authorized by 28 U.S.C. 1863; 
and compensation of commissioners appointed in 
condemnation cases pursuant to rule 71A(h) of 
the Federal Rules of Civil Procedure (28 
U.S.C. Appendix Rule 71A(h)), $50,131,000, to re-
main available until expended: Provided, That the 
commissioners of condemnation cases shall not exceed the daily equivalent of the highest 
rate payable under section 5332 of title 5, United 
States Code.

COURT SECURITY

For necessary expenses, not otherwise provided 
for, incident to the procurement, installa-
tion, and maintenance of security equipment and 
protective services for the United States 
Courts in courthouses and adjacent areas, in-
cluding providing for the inspection of mail and packages, 
directed security patrols, and other similar activities as authorized by 
section 1010 of the Judicial Improvement and Access to Justice Act of 1995 (Public Law 104-72), $209,762,000, of which not to exceed $10,000,000 shall remain available until expended for security 
systems and contract costs for court security 
officers, to be expended directly or transferred to the United States Marshals Service, which shall
be responsible for administering the Judicial Fa-

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cility Security Program consistent with stand-

ards or, if necessary, to transfer funds to the Direc-

tor of the Administrative Office of the United States

Courts and the Attorney General: Provided, That,
of the amount made available under this heading,
$1,500,000 shall remain available until expended,
shall be transferred to, and merged with, funds in
the “Narrowband Communications” appropriations
account in title 1 of this Act, to be available only
for the conversion to narrowband communications
and for the operations and maintenance of those
systems.

Administrative Office of the United States Courts

Salaries and Expenses

For necessary expenses of the Administrative
Office of the United States Courts as authorized
by law, including travel as authorized by 31
U.S.C. 1345, hire of a passenger motor vehicle
as authorized by 31 U.S.C. 1343(b), advertising
and rent in the District of Columbia and elsewhere,
$5,412,000, of which not to exceed $8,500 is
available, by grant for caption training, and
of which not to exceed $8,500 is authorized for
official reception and representation expenses.

Federal Judicial Center

Salaries and Expenses

For necessary expenses of the Federal Judicial
Center, as authorized by Public Law 90–219,
$19,742,000, of which $1,800,000 shall remain
available through September 30, 2003, to provide
equipment and training to Federal court per-
sonnel; and of which not to exceed $1,000 is
authorized for official reception and representa-
tion expenses.

Judicial Retirement Funds

Payment to Judiciary Trust Funds

For payment to the Judicial Officers’ Retire-
ment Fund, as authorized by 28 U.S.C. 377(e),
$26,700,000; to the Judicial Surrogates’ Annuities
Fund, as authorized by 28 U.S.C. 376(c),
$8,400,000; and to the United States Court of
Federal Claims Judges’ Retirement Fund, as
authorized by 28 U.S.C. 178(b),
$1,900,000.

United States Sentencing Commission

Salaries and Expenses

For the salaries and expenses necessary to carry
out the provisions of chapter 58 of title 28, United
States Code, $11,327,000, of which not to exceed
$1,000 is authorized for official reception and
representation expenses.

General Provisions—The Judiciary

Sec. 301. Appropriations and authorizations
made in this title which are available for sala-

Diplomatic and Consular Programs

For necessary expenses of the Department of
State and the Foreign Service not otherwise
provided for, including representation to certain
international organizations in which the United
States participates pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress; arms control, nonproliferation
and disarmament activities as authorized; acqui-
sition by exchange or purchase of passenger
motor vehicles as authorized by law; and for ex-
dermination expenses, $8,625,000:
Provided, That, of the amount made available
under this heading, not to exceed $4,000,000 may
be transferred to, and merged with, funds in the
“Emergency Response and ‘Emergencies of Good
Service’ Appropriations” account, to be available
only for emergency evacuations and terrorism
threats:
Provided further, That of the amount made available under this heading, $2,000,000 shall be available only to provide language,
security, leadership and management, and profes-
sional training:
Provided further, That of the amount made available under this heading, $6,000,000 to remain available until expended,
shall be transferred to, and merged with, funds in
the “Narrowband Communications” appropriations
account in title 1 of this Act, to be administered
by the Department of Justice Wireless
Management Office and to be available only for
the conversion to narrowband communications
and for the operations and maintenance of those
systems.

Sec. 302. Appropriations and authorizations
made in this title which are available for sala-

Sec. 303. Notwithstanding any other provision
of law, the salaries and expenses appropriation
for district courts, courts of appeals, and other
judicial services shall be available for official re-
ception and representation expenses of the Judi-
cial Conference of the United States: Provided,

in fiscal year 2002 shall not be available for obli-
gation and shall be returned to the General
Fund; Provided further, that no funds may be
available under this heading, in addition, as au-

Sec. 304. Section 140 of Public Law 97–92 (28
U.S.C. 361 note; 95 Stat. 1200) shall apply to fis-
cal year 2002 and each fiscal year thereafter.

This title may be cited as this “Judiciary Ap-
propriations Act, 2002.”

Title IV—Department of State and Related
Agency

Administration of Foreign Affairs

Diplomatic and Consular Programs

For necessary expenses of the Department of
State and the Foreign Service not otherwise
provided for, including representation to certain
international organizations in which the United
States participates pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress; arms control, nonproliferation
and disarmament activities as authorized; acqui-
sition by exchange or purchase of passenger
motor vehicles as authorized by law; and for ex-
dermination expenses, $8,625,000:
Provided, That, of the amount made available
under this heading, not to exceed $4,000,000 may
be transferred to, and merged with, funds in the
“Emergency Response and ‘Emergencies of Good
Service’ Appropriations” account, to be available
only for emergency evacuations and terrorism
threats:
Provided further, That of the amount made available under this heading, $2,000,000 shall be available only to provide language,
security, leadership and management, and profes-
sional training:
Provided further, That of the amount made available under this heading, $6,000,000 to remain available until expended,
shall be transferred to, and merged with, funds in
the “Narrowband Communications” appropriations
account in title 1 of this Act, to be administered
by the Department of Justice Wireless
Management Office and to be available only for
the conversion to narrowband communications
and for the operations and maintenance of those
systems.

Sec. 305. Of the unexpended balances trans-
ferred to the Commission on Structural Alter-
 natives in Federal Appellate Courts, $400,000
shall be transferred to, and merged with, funds in
the “Federal Judicial Center, Salaries and
Expenses” appropriations account to be avail-
able only for distance learning.

Sec. 306. Pursuant to section 140 of Public
Law 97–92, Justices and judges of the United
States are authorized during fiscal year 2002, to
receive a salary adjustment in accordance with
28 U.S.C. 461: Provided, That $8,625,000 is ap-
propriated for salary adjustments pursuant to
this section and such funds shall be transferred to
and merged with appropriations in title III of
this Act.

The amount made available under this heading,
$45,419,000 shall only be available to implement the 1999 Pacific Salmon Treaty Agreement, of which $20,000,000 shall be deposited in the Northern Boundary and Transboundary Rivers Restoration and En-
hancement Fund, and of which $5,000,000 shall be only for the purposes set out in that section; in addition, as authorized by section 4 of such Act, $400,000, to be derived from the re-
serves authorized by that section, to be used for
the purposes set out in that section; in addition,
as authorized by section 410 of the United States
Information and Educational Exchange Act, not
to exceed $6,000,000 to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion picture, and exhibition programs, and from fees from edu-
cational advising and counseling, and exchange visitor programs; and, in addition, not to exceed
$15,000, which shall be derived from reimburse-
ments, surcharges, and fees for use of Blair
House facilities.

In addition, for the costs of worldwide security
risks, $400,263,000, to remain available until expended.

Capital Investment Fund

For necessary expenses of the Capital Invest-
ment Fund, $20,000,000, to remain available until expended, as authorized: Provided, That section 135(e) of Public Law 103–263 shall not apply to funds available under this heading.

For necessary expenses of the Office of the In-
spector General, $20,427,000, notwithstanding
section 209(a)(1) of the Foreign Service Act of 1980, as amended (Public Law 96–456), as it relates to post inspections to:

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $242,000,000, to remain available until expended: Provided, That none to exceed $800,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching and educational advising and counseling programs as authorized.

REPRESENTATION ALLOWANCES

For representation allowances as authorized, $9,000,000.

PROTECTION OF FOREIGN MissIONS AND OFFICIALS

For expenses, not otherwise provided for, to enable the Secretary of State to provide for extraordinary protective services, as authorized, and to comply with laws applicable to the Secretary of State to meet unforeseen emergencies for missions abroad, $414,752,000, of which not to exceed $16,000 may be used for official receptions within the United States as authorized, not to exceed $35,000 may be used for representation abroad as authorized, and not to exceed $39,000 may be transferred to and merged with the Diplomatic and Consular Programs account under administration of Foreign Affairs.

PAYMENT TO THE FOREIGN SERVICE BUILDINGS ACT OF 1926

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292–300), preserving, maintaining, repairing, and planning for, by buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Main State Building, and carrying out the Diplomatic Security Construction Program as authorized, $465,391,000, to remain available until expended as authorized, of which not to exceed $25,000 may be used for domestic and overseas representation as authorized: Provided, That none of the funds appropriated in this paragraph shall be available for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for the new or expanded mission in the United Nations, 51 percent of the cost of the mission, as certified by the United Nations in an emergency, as far in advance as is practicable; (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a representation of funds pursuant to section 651 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission.

INTERNATIONAL COMMISSIONS

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

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States portion of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States section, including not to exceed $9,000 for representation as authorized:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $7,452,000.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $20,780,000: Provided, That the United States' share of such expenses may be advanced to the respective commissions, pursuant to 31 U.S.C. 3324.

EISNER LIBRARY FUND

For necessary expenses for the Library Fund as authorized, $8,000,000, to remain available until expended, as authorized.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1996 (20 U.S.C. 2504–2505), all interest and earnings on the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2002, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5547; or purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Non-profit Organizations), including the reductions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by Section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2002, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the East-West Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in Hong Kong, or in the People's Republic of China, or in the Republic of China, $14,000,000: Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 3376.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, $31,000,000, to remain available until expended.

RELATED AGENCY

Broadcasting Board of Governors

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses to carry out international broadcasting operations as authorized by the Broadcasting Act of 1942 (22 U.S.C. 300), to remain available until expended.

INTERNATIONAL BROADCASTING BOARD OF GOVERNORS

For necessary expenses to carry out the provisions of the International Broadcasting Board of Governors Act of 2000 (22 U.S.C. 5205), all interest and earnings accruing to the Trust Fund on or before September 30, 2002, to remain available until expended: Provided, That none of the funds appropriated may be used for official receptions within the United States as authorized, not to exceed $35,000 may be used for representation abroad as authorized, and not to exceed $39,000 may be used for official reception.
equipment for radio and television transmission and reception, $24,872,000, to remain available until extended.

BROADCASTING CAPITAL IMPROVEMENTS
For the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized, $16,900,000, to remain available until extended, as authorized.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY
SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter S of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and hire of passenger transportation pursuant to 31 U.S.C. 1342(b).

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided further, That any transfer pursuant to this section shall be treated as reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures of that section.

SEC. 403. None of the funds made available in this Act may be used by the Department of State or the Broadcasting Board of Governors to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

SEC. 404. There is hereby enacted into law S. 1984 of the 107th Congress (as enacted on June 21, 2001).

SEC. 405. Hereafter, none of the funds appropriated or otherwise made available for the United Nations may be used by the United Nations for the promotion or enforcement of any treaty, resolution, or regulation authorizing the United Nations, or any of its specialized agencies or affiliated organizations, to tax any aspect of the Internet or international currency transactions.

SEC. 406. None of the funds appropriated or otherwise made available by this Act or any other Act for fiscal year 2002 or any fiscal year thereafter may be obligated or expended for the operation of a United States consulate or diplomatic facility in Jerusalem unless such consulate or diplomatic facility is under the supervision of the United States Ambassador to Israel.

SEC. 407. None of the funds appropriated or otherwise made available by this Act or any other Act for fiscal year 2002 or any fiscal year thereafter may be obligated or expended for the publication of any official Government document which lists countries and their capital cities unless the publication identifies Jerusalem as the capital of Israel.

SEC. 408. For the purposes of registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem, or more recently, the Secretary of State shall, upon request of the citizen, record the place of birth as Israel.

This title may be cited as the ‘‘Department of State and Related Agency Appropriations Act, 2002’’.
For necessary expenses for the Securities and Exchange Commission, including services as authorized by 15 U.S.C. 78f, $333,233,000: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration; the cost of audits and reviews of disaster loans and the Disaster Loans Program Account; and of which $9,854,000 is for direct administrative expenses; and of which $45,000,000 shall be available until expended; and for the cost of guarantees for loans under section 502(h)(1)(B)(ii) of the Small Business Act: Provided further, That such costs, including the cost of guarantees for loans authorized by section 502(h)(1)(B)(ii) of the Small Business Act, as amended, shall not exceed $9,854,000 to be transferred to and merged with the appropriations for Salaries and Expenses.

For necessary expenses for the Small Business Administration as authorized by Public Law 105–135, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $333,233,000: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration; the cost of audits and reviews of disaster loans and the Disaster Loans Program Account; and of which $9,854,000 is for direct administrative expenses; and of which $45,000,000 shall be available until expended; and for the cost of guarantees for loans under section 502(h)(1)(B)(ii) of the Small Business Act: Provided further, That such costs, including the cost of guarantees for loans authorized by section 502(h)(1)(B)(ii) of the Small Business Act, as amended, shall not exceed $9,854,000 to be transferred to and merged with the appropriations for Salaries and Expenses.


For the cost of direct loans, $1,860,000, to be available until expended; and for the cost of guaranteed loans, $92,500,000, as authorized by 15 U.S.C. 631, of which $45,000,000 shall remain available until September 30, 2003: Provided, That such costs, including the cost of guarantees for loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That during fiscal year 2002, commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, as amended, shall not exceed $4,500,000,000, as provided under section 20(h)(1)(D)(ii) of the Small Business Act: Provided further, That such costs, including the cost of guarantees for loans authorized by section 502 of the Congressional Budget Act of 1974, as amended, shall not exceed the levels established by section 20(h)(1)(C) of the Small Business Act.

For administrative expenses or the Office of Inspector General, $125,354,000, which may be transferred to and merged with appropriations for Salaries and Expenses, of which $50,000 is for the Office of Inspector General; for the cost of audits and reviews of disaster loans and the disaster loan program and shall be transferred to and merged with appropriations for the Office of Inspector General; and of which $93,500,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program; and of which $9,854,000 is for indirect administrative expenses: Provided, That any amount in excess of $9,854,000 to be transferred to and merged with appropriations for Salaries and Expenses for indirect administrative expenses shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.


For necessary expenses of the Office of Inspector General as authorized by section 31(a) of the Small Business Act, as amended, $4,000,000.
enforcement of certain restrictions by the Department of Justice.

and contingency operations within the Department of State and local preparedness for weapons of mass destruction, security classifications and clearances within the Department of Justice, and contingency operations within the Department of Justice.

For necessary expenses of the ‘‘United States-Canada Alaska Rail Commission’’, as authorized by Title III of Public Law 196–250, $4,000,000, to remain available until expended.

TITLE VI—GENERAL PROVISIONS

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

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

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and where such public invoices, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. (a) In section 504 of title 28, United States Code, as amended by inserting after ‘‘General’’ the following, ‘‘and a Deputy Attorney General for Combating Domestic Terrorism’’.

SEC. 605. The expenditure of any appropriation under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2002, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure pursuant to a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds are otherwise appropriated by this Act; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 606. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2002, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) includes new programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; (3) provides for any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 607. Section 140 of Public Law 97–92 (32 U.S.C. 461 note; 95 Stat. 1200) is amended by inserting at the end the following new paragraph:

‘‘(g) For necessary expenses of the Office of the Deputy Attorney General for Combating Domestic Terrorism, $4,000,000, to remain available until expended.

(h) Notwithstanding any other provision of law, all authorities, liabilities, funding, personnel, equipment and services associated with the Office of State and Local Domestic Preparedness Support, the National Domestic Preparedness Office, the Executive Office of National Preparedness, and such other offices which relate to domestic counterterrorism and anti-terrorism activities in the Office of Intelligence Policy and Review as are appropriate shall be transferred to the Deputy Attorney General for Combating Domestic Terrorism not later than 90 days after enactment of this Act.

SEC. 608. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2002, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds are otherwise appropriated by this Act; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 609. None of the funds appropriated or otherwise made available by this Act shall be used for publicity or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) includes new programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; (3) provides for any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 610. None of the funds appropriated or otherwise made available by this Act shall be used for publicity or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) includes new programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; (3) provides for any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 611. (a) None of the funds appropriated or otherwise made available by this Act shall be used for publicity or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) includes new programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; (3) provides for any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 612. (a) None of the funds appropriated or otherwise made available by this Act shall be used for publicity or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) includes new programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; (3) provides for any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 613. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding adjustments, or otherwise made available to the Bureau of Prisons shall be used to provide the following amenities or personal comforts in the Federal prison system:

(1) in-cell television viewing except for prisoners who are segregated from the general prison population for their own safety;

(2) the viewing of R, X, and NC-17 rated motion pictures; or

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

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

(5) the use or possession of any electric or electronic musical instrument.

SEC. 614. Hereafter, none of the funds appropriated or otherwise made available by the Federal Bureau of Prisons may be used to distribute or make available any commercially published information or material to a prisoner when such information or material is sexually explicit or features nudity.

SEC. 615. (a) None of the funds appropriated or otherwise made available by this Act shall be used for publicity or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) includes new programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; (3) provides for any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 616. None of the funds appropriated or otherwise made available by this Act may be used for any purpose not authorized by the President. The use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 617. None of the funds appropriated or otherwise made available by this Act shall be used for publicity or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) includes new programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; (3) provides for any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.
tax or fee in connection with the implementation of 18 U.S.C. §221(2); and (2) any system to implement 18 U.S.C. §221(2) that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited hereunder.

SEC. 617. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. §10601 in any fiscal year in excess of $576,462,000 shall not be available for obligation until the following fiscal year.

SEC. 618. Hereafter, none of the funds made available to the Department of State and the Department of Justice shall be available for the purpose of granting either immigrant or nonimmigrant visas, or both, consistent with the Secretary's determination under section 243(d) of the Immigration and Nationality Act, to citizens, subjects, nationals, or residents of countries that the Attorney General has determined deny or unreasonably delay accepting the return of citizens, subjects, nationals, or residents under that section.

SEC. 619. None of the funds made available to the Department in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for a crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 620. Section 501(h) of the Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (110 Stat. 1521–55; Public Law 104–134) is amended by striking the word “April”, except that “through” “representation”.

SEC. 621. The requirements of section 312(a)(3) of the Magnuson-Stevens Fishery Conservation and Management Act shall not apply to funds made available by section 2201 of Public Law 106–246. 

SEC. 622. (a) Section 201(1) of the Act entitled “An Act to approve a growing international agreement between the United States and the Republic of Poland, and for other purposes”, approved November 13, 1998, is amended by striking “February 2006” and inserting “February 2007”.

(b) Section 203 of such Act, as amended by subsection (a), is further amended by adding at the end the following:

“(2) The Department of Commerce shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives a report on the health and management of the Bogue Sound Crabs fishery located off the coast of the States of Washington, Oregon, and California.”

SEC. 623. None of the funds made available in this Act may be used by the Department of Justice or the Department of State to file a motion in any court opposing a civil action against any Japanese person or corporation for compensation or reparations in which the plaintiff alleges that, as an American prisoner of war during World War II, he or she was used as a slave or forced labor.

SEC. 624. None of the funds appropriated or otherwise made available by this Act shall be available with, or assistance of, any other support to, the International Criminal Court or the Preparatory Commission. This subsection shall not be construed to apply to any other entity outside the Rome treaty.

SEC. 625. PROHIBITION ON SALE OF DISASTER LOANS. Notwithstanding any other provision of law, no amount made available under this Act may be used to sell any disaster loan authorized by section 7(b) of the Small Business Act (15 U.S.C. 638(b)) to any private company or other entity.

SEC. 626. SENSE OF THE SENATE REGARDING THE REPUBLIC OF KOREA’S IMPROPER BAILOUT OF HYUNIX SEMICONDUCTOR. (a) FINDINGS.—Congress finds that—

(1) the bailout of the Republic of Korea over many years has supplied aid to the Korean semiconductor industry enabling that industry to be the Republic of Korea’s leading exporter;

(2) this assistance has occurred through a coordinated series of government programs and policies, consisting of preferential access to credit, low-interest loans, government grants, preferential tax policies, government inducement of private sector loans, tariff reductions, and other measures;

(3) in December 1997, the United States, the International Monetary Fund (IMF), other foreign government entities, and a group of international financial institutions assembled an unprecedented $58,000,000,000 financial package to prevent the Korean economy from declaring bankruptcy;

(4) as part of that rescue package, the Republic of Korea agreed to an end to corporate cronyism, which included a commitment to overhaul the banking and financial sectors;

(5) Korea also pledged to permit and require banks to run on market principles, to allow and encourage the bankruptcy of bad loans to occur rather than bailouts, and to end subsidies;

(6) the Republic of Korea agreed to all of these provisions in the Stand-by Arrangement with the IMF dated December 14, 1997.

(b) DEFENSE ACTIONS.—(1) The Secretary of the Treasury certified that the provisions of the IMF Standby Arrangement were adhered to;

(2) the Secretary of the Treasury certified to Congress on December 11, 1998, April 5, 1999, and July 2, 1999, that the Stand-by Arrangement was being adhered to, and assured Congress that consultations had been held with the Government of the Republic of Korea in connection with the certifications;

(3) the Republic of Korea has acceded to the World Trade Organization Agreement on Subsidies and Countervailing Measures (as defined in section 101(d)(12) of the Uruguay Round Agreements Act); and

(4) the Government of the Republic of Korea agreed to put an end to corporate cronyism, which included a commitment to overhaul the banking and financial sectors.

(c) REQUESTS.—(1) At no time did the Republic of Korea agree to place a limit on the amount of foreign investment, or to place a limit on the amount of foreign investment required to make such further payment as necessary to satisfy the judgment by—

(i) liquidating those assets without third party interest of those countries designated as state sponsors of terrorism, under section 40(d) of the Arms Control Act of 1978, held or blocked by the United States; and

(ii) in the event the judgment remains not fully satisfied after such liquidation, using any other available means collected from Iran, with the United States agreeing to collect those other means to be remitted to the Treasury of the United States.

SEC. 627. Notwithstanding any other provision of law, no amount made available under this Act may be used to sell any disaster loan authorized by section 7(b) of the Small Business Act (15 U.S.C. 638(b)) to any private company or other entity.

SEC. 628. No funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes. The preceding sentence does not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

SEC. 629. Section 202 of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–396; 114 Stat. 1542) is amended—

(1) in subsection (a)(2)(A)—

(A) by striking “or” at the end of clause (i); and

(B) by adding at the end the following new clause:

“(ii) in the event the judgment remains not fully satisfied after such liquidation, using any other available means collected from Iran, with the United States agreeing to collect those other means to be remitted to the Treasury of the United States.”;

(2) in subsection (b)(2)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(B) by inserting “(A)” before “For purposes” and “(B)” before “in the event the judgment remains not fully satisfied after such liquidation, using any other available means collected from Iran, with the United States agreeing to collect those other means to be remitted to the Treasury of the United States.”;

(3) in subsection (c)(2) the following are inserted—

“SEC. 630. Clause (ii) of section 621(f)(A) of the Communications Satellite Act of 1962 (47 U.S.C. 673(f)(A)) is amended by striking “or on about
October 1, 2000," and all that follows through "not later than June 30, 2003.

SEC. 631. (a) The Senate finds that—

(1) all Americans are united in condemning, in the strongest possible terms, the terrorists who planned and carried out the September 11, 2001 attacks against the United States as well as their sponsors, and in pursuing all of those responsible until they are brought to justice and punished;

(2) the Arab American and American Muslim communities, our first line of defense on behalf of our nation; and

(3) the prayer of Cardinal Theodore McCarrick, the Archbishop of Washington in a Mass on September 12, 2001 for our Nation and the victims in the immediate aftermath of the terrorist hijackings and attacks in New York City, Washington, D.C., and Pennsylvania reminds all Americans that "we must seek the guilty and not strike out against the innocent or we become like them who are without moral guidance or direction;"

(4) the heads of state of several Arab and predominantly Muslim countries have condemned the terrorist attacks in the United States and the senseless loss of innocent lives; and

(5) vengeful threats and incidents directed at law-abiding American Muslims and American Muslims and Islamic faith have already occurred such as shots fired at an Islamic Center and police have to turn back 300 people who tried to march on a mosque.

(b) The Senate—

(1) declares in the quest to identify, bring to justice, and punish the perpetrators and sponsors of the terrorist attacks on the United States on September 11, 2001, that the civil rights and civil liberties of all Americans, including Arab-Americans and American Muslims, should be protected; and

(2) condemns any acts of violence or discrimination against any American, including Arab-Americans and American Muslims.

TITLE VII—RESCISSIONS

DEPARTMENT OF STATE AND RELATED AGENCY

SEC. 810. SHORT TITLE.

This title may be cited as the "Combating Terrorism Act of 2001".

Subtitle A—Interagency Policy and Practices

SEC. 811. ASSESSMENT OF NATIONAL GUARD CAPABILITIES TO PREEMPTIVELY DISRUPT DOMESTIC TERRORIST ATTACKS INVOLVING WEAPONS OF MASS DESTRUCTION.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a review containing an assessment of the capabilities of the National Guard to preemptively disrupt a terrorist attack within the United States involving weapons of mass destruction, and to respond to such an attack.

(b) REPORT—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the review conducted under subsection (a).

SEC. 812. LONG-TERM RESEARCH AND DEVELOPMENT TO ADDRESS CATASTROPHIC TERRORIST ATTACKS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) there has not been sufficient emphasis on long-term research and development with respect to technologies useful in fighting terrorism; and

(2) the United States should make better use of its considerable accomplishments in science and technology to prevent or address terrorist attacks in the future, particularly attacks involving chemical, biological, or nuclear agents.

(b) ESTABLISHMENT OF PROGRAM.—Not later than six months after the date of the enactment of this Act, the President shall establish a comprehensive program of long-term research and development, with respect to technologies necessary to prevent, preempt, detect, interdict, and respond to catastrophic terrorist attacks.

(1) In establishing the program, the President shall—

(A) establish a comprehensive set of requirements for the program; and

(B) assign or direct the heads of state of several Arab and predominantly Muslim countries to work with the President in establishing the program.

(2) The President shall submit to Congress a report on the means by which the President shall—

(A) establish a comprehensive set of requirements for the program; and

(B) assign or direct the heads of state of several Arab and predominantly Muslim countries to work with the President in establishing the program.

(c) PRINCIPLES.—In this section—

(1) the term "foreign intelligence" means any information, other than that produced, developed, or delivered by a Federal department or agency, that is possessed by the United States Government or any element of the intelligence community and that is obtained by another element of the intelligence community with respect to non-U.S. persons.

(2) the term "counterintelligence" has the meaning given in section 1 of the National Security Act of 1947 (50 U.S.C. 403–1).

(3) the term "intelligence" means any information, other than that produced, developed, or delivered by a Federal department or agency, that is possessed by the United States Government or any element of the intelligence community and that is obtained by another element of the intelligence community with respect to non-U.S. persons.

(4) the term "counterintelligence" means any information, other than that produced, developed, or delivered by a Federal department or agency, that is possessed by the United States Government or any element of the intelligence community and that is obtained by another element of the intelligence community with respect to non-U.S. persons.

(5) the term "counterintelligence" means any information, other than that produced, developed, or delivered by a Federal department or agency, that is possessed by the United States Government or any element of the intelligence community and that is obtained by another element of the intelligence community with respect to non-U.S. persons.

(6) the term "counterintelligence" means any information, other than that produced, developed, or delivered by a Federal department or agency, that is possessed by the United States Government or any element of the intelligence community and that is obtained by another element of the intelligence community with respect to non-U.S. persons.

(7) the term "counterintelligence" means any information, other than that produced, developed, or delivered by a Federal department or agency, that is possessed by the United States Government or any element of the intelligence community and that is obtained by another element of the intelligence community with respect to non-U.S. persons.

(8) the term "counterintelligence" means any information, other than that produced, developed, or delivered by a Federal department or agency, that is possessed by the United States Government or any element of the intelligence community and that is obtained by another element of the intelligence community with respect to non-U.S. persons.

(9) the term "counterintelligence" means any information, other than that produced, developed, or delivered by a Federal department or agency, that is possessed by the United States Government or any element of the intelligence community and that is obtained by another element of the intelligence community with respect to non-U.S. persons.

(10) the term "counterintelligence" means any information, other than that produced, developed, or delivered by a Federal department or agency, that is possessed by the United States Government or any element of the intelligence community and that is obtained by another element of the intelligence community with respect to non-U.S. persons.

(11) the term "counterintelligence" means any information, other than that produced, developed, or delivered by a Federal department or agency, that is possessed by the United States Government or any element of the intelligence community and that is obtained by another element of the intelligence community with respect to non-U.S. persons.

(12) the term "counterintelligence" means any information, other than that produced, developed, or delivered by a Federal department or agency, that is possessed by the United States Government or any element of the intelligence community and that is obtained by another element of the intelligence community with respect to non-U.S. persons.
(3) The report under paragraph (1) shall include—

(A) a list of the equipment identified under that paragraph as critical to the development, production, or delivery of biological weapons;

(B) recommendations, if any, for legislation to make illegal the possession of the equipment identified under that paragraph (A), for other than a legitimate purpose, including attempts and conspiracies to do the same;

(C) recommendations, if any, for legislation to control the domestic sale and transfer of the equipment identified under subparagraph (A); and

(D) recommendations, if any, for legislation to require the tagging or other means of marking of the equipment identified under subparagraph (A).

SEC. 181. REIMBURSEMENT OF PERSONNEL PERFORMING COUNTERTERRORISM DUTIES FOR PROFESSIONAL LIABILITY INSURANCE.

(a) REQUIREMENT FOR FULL REIMBURSEMENT.—(1) Notwithstanding any other provision of law and subject to paragraph (2), the head of an agency employing a qualified employee shall reimburse the qualified employee for the costs incurred by the employee for professional liability insurance.

(2) Reimbursement of a qualified employee under paragraph (1) shall be contingent on the submission by the qualified employee to the head of the agency concerned of documentation that the qualified employee is required to effectuate the order.

(b) IMPROVED SECURITY OF FACILITIES.—(1) Commencing not later than 60 days after the date of the enactment of this Act, the President shall submit to Congress a report on the actions undertaken under paragraph (1).

SEC. 831. LAUNDERING OF PROCEEDS OF TERRORIST ACTS.

Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting “or 2339A” after “2339A”.

SEC. 832. MODIFICATION OF AUTHORITIES RELATING TO USE OF PEN REGISTERS AND TRAP AND TRACE DEVICES.

(a) GENERAL LIMITATION ON USE BY GOVERNMENT AGENCIES.—Section 3121(c) of title 18, United States Code, is amended—

(1) by inserting “or trap and trace device” after “pen register”; and

(2) by inserting “(i), routing, addressing,” after “dialing”; and

(b) ISSUANCE OF ORDERS.—

(1) IN GENERAL.—Subsection (a) of section 3123 of that title is amended to read as follows:

“(a) IN GENERAL.—(1) Upon an application made under section 3122(a)(1) of this title, the head of the agency concerned shall, after a dependable representation is made under section 3122(a)(2) of this title, the head of the agency concerned shall require.

(2) Not later than six months after the date of the enactment of this Act, the President shall submit to Congress a report on the actions undertaken under paragraph (1).

SEC. 833. AUTHORITY TO INTERCEPT WIRE, ORAL, AND ELECTRONIC COMMUNICATIONS RELATING TO TERRORISM OR FENCES.

Section 2516(1) of title 18, United States Code, is amended—

(1) by redesignating paragraph (p), as so redesignated by section 434(2) of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132; 110 Stat. 1274), as paragraph (r); and

(2) by inserting after paragraph (p) as so redesignated by section 201(3) of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (division C of Public Law 104–208; 110 Stat. 869–869), the following new paragraph:

“(q) any criminal violation of sections 2321, 2322a, 2322d, 2323d, 2323d, 2339A, or 2339B of this title (relating to terrorism); or”.

SEC. 834. AUTHORITY TO INTERCEPT WIRE, ORAL, AND ELECTRONIC COMMUNICATIONS RELATING TO COMPUTER FRAUD AND ABUSE.

Section 2516(1)(c) of title 18, United States Code, is amended by striking “and section 1341 (relating to mail fraud)” and inserting “sections 1341 (relating to mail fraud) and 1345 (relating to computer fraud and abuse).”.

This Act may be cited as the “Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002.”

ORDER OF BUSINESS

Mr. DASCHLE. Mr. President, for the interest of all Senators, we are attempting to propound a unanimous consent request letter with the schedule for next week. We have not been able to get complete agreement on either side at this point, but it...