

Calendar No. 184104TH CONGRESS
1ST SESSION**H. R. 2076****[Report No. 104-139]**

IN THE SENATE OF THE UNITED STATES

JULY 27 (legislative day, JULY 10), 1995

Received; read twice and referred to the Committee on Appropriations

SEPTEMBER 12 (legislative day, SEPTEMBER 5), 1995

Reported by Mr. GRAMM, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 1996, and for other pur-
6 poses, namely:

1 TITLE I—DEPARTMENT OF JUSTICE

2 GENERAL ADMINISTRATION

3 SALARIES AND EXPENSES

4 For expenses necessary for the administration of the
5 Department of Justice, \$74,282,000; including not to ex-
6 ceed \$3,317,000 for the Facilities Program 2000, and in-
7 cluding \$5,000,000 for management and oversight of Im-
8 migration and Naturalization Service activities, both sums
9 to remain available until expended: *Provided, That not to*
10 *exceed 45 permanent positions and full-time equivalent*
11 *workyears and \$7,477,000 shall be expended for the Depart-*
12 *ment Leadership program: Provided further, That not to*
13 *exceed 76 permanent positions and 90 full-time equivalent*
14 *workyears and \$9,487,000 shall be expended for the Execu-*
15 *tive Support program: Provided further, That the two afore-*
16 *mentioned programs shall not be augmented by personnel*
17 *details, temporary transfers of personnel on either a reim-*
18 *bursable or non-reimbursable basis or any other type of for-*
19 *mal or informal transfer or reimbursement of personnel or*
20 *funds on either a temporary or long-term basis.*

21 (TRANSFER OF FUNDS)

22 *For the Joint Automated Booking Station,*
23 *\$11,000,000 shall be made available until expended, to be*
24 *derived by transfer from unobligated balances of the Work-*
25 *ing Capital Fund in the Department of Justice.*

POLICE CORPS

1
2 For police corps grants authorized by Public Law 103-
3 322, \$10,000,000, to remain available until expended,
4 which shall be derived from the Violent Crime Reduction
5 Trust Fund.

COUNTERTERRORISM FUND

6
7 For necessary expenses, as determined by the Attor-
8 ney General, \$26,898,000, to remain available until ex-
9 pended, to reimburse any Department of Justice organiza-
10 tion for (1) the costs incurred in reestablishing the oper-
11 ational capability of an office or facility which has been
12 damaged or destroyed as a result of the bombing of the
13 Alfred P. Murrah Federal Building in Oklahoma City or
14 any domestic or international terrorist incident, (2) the
15 costs of providing support to counter, investigate or pros-
16 ecute domestic or international terrorism, including pay-
17 ment of rewards in connection with these activities, and
18 (3) the costs of conducting a terrorism threat assessment
19 of Federal agencies and their facilities: *Provided*, That
20 funds provided under this section shall be available only
21 after the Attorney General notifies the Committees on Ap-
22 propriations of the House of Representatives and the Sen-
23 ate in accordance with section 605 of this Act.

1 ADMINISTRATIVE REVIEW AND APPEALS

2 For expenses necessary for the administration of par-
3 don and clemency petitions and immigration related activi-
4 ties, ~~\$39,736,000~~ \$72,319,000.

5 VIOLENT CRIME REDUCTION PROGRAMS, ADMINISTRATIVE
6 REVIEW AND APPEALS

7 For activities authorized by ~~sections 130005 and~~ *sec-*
8 *tion* 130007 of Public Law 103-322, ~~\$47,780,000~~
9 \$14,347,000, to remain available until expended, which
10 shall be derived from the Violent Crime Reduction Trust
11 Fund.

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector
14 General in carrying out the provisions of the Inspector
15 General Act of 1978, as amended, \$30,484,000; including
16 not to exceed \$10,000 to meet unforeseen emergencies of
17 a confidential character, to be expended under the direc-
18 tion of, and to be accounted for solely under the certificate
19 of, the Attorney General; and for the acquisition, lease,
20 maintenance and operation of motor vehicles without re-
21 gard to the general purchase price limitation.

22 UNITED STATES PAROLE COMMISSION

23 SALARIES AND EXPENSES

24 For necessary expenses of the United States Parole
25 Commission as authorized by law, \$5,446,000.

1 LEGAL ACTIVITIES

2 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

3 For expenses necessary for the legal activities of the
4 Department of Justice, not otherwise provided for, includ-
5 ing activities authorized by title X of the Civil Rights Act
6 of 1964, and including not to exceed \$20,000 for expenses
7 of collecting evidence, to be expended under the direction
8 of, and to be accounted for solely under the certificate of,
9 the Attorney General; and rent of private or Government-
10 owned space in the District of Columbia; ~~\$401,929,000~~
11 *\$431,660,000*; of which not to exceed \$10,000,000 for liti-
12 gation support contracts shall remain available until ex-
13 pended: *Provided*, That of the funds available in this ap-
14 propriation, not to exceed \$22,618,000 shall remain avail-
15 able until expended for office automation systems for the
16 legal divisions covered by this appropriation, and for the
17 United States Attorneys, the Antitrust Division, and of-
18 fices funded through "Salaries and Expenses", General
19 Administration: *Provided further*, That of the total amount
20 appropriated, not to exceed \$1,000 shall be available to
21 the United States National Central Bureau, INTERPOL,
22 for official reception and representation expenses: *Pro-*
23 *vided further*, That notwithstanding 31 U.S.C. 1342, the
24 Attorney General may accept on behalf of the United
25 States and credit to this appropriation, gifts of money,

1 personal property and services, for the purpose of hosting
 2 the International Criminal Police Organization's
 3 (INTERPOL) American Regional Conference in the Unit-
 4 ed States during fiscal year 1996.

5 In addition, for reimbursement of expenses of the De-
 6 partment of Justice associated with processing cases
 7 under the National Childhood Vaccine Injury Act of 1986,
 8 not to exceed \$4,028,000, to be appropriated from the
 9 Vaccine Injury Compensation Trust Fund, as authorized
 10 by section 6601 of the Omnibus Budget Reconciliation
 11 Act, 1989, as amended by Public Law 101-512 (104 Stat.
 12 1289).

13 VIOLENT CRIME REDUCTION PROGRAMS, GENERAL LEGAL
 14 ACTIVITIES

15 For the expeditious deportation of denied asylum ap-
 16 plicants, as authorized by section 130005 of Public Law
 17 103-322, ~~\$7,591,000~~ *\$2,991,000*, to remain available until
 18 expended, which shall be derived from the Violent Crime
 19 Reduction Trust Fund.

20 SALARIES AND EXPENSES, ANTITRUST DIVISION

21 For expenses necessary for the enforcement of anti-
 22 trust and kindred laws, \$69,143,000: *Provided*, That not-
 23 withstanding any other provision of law, not to exceed
 24 \$48,262,000 of offsetting collections derived from fees col-
 25 lected for premerger notification filings under the Hart-
 26 Scott-Rodino Antitrust Improvements Act of 1976 (15

1 U.S.C. 18(a)) shall be retained and used for necessary ex-
2 penses in this appropriation, and shall remain available
3 until expended: *Provided further*, That the sum herein ap-
4 propriated from the General Fund shall be reduced as
5 such offsetting collections are received during fiscal year
6 1996, so as to result in a final fiscal year 1996 appropria-
7 tion from the General Fund estimated at not more than
8 \$20,881,000: *Provided further*, That any fees received in
9 excess of \$48,262,000 in fiscal year 1996, shall remain
10 available until expended, but shall not be available for obli-
11 gation until October 1, 1996.

12 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

13 For necessary expenses of the Office of the United
14 States Attorneys, including intergovernmental agree-
15 ments, ~~\$896,825,000~~ \$920,537,000, of which not to exceed
16 \$2,500,000 shall be available until September 30, 1997
17 for the purposes of (1) providing training of personnel of
18 the Department of Justice in debt collection, (2) providing
19 services to the Department of Justice related to locating
20 debtors and their property, such as title searches, debtor
21 skiptracing, asset searches, credit reports and other inves-
22 tigation, (3) paying the costs of the Department of Jus-
23 tice for the sale of property not covered by the sale pro-
24 ceeds, such as auctioneers' fees and expenses, maintenance
25 and protection of property and businesses, advertising and
26 title search and surveying costs, and (4) paying the costs

1 of processing and tracking debts owed to the United
2 States Government: *Provided*, That of the total amount
3 appropriated, not to exceed \$8,000 shall be available for
4 official reception and representation expenses: *Provided*
5 *further*, That not to exceed \$10,000,000 of those funds
6 available for automated litigation support contracts and
7 \$4,000,000 for security equipment shall remain available
8 until expended.

9 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES

10 ATTORNEYS

11 For activities authorized by sections ~~190001(d),~~
12 ~~40114 and 130005 of Public Law 103-322, \$14,731,000,~~
13 ~~to remain available until expended, which shall be derived~~
14 ~~from the Violent Crime Reduction Trust Fund, of which~~
15 ~~\$5,000,000 shall be available to help meet increased de-~~
16 ~~mands for litigation and related activities, \$500,000 to im-~~
17 ~~plement a program to appoint additional Federal Victim's~~
18 ~~Counselors, and \$9,231,000 for expeditious deportation of~~
19 ~~denied asylum applicants.~~

20 *For activities authorized by sections 190001(b) and*
21 *190001(d) of Public Law 103-322, \$30,000,000, to remain*
22 *available until expended, which shall be derived from the*
23 *Violent Crime Reduction Trust Fund.*

24 UNITED STATES TRUSTEE SYSTEM FUND

25 For the necessary expenses of the United States
26 Trustee Program, ~~\$101,596,000~~ \$103,183,000, as author-

1 ized by 28 U.S.C. 589a(a), to remain available until ex-
2 pended, for activities authorized by section 115 of the
3 Bankruptcy Judges, United States Trustees, and Family
4 Farmer Bankruptcy Act of 1986 (Public Law 99-554),
5 which shall be derived from the United States Trustee
6 System Fund: *Provided*, That deposits to the Fund are
7 available in such amounts as may be necessary to pay re-
8 funds due depositors: *Provided further*, That, notwith-
9 standing any other provision of law, not to exceed
10 \$44,191,000 of offsetting collections derived from fees col-
11 lected pursuant to section 589a(f) of title 28, United
12 States Code, as amended, shall be retained and used for
13 necessary expenses in this appropriation: *Provided further*,
14 That the ~~\$101,596,000~~ *\$103,183,000* herein appropriated
15 from the United States Trustee System Fund shall be re-
16 duced as such offsetting collections are received during fis-
17 cal year 1996, so as to result in a final fiscal year 1996
18 appropriation from such Fund estimated at not more than
19 ~~\$57,405,000~~ *\$58,992,000*: *Provided further*, That any of
20 the aforementioned fees collected in excess of \$44,191,000
21 in fiscal year 1996 shall remain available until expended,
22 but shall not be available for obligation until October 1,
23 1996.

1 SALARIES AND EXPENSES, FOREIGN CLAIMS
2 SETTLEMENT COMMISSION

3 For expenses necessary to carry out the activities of
4 the Foreign Claims Settlement Commission, including
5 services as authorized by 5 U.S.C. 3109, ~~\$830,000~~
6 *\$905,000*.

7 SALARIES AND EXPENSES, UNITED STATES MARSHALS
8 SERVICE

9 For necessary expenses of the United States Mar-
10 shals Service; including the acquisition, lease, mainte-
11 nance, and operation of vehicles and aircraft, and the pur-
12 chase of passenger motor vehicles for police-type use with-
13 out regard to the general purchase price limitation for the
14 current fiscal year; ~~\$418,973,000~~ *\$439,639,000*, as author-
15 ized by 28 U.S.C. 561(i), of which not to exceed \$6,000
16 shall be available for official reception and representation
17 expenses.

18 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES
19 MARSHALS SERVICE

20 For activities authorized by section 190001(b) of
21 Public Law 103-322, ~~\$25,000,000~~ *\$15,000,000*, to remain
22 available until expended, which shall be derived from the
23 Violent Crime Reduction Trust Fund.

1 SUPPORT OF UNITED STATES PRISONERS

2 FEDERAL PRISONER DETENTION

3 For ~~support of~~ *expenses related to* United States pris-
4 oners in the custody of the United States Marshals Service
5 as authorized in 18 U.S.C. 4013, but not including ex-
6 penses otherwise provided for in appropriations available
7 to the Attorney General; ~~\$250,331,000~~ \$295,331,000, as
8 authorized by 28 U.S.C. 561(i), to remain available until
9 expended.

10 FEES AND EXPENSES OF WITNESSES

11 For expenses, mileage, compensation, and per diems
12 of witnesses, for expenses of contracts for the procurement
13 and supervision of expert witnesses, for private counsel ex-
14 penses, and for per diems in lieu of subsistence, as author-
15 ized by law, including advances, \$85,000,000, to remain
16 available until expended; of which not to exceed
17 \$4,750,000 may be made available for planning, construc-
18 tion, renovation, maintenance, remodeling, and repair of
19 buildings and the purchase of equipment incident thereto
20 for protected witness safesites; of which not to exceed
21 \$1,000,000 may be made available for the purchase and
22 maintenance of armored vehicles for transportation of pro-
23 tected witnesses; and of which not to exceed \$4,000,000
24 may be made available for the purchase, installation and
25 maintenance of a secure automated information network

1 to store and retrieve the identities and locations of pro-
2 tected witnesses.

3 ASSETS FORFEITURE FUND

4 For expenses authorized by 28 U.S.C.
5 524(c)(1)(A)(ii), (B), (C), (F), and (G), as amended,
6 \$35,000,000 to be derived from the Department of Justice
7 Assets Forfeiture Fund.

8 RADIATION EXPOSURE COMPENSATION

9 ADMINISTRATIVE EXPENSES

10 For necessary administrative expenses in accordance
11 with the Radiation Exposure Compensation Act,
12 \$2,655,000.

13 PAYMENT TO RADIATION EXPOSURE COMPENSATION

14 TRUST FUND

15 For payments to the Radiation Exposure Compensa-
16 tion Trust Fund, \$16,264,000, to become available on Oc-
17 tober 1, 1996.

18 INTERAGENCY LAW ENFORCEMENT

19 INTERAGENCY CRIME AND DRUG ENFORCEMENT

20 For necessary expenses for the detection, investiga-
21 tion, and prosecution of individuals involved in organized
22 crime drug trafficking not otherwise provided for, to in-
23 clude intergovernmental agreements with State and local
24 law enforcement agencies engaged in the investigation and
25 prosecution of individuals involved in organized crime drug
26 trafficking, ~~\$374,943,000~~ \$359,843,000, of which

1 \$50,000,000 shall remain available until expended: *Pro-*
2 *vided*, That any amounts obligated from appropriations
3 under this heading may be used under authorities avail-
4 able to the organizations reimbursed from this appropria-
5 tion: *Provided further*, That any unobligated balances re-
6 maining available at the end of the fiscal year shall revert
7 to the Attorney General for reallocation among participat-
8 ing organizations in succeeding fiscal years, subject to the
9 reprogramming procedures described in section 605 of this
10 Act.

11 FEDERAL BUREAU OF INVESTIGATION

12 SALARIES AND EXPENSES

13 For expenses necessary for detection, investigation,
14 and prosecution of crimes against the United States; in-
15 cluding purchase for police-type use of not to exceed 1,815
16 passenger motor vehicles of which 1,300 will be for re-
17 placement only, without regard to the general purchase
18 price limitation for the current fiscal year, and hire of pas-
19 senger motor vehicles; acquisition, lease, maintenance and
20 operation of aircraft; and not to exceed \$70,000 to meet
21 unforeseen emergencies of a confidential character, to be
22 expended under the direction of, and to be accounted for
23 solely under the certificate of, the Attorney General;
24 ~~\$2,251,481,000~~ \$2,315,341,000, of which not to exceed
25 \$50,000,000 for automated data processing and tele-

1 communications and technical investigative equipment and
2 \$1,000,000 for undercover operations shall remain avail-
3 able until September 30, 1997; *of which not less than*
4 *\$121,345,000 shall be for counterterrorism investigations,*
5 *foreign counterintelligence, and other activities related to*
6 *our national security; of which not to exceed \$14,000,000*
7 ~~for research and development related to investigative ac-~~
8 ~~tivities \$98,400,000 shall remain available until expended;~~
9 *and of which not to exceed \$10,000,000 is authorized to*
10 *be made available for making payments or advances for*
11 *expenses arising out of contractual or reimbursable agree-*
12 *ments with State and local law enforcement agencies while*
13 *engaged in cooperative activities related to violent crime,*
14 *terrorism, organized crime, and drug investigations; and*
15 *of which \$1,500,000 shall be available to maintain an*
16 *independent program office dedicated solely to the reloca-*
17 *tion of the Criminal Justice Information Services Division*
18 *and the automation of fingerprint identification services:*
19 *Provided, That not to exceed \$45,000 shall be available*
20 *for official reception and representation expenses:—Pro-*
21 *vided further, That \$50,000,000 for expenses related to*
22 *digital telephony shall be available for obligation only upon*
23 *enactment of authorization legislation.*

24 VIOLENT CRIME REDUCTION PROGRAMS

25 For activities authorized by Public Law 103-322,
26 \$80,600,000, to remain available until expended, which

1 shall be derived from the Violent Crime Reduction Trust
2 Fund, of which \$35,000,000 shall be for activities author-
3 ized by section 190001(c); \$27,800,000 for activities au-
4 thorized by section 190001(b); \$4,000,000 for Training
5 and Investigative Assistance authorized by section
6 210501(c)(2); \$8,300,000 for training facility improve-
7 ments at the Federal Bureau of Investigation Academy
8 at Quantico, Virginia authorized by section 210501(c)(3);
9 and \$5,500,000 for establishing DNA quality assurance
10 and proficiency testing standards, establishing an index to
11 facilitate law enforcement exchange of DNA identification
12 information, and related activities authorized by section
13 210306.

14 *For activities authorized by Public Law 103-322 or*
15 *Senate bill 735 as passed by the Senate on June 7, 1995,*
16 *\$282,500,000, to remain available until expended, which*
17 *shall be derived from the Violent Crime Reduction Trust*
18 *Fund, of which \$50,000,000 shall be for activities author-*
19 *ized in section 521(a)(1) of Senate bill 735; of which*
20 *\$42,820,000 shall be for activities authorized in section*
21 *521(a)(2) of said Act; of which \$13,900,000 shall be for ac-*
22 *tivities authorized in section 521(a)(5) of said Act; and of*
23 *which \$148,280,000 shall be for activities authorized in sec-*
24 *tion 521(a)(7) of said Act; and of which \$5,500,000 shall*

1 *be for activities authorized by section 210306 of Public Law*
2 *103-322.*

3 CONSTRUCTION

4 For necessary expenses to construct or acquire build-
5 ings and sites by purchase, or as otherwise authorized by
6 law (including equipment for such buildings); conversion
7 and extension of federally-owned buildings; and prelimi-
8 nary planning and design of projects; ~~\$98,400,000~~
9 *\$147,800,000*, to remain available until expended.

10 DRUG ENFORCEMENT ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses of the Drug Enforcement Ad-
13 ministration, including not to exceed \$70,000 to meet un-
14 foreseen emergencies of a confidential character, to be ex-
15 pended under the direction of, and to be accounted for
16 solely under the certificate of, the Attorney General; ex-
17 penses for conducting drug education and training pro-
18 grams, including travel and related expenses for partici-
19 pants in such programs and the distribution of items of
20 token value that promote the goals of such programs; pur-
21 chase of not to exceed 1,208 passenger motor vehicles, of
22 which 1,178 will be for replacement only, for police-type
23 use without regard to the general purchase price limitation
24 for the current fiscal year; and acquisition, lease, mainte-
25 nance, and operation of aircraft; ~~\$781,488,000~~
26 *\$790,000,000*, of which not to exceed \$1,800,000 for re-

1 search and \$15,000,000 for transfer to the Drug Diver-
2 sion Control Fee Account for operating expenses shall re-
3 main available until expended, and of which not to exceed
4 \$4,000,000 for purchase of evidence and payments for in-
5 formation, not to exceed \$4,000,000 for contracting for
6 ADP and telecommunications equipment, and not to ex-
7 ceed \$2,000,000 for technical and laboratory equipment
8 shall remain available until September 30, 1997, and of
9 which not to exceed \$50,000 shall be available for official
10 reception and representation expenses.

11 VIOLENT CRIME REDUCTION PROGRAMS

12 ~~For Drug Enforcement Administration agents au-~~
13 ~~thorized by section 180104 of Public Law 103-322,~~
14 ~~\$12,000,000, to remain available until expended, which~~
15 ~~shall be derived from the Violent Crime Reduction Trust~~
16 ~~Fund.~~

17 *For activities authorized by section 524(b) of Senate*
18 *bill 735 as passed by the Senate on June 7, 1995,*
19 *\$60,000,000, to remain available until expended, which*
20 *shall be derived from the Violent Crime Reduction Trust*
21 *Fund.*

22 IMMIGRATION AND NATURALIZATION SERVICE

23 SALARIES AND EXPENSES

24 For expenses, not otherwise provided for, necessary
25 for the administration and enforcement of the laws relat-
26 ing to immigration, naturalization, and alien registration,

1 including not to exceed \$50,000 to meet unforeseen emer-
2 gencies of a confidential character, to be expended under
3 the direction of, and to be accounted for solely under the
4 certificate of, the Attorney General; purchase for police-
5 type use (not to exceed 813 of which 177 are for replace-
6 ment only) without regard to the general purchase price
7 limitation for the current fiscal year, and hire of passenger
8 motor vehicles; acquisition, lease, maintenance and oper-
9 ation of aircraft; and research related to immigration en-
10 forcement; ~~\$1,421,481,000~~ *\$953,934,000*, of which not to
11 exceed \$400,000 for research shall remain available until
12 expended, and of which not to exceed \$10,000,000 shall
13 be available for costs associated with the training program
14 for basic officer training: *Provided*, That none of the funds
15 available to the Immigration and Naturalization Service
16 shall be available for administrative expenses to pay any
17 employee overtime pay in an amount in excess of \$25,000
18 during the calendar year beginning January 1, 1996: *Pro-*
19 *vided further*, That uniforms may be purchased without
20 regard to the general purchase price limitation for the cur-
21 rent fiscal year: *Provided further*, That not to exceed
22 \$5,000 shall be available for official reception and rep-
23 resentation expenses: *Provided further*, That the Attorney
24 General may transfer to the Department of Labor and the
25 Social Security Administration not to exceed ~~\$30,000,000~~

1 \$10,000,000 for programs to verify the immigration status
2 of persons seeking employment in the United States:—*Pro-*
3 *vided further, That none of the funds appropriated in this*
4 *Act may be used to operate the Border Patrol traffic*
5 *checkpoints located in San Clemente, California, at inter-*
6 *state highway 5 and in Temecula, California, at interstate*
7 *highway 15: Provided further, That not to exceed 15 posi-*
8 *tions shall be available for the Office of Public Affairs at*
9 *the Immigration and Naturalization Service and not to ex-*
10 *ceed 10 positions shall be available for the Office of Congres-*
11 *sional Affairs at the Immigration and Naturalization Serv-*
12 *ice: Provided further, That the two aforementioned offices*
13 *shall not be augmented by personnel details, temporary*
14 *transfers of personnel in either a reimbursable or non-reim-*
15 *bursable basis or any other type of formal or informal*
16 *transfer or reimbursement of personnel or funds on either*
17 *a temporary or long-term basis.*

18 VIOLENT CRIME REDUCTION PROGRAMS

19 For activities authorized by sections 130005,
20 130006, 130007, and 190001(b) of Public Law 103-322,
21 \$303,542,000, to remain available until expended, which
22 shall be derived from the Violent Crime Reduction Trust
23 Fund, of which \$44,089,000 shall be for expeditious de-
24 portation of denied asylum applicants, \$218,800,000 for
25 improving border controls, \$35,153,000 for expanded spe-

1 cial deportation proceedings, and \$5,500,000 for border
2 patrol equipment.

3 *For activities authorized by sections 130005, 130006,*
4 *and 130007 of Public Law 103–322, \$165,362,000, to re-*
5 *main available until expended, which shall be derived from*
6 *the Violent Crime Reduction Trust Fund, of which*
7 *\$20,360,000 shall be for expeditious deportation of denied*
8 *asylum applicants, \$114,463,000 for improving border con-*
9 *trols, and \$40,539,000 for expanded special deportation*
10 *proceedings.*

11 *BORDER PATROL*

12 *SALARIES AND EXPENSES*

13 *For expenses necessary for Border Patrol Operations,*
14 *\$489,200,000, to remain available until expended.*

15 *VIOLENT CRIME REDUCTION PROGRAMS*

16 *For activities authorized by section 130006 of Public*
17 *Law 103–322, \$127,300,000, to remain available until ex-*
18 *pended, which shall be derived from the Violent Crime Re-*
19 *duction Trust Fund.*

20 *CONSTRUCTION*

21 *For planning, construction, renovation, equipping*
22 *and maintenance of buildings and facilities necessary for*
23 *the administration and enforcement of the laws relating*
24 *to immigration, naturalization, and alien registration, not*
25 *otherwise provided for, ~~\$11,000,000~~ \$35,000,000, to re-*
26 *main available until expended.*

1 FEDERAL PRISON SYSTEM

2 SALARIES AND EXPENSES

3 For expenses necessary for the administration, oper-
4 ation, and maintenance of Federal penal and correctional
5 institutions, including purchase (not to exceed 853, of
6 which 559 are for replacement only) and hire of law en-
7 forcement and passenger motor vehicles; and for the provi-
8 sion of technical assistance and advice on corrections re-
9 lated issues to foreign governments; \$2,574,578,000: *Pro-*
10 *vided*, That there may be transferred to the Health Re-
11 sources and Services Administration such amounts as may
12 be necessary, in the discretion of the Attorney General,
13 for direct expenditures by that Administration for medical
14 relief for inmates of Federal penal and correctional insti-
15 tutions: *Provided further*, That the Director of the Federal
16 Prison System (FPS), where necessary, may enter into
17 contracts with a fiscal agent/fiscal intermediary claims
18 processor to determine the amounts payable to persons
19 who, on behalf of the FPS, furnish health services to indi-
20 viduals committed to the custody of the FPS: *Provided*
21 *further*, That uniforms may be purchased without regard
22 to the general purchase price limitation for the current
23 fiscal year: *Provided further*, That not to exceed \$6,000
24 shall be available for official reception and representation
25 expenses: *Provided further*, That not to exceed

1 \$50,000,000 for the activation of new facilities shall re-
2 main available until September 30, 1997: *Provided further,*
3 That of the amounts provided for Contract Confinement,
4 not to exceed \$20,000,000 shall remain available until ex-
5 pended to make payments in advance for grants, contracts
6 and reimbursable agreements and other expenses author-
7 ized by section 501(c) of the Refugee Education Assist-
8 ance Act of 1980 for the care and security in the United
9 States of Cuban and Haitian entrants.

10 VIOLENT CRIME REDUCTION PROGRAMS

11 For substance abuse treatment in Federal prisons as
12 authorized by section 32001(e) of Public Law 103-322,
13 \$13,500,000, to remain available until expended, which
14 shall be derived from the Violent Crime Reduction Trust
15 Fund.

16 NATIONAL INSTITUTE OF CORRECTIONS

17 *For carrying out the provisions of sections 4351-4353*
18 *of title 18, United States Code, which established a National*
19 *Institute of Corrections, and for the provision of technical*
20 *assistance and advice on corrections related issues,*
21 *\$8,000,000, to remain available until expended.*

22 BUILDINGS AND FACILITIES

23 For planning, acquisition of sites and construction of
24 new facilities; leasing the Oklahoma City Airport Trust
25 Facility; purchase and acquisition of facilities and remod-
26 eling and equipping of such facilities for penal and correc-

1 tional use, including all necessary expenses incident there-
2 to, by contract or force account; and constructing, remod-
3 eling, and equipping necessary buildings and facilities at
4 existing penal and correctional institutions, including all
5 necessary expenses incident thereto, by contract or force
6 account; ~~\$323,728,000~~ \$349,410,000, to remain available
7 until expended, of which not to exceed \$14,074,000 shall
8 be available to construct areas for inmate work programs:
9 *Provided*, That labor of United States prisoners may be
10 used for work performed under this appropriation: *Pro-*
11 *vided further*, That not to exceed 10 percent of the funds
12 appropriated to “Buildings and Facilities” in this Act or
13 any other Act may be transferred to “Salaries and Ex-
14 penses,” Federal Prison System upon notification by the
15 Attorney General to the Committees on Appropriations of
16 the House of Representatives and the Senate in compli-
17 ance with provisions set forth in section 605 of this Act:
18 *Provided further*, That of the total amount appropriated,
19 not to exceed \$22,351,000 shall be available for the ren-
20 ovation and construction of United States Marshals Serv-
21 ice prisoner holding facilities.

22 FEDERAL PRISON INDUSTRIES, INCORPORATED

23 The Federal Prison Industries, Incorporated, is here-
24 by authorized to make such expenditures, within the limits
25 of funds and borrowing authority available, and in accord
26 with the law, and to make such contracts and commit-

1 ments, without regard to fiscal year limitations as pro-
2 vided by section 9104 of title 31, United States Code, as
3 may be necessary in carrying out the program set forth
4 in the budget for the current fiscal year for such corpora-
5 tion, including purchase of (not to exceed five for replace-
6 ment only) and hire of passenger motor vehicles.

7 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
8 PRISON INDUSTRIES, INCORPORATED

9 Not to exceed \$3,559,000 of the funds of the corpora-
10 tion shall be available for its administrative expenses, and
11 for services as authorized by 5 U.S.C. 3109, to be com-
12 puted on an accrual basis to be determined in accordance
13 with the corporation's current prescribed accounting sys-
14 tem, and such amounts shall be exclusive of depreciation,
15 payment of claims, and expenditures which the said ac-
16 counting system requires to be capitalized or charged to
17 cost of commodities acquired or produced, including sell-
18 ing and shipping expenses, and expenses in connection
19 with acquisition, construction, operation, maintenance, im-
20 provement, protection, or disposition of facilities and other
21 property belonging to the corporation or in which it has
22 an interest.

23 OFFICE OF JUSTICE PROGRAMS

24 JUSTICE ASSISTANCE

25 For grants, contracts, cooperative agreements, and
26 other assistance authorized by title I of the Omnibus

1 Crime Control and Safe Streets Act of 1968, as amended,
2 and the Missing Children’s Assistance Act, as amended,
3 including salaries and expenses in connection therewith,
4 and with the Victims of Crime Act of 1984, as amended,
5 ~~\$97,977,000~~ *\$102,345,000*, to remain available until ex-
6 pended, as authorized by section 1001 of title I of the Om-
7 nibus Crime Control and Safe Streets Act, as amended
8 by Public Law 102–534 (106 Stat. 3524).

9 VIOLENT CRIME REDUCTION PROGRAMS, JUSTICE
10 ASSISTANCE

11 For assistance (including amounts for administrative
12 costs for management and administration, which amounts
13 shall be transferred to and merged with the “Justice As-
14 sistance” account) authorized by the Violent Crime Con-
15 trol and Law Enforcement Act of 1994, Public Law 103–
16 322 (“the 1994 Act”); the Omnibus Crime Control and
17 Safe Streets Act of 1968, as amended (“the 1968 Act”);
18 and the Victims of Child Abuse Act of 1990, as amended
19 (“the 1990 Act”), ~~\$152,400,000~~ *\$100,900,000*, to remain
20 available until expended, which shall be derived from the
21 Violent Crime Reduction Trust Fund; of which
22 ~~\$6,000,000~~ *\$4,250,000* shall be for the Court Appointed
23 Special Advocate Program, as authorized by section 218
24 of the 1990 Act; \$750,000 for Child Abuse Training Pro-
25 grams for Judicial Personnel and Practitioners, as author-
26 ized by section 224 of the 1990 Act; ~~\$82,750,000~~

1 *\$61,000,000* for Grants to Combat Violence Against
2 Women to States, units of local governments and Indian
3 tribal governments, as authorized by section 1001(a)(18)
4 of the 1968 Act; \$28,000,000 for Grants to Encourage
5 Arrest Policies to States, units of local governments and
6 Indian tribal governments, as authorized by section
7 1001(a)(19) of the 1968 Act; ~~\$7,000,000~~ *\$6,000,000* for
8 Rural Domestic Violence and Child Abuse Enforcement
9 Assistance Grants, as authorized by section 40295 of the
10 1994 Act; ~~\$27,000,000~~ for grants for Residential Sub-
11 stance Abuse Treatment For State Prisoners, as author-
12 ized by section 1001(a)(17) of the 1968 Act; and
13 \$900,000 for the Missing Alzheimer's Disease Patient
14 Alert Program, as authorized by section 240001(d) of the
15 1994 Act: *Provided further*, That any balances for these
16 programs shall be transferred to and merged with this ap-
17 propriation.

18 *CIVIL LEGAL ASSISTANCE*

19 *For grants to States for civil legal assistance as pro-*
20 *vided in section 120 of this Act, \$210,000,000.*

21 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

22 For grants, contracts, cooperative agreements, and
23 other assistance authorized by part E of title I of the Om-
24 nibus Crime Control and Safe Streets Act of 1968, as
25 amended, for State and Local Narcotics Control and Jus-
26 tice Assistance Improvements, notwithstanding the provi-

1 sions of section 511 of said Act, \$50,000,000
2 \$225,000,000, to remain available until expended, as au-
3 thorized by section 1001 of title I of said Act, as amended
4 by Public Law 102-534 (106 Stat. 3524),—~~which shall be~~
5 ~~available only~~: *Provided, That not more than \$50,000,000*
6 *shall be made available* to carry out the provisions of chap-
7 ter A of subpart 2 of part E of title I of said Act, for
8 discretionary grants under the Edward Byrne Memorial
9 State and Local Law Enforcement Assistance Programs:
10 *Provided further, That not more than \$175,000,000 shall*
11 *be made available to carry out the provisions of subpart*
12 *1, part E of title I of said Act, for formula grants under*
13 *the Edward Byrne Memorial State and Local Law Enforce-*
14 *ment Assistance Programs: Provided further, That balances*
15 *of amounts appropriated prior to fiscal year 1995 under*
16 *the authorities of this account shall be transferred to and*
17 *merged with this account.*

18 VIOLENT CRIME REDUCTION PROGRAMS, STATE AND

19 LOCAL LAW ENFORCEMENT ASSISTANCE

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

1 and the Victims of Child Abuse Act of 1990, as amended
2 (“the 1990 Act”), ~~\$3,283,343,000~~ *\$3,092,100,000*, to re-
3 main available until expended, which shall be derived from
4 the Violent Crime Reduction Trust Fund; ~~of which~~
5 ~~\$1,950,000,000~~ shall be for Local Law Enforcement
6 Block Grants, pursuant to H.R. 728 as passed by the
7 House of Representatives on February 14, 1995; *of which*
8 *\$1,690,000,000* shall be for State and Local Law Enforce-
9 *ment Assistance Block Grants pursuant to title I of the Vio-*
10 *lent Crime Control and Law Enforcement Act of 1994 (as*
11 *amended by section 114 of this Act)*; \$25,000,000 for
12 grants to upgrade criminal records, as authorized by sec-
13 tion 106(b) of the Brady Handgun Violence Prevention
14 Act of 1993, as amended, and section 4(b) of the National
15 Child Protection Act of 1993; ~~\$475,000,000~~ *\$300,000,000*
16 as authorized by section 1001 of title I of the 1968 Act,
17 which shall be available to carry out the provisions of sub-
18 part 1, part E of title I of the 1968 Act, notwithstanding
19 section 511 of said Act, for the Edward Byrne Memorial
20 State and Local Law Enforcement Assistance Programs;
21 \$300,000,000 for the State Criminal Alien Assistance
22 Program, as authorized by section 501 of the Immigration
23 Reform and Control Act of 1986, as amended;
24 ~~\$19,643,000~~ *\$15,000,000* for Youthful Offender Incarcer-
25 ation Grants, as authorized by section 1001(a)(16) of the

1 1968 Act; \$500,000,000 for Truth in Sentencing Grants
2 pursuant to section 101 of H.R. 667 as passed by the
3 House of Representatives on February 10, 1995 of which
4 not to exceed \$200,000,000 is available for payments to
5 States for incarceration of criminal aliens pursuant to sec-
6 tion 508 as proposed by such section 101; \$750,000,000
7 for Violent Offender Incarceration and Truth in Sentencing
8 Incentive Grants pursuant to subtitle A of title II of the
9 Violent Crime Control and Law Enforcement Act of 1994
10 (as amended by section 115 of this Act); \$1,000,000 for
11 grants to States and units of local government for projects
12 to improve DNA analysis, as authorized by section
13 1001(a)(22) of the 1968 Act; ~~\$10,000,000~~ \$9,000,000 for
14 Improved Training and Technical Automation Grants, as
15 authorized by section 210501(c)(1) of the 1994 Act;
16 \$200,000 for grants to assist in establishing and operating
17 programs for the prevention, diagnosis, treatment and fol-
18 lowup care of tuberculosis among inmates of correctional
19 institutions, as authorized by section 32201(c)(3) of the
20 1994 Act; \$1,000,000 for Law Enforcement Family Sup-
21 port Programs, as authorized by section 1001(a)(21) of
22 the Omnibus Crime Control and Safe Streets Act of 1968
23 as added by section 210201 of the 1994 Act; \$500,000
24 \$1,100,000 for Motor Vehicle Theft Prevention Programs,
25 as authorized by section 220002(h) of the 1994 Act;

1 \$1,000,000 for Gang Investigation Coordination and In-
2 formation Collection, as authorized by section 150006 of
3 the 1994 Act: *Provided*, That funds made available in fis-
4 cal year 1996 under subpart 1 of part E of title I of the
5 Omnibus Crime Control and Safe Streets Act of 1968, as
6 amended, may be obligated for programs to assist States
7 in the litigation processing of death penalty Federal ha-
8 beas corpus petitions: *Provided further*, That any 1995
9 balances for these programs shall be transferred to and
10 merged with this appropriation: *Provided further*, That if
11 a unit of local government uses any of the funds made
12 available under this title to increase the number of law
13 enforcement officers, the unit of local government will
14 achieve a net gain in the number of law enforcement offi-
15 cers who perform nonadministrative public safety service.

16 WEED AND SEED PROGRAM FUND

17 For necessary expenses, including salaries and relat-
18 ed expenses of the Executive Office for Weed and Seed,
19 to implement “Weed and Seed” program activities,
20 \$23,500,000, of which \$13,500,000 shall be derived from
21 discretionary grants provided under the Edward Byrne
22 Memorial State and Local Law Enforcement Assistance
23 Programs and \$10,000,000 shall be derived from discre-
24 tionary grants provided under part C of title II of the Ju-
25 venile Justice and Delinquency Prevention Act, to remain
26 available until expended for intergovernmental agree-

1 ments, including grants, cooperative agreements, and con-
2 tracts, with State and local law enforcement agencies en-
3 gaged in the investigation and prosecution of violent
4 crimes and drug offenses in “Weed and Seed” designated
5 communities, and for either reimbursements or transfers
6 to appropriation accounts of the Department of Justice
7 and other Federal agencies which shall be specified by the
8 Attorney General to execute the “Weed and Seed” pro-
9 gram strategy: *Provided*, That funds designated by Con-
10 gress through language for other Department of Justice
11 appropriation accounts for “Weed and Seed” program ac-
12 tivities shall be managed and executed by the Attorney
13 General through the Executive Office for Weed and Seed:
14 *Provided further*, That the Attorney General may direct
15 the use of other Department of Justice funds and person-
16 nel in support of “Weed and Seed” program activities only
17 after the Attorney General notifies the Committees on Ap-
18 propriations of the House of Representatives and the Sen-
19 ate in accordance with section 605 of this Act.

20 JUVENILE JUSTICE PROGRAMS

21 For grants, contracts, cooperative agreements, and
22 other assistance authorized by the Juvenile Justice and
23 Delinquency Prevention Act of 1974, as amended, includ-
24 ing salaries and expenses in connection therewith to be
25 transferred to and merged with the appropriations for
26 Justice Assistance, \$144,000,000, to remain available

1 until expended, as authorized by section 299 of part I of
2 title II and section 506 of title V of the Act, as amended
3 by Public Law 102-586, of which: (1) \$100,000,000 shall
4 be available for expenses authorized by parts A, B, and
5 C of title II of the Act; (2) \$10,000,000 shall be available
6 for expenses authorized by sections 281 and 282 of part
7 D of title II of the Act for prevention and treatment pro-
8 grams relating to juvenile gangs; (3) \$10,000,000 shall
9 be available for expenses authorized by section 285 of part
10 E of title II of the Act; (4) \$4,000,000 shall be available
11 for expenses authorized by part G of title II of the Act
12 for juvenile mentoring programs; and (5) \$20,000,000
13 shall be available for expenses authorized by title V of the
14 Act for incentive grants for local delinquency prevention
15 programs.

16 In addition, for grants, contracts, cooperative agree-
17 ments, and other assistance authorized by the Victims of
18 Child Abuse Act of 1990, as amended, \$4,500,000, to re-
19 main available until expended, as authorized by section
20 214B, of the Act: *Provided*, That balances of amounts ap-
21 propriated prior to fiscal year 1995 under the authorities
22 of this account shall be transferred to and merged with
23 this account.

24 PUBLIC SAFETY OFFICERS BENEFITS

25 For payments authorized by part L of title I of the
26 Omnibus Crime Control and Safe Streets Act of 1968 (42

1 U.S.C. 3796), as amended, such sums as are necessary,
2 to remain available until expended, as authorized by sec-
3 tion 6093 of Public Law 100–690 (102 Stat. 4339–4340),
4 and, in addition, \$2,134,000, to remain available until ex-
5 pended, for payments as authorized by section 1201(b) of
6 said Act.

7 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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

16 SEC. 102. Subject to section 102(b) of the Depart-
17 ment of Justice and Related Agencies Appropriations Act,
18 1993, as amended by section 112 of this Act, authorities
19 contained in Public Law 96–132, “The Department of
20 Justice Appropriation Authorization Act, Fiscal Year
21 1980,” shall remain in effect until the termination date
22 of this Act or until the effective date of a Department
23 of Justice Appropriation Authorization Act, whichever is
24 earlier.

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

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

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

19 SEC. 106. Notwithstanding any other provision of
20 law, not to exceed \$10,000,000 of the funds made avail-
21 able in the Act may be used to pay rewards and shall not
22 be subject to spending limitations contained in sections
23 3059 and 3072 of title 18, United States Code: *Provided,*
24 That any reward of \$100,000 or more, up to a maximum
25 of \$2,000,000, may not be made without the personal ap-

1 proval of the President or the Attorney General and such
2 approval may not be delegated.

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

18 SEC. 108. For fiscal year 1996 and each fiscal year
19 thereafter, amounts in the Federal Prison System's Com-
20 missary Fund, Federal Prisons, which are not currently
21 needed for operations, shall be kept on deposit or invested
22 in obligations of, or guaranteed by, the United States and
23 all earnings on such investments shall be deposited in the
24 Commissary Fund.

1 SEC. 109. Section 524(c)(9) of title 28, United States
2 Code, is amended by adding subparagraph (E), as follows:

3 “(E) Subject to the notification procedures contained
4 in section 605 of Public Law 103–121, and after satisfy-
5 ing the transfer requirement in subparagraph (B) of this
6 paragraph, any excess unobligated balance remaining in
7 the Fund on September 30, 1995 shall be available to the
8 Attorney General, without fiscal year limitation, for any
9 Federal law enforcement, litigative/prosecutive, and cor-
10 rectional activities, or any other authorized purpose of the
11 Department of Justice. Any amounts provided pursuant
12 to this subparagraph may be used under authorities avail-
13 able to the organization receiving the funds.”.

14 SEC. 110. ~~Notwithstanding~~ *Hereafter, notwithstand-*
15 *ing* any other provision of law—

16 (1) no transfers may be made from Department
17 of Justice accounts other than those authorized in
18 this Act, or in previous or subsequent appropriations
19 Acts for the Department of Justice, or in part II of
20 title 28 of the United States Code, or in section
21 10601 of title 42 of the United States Code; and

22 (2) no appropriation account within the Depart-
23 ment of Justice shall have its allocation of funds
24 controlled by other than an apportionment issued by

1 the Office of Management and Budget or an allot-
2 ment advice issued by the Department of Justice.

3 SEC. 111. (a) Section 1930(a)(6) of title 28, United
4 States Code, is amended by striking “a plan is confirmed
5 or”.

6 (b) Section 589a(b)(5) of such title is amended by
7 striking “;” and inserting, “until a reorganization plan is
8 confirmed;”.

9 (c) Section 589a(f) of such title is amended—

10 (1) in paragraph (2) by striking “.” and insert-
11 ing, “until a reorganization plan is confirmed;”, and

12 (2) by inserting after paragraph (2) the follow-
13 ing new paragraph:

14 “(3) 100 percent of the fees collected under sec-
15 tion 1930(a)(6) of this title after a reorganization
16 plan is confirmed.”.

17 SEC. 112. Public Law 102–395, section 102 is
18 amended as follows: (1) in subsection (b)(1) strike “years
19 1993, 1994, and 1995” and insert “year 1996”; (2) in
20 subsection (b)(1)(C) strike “years 1993, 1994, and 1995”
21 and insert “year 1996”; and (3) in subsection (b)(5)(A)
22 strike “years 1993, 1994, and 1995” and insert “year
23 1996”.

24 SEC. 113. Public Law 101–515 (104 Stat. 2112; 28
25 U.S.C. 534 note) is amended by inserting “and criminal

1 justice information” after “for the automation of finger-
2 print identification”.

3 **SEC. 114. STATE AND LOCAL LAW ENFORCEMENT ASSIST-**
4 **ANCE BLOCK GRANT PROGRAM.**

5 *Title I of the Violent Crime Control and Law Enforce-*
6 *ment Act of 1994 is amended to read as follows:*

7 **“TITLE I—STATE AND LOCAL**
8 **LAW ENFORCEMENT ASSIST-**
9 **ANCE**

10 **“SEC. 1001. BLOCK GRANTS TO STATES.**

11 *“(a) IN GENERAL.—The Attorney General shall make*
12 *grants under this title to States for use by State and local*
13 *governments to—*

14 *“(1) hire, train, and employ on a continuing*
15 *basis, new law enforcement officers and necessary*
16 *support personnel;*

17 *“(2) pay overtime to currently employed law en-*
18 *forcement officers and necessary support personnel;*

19 *“(3) procure equipment, technology, and other*
20 *material that is directly related to basic law enforce-*
21 *ment functions, such as the detection or investigation*
22 *of crime, or the prosecution of criminals; and*

23 *“(4) establish and operate cooperative programs*
24 *between community residents and law enforcement*

1 *agencies for the control, detection, or investigation of*
2 *crime, or the prosecution of criminals.*

3 *“(b) LAW ENFORCEMENT TRUST FUNDS.—Funds re-*
4 *ceived by a State or unit of local government under this*
5 *title may be reserved in a trust fund established by the State*
6 *or unit of local government to fund the future needs of pro-*
7 *grams authorized under subsection (a).*

8 *“(c) ALLOCATION AND DISTRIBUTION OF FUNDS.—*

9 *“(1) ALLOCATION.—The amount made available*
10 *pursuant to section 10003 shall be allocated as fol-*
11 *lows:*

12 *“(A) 0.6 percent shall be allocated to each*
13 *of the participating States.*

14 *“(B) After the allocation under subpara-*
15 *graph (A), the remainder shall be allocated on*
16 *the basis of the population of each State as deter-*
17 *mined by the 1990 decennial census as adjusted*
18 *annually, by allocating to each State an amount*
19 *bearing the same ratio to the total amount to be*
20 *allocated under this subparagraph as the popu-*
21 *lation of the State bears to the population of all*
22 *States.*

23 *“(2) DISTRIBUTION TO LOCAL GOVERNMENTS.—*

24 *“(A) IN GENERAL.—A State receiving a*
25 *grant under this title shall ensure that not less*

1 *than 85 percent of the funds received are distrib-*
2 *uted to units of local government.*

3 “(B) *LIMITATION.*—*Not more than 2.5 per-*
4 *cent of funds received by a State in any grant*
5 *year shall be used for costs associated with the*
6 *administration and distribution of grant money.*

7 “(d) *DISBURSEMENT.*—

8 “(1) *IN GENERAL.*—*The Attorney General shall*
9 *issue regulations establishing procedures under which*
10 *a State may receive assistance under this title.*

11 “(2) *GENERAL REQUIREMENTS FOR QUALIFICA-*
12 *TION.*—*A State qualifies for a payment under this*
13 *title for a payment period only if the State establishes*
14 *that—*

15 “(A) *the State will establish a segregated*
16 *account in which the government will deposit all*
17 *payments received under this title;*

18 “(B) *the State will expend the payments in*
19 *accordance with the laws and procedures that*
20 *are applicable to the expenditure of revenues of*
21 *the State;*

22 “(C) *the State will use accounting, audit,*
23 *and fiscal procedures that conform to guidelines*
24 *that shall be prescribed by the Attorney General*
25 *after consultation with the Comptroller General*

1 *of the United States and, as applicable, amounts*
2 *received under this title shall be audited in com-*
3 *pliance with the Single Audit Act of 1984;*

4 “(D) *after reasonable notice to a State, the*
5 *State will make available to the Attorney Gen-*
6 *eral and the Comptroller General of the United*
7 *States, with the right to inspect, records that the*
8 *Attorney General or Comptroller General of the*
9 *United States reasonably requires to review com-*
10 *pliance with this title;*

11 “(E) *the State will make such reports as the*
12 *Attorney General reasonably requires, in addi-*
13 *tion to the annual reports required under this*
14 *title; and*

15 “(F) *the State will expend the funds only*
16 *for the purposes set forth in subsection (a).*

17 “(3) *SANCTIONS FOR NONCOMPLIANCE.—*

18 “(A) *IN GENERAL.—If the Attorney General*
19 *finds that a State has not complied substantially*
20 *with paragraph (2) or regulations prescribed*
21 *under such paragraph, the Attorney General*
22 *shall notify the State. The notice shall provide*
23 *that if the State does not initiate corrective ac-*
24 *tion within 30 days after the date on which the*
25 *State receives the notice, the Attorney General*

1 *will withhold additional payments to the State*
2 *for the current payment period and later pay-*
3 *ment periods. Payments shall be withheld until*
4 *such time as the Attorney General determines*
5 *that the State—*

6 “(i) *has taken the appropriate correc-*
7 *tive action; and*

8 “(ii) *will comply with paragraph (2)*
9 *and the regulations prescribed under such*
10 *paragraph.*

11 “(B) *NOTICE.—Before giving notice under*
12 *subparagraph (A), the Attorney General shall*
13 *give the chief executive officer of the State rea-*
14 *sonable notice and an opportunity for comment.*

15 “(C) *PAYMENT CONDITIONS.—The Attorney*
16 *General shall make a payment to a State under*
17 *subparagraph (A) only if the Attorney General*
18 *determines that the State—*

19 “(i) *has taken the appropriate correc-*
20 *tive action; and*

21 “(ii) *will comply with paragraph (2)*
22 *and regulations prescribed under such para-*
23 *graph.*

1 **“SEC. 10002. APPLICATIONS.**

2 “(a) *The Attorney General shall make grants under*
3 *this title only if a State has submitted an application to*
4 *the Attorney General in such form, and containing such*
5 *information, as is the Attorney General may reasonably*
6 *require.*

7 **“SEC. 10003. AUTHORIZATION OF APPROPRIATIONS.**

8 “*There are authorized to be appropriated to carry out*
9 *this title—*

10 “(1) *\$2,050,000,000 for fiscal year 1996;*

11 “(2) *\$2,150,000,000 for fiscal year 1997;*

12 “(3) *\$1,900,000,000 for fiscal year 1998;*

13 “(4) *\$1,900,000,000 for fiscal year 1999; and*

14 “(5) *\$468,000,000 for fiscal year 2000.*

15 **“SEC. 10004. LIMITATION ON USE OF FUNDS.**

16 “*Funds made available to States under this title shall*
17 *not be used to supplant State or local funds, but shall be*
18 *used to increase the amount of funds that would, in the*
19 *absence of Federal funds received under this title, be made*
20 *available from State or local sources.”.*

21 **SEC. 115. VIOLENT OFFENDER INCARCERATION AND TRUTH**
22 **IN SENTENCING GRANTS.**

23 *Subtitle A of title II of the Violent Crime Control and*
24 *Law Enforcement Act of 1994 is amended to read as follows:*

1 **“Subtitle A—Violent Offender In-**
2 **carceration and Truth in Sen-**
3 **tencing Incentive Grants**

4 **“SEC. 20101. GRANTS FOR CORRECTIONAL FACILITIES.**

5 “(a) *GRANT AUTHORIZATION.*—The Attorney General
6 may make grants to individual States and to States orga-
7 nized as multi-State compacts to construct, develop, expand,
8 modify, operate, or improve conventional correctional fa-
9 cilities, including prisons and jails, for the confinement of
10 violent offenders, to ensure that prison cell space is avail-
11 able for the confinement of violent offenders and to imple-
12 ment truth in sentencing laws for sentencing violent offend-
13 ers.

14 “(b) *ELIGIBILITY.*—To be eligible to receive a grant
15 under this subtitle, a State or States organized as multi-
16 State compacts shall submit an application to the Attorney
17 General that includes—

18 “(1)(A) except as provided in subparagraph (B),
19 assurances that the State or States, have imple-
20 mented, or will implement, correctional policies and
21 programs, including truth in sentencing laws that en-
22 sure that violent offenders serve a substantial portion
23 of the sentences imposed, that are designed to provide
24 sufficiently severe punishment for violent offenders,
25 including violent juvenile offenders, and that the pris-

1 *on time served is appropriately related to the deter-*
2 *mination that the inmate is a violent offender and for*
3 *a period of time deemed necessary to protect the pub-*
4 *lic;*

5 *“(B) in the case of a State that on the date of*
6 *enactment of the Department of Justice Appropria-*
7 *tions Act, 1996 practices indeterminant sentencing, a*
8 *demonstration that average times served for the of-*
9 *fenses of murder, rape, robbery, and assault in the*
10 *State exceed by at least 10 percent the national aver-*
11 *age of time served for such offenses in all of the*
12 *States;*

13 *“(2) assurances that the State or States have im-*
14 *plemented policies that provide for the recognition of*
15 *the rights and needs of crime victims;*

16 *“(3) assurances that funds received under this*
17 *section will be used to construct, develop, expand,*
18 *modify, operate, or improve conventional correctional*
19 *facilities;*

20 *“(4) assurances that the State or States have in-*
21 *volved counties and other units of local government,*
22 *when appropriate, in the construction, development,*
23 *expansion, modification, operation, or improvement*
24 *of correctional facilities designed to ensure the incar-*
25 *ceration of violent offenders, and that the State or*

1 *States will share funds received under this section*
2 *with counties and other units of local government,*
3 *taking into account the burden placed on the units of*
4 *local government when they are required to confine*
5 *sentenced prisoners because of overcrowding in State*
6 *prison facilities;*

7 *“(5) assurances that funds received under this*
8 *section will be used to supplement, not supplant,*
9 *other Federal, State, and local funds;*

10 *“(6) assurances that the State or States have im-*
11 *plemented, or will implement not later than 18*
12 *months after the date of enactment of the Department*
13 *of Justice Appropriations Act, 1996, policies to deter-*
14 *mine the veteran status of inmates and to ensure that*
15 *incarcerated veterans receive the veterans benefits to*
16 *which they are entitled; and*

17 *“(7) if applicable, documentation of the multi-*
18 *State compact agreement that specifies the construc-*
19 *tion, development, expansion, modification, operation,*
20 *or improvement of correctional facilities.*

21 **“SEC. 20102. TRUTH IN SENTENCING INCENTIVE GRANTS.**

22 *“(a) TRUTH IN SENTENCING GRANT PROGRAM.—Fifty*
23 *percent of the total amount of funds appropriated to carry*
24 *out this subtitle for each of fiscal years 1996, 1997, 1998,*
25 *1999, and 2000 shall be made available for truth in sentenc-*

1 *ing incentive grants. To be eligible to receive such a grant,*
2 *a State must meet the requirements of section 20101(b) and*
3 *shall demonstrate that the State—*

4 *“(1) has in effect laws that require that persons*
5 *convicted of violent crimes serve not less than 85 per-*
6 *cent of the sentence imposed;*

7 *“(2) since 1993—*

8 *“(A) has increased the percentage of con-*
9 *victed violent offenders sentenced to prison;*

10 *“(B) has increased the average prison time*
11 *that will be served in prison by convicted violent*
12 *offenders sentenced to prison; and*

13 *“(C) has in effect at the time of application*
14 *laws requiring that a person who is convicted of*
15 *a violent crime shall serve not less than 85 per-*
16 *cent of the sentence imposed if—*

17 *“(i) the person has been convicted on 1*
18 *or more prior occasions in a court of the*
19 *United States or of a State of a violent*
20 *crime or a serious drug offense; and*

21 *“(ii) each violent crime or serious drug*
22 *offense was committed after the defendant’s*
23 *conviction of the preceding violent crime or*
24 *serious drug offense; or*

1 “(3) in the case of a State that on the date of
2 enactment of the Department of Justice Appropria-
3 tions Act, 1996 practices indeterminant sentencing, a
4 demonstration that average times served for the of-
5 fenses of murder, rape, robbery, and assault in the
6 State exceed by at least 10 percent the national aver-
7 age of time served for such offenses in all of the
8 States.

9 “(b) ALLOCATION OF TRUTH IN SENTENCING INCEN-
10 TIVE FUNDS.—The amount available to carry out this sec-
11 tion for any fiscal year shall be allocated to each eligible
12 State in the ratio that the number of part 1 violent crimes
13 reported by such State to the Federal Bureau of Investiga-
14 tion for the previous year bears to the number of part 1
15 violent crimes reported by all States to the Federal Bureau
16 of Investigation for the previous year.

17 “**SEC. 20103. VIOLENT OFFENDER INCARCERATION GRANTS.**

18 “(a) VIOLENT OFFENDER INCARCERATION GRANT
19 PROGRAM.—Fifty percent of the total amount of funds ap-
20 propriated to carry out this subtitle for each of fiscal years
21 1996, 1997, 1998, 1999, and 2000 shall be made available
22 for violent offender incarceration grants. To be eligible to
23 receive such a grant, a State or States must meet the re-
24 quirements of section 20101(b).

1 “(b) *ALLOCATION OF VIOLENT OFFENDER INCARCER-*
2 *ATION FUNDS.*—Funds made available to carry out this sec-
3 *tion shall be allocated as follows:*

4 “(1) *0.6 percent shall be allocated to each eligible*
5 *State, except that the United States Virgin Islands,*
6 *American Samoa, Guam, and the Northern Mariana*
7 *Islands each shall be allocated 0.05 percent.*

8 “(2) *The amount remaining after application of*
9 *paragraph (1) shall be allocated to each eligible State*
10 *in the ratio that the number of part 1 violent crimes*
11 *reported by such State to the Federal Bureau of In-*
12 *vestigation for the previous year bears to the number*
13 *of part 1 violent crimes reported by all States to the*
14 *Federal Bureau of Investigation for the previous year.*

15 **“SEC. 20104. RULES AND REGULATIONS.**

16 “(a) *IN GENERAL.*—Not later than 90 days after the
17 *date of enactment of the Department of Justice Appropria-*
18 *tions Act, 1996, the Attorney General shall issue rules and*
19 *regulations regarding the uses of grant funds received under*
20 *this subtitle.*

21 “(b) *BEST AVAILABLE DATA.*—If data regarding part
22 *1 violent crimes in any State for the previous year is un-*
23 *available or substantially inaccurate, the Attorney General*
24 *shall utilize the best available comparable data regarding*
25 *the number of violent crimes for the previous year for the*

1 *State for the purposes of allocation of funds under this sub-*
2 *title.*

3 ***“SEC. 20105. DEFINITIONS.***

4 *“In this subtitle—*

5 *“(1) the term ‘part 1 violent crimes’ means mur-*
6 *der and non-negligent manslaughter, forcible rape,*
7 *robbery, and aggravated assault as reported to the*
8 *Federal Bureau of Investigation for purposes of the*
9 *Uniform Crime Reports;*

10 *“(2) the term ‘State’ or ‘States’ means a State,*
11 *the District of Columbia, the Commonwealth of Puer-*
12 *to Rico, the United States Virgin Islands, American*
13 *Samoa, Guam, and the Northern Mariana Islands;*
14 *and*

15 *“(3) the term ‘indeterminate sentencing’ means a*
16 *system by which the court has discretion in imposing*
17 *the actual length of the sentence, up to the statutory*
18 *maximum, and an administrative agency, or the*
19 *court, controls release between court-ordered mini-*
20 *imum and maximum sentence.”.*

21 ***“SEC. 20106. AUTHORIZATION OF APPROPRIATIONS.***

22 *“There are authorized to be appropriated to carry out*
23 *this subtitle—*

24 *“(1) \$1,000,000,000 for fiscal year 1996;*

25 *“(2) \$1,150,000,000 for fiscal year 1997;*

1 “(3) \$2,100,000,000 for fiscal year 1998;

2 “(4) \$2,200,000,000 for fiscal year 1999; and

3 “(5) \$2,270,000,000 for fiscal year 2000.”.

4 *SEC. 116. Notwithstanding provisions of 41 U.S.C.*
5 *353 or any other provision of law, the Federal Prison Sys-*
6 *tem may enter into contracts and other agreements with*
7 *private entities for the confinement of Federal prisoners for*
8 *a period not to exceed 3 years and 7 additional option*
9 *years.*

10 *SEC. 117. Public Law 101–246 (104 Stat. 42) is*
11 *amended by inserting “or Federal Bureau of Investigation”*
12 *after “Drug Enforcement Administration”.*

13 *SEC. 118. (a) Except as provided in subsection (b), the*
14 *restrictions on the commercial sale of goods and services*
15 *produced or provided by the Federal Prison Industries pro-*
16 *vided in section 1761 of title 18, United States Code, and*
17 *any other provision of law shall not apply.*

18 *(b) Goods or services may not be sold commercially*
19 *pursuant to subsection (a) unless the President certifies that*
20 *the sale of such goods or services will not result in the loss*
21 *of jobs in the private sector or adversely effect the sale of*
22 *private sector goods or services sold on a local or regional*
23 *basis.*

24 *(c) This section shall not be construed as authorizing*
25 *the appropriations of any additional appropriations.*

1 *SEC. 119. PROVISION RELATING TO VOTER REGISTRA-*
2 *TION.—(a) IN GENERAL.—Subsection (b) of section 4 of the*
3 *National Voter Registration Act of 1993 (42 U.S.C. 1973gg–*
4 *2(b)) is amended by striking “March 11, 1993” each place*
5 *it appears and inserting “August 1, 1994”.*

6 *(b) EFFECTIVE DATE.—The amendments made by sub-*
7 *section (a) shall take effect as if included in the provisions*
8 *of the National Voter Registration Act of 1993.*

9 *SEC. 120. (a) GRANTS TO STATES.—(1) The Attorney*
10 *General shall make grants to States for the provision of*
11 *qualified legal services. To receive a grant under this para-*
12 *graph a State shall make an application to the Attorney*
13 *General. Such an application shall be in such form and*
14 *submitted in such manner as the Attorney General may re-*
15 *quire, except that the Attorney General shall not impose a*
16 *requirement on an individual or person as a condition to*
17 *bidding on a contract under subsection (b) or to being*
18 *awarded such a contract which requirement is different*
19 *from any other requirement of paragraph (d)(1) of this sec-*
20 *tion.*

21 *(2) Grants shall be made to States in such proportion*
22 *as the number of residents of each State which receives a*
23 *grant who live in households having incomes equal to or*
24 *less than the poverty line established under section 673(2)*
25 *of the Community Services Block Grant Act (42 U.S.C.*

1 9902(2)) bears to the total number of residents in the
2 United States living in such households: Provided, That, in
3 States which have significant numbers of such households
4 that are also Native American households, grants to such
5 States shall be equal to an amount that is 140 percent of
6 the amount such States would otherwise receive under this
7 paragraph.

8 (3) Each State may in any fiscal year retain for ad-
9 ministrative costs not more than 3 percent of the amount
10 granted to the State under paragraph (1) in such fiscal
11 year. The remainder of such grant shall be paid under con-
12 tracts to qualified legal service providers in the State for
13 the provision in the State of qualified legal services. If a
14 State which has received a grant under paragraph (1) has
15 at the end of any fiscal year funds which have not been
16 obligated, such State shall return such funds to the Attorney
17 General.

18 (4) No State may receive a grant under paragraph (1)
19 unless the State has certified to the Attorney General that
20 the State will comply with and enforce the requirements
21 of this section.

22 (5) None of the funds provided under paragraph (1)
23 shall be used by a qualified legal service provider—

24 (A) to make available any funds, personnel, or
25 equipment for use in advocating or opposing any

1 *plan or proposal or represent any party or partici-*
2 *pate in any other way in litigation, that is intended*
3 *to or has the effect of altering, revising, or reappor-*
4 *tioning a legislative, judicial, or elective district at*
5 *any level of government, including influencing the*
6 *timing or manner of the taking of a census;*

7 *(B) to attempt to influence the issuance, amend-*
8 *ment, or revocation of any executive order, regulation,*
9 *policy or similar promulgation by any Federal, State,*
10 *or local agency;*

11 *(C) to attempt to influence the passage or defeat*
12 *of any legislation, constitutional amendment, referen-*
13 *dum, initiative, confirmation proceeding, or any*
14 *similar procedure of the Congress of the United States*
15 *or by any State or local legislative body;*

16 *(D) to support or conduct training programs for*
17 *the purpose of advocating particular public policies*
18 *or encouraging political activities, labor or anti-labor*
19 *activities, boycotts, picketing, strikes, and demonstra-*
20 *tions, including the dissemination of information*
21 *about such policies or activities;*

22 *(E) to participate in any litigation, lobbying,*
23 *rulemaking or any other matter with respect to abor-*
24 *tion;*

1 (F) to provide legal assistance to an eligible cli-
2 ent with respect to a proceeding or litigation in which
3 the client seeks to obtain a dissolution of a marriage
4 or a legal separation from a spouse;

5 (G) to participate in any litigation or provide
6 any representation on behalf of a local, State, or Fed-
7 eral prisoner;

8 (H) to solicit in-person any client for the pur-
9 pose of providing any legal service;

10 (I) to pay for any personal service, advertise-
11 ment, telegram, telephone communication, letter, or
12 printed or written matter or to pay administrative
13 expenses or related expenses, associated with an activ-
14 ity prohibited in this paragraph;

15 (J) to pay any voluntary membership dues to
16 any private or non-profit organization; or

17 (K) to provide any subgrants for the provision of
18 qualified legal services.

19 (6) A State which receives a grant under paragraph
20 (1) and which also distributes State funds for the provision
21 of legal services or which permits the distribution of interest
22 on lawyers' trust accounts for the provision of legal services
23 shall require that such State funds and such interest on
24 lawyers' trust accounts be used to provide qualified legal
25 services to qualified clients and shall impose on the use of

1 *such State funds and such interest on lawyers' trust ac-*
2 *counts the limitations prescribed by paragraph (5).*

3 *(7) A qualified legal service provider of any qualified*
4 *client or any client of such provider may not claim or col-*
5 *lect attorneys' fees from parties to any litigation initiated*
6 *by such client.*

7 *(b) AWARDING OF CONTRACTS.—(1) Each State which*
8 *receives a grant under subsection (a)(1) shall make funds*
9 *under the grant available for contracts entered into for the*
10 *provision of qualified legal services within the State.*

11 *(2)(A) The Governor of each State shall designate the*
12 *authority of the State which shall be responsible for solicit-*
13 *ing and awarding bids for contracts for the provision of*
14 *qualified legal services within such State.*

15 *(B) The authority of a State designated under sub-*
16 *paragraph (A) shall designate service areas within the*
17 *State. Such service areas shall be the counties or parishes*
18 *within a State but such authority may combine contiguous*
19 *counties or parishes to form a service area to assure the*
20 *most efficient provision of qualified legal services within*
21 *available funds.*

22 *(3) A State shall allocate grant funds for contracts for*
23 *the provision of qualified legal services in a service area*
24 *on the same basis as grants are made available to States*
25 *under subsection (a)(2).*

1 (4) A State shall award a contract for the provision
2 of qualified legal services in a service area to the applicant
3 who is best qualified, as determined by the State, and who
4 in its bid offers to provide, in accordance with subsection
5 (c), the greatest number of hours of qualified legal services
6 in such area.

7 (5) A State contract awarded under paragraph (4)
8 shall be in such form as the State requires. The contract
9 shall provide for the rendering of bills supported by time
10 records at the close of each month in which qualified legal
11 services are provided. A State shall make payment to a
12 qualified legal service provider at the contract rate only for
13 hours of qualified legal services provided and supported by
14 appropriate records. The contract rate shall be the total dol-
15 lar amount of the contract divided by the total hours bid
16 by the qualified legal service provider. A State shall have
17 60 days to make full payment of such bills.

18 (c) REQUIREMENTS FOR THE PROVISION OF QUALI-
19 FIED LEGAL SERVICES UNDER A CONTRACT.—(1) The term
20 of a contract entered into under subsection (b) shall be not
21 more than 1 year.

22 (2) A qualified legal service provider shall service the
23 legal needs of qualified clients under a contract entered into
24 under subsection (b) in a professional manner consistent
25 with applicable law.

1 (3) A qualified legal service provider shall maintain
2 a qualified client's case file, including any pleadings and
3 research, at least until the later of 5 years after the resolu-
4 tion of client's cause of action or 5 years after the termi-
5 nation of the contract under which services were provided
6 to such client.

7 (4) A qualified legal service provider shall keep daily
8 time records of the provision of services to a qualified client
9 in one tenth of an hour increments identifying such client,
10 the general nature of the work performed in each increment,
11 and the account which will be charged for such work.

12 (5) Each qualified client shall be provided a self-mail-
13 ing customer satisfaction questionnaire in a form approved
14 by the authority granting the contract under subsection (b)
15 which identifies the qualified legal service provider and is
16 preaddressed to such authority.

17 (6) Any qualified client who receives legal services
18 other than advice or legal services provided by mail or tele-
19 phone shall execute with respect to such services a waiver
20 of attorney client and attorney work product privilege as
21 a condition to receiving such service. The waiver shall be
22 limited to the extent necessary to determine the quantity
23 and quality of the service rendered by the qualified legal
24 service provider.

1 (7) A qualified legal service provider shall make and
2 maintain records detailing the basis upon which the pro-
3 vider determined the qualifications of qualified clients.
4 Such records shall be made and maintained for 5 years fol-
5 lowing the termination of a contract under subsection (b)
6 for the provision of legal services to such clients.

7 (8) A qualified legal service provider shall consent to
8 audits by the General Accounting Office, the Attorney Gen-
9 eral, and the authority which awarded a contract to such
10 provider. Any such audit may be conducted at the provid-
11 er's principal place of business. Such an audit shall be lim-
12 ited to a determination of whether such provider is meeting
13 the requirements of this Act and the provider's contract
14 under subsection (b). In addition, a qualified legal service
15 provider shall conduct an annual financial audit by a
16 qualified certified public accountant which encompasses the
17 entire term of a contract awarded under subsection (b), and
18 shall transmit a report of such audit to the authority which
19 awarded a contract to such provider within 60 days of the
20 termination of such contract.

21 (9) A contract awarded under subsection (b) shall re-
22 quire that all funds received by the qualified legal services
23 provider from any source be used exclusively to provide
24 qualified legal services to qualified clients and shall impose

1 *on the use of such funds the limitations prescribed by para-*
2 *graph (a)(5).*

3 (10) *The authority which awarded a contract shall ter-*
4 *minate a qualified legal service provider who fails to abide*
5 *by the terms of this section. A breach of contract by a quali-*
6 *fied legal service provider shall require the authority to ter-*
7 *minate the contract, to award a new contract to a different*
8 *qualified legal services provider, and to recover any funds*
9 *improperly expended by the provider, together with reason-*
10 *able attorneys' fees and interest at the statutory rate in the*
11 *State for interest on judgments. If such a breach was willful,*
12 *the provider shall pay to the authority which awarded the*
13 *contract additional damages equal to the one half of the*
14 *amount improperly expended by the provider.*

15 (d) *For purposes of this section:*

16 (1)(A) *The term "qualified legal service pro-*
17 *vider" means—*

18 (i) *any individual who is licensed to prac-*
19 *tice law in a State for not less than 3 calendar*
20 *years, who has practiced law in such State not*
21 *less than 3 calendar years, and who is so li-*
22 *icensed during the period of a contract under sub-*
23 *section (b); or*

1 (ii) a person who employs an individual de-
2 scribed in clause (i) to provide qualified legal
3 services.

4 *Nothing in this subparagraph shall be interpreted to*
5 *prohibit a qualified legal service provider from em-*
6 *ploying an individual who is not described in clause*
7 *(i) to assist in providing qualified legal services.*

8 (B) No individual shall be considered a qualified
9 legal service provider if such individual during the 10
10 years preceding the submission of a bid for a contract
11 under subsection (b)—

12 (i) has been convicted of a felony;

13 (ii) has been suspended or disbarred from
14 the practice of law for misconduct, incompetence,
15 or neglect of a client in any State;

16 (iii) has been found in contempt of a court
17 of competent jurisdiction in any State or Federal
18 court;

19 (iv) has been sanctioned under Federal Rule
20 of Civil Procedure 11 or an equivalent State rule
21 of procedure applicable in civil actions;

22 (v) has been sanctioned by the Legal Serv-
23 ices Corporation; or

24 (vi) is a subgrantee of a qualified legal serv-
25 ices provider; or if such individual has a crimi-

1 *nal charge pending on the date of the submission*
2 *of a bid for a contract under subsection (b).*

3 *(C) No State may impose a requirement on an*
4 *individual or person as a condition to bidding on a*
5 *contract under subsection (b) or to being awarded*
6 *such a contract which requirement is different from*
7 *any other requirement of this paragraph.*

8 *(2) The term “qualified legal services” means—*

9 *(A) mediation, negotiation, arbitration,*
10 *counseling, advice, instruction, referral, or rep-*
11 *resentation, and*

12 *(B) legal research or drafting in support of*
13 *the services described in subparagraph (A), pro-*
14 *vided by or under the supervision of a qualified*
15 *legal service provider to a qualified client for a*
16 *qualified cause of action.*

17 *(3) The term “qualified client” means any indi-*
18 *vidual who is a United States citizen or an alien ad-*
19 *mitted for permanent residence prior to the date of*
20 *enactment of this Act who resides in a household the*
21 *income of which from any source, which was received*
22 *or held for the benefit of a member of the household,*
23 *was equal to or less than the poverty line established*
24 *under section 673(2) of the Community Services Block*

1 *Grant Act (42 U.S.C. 9902(2)). The term “household”*
2 *means a dwelling occupied by at least one adult.*

3 (4)(A) *The term “qualified cause of action”*
4 *means only a civil cause of action which results only*
5 *from—*

6 (i) *landlord and tenant disputes, including*
7 *an eviction from housing except an eviction*
8 *where the prima facie case for the eviction is*
9 *based on criminal conduct, including the harbor-*
10 *ing of a nuisance who has engaged in criminal*
11 *conduct;*

12 (ii) *foreclosure of a debt on a qualified cli-*
13 *ent’s residence;*

14 (iii) *the filing of a petition under chapter*
15 *7 or 12 of title 11, United States Code, or under*
16 *chapter 13 of such title unless a petition of evic-*
17 *tion has preceded the filing of such petition;*

18 (iv) *enforcement of a debt;*

19 (v) *enforcement of child support orders;*

20 (vi) *action to quiet title;*

21 (vii) *spousal or child abuse on behalf of the*
22 *abused party;*

23 (viii) *an insurance claim;*

24 (ix) *competency hearing; or*

25 (x) *probate.*

1 (B) *Such term does not include—*

2 (i) *a class action under Federal, State, or*
3 *local law; or*

4 (ii) *any challenge to the constitutionality of*
5 *any statute.*

6 (5) *The term “State” means any State of the*
7 *United States, the District of Columbia, the Common-*
8 *wealth of Puerto Rico, the Virgin Islands, Guam,*
9 *American Samoa, the Trust Territory of the Pacific*
10 *Islands, and any other territory or possession of the*
11 *United States and includes any recognized governing*
12 *body of an Indian Tribe or Alaskan Native Village*
13 *that carries out substantial governmental powers and*
14 *duties.*

15 (e)(1) *The Legal Services Corporation Act (42 U.S.C.*
16 *2996 et seq.) is repealed.*

17 (2) *The assets, liabilities, contracts, property, records,*
18 *and unexpended balances of appropriations, authorizations,*
19 *allocations, and other funds employed, used, held, arising*
20 *from, available to, or to be made available in connection*
21 *with the Legal Services Corporation shall be transferred to*
22 *Office of the Attorney General.*

23 This title may be cited as the “Department of Justice
24 Appropriations Act, 1996”.

1 TITLE II—DEPARTMENT OF COMMERCE AND
2 RELATED AGENCIES
3 TRADE AND INFRASTRUCTURE DEVELOPMENT
4 RELATED AGENCIES
5 OFFICE OF THE UNITED STATES TRADE
6 REPRESENTATIVE
7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of the United
9 States Trade Representative, including the hire of pas-
10 senger motor vehicles and the employment of experts and
11 consultants as authorized by 5 U.S.C. 3109, ~~\$20,949,000~~
12 ~~\$20,889,000~~, of which \$2,500,000 shall remain available
13 until expended: *Provided*, That not to exceed \$98,000 shall
14 be available for official reception and representation ex-
15 penses.

16 INTERNATIONAL TRADE COMMISSION
17 SALARIES AND EXPENSES

18 For necessary expenses of the International Trade
19 Commission, including hire of passenger motor vehicles
20 and services as authorized by 5 U.S.C. 3109, and not to
21 exceed \$2,500 for official reception and representation ex-
22 penses, ~~\$42,500,000~~ ~~\$34,000,000~~, to remain available until
23 expended.

1 DEPARTMENT OF COMMERCE
2 INTERNATIONAL TRADE ADMINISTRATION
3 OPERATIONS AND ADMINISTRATION

4 For necessary expenses for international trade activi-
5 ties of the Department of Commerce provided for by law,
6 and engaging in trade promotional activities abroad, in-
7 cluding expenses of grants and cooperative agreements for
8 the purpose of promoting exports of United States firms,
9 without regard to 44 U.S.C. 3702 and 3703; full medical
10 coverage for dependent members of immediate families of
11 employees stationed overseas and employees temporarily
12 posted overseas; travel and transportation of employees of
13 the United States and Foreign Commercial Service be-
14 tween two points abroad, without regard to 49 U.S.C.
15 1517; employment of Americans and aliens by contract for
16 services; rental of space abroad for periods not exceeding
17 ten years, and expenses of alteration, repair, or improve-
18 ment; purchase or construction of temporary demountable
19 exhibition structures for use abroad; payment of tort
20 claims, in the manner authorized in the first paragraph
21 of 28 U.S.C. 2672 when such claims arise in foreign coun-
22 tries; not to exceed \$327,000 for official representation
23 expenses abroad; purchase of passenger motor vehicles for
24 official use abroad, not to exceed \$30,000 per vehicle; ob-
25 tain insurance on official motor vehicles; and rent tie lines

1 and teletype equipment; ~~\$264,885,000~~ \$219,579,000, to
2 remain available until expended: *Provided*, That the provi-
3 sions of the first sentence of section 105(f) and all of sec-
4 tion 108(c) of the Mutual Educational and Cultural Ex-
5 change Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall
6 apply in carrying out these activities without regard to 15
7 U.S.C. 4912; and that for the purpose of this Act, con-
8 tributions under the provisions of the Mutual Educational
9 and Cultural Exchange Act shall include payment for as-
10 sessments for services provided as part of these activities.

11 EXPORT ADMINISTRATION

12 OPERATIONS AND ADMINISTRATION

13 For necessary expenses for export administration and
14 national security activities of the Department of Com-
15 merce, including costs associated with the performance of
16 export administration field activities both domestically and
17 abroad; full medical coverage for dependent members of
18 immediate families of employees stationed overseas; em-
19 ployment of Americans and aliens by contract for services
20 abroad; rental of space abroad for periods not exceeding
21 ten years, and expenses of alteration, repair, or improve-
22 ment; payment of tort claims, in the manner authorized
23 in the first paragraph of 28 U.S.C. 2672 when such claims
24 arise in foreign countries; not to exceed \$15,000 for offi-
25 cial representation expenses abroad; awards of compensa-

1 tion to informers under the Export Administration Act of
2 1979, and as authorized by 22 U.S.C. 401(b); purchase
3 of passenger motor vehicles for official use and motor vehi-
4 cles for law enforcement use with special requirement vehi-
5 cles eligible for purchase without regard to any price limi-
6 tation otherwise established by law; ~~§38,644,000~~
7 *\$30,504,000*, to remain available until expended: *Provided*,
8 That the provisions of the first sentence of section 105(f)
9 and all of section 108(c) of the Mutual Educational and
10 Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and
11 2458(c)) shall apply in carrying out these activities.

12 ECONOMIC DEVELOPMENT ADMINISTRATION

13 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

14 For grants for economic development assistance as
15 provided by the Public Works and Economic Development
16 Act of 1965, as amended, Public Law 91-304, and such
17 laws that were in effect immediately before September 30,
18 1982, ~~and for trade adjustment assistance, §328,500,000~~
19 *\$89,000,000*: *Provided*, That none of the funds appro-
20 priated or otherwise made available under this heading
21 may be used directly or indirectly for attorneys' or consult-
22 ants' fees in connection with securing grants and contracts
23 made by the Economic Development Administration: *Pro-*
24 *vided further*, That, notwithstanding any other provision
25 of law, the Secretary of Commerce may provide financial

1 assistance for projects to be located on military installa-
2 tions closed or scheduled for closure or realignment to
3 grantees eligible for assistance under the Public Works
4 and Economic Development Act of 1965, as amended,
5 without it being required that the grantee have title or
6 ability to obtain a lease for the property, for the useful
7 life of the project, when in the opinion of the Secretary
8 of Commerce, such financial assistance is necessary for
9 the economic development of the area: *Provided further,*
10 That the Secretary of Commerce may, as the Secretary
11 considers appropriate, consult with the Secretary of De-
12 fense regarding the title to land on military installations
13 closed or scheduled for closure or realignment.

14 SALARIES AND EXPENSES

15 For necessary expenses of administering the eco-
16 nomic development assistance programs as provided for by
17 law, ~~\$20,000,000~~ \$11,000,000: *Provided,* That these funds
18 may be used to monitor projects approved pursuant to title
19 I of the Public Works Employment Act of 1976, as
20 amended, title II of the Trade Act of 1974, as amended,
21 and the Community Emergency Drought Relief Act of
22 1977.

23 MINORITY BUSINESS DEVELOPMENT AGENCY

24 MINORITY BUSINESS DEVELOPMENT

25 ~~For necessary expenses of the Department of Com-~~
26 ~~merce in fostering, promoting, and developing minority~~

1 business enterprise, including expenses of grants, con-
2 tracts, and other agreements with public or private organi-
3 zations, ~~\$32,000,000~~.

4 *Of the unobligated balances contained in this account,*
5 *\$1,000,000 shall be transferred to the Commerce Reorga-*
6 *nization Transition Fund.*

7 UNITED STATES TRAVEL AND TOURISM

8 ADMINISTRATION

9 SALARIES AND EXPENSES

10 For necessary expenses of the United States Travel
11 and Tourism Administration for participation in the White
12 House Conference on Travel and Tourism, ~~\$2,000,000~~, to
13 remain available until December 31, 1995: *Provided, That*
14 *none of the funds appropriated by this paragraph shall*
15 *be available to carry out the provisions of section 203(a)*
16 *of the International Travel Act of 1961, as amended.*

17 ECONOMIC AND INFORMATION INFRASTRUCTURE

18 ECONOMIC AND STATISTICAL ANALYSIS

19 SALARIES AND EXPENSES

20 For necessary expenses, as authorized by law, of eco-
21 nomic and statistical analysis programs of the Department
22 of Commerce, ~~\$40,000,000~~ *\$57,220,000*, to remain avail-
23 able until September 30, 1997.

1 ECONOMICS AND STATISTICS ADMINISTRATION
2 REVOLVING FUND

3 The Secretary of Commerce is authorized to dissemi-
4 nate economic and statistical data products as authorized
5 by 15 U.S.C. 1525–1527 and, notwithstanding 15 U.S.C.
6 4912, charge fees necessary to recover the full costs in-
7 curred in their production. Notwithstanding 31 U.S.C.
8 3302, receipts received from these data dissemination ac-
9 tivities shall be credited to this account, to be available
10 for carrying out these purposes without further appropria-
11 tion.

12 BUREAU OF THE CENSUS
13 SALARIES AND EXPENSES

14 For expenses necessary for collecting, compiling, ana-
15 lyzing, preparing, and publishing statistics, provided for
16 by law, ~~\$136,000,000~~ *\$144,812,000*.

17 PERIODIC CENSUSES AND PROGRAMS

18 For expenses necessary to collect and publish statis-
19 tics for periodic censuses and programs provided for by
20 law, ~~\$135,000,000~~ *\$193,450,000*, to remain available until
21 expended.

22 NATIONAL TELECOMMUNICATIONS AND INFORMATION
23 ADMINISTRATION
24 SALARIES AND EXPENSES

25 For necessary expenses, as provided for by law, of
26 the National Telecommunications and Information Ad-

1 ministration, ~~\$19,709,000~~ \$5,000,000, to remain available
2 until expended: *Provided*, That notwithstanding 31 U.S.C.
3 1535(d), the Secretary of Commerce is authorized to re-
4 tain and use as offsetting collections all funds transferred,
5 or previously transferred, from other Government agencies
6 for *spectrum management, analysis, and operations and for*
7 all costs incurred in telecommunications research, engi-
8 neering, and related activities by the Institute for Tele-
9 communication Sciences of the NTIA in furtherance of its
10 assigned functions under this paragraph and such funds
11 received from other Government agencies shall remain
12 available until expended.

13 *(TRANSFER OF FUNDS)*

14 *For spectrum management, \$9,000,000 shall be made*
15 *available until expended to be derived by transfer from un-*
16 *obligated balances of the Working Capital Fund in the De-*
17 *partment of Justice.*

18 PUBLIC BROADCASTING FACILITIES, PLANNING AND
19 CONSTRUCTION

20 For grants authorized by section 392 of the Commu-
21 nications Act of 1934, as amended, ~~\$19,000,000~~
22 \$10,000,000, to remain available until expended as author-
23 ized by section 391 of the Act, as amended: *Provided*, That
24 not to exceed \$2,200,000 shall be available for program
25 administration as authorized by section 391 of the Act:
26 *Provided further*, That notwithstanding the provisions of

1 section 391 of the Act, the prior year unobligated balances
2 may be made available for grants for projects for which
3 applications have been submitted and approved during any
4 fiscal year.

5 INFORMATION INFRASTRUCTURE GRANTS

6 For grants authorized by section 392 of the Commu-
7 nications Act of 1934, as amended, \$40,000,000, to re-
8 main available until expended as authorized by section 391
9 of the Act, as amended: *Provided*, That not to exceed
10 \$4,000,000 shall be available for program administration
11 and other support activities as authorized by section 391
12 of the Act including support of the Advisory Council on
13 National Information Infrastructure: *Provided further*,
14 That of the funds appropriated herein, not to exceed 5
15 percent may be available for telecommunications research
16 activities for projects related directly to the development
17 of a national information infrastructure: *Provided further*,
18 That notwithstanding the requirements of section 392(a)
19 and 392(c) of the Act, these funds may be used for the
20 planning and construction of telecommunications networks
21 for the provision of educational, cultural, health care, pub-
22 lic information, public safety or other social services.

23 PATENT AND TRADEMARK OFFICE

24 SALARIES AND EXPENSES

25 For necessary expenses of the Patent and Trademark
26 Office provided for by law, including defense of suits insti-

1 tuted against the Commissioner of Patents and Trade-
2 marks; ~~\$90,000,000~~ *\$56,324,000*, to remain available until
3 expended: *Provided*, That the funds made available under
4 this heading are to be derived from deposits in the Patent
5 and Trademark Office Fee Surcharge Fund as authorized
6 by law: *Provided further*, That the amounts made available
7 under the Fund shall not exceed amounts deposited; and
8 such fees as shall be collected pursuant to 15 U.S.C. 1113
9 and 35 U.S.C. 41 and 376, shall remain available until
10 expended.

11 SCIENCE AND TECHNOLOGY

12 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

13 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

14 For necessary expenses of the National Institute of
15 Standards and Technology, ~~\$263,000,000~~ *\$222,737,000*,
16 to remain available until expended, of which not to exceed
17 \$8,500,000 may be transferred to the “Working Capital
18 Fund”.

19 INDUSTRIAL TECHNOLOGY SERVICES

20 For necessary expenses of the Manufacturing Exten-
21 sion Partnership of the National Institute of Standards
22 and Technology *and the Advanced Technology Program*,
23 ~~\$81,100,000~~ *\$76,600,000*, to remain available until ex-
24 pended, of which not to exceed \$500,000 may be trans-
25 ferred to the “Working Capital Fund”: *Provided*, That
26 none of the funds made available under this heading in

1 this or any other Act may be used for the purposes of
2 carrying out additional program competitions under the
3 Advanced Technology Program: *Provided further*, That
4 any unobligated balances available from carryover of prior
5 year appropriations under the Advanced Technology Pro-
6 gram may be used only for the purposes of providing con-
7 tinuation grants.

8 CONSTRUCTION OF RESEARCH FACILITIES

9 For ~~construction of new research facilities, including~~
10 ~~architectural and engineering design, and for~~ renovation
11 of existing facilities, not otherwise provided for the Na-
12 tional Institute of Standards and Technology, as author-
13 ized by 15 U.S.C. 278c–278e, ~~\$60,000,000~~ \$24,000,000,
14 to remain available until expended.

15 NATIONAL OCEANIC AND ATMOSPHERIC

16 ADMINISTRATION

17 OPERATIONS, RESEARCH, AND FACILITIES

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses of activities authorized by law
20 for the National Oceanic and Atmospheric Administration,
21 including acquisition, maintenance, operation, and hire of
22 aircraft; not to exceed 358 commissioned officers on the
23 active list; grants, contracts, or other payments to non-
24 profit organizations for the purposes of conducting activi-
25 ties pursuant to cooperative agreements; and alteration,
26 modernization, and relocation of facilities as authorized by

1 33 U.S.C. 883i; ~~\$1,724,452,000~~ \$1,809,092,000, to remain
2 available until expended: *Provided*, That notwithstanding
3 31 U.S.C. 3302 but consistent with other existing law,
4 fees shall be assessed, collected, and credited to this appro-
5 priation as offsetting collections to be available until ex-
6 pended, to recover the costs of administering aeronautical
7 charting programs: *Provided further*, That the sum herein
8 appropriated from the general fund shall be reduced as
9 such additional fees are received during fiscal year 1996,
10 so as to result in a final general fund appropriation esti-
11 mated at not more than ~~\$1,721,452,000~~ \$1,806,092,000:
12 *Provided further*, That any such additional fees received
13 in excess of \$3,000,000 in fiscal year 1996 shall not be
14 available for obligation until October 1, 1996: *Provided*
15 *further*, That fees and donations received by the National
16 Ocean Service for the management of the national marine
17 sanctuaries may be retained and used for the salaries and
18 expenses associated with those activities, notwithstanding
19 31 U.S.C. 3302: *Provided further*, That in addition,
20 ~~\$57,500,000~~ \$55,500,000 shall be derived by transfer from
21 the fund entitled "Promote and Develop Fishery Products
22 and Research Pertaining to American Fisheries": *Pro-*
23 *vided further*, That grants to States pursuant to sections
24 306 and 306(a) of the Coastal Zone Management Act, as
25 amended, shall not exceed \$2,000,000.

1 COASTAL ZONE MANAGEMENT FUND

2 Of amounts collected pursuant to 16 U.S.C. 1456a,
3 not to exceed \$7,800,000, for purposes set forth in 16
4 U.S.C. 1456a(b)(2)(A), 16 U.S.C. 1456a(b)(2)(B)(v), and
5 16 U.S.C. ~~1461(e)~~ *1461(e)*.

6 CONSTRUCTION

7 For repair and modification of, and additions to, ex-
8 isting facilities and construction of new facilities, and for
9 facility planning and design and land acquisition not oth-
10 erwise provided for the National Oceanic and Atmospheric
11 Administration, ~~\$42,731,000~~ *\$50,000,000*, to remain avail-
12 able until expended.

13 FLEET MODERNIZATION, SHIPBUILDING AND
14 CONVERSION

15 For expenses necessary for the repair, ~~acquisition,~~
16 ~~leasing, or conversion~~ of vessels, including related equip-
17 ment to maintain and modernize the existing fleet and to
18 ~~continue planning the modernization of the fleet,~~ for the
19 National Oceanic and Atmospheric Administration,
20 \$8,000,000, to remain available until expended.

21 FISHING VESSEL AND GEAR DAMAGE COMPENSATION
22 FUND

23 For carrying out the provisions of section 3 of Public
24 Law 95-376, not to exceed \$1,032,000, to be derived from
25 receipts collected pursuant to 22 U.S.C. 1980 (b) and (f),
26 to remain available until expended.

1 FISHERMEN'S CONTINGENCY FUND

2 For carrying out the provisions of title IV of Public
3 Law 95-372, not to exceed \$999,000, to be derived from
4 receipts collected pursuant to that Act, to remain available
5 until expended.

6 FOREIGN FISHING OBSERVER FUND

7 For expenses necessary to carry out the provisions
8 of the Atlantic Tunas Convention Act of 1975, as amend-
9 ed (Public Law 96-339), the Magnuson Fishery Conserva-
10 tion and Management Act of 1976, as amended (Public
11 Law 100-627) and the American Fisheries Promotion Act
12 (Public Law 96-561), there are appropriated from the
13 fees imposed under the foreign fishery observer program
14 authorized by these Acts, not to exceed \$196,000, to re-
15 main available until expended.

16 *FISHING VESSEL OBLIGATIONS GUARANTEES*

17 *For the cost, as defined in section 502 of the Federal*
18 *Credit Reform Act of 1990, of guaranteed loans authorized*
19 *by the Merchant Marine Act of 1936, as amended, \$250,000:*
20 *Provided, That none of the funds made available under this*
21 *heading may be used to guarantee loans for the purchase*
22 *of any new or existing fishing vessel.*

1 TECHNOLOGY ADMINISTRATION
2 UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF
3 TECHNOLOGY POLICY
4 SALARIES AND EXPENSES

5 For necessary expenses for the Under Secretary for
6 ~~Technology/Office of Technology Policy, \$5,000,000.~~

7 GENERAL ADMINISTRATION
8 SALARIES AND EXPENSES

9 For expenses necessary for the general administra-
10 tion of the Department of Commerce provided for by law,
11 including not to exceed \$3,000 for official entertainment,
12 \$29,100,000.

13 OFFICE OF INSPECTOR GENERAL

14 For necessary expenses of the Office of Inspector
15 General in carrying out the provisions of the Inspector
16 General Act of 1978, as amended (5 U.S.C. App. 1–11
17 as amended by Public Law 100–504), \$21,849,000.

18 *COMMERCE REORGANIZATION TRANSITION FUND*

19 *For deposit in the Commerce Reorganization Transi-*
20 *tion Fund established under section 206(c)(1) of this Act*
21 *for use in accordance with section 206(c)(4) of this Act,*
22 *\$52,000,000, in addition to amounts made available by*
23 *transfer, which amount shall remain available until ex-*
24 *pended: Provided, That of these funds \$4,000,000 shall be*
25 *remitted to the Office of Personnel Management for deposit*

1 *in the Treasury of the United States to the credit of the*
2 *Civil Service Retirement and Disability Fund.*

3 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

4 SEC. 201. During the current fiscal year, applicable
5 appropriations and funds made available to the Depart-
6 ment of Commerce by this Act shall be available for the
7 activities specified in the Act of October 26, 1949 (15
8 U.S.C. 1514), to the extent and in the manner prescribed
9 by the Act, and, notwithstanding 31 U.S.C. 3324, may
10 be used for advanced payments not otherwise authorized
11 only upon the certification of officials designated by the
12 Secretary that such payments are in the public interest.

13 SEC. 202. During the current fiscal year, appropria-
14 tions made available to the Department of Commerce by
15 this Act for salaries and expenses shall be available for
16 hire of passenger motor vehicles as authorized by 31
17 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.
18 3109; and uniforms or allowances therefor, as authorized
19 by law (5 U.S.C. 5901–5902).

20 SEC. 203. None of the funds made available by this
21 Act may be used to support the hurricane reconnaissance
22 aircraft and activities that are under the control of the
23 United States Air Force or the United States Air Force
24 Reserve.

1 SEC. 204. None of the funds provided in this or any
2 previous Act, or hereinafter made available to the Depart-
3 ment of Commerce shall be available to reimburse the Un-
4 employment Trust Fund or any other fund or account of
5 the Treasury to pay for any expenses paid before October
6 1, 1992, as authorized by section 8501 of title 5, United
7 States Code, for services performed after April 20, 1990,
8 by individuals appointed to temporary positions within the
9 Bureau of the Census for purposes relating to the 1990
10 decennial census of population.

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

21 **SEC. 206. CONSOLIDATION OF FUNCTIONS OF COMMERCE**

22 **DEPARTMENT.**

23 (a) *CONSOLIDATION.*—

24 (1) *IN GENERAL.*—*Notwithstanding any other*
25 *provision of law, the Director of the Office of Manage-*

1 *ment and Budget shall, in consultation with the Sec-*
2 *retary of Commerce—*

3 *(A) abolish, reorganize, consolidate, or*
4 *transfer such functions that either receive fund-*
5 *ing or are eliminated under this title as the Di-*
6 *rector considers appropriate in order to meet the*
7 *requirements and limitations set forth in this*
8 *title; and*

9 *(B) terminate or transfer such personnel as-*
10 *sociated with such functions as the Director con-*
11 *siders appropriate in order to meet such require-*
12 *ments and limitations.*

13 *(2) TRANSITION RULES.—The Director of the Of-*
14 *fice of Management and Budget shall establish such*
15 *rules and procedures relating to the abolishment, reor-*
16 *ganization, consolidation, or transfer of functions*
17 *under this subsection as the Director considers appro-*
18 *priate, including rules and procedures relating to the*
19 *rights and responsibilities of personnel of the Govern-*
20 *ment terminated, transferred, or otherwise affected by*
21 *such the abolishment, reorganization, consolidation,*
22 *or transfer.*

23 *(b) BUY OUT AUTHORITY.—*

24 *(1) IN GENERAL.—The Secretary of Commerce*
25 *may, for such officers and employees as the Secretary*

1 *considers appropriate as part of the activities of the*
2 *Secretary under subsection (a), authorize a payment*
3 *to officers and employees who voluntarily separate on*
4 *or before December 15, 1995, whether by retirement or*
5 *resignation.*

6 (2) *PAYMENT REQUIREMENT.—Payment under*
7 *paragraph (1) shall be paid in accordance with the*
8 *provisions of sections 3 and 4 of the Federal*
9 *Workforce Restructuring Act of 1994 (Public Law*
10 *103–226; 108 Stat. 111), except that an employee of*
11 *the agency shall be deemed to be eligible for payment*
12 *of a voluntary separation incentive payment under*
13 *that section if the employee separates from service*
14 *with the agency during the period beginning on the*
15 *date of enactment of this Act and ending on December*
16 *15, 1995.*

17 (3) *FUNDING.—*

18 (A) *IN GENERAL.—The payment of vol-*
19 *untary separation incentive payments under this*
20 *subsection shall be made from funds in the Com-*
21 *merce Reorganization Transition Fund estab-*
22 *lished under subsection (c).*

23 (B) *PAYMENT DEPENDENT ON FUNDING.—*
24 *The Secretary of Commerce may not pay vol-*
25 *untary separation incentive payments under this*

1 *subsection unless sufficient funds are available in*
2 *the Commerce Reorganization Fund to cover the*
3 *cost of such payments and the costs of any other*
4 *payments (including payments or deposits to re-*
5 *irement systems) required in relation to such*
6 *payments.*

7 (c) *COMMERCE REORGANIZATION TRANSITION*
8 *FUND.—*

9 (1) *ESTABLISHMENT.—There is hereby estab-*
10 *lished on the books of the Treasury an account to be*
11 *known as the “Commerce Reorganization Transition*
12 *Fund”.*

13 (2) *PURPOSE.—The purpose of the account is to*
14 *provide funds for the following:*

15 (A) *To cover the costs of actions relating to*
16 *the abolishment, reorganization, consolidation, or*
17 *transfer of functions under subsection (a).*

18 (B) *To the cover the costs of the payment of*
19 *payments under subsection (b), including any*
20 *payments or deposits to retirement systems re-*
21 *quired in relation to such payment.*

22 (3) *DEPOSITS.—There shall be deposited into the*
23 *account such sums as may be appropriated or trans-*
24 *ferred to the account.*

1 (4) *USE OF FUNDS.*—Sums in the account shall
2 be available for the purpose set forth in paragraph
3 (2).

4 (5) *REPORT ON ACCOUNT.*—Not later than Octo-
5 ber 1, 1997, the Secretary of Commerce shall transmit
6 to the Committees on Appropriations and Commerce,
7 Science, and Transportation of the Senate and the
8 Committees on Appropriations and Government Re-
9 form and Oversight of the House of Representatives a
10 report containing an accounting of the expenditures
11 from the account established under this subsection.

12 This title may be cited as the “Department of Com-
13 merce and Related Agencies Appropriations Act, 1996”.

14 TITLE III—THE JUDICIARY

15 SUPREME COURT OF THE UNITED STATES

16 SALARIES AND EXPENSES

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

1 expenses; and for miscellaneous expenses, to be expended
2 as the Chief Justice may approve, \$25,834,000.

3 CARE OF THE BUILDING AND GROUNDS

4 For such expenditures as may be necessary to enable
5 the Architect of the Capitol to carry out the duties im-
6 posed upon him by the Act approved May 7, 1934 (40
7 U.S.C. 13a–13b), \$3,313,000, of which ~~\$500,000~~
8 *\$565,000* shall remain available until expended.

9 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
10 CIRCUIT

11 SALARIES AND EXPENSES

12 For salaries of the chief judge, judges, and other offi-
13 cers and employees, and for necessary expenses of the
14 court, as authorized by law, ~~\$14,070,000~~ *\$14,288,000*.

15 UNITED STATES COURT OF INTERNATIONAL TRADE

16 SALARIES AND EXPENSES

17 For salaries of the chief judge and eight judges, sala-
18 ries of the officers and employees of the court, services
19 as authorized by 5 U.S.C. 3109, and necessary expenses
20 of the court, as authorized by law, \$10,859,000.

21 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

22 JUDICIAL SERVICES

23 SALARIES AND EXPENSES

24 For the salaries of circuit and district judges (includ-
25 ing judges of the territorial courts of the United States),
26 justices and judges retired from office or from regular ac-

1 tive service, judges of the United States Court of Federal
2 Claims, bankruptcy judges, magistrate judges, and all
3 other officers and employees of the Federal Judiciary not
4 otherwise specifically provided for, and necessary expenses
5 of the courts, as authorized by law, ~~\$2,409,024,000~~
6 *\$2,471,195,000* (including the purchase of firearms and
7 ammunition); of which not to exceed \$13,454,000 shall re-
8 main available until expended for space alteration projects;
9 of which not to exceed \$10,000,000 shall remain available
10 until expended for furniture and furnishings related to
11 new space alteration and construction projects; and of
12 which \$500,000 is to remain available until expended for
13 acquisition of books, periodicals, and newspapers, and all
14 other legal reference materials, including subscriptions.

15 In addition, for expenses of the United States Court
16 of Federal Claims associated with processing cases under
17 the National Childhood Vaccine Injury Act of 1986, not
18 to exceed \$2,318,000, to be appropriated from the Vaccine
19 Injury Compensation Trust Fund.

20 VIOLENT CRIME REDUCTION PROGRAMS

21 For activities of the Federal Judiciary as authorized
22 by law, ~~\$41,500,000~~ *\$30,000,000*, to remain available until
23 expended, which shall be derived from the Violent Crime
24 Reduction Trust Fund, as authorized by section
25 190001(a) of Public Law 103-322.

DEFENDER SERVICES

1
2 For the operation of Federal Public Defender and
3 Community Defender organizations, the compensation and
4 reimbursement of expenses of attorneys appointed to rep-
5 resent persons under the Criminal Justice Act of 1964,
6 as amended, the compensation and reimbursement of ex-
7 penses of persons furnishing investigative, expert and
8 other services under the Criminal Justice Act (18 U.S.C.
9 3006A(e)), the compensation (in accordance with Criminal
10 Justice Act maximums) and reimbursement of expenses
11 of attorneys appointed to assist the court in criminal cases
12 where the defendant has waived representation by counsel,
13 the compensation and reimbursement of travel expenses
14 of guardians ad litem acting on behalf of financially eligi-
15 ble minor or incompetent offenders in connection with
16 transfers from the United States to foreign countries with
17 which the United States has a treaty for the execution
18 of penal sentences, and the compensation of attorneys ap-
19 pointed to represent jurors in civil actions for the protec-
20 tion of their employment, as authorized by 28 U.S.C.
21 1875(d), ~~\$260,000,000~~ \$274,433,000, to remain available
22 until expended as authorized by 18 U.S.C. 3006A(i): *Pro-*
23 *vided*, That none of the funds provided in this Act shall
24 be available for Death Penalty Resource Centers or Post-
25 Conviction Defender Organizations *after April 1, 1996.*

1 FEES OF JURORS AND COMMISSIONERS

2 For fees and expenses of jurors as authorized by 28
3 U.S.C. 1871 and 1876; compensation of jury commis-
4 sioners as authorized by 28 U.S.C. 1863; and compensa-
5 tion of commissioners appointed in condemnation cases
6 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-
7 cedure (28 U.S.C. Appendix Rule 71A(h)); \$59,028,000,
8 to remain available until expended: *Provided*, That the
9 compensation of land commissioners shall not exceed the
10 daily equivalent of the highest rate payable under section
11 5332 of title 5, United States Code.

12 COURT SECURITY

13 For necessary expenses, not otherwise provided for,
14 incident to the procurement, installation, and maintenance
15 of security equipment and protective services for the Unit-
16 ed States Courts in courtrooms and adjacent areas, in-
17 cluding building ingress-egress control, inspection of pack-
18 ages, directed security patrols, and other similar activities
19 as authorized by section 1010 of the Judicial Improvement
20 and Access to Justice Act (Public Law 100-702);
21 ~~\$109,724,000~~ \$102,000,000, to be expended directly or
22 transferred to the United States Marshals Service which
23 shall be responsible for administering elements of the Ju-
24 dicial Security Program consistent with standards or
25 guidelines agreed to by the Director of the Administrative

1 Office of the United States Courts and the Attorney Gen-
2 eral.

3 ADMINISTRATIVE OFFICE OF THE UNITED STATES

4 COURTS

5 SALARIES AND EXPENSES

6 For necessary expenses of the Administrative Office
7 of the United States Courts as authorized by law, includ-
8 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
9 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
10 advertising and rent in the District of Columbia and else-
11 where, \$47,500,000, of which not to exceed \$7,500 is au-
12 thorized for official reception and representation expenses.

13 FEDERAL JUDICIAL CENTER

14 SALARIES AND EXPENSES

15 For necessary expenses of the Federal Judicial Cen-
16 ter, as authorized by Public Law 90-219, ~~\$18,828,000~~
17 *\$17,000,000*; of which \$1,800,000 shall remain available
18 through September 30, 1997, to provide education and
19 training to Federal court personnel; and of which not to
20 exceed \$1,000 is authorized for official reception and rep-
21 resentation expenses.

22 JUDICIAL RETIREMENT FUNDS

23 PAYMENT TO JUDICIARY TRUST FUNDS

24 For payment to the Judicial Officers' Retirement
25 Fund, as authorized by 28 U.S.C. 377(o), \$24,000,000,

1 to the Judicial Survivors' Annuities Fund, as authorized
2 by 28 U.S.C. 376(c), \$7,000,000, and to the United
3 States Court of Federal Claims Judges' Retirement Fund,
4 as authorized by 28 U.S.C. 178(l), \$1,900,000.

5 UNITED STATES SENTENCING COMMISSION

6 SALARIES AND EXPENSES

7 For the salaries and expenses necessary to carry out
8 the provisions of chapter 58 of title 28, United States
9 Code, ~~\$8,500,000~~ \$7,040,000, of which not to exceed
10 \$1,000 is authorized for official reception and representa-
11 tion expenses.

12 GENERAL PROVISIONS—THE JUDICIARY

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

16 SEC. 302. Appropriations made in this title shall be
17 available for salaries and expenses of the Special Court
18 established under the Regional Rail Reorganization Act of
19 1973, Public Law 93–236.

20 SEC. 303. Not to exceed 5 percent of any appropria-
21 tion made available for the current fiscal year for the Judi-
22 ciary in this Act may be transferred between such appropria-
23 tions, but no such appropriation, except as otherwise
24 specifically provided, shall be increased by more than 10
25 percent by any such transfers: *Provided*, That any transfer

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

5 SEC. 304. Notwithstanding any other provision of
6 law, the salaries and expenses appropriation for district
7 courts, courts of appeals, and other judicial services shall
8 be available for official reception and representation ex-
9 penses of the Judicial Conference of the United States:
10 *Provided*, That such available funds shall not exceed
11 \$10,000 and shall be administered by the Director of the
12 Administrative Office of the United States Courts in his
13 capacity as Secretary of the Judicial Conference.

14 This title may be cited as “The Judiciary Appropria-
15 tions Act, 1996”.

16 TITLE IV—DEPARTMENT OF STATE AND
17 RELATED AGENCIES

18 DEPARTMENT OF STATE

19 ADMINISTRATION OF FOREIGN AFFAIRS

20 DIPLOMATIC AND CONSULAR PROGRAMS

21 For necessary expenses of the Department of State
22 and the Foreign Service not otherwise provided for, includ-
23 ing expenses authorized by the State Department Basic
24 Authorities Act of 1956, as amended; representation to
25 certain international organizations in which the United

1 States participates pursuant to treaties, ratified pursuant
2 to the advice and consent of the Senate, or specific Acts
3 of Congress; acquisition by exchange or purchase of pas-
4 senger motor vehicles as authorized by 31 U.S.C. 1343,
5 40 U.S.C. 481(c) and 22 U.S.C. 2674; and for expenses
6 of general administration ~~\$1,716,878,000~~ *\$1,552,165,000*:
7 *Provided*, That starting in fiscal year 1997, a system shall
8 be in place that allocates to each department and agency
9 the full cost of its presence outside of the United States.

10 Of the funds provided under this heading,
11 \$24,856,000 shall be available only for the Diplomatic
12 Telecommunications Service for operation of existing base
13 services and not to exceed \$17,144,000 shall be available
14 only for the enhancement of the Diplomatic Telecommuni-
15 cations Service (DTS), except that such latter amount
16 shall not be available for obligation until the expiration
17 of the 15-day period beginning on the date on which the
18 Secretary of State and the Director of the Diplomatic
19 Telecommunications Service Program Office submit the
20 DTS pilot program report required by section 507 of Pub-
21 lic Law 103-317.

22 In addition, not to exceed \$700,000 in registration
23 fees collected pursuant to section 38 of the Arms Export
24 Control Act, as amended, may be used in accordance with
25 section 45 of the State Department Basic Authorities Act

1 of 1956, 22 U.S.C. 2717; and in addition not to exceed
2 \$1,223,000 shall be derived from fees from other executive
3 agencies for lease or use of facilities located at the Inter-
4 national Center in accordance with section 4 of the Inter-
5 national Center Act (Public Law 90-553, as amended by
6 section 120 of Public Law 101-246); and in addition not
7 to exceed \$15,000 which shall be derived from reimburse-
8 ments, surcharges, and fees for use of Blair House facili-
9 ties in accordance with section 46 of the State Department
10 Basic Authorities Act of 1956 (22 U.S.C. 2718(a)).

11 Notwithstanding section 402 of this Act, not to ex-
12 ceed 20 percent of the amounts made available in this Act
13 in the appropriation accounts, “Diplomatic and Consular
14 Programs” and “Salaries and Expenses” under the head-
15 ing “Administration of Foreign Affairs” may be trans-
16 ferred between such appropriation accounts: *Provided,*
17 That any transfer pursuant to this section shall be treated
18 as a reprogramming of funds under section 605 of this
19 Act and shall not be available for obligation or expenditure
20 except in compliance with the procedures set forth in that
21 section.

22 For an additional amount for security ~~enhancement~~
23 *enhancements*, to counter the threat of terrorism,
24 \$9,720,000, to remain available until expended.

1 SALARIES AND EXPENSES

2 For expenses necessary for the general administra-
3 tion of the Department of State and the Foreign Service,
4 provided for by law, including expenses authorized by sec-
5 tion 9 of the Act of August 31, 1964, as amended (31
6 U.S.C. 3721), and the State Department Basic Authori-
7 ties Act of 1956, as amended, ~~\$363,276,000~~ \$335,276,000.

8 For an additional amount for security enhancements
9 to counter the threat of terrorism, \$1,870,000, to remain
10 available until expended.

11 *FOREIGN AFFAIRS REORGANIZATION TRANSITION FUND*

12 *For deposit in the Foreign Affairs Reorganization*
13 *Transition Fund established under section 404(c)(1) of this*
14 *Act for use in accordance with section 404(c)(4) of this Act,*
15 *\$26,000,000 to remain available until expended: Provided,*
16 *That of these funds, \$3,000,000 shall be remitted to the Of-*
17 *fice of Personnel Management for deposit in the Treasury*
18 *of the United States to the credit of the Civil Service Retire-*
19 *ment and Disability Fund: Provided further, That of these*
20 *funds \$1,000,000 shall be remitted to the Office of Personnel*
21 *Management for deposit in the Treasury of the United*
22 *States to the credit of the Foreign Service Retirement and*
23 *Disability Fund.*

24 CAPITAL INVESTMENT FUND

25 For necessary expenses of the Capital Investment
26 Fund, ~~\$16,400,000~~ \$8,200,000, to remain available until

1 expended, as authorized in Public Law 103–236: *Provided*,
2 That section 135(e) of Public Law 103–236 shall not
3 apply to funds appropriated under this heading.

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, as amended (5 U.S.C. App.),
8 ~~\$27,669,000~~ \$27,350,000: *Provided*, That notwithstanding
9 any other provision of law, (1) the Office of the Inspector
10 General of the United States Information Agency is here-
11 by merged with the Office of the Inspector General of the
12 Department of State; (2) the functions exercised and as-
13 signed to the Office of the Inspector General of the United
14 States Information Agency before the effective date of this
15 Act (including all related functions) are transferred to the
16 Office of the Inspector General of the Department of
17 State; and (3) the Inspector General of the Department
18 of State shall also serve as the Inspector General of the
19 United States Information Agency.

20 REPRESENTATION ALLOWANCES

21 For representation allowances as authorized by sec-
22 tion 905 of the Foreign Service Act of 1980, as amended
23 (22 U.S.C. 4085), ~~\$4,780,000~~ \$4,500,000.

24 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

25 For expenses, not otherwise provided, to enable the
26 Secretary of State to provide for extraordinary protective

1 services in accordance with the provisions of section 214
2 of the State Department Basic Authorities Act of 1956
3 (22 U.S.C. 4314) and 3 U.S.C. 208, \$8,579,000.

4 ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD

5 For necessary expenses for carrying out the Foreign
6 Service Buildings Act of 1926, as amended (22 U.S.C.
7 292–300), and the Diplomatic Security Construction Pro-
8 gram as authorized by title IV of the Omnibus Diplomatic
9 Security and Antiterrorism Act of 1986 (22 U.S.C. 4851),
10 ~~\$391,760,000~~ \$369,860,000, to remain available until ex-
11 pended as authorized by 22 U.S.C. 2696(c): *Provided*,
12 That none of the funds appropriated in this paragraph
13 shall be available for acquisition of furniture and furnish-
14 ings and generators for other departments and agencies.

15 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR

16 SERVICE

17 For expenses necessary to enable the Secretary of
18 State to meet unforeseen emergencies arising in the Diplo-
19 matic and Consular Service pursuant to the requirement
20 of 31 U.S.C. 3526(e), \$6,000,000, to remain available
21 until expended as authorized by 22 U.S.C. 2696(c), of
22 which not to exceed \$1,000,000 may be transferred to and
23 merged with the Repatriation Loans Program Account,
24 subject to the same terms and conditions.

1 REPATRIATION LOANS PROGRAM ACCOUNT

2 For the cost of direct loans, \$593,000, as authorized
3 by 22 U.S.C. 2671: *Provided*, That such costs, including
4 the cost of modifying such loans, shall be as defined in
5 section 502 of the Congressional Budget Act of 1974. In
6 addition, for administrative expenses necessary to carry
7 out the direct loan program, \$183,000 which may be
8 transferred to and merged with the Salaries and Expenses
9 account under Administration of Foreign Affairs.

10 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

11 For necessary expenses to carry out the Taiwan Rela-
12 tions Act, Public Law 96-8 (93 Stat. 14), \$15,165,000.

13 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
14 DISABILITY FUND

15 For payment to the Foreign Service Retirement and
16 Disability Fund, as authorized by law, \$125,402,000.

17 INTERNATIONAL ORGANIZATIONS AND CONFERENCES

18 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

19 For expenses, not otherwise provided for, necessary
20 to meet annual obligations of membership in international
21 multilateral organizations, pursuant to treaties ratified
22 pursuant to the advice and consent of the Senate, conven-
23 tions or specific Acts of Congress, ~~\$858,000,000~~
24 *\$550,000,000: Provided*, That any payment of arrearages
25 shall be directed toward special activities that are mutually
26 agreed upon by the United States and the respective inter-

1 national organization: *Provided further*, That 20 percent
2 of the funds appropriated in this paragraph for the as-
3 sessed contribution of the United States to the United Na-
4 tions shall be withheld from obligation and expenditure
5 until a certification is made under section 401(b) of Public
6 Law 103-236 for fiscal year 1996: *Provided further*, That
7 certification under section 401(b) of Public Law 103-236
8 for fiscal year 1996 may only be made if the Committees
9 on Appropriations and Foreign Relations of the Senate
10 and the Committees on Appropriations and International
11 Relations of the House of Representatives are notified of
12 the steps taken, and anticipated, to meet the requirements
13 of section 401(b) of Public Law 103-236 at least 15 days
14 in advance of the proposed certification: *Provided further*,
15 That none of the funds appropriated in this paragraph
16 shall be available for a United States contribution to an
17 international organization for the United States share of
18 interest costs made known to the United States Govern-
19 ment by such organization for loans incurred on or after
20 October 1, 1984, through external borrowings.

21 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

22 ACTIVITIES

23 For necessary expenses to pay assessed and other ex-
24 penses of international peacekeeping activities directed to
25 the maintenance or restoration of international peace and
26 security, ~~\$425,000,000~~ \$250,000,000: *Provided*, That none

1 of the funds made available under this Act may be used,
2 and shall not be available, for obligation or expenditure
3 for any new or expanded United Nations peacekeeping
4 mission unless, at least fifteen days in advance of voting
5 for the new or expanded mission in the United Nations
6 Security Council (or in an emergency, as far in advance
7 as is practicable), (1) the Committees on Appropriations
8 of the House of Representatives and the Senate and other
9 appropriate Committees of the Congress are notified of the
10 estimated cost and length of the mission, the vital national
11 interest that will be served, and the planned exit strategy;
12 and (2) a reprogramming of funds pursuant to section 605
13 of this Act is submitted, and the procedures therein fol-
14 lowed, setting forth the source of funds that will be used
15 to pay for the cost of the new or expanded mission: *Pro-*
16 *vided further*, That funds shall be available for peacekeep-
17 ing expenses only upon a certification by the Secretary of
18 State to the appropriate committees of the Congress that
19 American manufacturers and suppliers are being given op-
20 portunities to provide equipment, services and material for
21 United Nations peacekeeping activities equal to those
22 being given to foreign manufacturers and suppliers.

23 INTERNATIONAL CONFERENCES AND CONTINGENCIES

24 For necessary expenses authorized by section 5 of the
25 State Department Basic Authorities Act of 1956, in addi-
26 tion to funds otherwise available for these purposes, con-

1 tributions for the United States share of general expenses
2 of international organizations and conferences and rep-
3 resentation to such organizations and conferences as pro-
4 vided for by 22 U.S.C. 2656 and 2672 and personal serv-
5 ices without regard to civil service and classification laws
6 as authorized by 5 U.S.C. 5102, \$3,000,000, to remain
7 available until expended as authorized by 22 U.S.C.
8 2696(c), of which not to exceed \$200,000 may be ex-
9 pended for representation as authorized by 22 U.S.C.
10 4085.

11 INTERNATIONAL COMMISSIONS

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

15 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

16 UNITED STATES AND MEXICO

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

22 SALARIES AND EXPENSES

23 For salaries and expenses, not otherwise provided for,
24 ~~\$12,358,000~~ *\$11,500,000*.

1 CONSTRUCTION

2 For detailed plan preparation and construction of au-
3 thorized projects, ~~\$6,644,000~~ \$8,000,000, to remain avail-
4 able until expended as authorized by 22 U.S.C. 2696(c).

5 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

6 For necessary expenses, not otherwise provided for
7 the International Joint Commission and the International
8 Boundary Commission, United States and Canada, as au-
9 thorized by treaties between the United States and Can-
10 ada or Great Britain, and for the Border Environment
11 Cooperation Commission as authorized by Public Law
12 103-182; ~~\$5,800,000~~ \$5,550,000, of which not to exceed
13 \$9,000 shall be available for representation expenses in-
14 curred by the International Joint Commission.

15 INTERNATIONAL FISHERIES COMMISSIONS

16 For necessary expenses for international fisheries
17 commissions, not otherwise provided for, as authorized by
18 law, \$14,669,000: *Provided*, That the United States' share
19 of such expenses may be advanced to the respective com-
20 missions, pursuant to 31 U.S.C. 3324.

21 PAYMENT TO THE ASIA FOUNDATION

22 For a grant to the Asia Foundation, as authorized
23 by section 501 of Public Law 101-246, \$10,000,000 to
24 remain available until expended as authorized by 22
25 U.S.C. 2696(c).

1 GENERAL PROVISIONS—DEPARTMENT OF STATE

2 SEC. 401. Funds appropriated under this title shall
3 be available, except as otherwise provided, for allowances
4 and differentials as authorized by subchapter 59 of 5
5 U.S.C.; for services as authorized by 5 U.S.C. 3109; and
6 hire of passenger transportation pursuant to 31 U.S.C.
7 1343(b).

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

1 SEC. 403. Funds appropriated or otherwise made
2 available under this Act or any other Act may be expended
3 for compensation of the United States Commissioner of
4 the International Boundary Commission, United States
5 and Canada, only for actual hours worked by such Com-
6 missioner.

7 **SEC. 404. CONSOLIDATION OF REDUNDANT FOREIGN RELA-**
8 **TIONS FUNCTIONS.**

9 (a) *CONSOLIDATION OF FUNCTIONS.*—

10 (1) *CONSOLIDATION OF FUNCTIONS OF STATE*
11 *DEPARTMENT, USIA, AND ACDA.*—*Notwithstanding*
12 *any other provision of law, the Director of the Office*
13 *of Management and Budget shall, in consultation*
14 *with the Secretary of State, the Director of the United*
15 *States Information Agency and the Director of the*
16 *Arms Control and Disarmament Agency—*

17 (A) *identify the functions carried out by the*
18 *Department of State, by the United States Infor-*
19 *mation Agency, and the Arms Control and Dis-*
20 *armament Agency that are redundant by reason*
21 *of being carried out, in whole or in part, by two*
22 *or more of these entities; and*

23 (B) *take appropriate actions to eliminate*
24 *the redundancy in such functions.*

1 (2) *SCOPE OF CONSOLIDATION.*—In carrying out
2 the requirements of paragraph (1), the Director of the
3 Office of Management and Budget may provide for
4 the discharge of functions of the entities referred to in
5 such paragraph by a single office within one of the
6 entities.

7 (3) *ADDITIONAL CONSOLIDATION AUTHORITY.*—
8 In addition to the actions under paragraphs (1) and
9 (2), the Director of the Office of Management and
10 Budget may also carry out such other actions to con-
11 solidate and reorganize the functions of the Depart-
12 ment of State, the United States Information Agency,
13 and the United States Arms Control and Disar-
14 mament Agency as the Director and the heads of such
15 entities consider appropriate to ensure the effective
16 and efficient discharge of the responsibilities of such
17 entities.

18 (4) *ACTIONS AUTHORIZED.*—The actions that the
19 Director of the Office of Management and Budget
20 may take under this subsection include the following:

21 (A) The abolishment, reorganization, con-
22 solidation, or transfer of functions (in whole or
23 in part).

1 (B) *The termination or transfer of the per-*
2 *sonnel associated with functions so abolished, re-*
3 *organized, consolidated, or transferred.*

4 (5) *TRANSITION RULES.—The Director of the Of-*
5 *ice of Management and Budget shall establish such*
6 *rules and procedures relating to the consolidation of*
7 *foreign relations functions under this subsection as*
8 *the Director considers appropriate, including rules*
9 *and procedures relating to the rights and responsibil-*
10 *ities of personnel of the Government terminated,*
11 *transferred, or otherwise affected by actions to carry*
12 *out the consolidation.*

13 (b) *VOLUNTARY SEPARATION INCENTIVES.—*

14 (1) *AUTHORITY TO PAY INCENTIVES.—The head*
15 *of an agency referred to in paragraph (2) may pay*
16 *voluntary incentive payments to employees of the*
17 *agency in order to avoid or minimize the need for in-*
18 *voluntary separations from the agency as a result of*
19 *the consolidation of foreign relations functions under*
20 *subsection (a).*

21 (2) *COVERED AGENCIES.—Paragraph (1) applies*
22 *to the following agencies:*

23 (A) *The Department of State.*

24 (B) *The United States Information Agency.*

1 (C) *The United States Arms Control and*
2 *Disarmament Agency.*

3 (3) *PAYMENT REQUIREMENTS.—*

4 (A) *IN GENERAL.—The head of an agency*
5 *referred to in paragraph (2) shall pay voluntary*
6 *separation incentive payments under this sub-*
7 *section in accordance with the provisions of sec-*
8 *tions 3 and 4 of the Federal Workforce Restruc-*
9 *turing Act of 1994 (Public Law 103–226; 108*
10 *Stat. 111), except that an employee of the agency*
11 *shall be deemed to be eligible for payment of a*
12 *voluntary separation incentive payment under*
13 *that section if the employee separates from serv-*
14 *ice with the agency during the period beginning*
15 *on the date of enactment of this Act and ending*
16 *on December 15, 1995.*

17 (B) *SUBSEQUENT EMPLOYMENT WITH GOV-*
18 *ERNMENT.—The provisions of subsection (d) of*
19 *such section 3 shall apply to any employee who*
20 *is paid a voluntary separation incentive pay-*
21 *ment under this subsection.*

22 (4) *FUNDING.—*

23 (A) *IN GENERAL.—The payment of vol-*
24 *untary separation incentive payments under this*
25 *subsection shall be made from funds in the For-*

1 *ign Affairs Reorganization Transition Fund es-*
2 *tablished under subsection (c).*

3 *(B) EXERCISE OF AUTHORITY DEPENDENT*
4 *ON FUNDING.—The head of an agency may not*
5 *pay voluntary separation incentive payments*
6 *under this subsection unless sufficient funds are*
7 *available in the Foreign Affairs Reorganization*
8 *Fund to cover the cost of such payments and the*
9 *costs of any other payments (including payments*
10 *or deposits to retirement systems) required in re-*
11 *lation to such payments.*

12 *(5) TERMINATION OF AUTHORITY.—The author-*
13 *ity of the head of an agency to authorize payment of*
14 *voluntary separation incentive payments under this*
15 *subsection shall expire on December 15, 1995.*

16 *(c) FOREIGN AFFAIRS REORGANIZATION TRANSITION*
17 *FUND.—*

18 *(1) ESTABLISHMENT.—There is hereby estab-*
19 *lished on the books of the Treasury an account to be*
20 *known as the “Foreign Affairs Reorganization Tran-*
21 *sition Fund”.*

22 *(2) PURPOSE.—The purpose of the account is to*
23 *provide funds for the following:*

1 (A) To cover the costs of actions relating to
2 the consolidation of redundant foreign relations
3 functions that are taken under subsection (a).

4 (B) To cover the costs to the Government
5 of the payment of voluntary separation incentive
6 payments under subsection (b), including any
7 payments or deposits to retirement systems re-
8 quired in relation to such payment.

9 (3) DEPOSITS.—There shall be deposited into the
10 account such sums as may be appropriated to the ac-
11 count.

12 (4) USE OF FUNDS.—Sums in the account shall
13 remain available until expended for the purpose set
14 forth in paragraph (2).

15 (5) REPORT ON ACCOUNT.—Not later than No-
16 vember 15, 1996, the Secretary of State shall transmit
17 to the Committees on Appropriations and Foreign Re-
18 lations of the Senate and the Committees on Appro-
19 priations and International Relations of the House of
20 Representatives a report containing an accounting
21 of—

22 (A) the expenditures from the account estab-
23 lished under this subsection; and

24 (B) in the event of any transfer of funds to
25 the Department of State under paragraph (5),

1 *the functions for which the funds so transferred*
2 *are to be expended.*

3 RELATED AGENCIES

4 ARMS CONTROL AND DISARMAMENT AGENCY

5 ARMS CONTROL AND DISARMAMENT ACTIVITIES

6 For necessary expenses not otherwise provided, for
7 arms control, nonproliferation, and disarmament activi-
8 ties, ~~\$40,000,000~~ \$22,700,000, of which not to exceed
9 \$50,000 shall be for official reception and representation
10 expenses as authorized by the Act of September 26, 1961,
11 as amended (22 U.S.C. 2551 et seq.).

12 UNITED STATES INFORMATION AGENCY

13 SALARIES AND EXPENSES

14 For expenses, not otherwise provided for, necessary
15 to enable the United States Information Agency, as au-
16 thorized by the Mutual Educational and Cultural Ex-
17 change Act of 1961, as amended (22 U.S.C. 2451 et seq.),
18 the United States Information and Educational Exchange
19 Act of 1948, as amended (22 U.S.C. 1431 et seq.) and
20 Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to
21 carry out international communication, educational and
22 cultural activities; and to carry out related activities au-
23 thorized by law, including employment, without regard to
24 civil service and classification laws, of persons on a tem-
25 porary basis (not to exceed \$700,000 of this appropria-

1 tion), as authorized by 22 U.S.C. 1471, and entertain-
2 ment, including official receptions, within the United
3 States, not to exceed \$25,000 as authorized by 22 U.S.C.
4 1474(3); ~~\$445,645,000~~ \$420,000,000. *Provided*, That not
5 to exceed \$1,400,000 may be used for representation
6 abroad as authorized by 22 U.S.C. 1452 and 4085: *Pro-*
7 *vided further*, That not to exceed \$7,615,000 to remain
8 available until expended, may be credited to this appro-
9 priation from fees or other payments received from or in
10 connection with English teaching, library, motion pictures,
11 and publication programs as authorized by section 810 of
12 the United States Information and Educational Exchange
13 Act of 1948, as amended: *Provided further*, That not to
14 exceed \$1,700,000 to remain available until expended may
15 be used to carry out projects involving security construc-
16 tion and related improvements for agency facilities not
17 physically located together with Department of State fa-
18 cilities abroad.

19 TECHNOLOGY FUND

20 For expenses necessary to enable the United States
21 Information Agency to provide for the procurement of in-
22 formation technology improvements, as authorized by the
23 United States Information and Educational Exchange Act
24 of 1948, as amended (22 U.S.C. 1431 et seq.), the Mutual
25 Educational and Cultural Exchange Act of 1961, as
26 amended (22 U.S.C. 2451 et seq.), and Reorganization

1 Plan No. 2 of 1977 (91 Stat. 1636), ~~\$5,050,000~~
2 ~~\$3,050,000~~, to remain available until expended.

3 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

4 For expenses of educational and cultural exchange
5 programs, as authorized by the Mutual Educational and
6 Cultural Exchange Act of 1961, as amended (22 U.S.C.
7 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91
8 Stat. 1636), ~~\$192,090,000~~ ~~\$190,000,000~~, to remain avail-
9 able until expended as authorized by 22 U.S.C. 2455.

10 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST
11 FUND

12 For necessary expenses of Eisenhower Exchange Fel-
13 lowships, Incorporated as authorized by sections 4 and 5
14 of the Eisenhower Exchange Fellowship Act of 1990 (20
15 U.S.C. 5204–05), all interest and earnings accruing to the
16 Eisenhower Exchange Fellowship Program Trust Fund on
17 or before September 30, 1996, to remain available until
18 expended: *Provided*, That none of the funds appropriated
19 herein shall be used to pay any salary or other compensa-
20 tion, or to enter into any contract providing for the pay-
21 ment thereof, in excess of the rate authorized by 5 U.S.C.
22 5376; or for purposes which are not in accordance with
23 OMB Circulars A–110 (Uniform Administrative Require-
24 ments) and A–122 (Cost Principles for Non-profit Organi-
25 zations), including the restrictions on compensation for
26 personal services.

1 ISRAELI ARAB SCHOLARSHIP PROGRAM

2 For necessary expenses of the Israeli Arab Scholar-
3 ship Program as authorized by section 214 of the Foreign
4 Relations Authorization Act, Fiscal Years 1992 and 1993
5 (22 U.S.C. 2452), all interest and earnings accruing to
6 the Israeli Arab Scholarship Fund on or before September
7 30, 1996, to remain available until expended.

8 AMERICAN STUDIES COLLECTIONS ENDOWMENT FUND

9 For necessary expenses of American Studies Collec-
10 tions as authorized by section 235 of the Foreign Rela-
11 tions Authorization Act, Fiscal Years 1994 and 1995, all
12 interest and earnings accruing to the American Studies
13 Collections Endowment Fund on or before September 30,
14 1996, to remain available until expended.

15 INTERNATIONAL BROADCASTING OPERATIONS

16 For expenses necessary to enable the United States
17 Information Agency, as authorized by the United States
18 Information and Educational Exchange Act of 1948, as
19 amended, ~~the Radio Broadcasting to Cuba Act, as amend-~~
20 ~~ed, the Television Broadcasting to Cuba Act,~~ the United
21 States International Broadcasting Act of 1994, as amend-
22 ed, and Reorganization Plan No. 2 of 1977, to carry out
23 international communication activities; ~~\$341,000,000~~
24 *\$330,191,000*, of which \$5,000,000 shall remain available
25 until expended, not to exceed \$16,000 may be used for
26 official receptions within the United States as authorized

1 by 22 U.S.C. 1474(3), not to exceed \$35,000 may be used
2 for representation abroad as authorized by 22 U.S.C.
3 1452 and 4085, and not to exceed \$39,000 may be used
4 for official reception and representation expenses of Radio
5 Free Europe/Radio Liberty; and in addition, not to exceed
6 \$250,000 from fees as authorized by section 810 of the
7 United States Information and Educational Exchange Act
8 of 1948, as amended, to remain available until expended
9 for carrying out authorized purposes: ~~Provided, That~~
10 ~~funds provided for broadcasting to Cuba may be used for~~
11 ~~the purchase, rent, construction, and improvement of fa-~~
12 ~~ilities for radio and television transmission and reception,~~
13 ~~and purchase and installation of necessary equipment for~~
14 ~~radio and television transmission and reception.~~

15 *BROADCASTING TO CUBA*

16 *For expenses necessary to enable the United States In-*
17 *formation Agency to carry out the Radio Broadcasting to*
18 *Cuba Act, as amended, the Television Broadcasting to Cuba*
19 *Act, and the International Broadcasting Act of 1994, in-*
20 *cluding the purchase, rent, construction, and improvement*
21 *of facilities for radio and television transmission and recep-*
22 *tion, and purchase and installation of necessary equipment*
23 *for radio and television transmission and reception,*
24 *\$24,809,000 to remain available until expended: Provided,*
25 *That funds may be used to purchase or lease, maintain,*
26 *and operate such aircraft (including aerostats) as may be*

1 *required to house and operate necessary television broad-*
2 *casting equipment.*

3 RADIO CONSTRUCTION

4 For an additional amount for the purchase, rent, con-
5 struction, and improvement of facilities for radio trans-
6 mission and reception and purchase and installation of
7 necessary equipment for radio and television transmission
8 and reception as authorized by 22 U.S.C. 1471,
9 ~~\$70,164,000~~ \$40,000,000, to remain available until ex-
10 pended as authorized by 22 U.S.C. 1477b(a).

11 EAST-WEST CENTER

12 *To enable the Director of the United States Informa-*
13 *tion Agency to provide for carrying out the provisions of*
14 *the Center for Cultural and Technical Interchange Between*
15 *East and West Act of 1960 (22 U.S.C. 2054–2057), by grant*
16 *to the Center for Cultural and Technical Interchange Be-*
17 *tween East and West in the State of Hawaii, \$10,000,000:*
18 *Provided, That none of the funds appropriated herein shall*
19 *be used to pay any salary, or enter into any contract pro-*
20 *viding for the payment thereof, in excess of the rate author-*
21 *ized by 5 U.S.C. 5376.*

22 NORTH/SOUTH CENTER

23 *To enable the Director of the United States Informa-*
24 *tion Agency to provide for carrying out the provisions of*
25 *the North/South Center Act of 1991 (22 U.S.C. 2075), by*
26 *grant to an educational institution in Florida known as*

1 *the North/South Center, \$1,000,000, to remain available*
2 *until expended.*

3 NATIONAL ENDOWMENT FOR DEMOCRACY

4 For grants made by the United States Information
5 Agency to the National Endowment for Democracy as au-
6 thorized by the National Endowment for Democracy Act,
7 \$30,000,000, to remain available until expended.

8 This title may be cited as the “Department of State
9 and Related Agencies Appropriations Act, 1996”.

10 TITLE V—RELATED AGENCIES

11 DEPARTMENT OF TRANSPORTATION

12 MARITIME ADMINISTRATION

13 OPERATING-DIFFERENTIAL SUBSIDIES

14 (LIQUIDATION OF CONTRACT AUTHORITY)

15 For the payment of obligations incurred for operat-
16 ing-differential subsidies as authorized by the Merchant
17 Marine Act, 1936, as amended, \$162,610,000, to remain
18 available until expended.

19 OPERATIONS AND TRAINING

20 For necessary expenses of operations and training ac-
21 tivities authorized by law, ~~\$64,600,000~~ \$68,600,000, to re-
22 main available until expended: *Provided*, That notwith-
23 standing any other provision of law, the Secretary of
24 Transportation may use proceeds derived from the sale or
25 disposal of National Defense Reserve Fleet vessels that
26 are currently collected and retained by the Maritime Ad-

1 ministration, to be used for facility and ship maintenance,
2 modernization and repair, conversion, acquisition of equip-
3 ment, and fuel costs necessary to maintain training at the
4 United States Merchant Marine Academy and State mari-
5 time academies: *Provided further*, That reimbursements
6 may be made to this appropriation from receipts to the
7 “Federal Ship Financing Fund” for administrative ex-
8 penses in support of that program in addition to any
9 amount heretofore appropriated.

10 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

11 ACCOUNT

12 For the cost of guaranteed loans, as authorized by
13 the Merchant Marine Act of 1936, ~~\$48,000,000~~, to remain
14 available until expended: *Provided*, That such costs, in-
15 cluding the cost of modifying such loans, shall be as de-
16 fined in section 502 of the Congressional Budget Act of
17 1974, as amended: *Provided further*, That these funds are
18 available to subsidize total loan principal, any part of
19 which is to be guaranteed, not to exceed ~~\$1,000,000,000~~.

20 In addition, for ~~For~~ administrative expenses to carry
21 out the guaranteed loan program, not to exceed
22 ~~\$4,000,000~~ \$2,000,000, which shall be transferred to and
23 merged with the appropriation for Operations and Train-
24 ing.

1 ADMINISTRATIVE PROVISIONS—MARITIME

2 ADMINISTRATION

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

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

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

4 For expenses for the Commission for the Preservation
5 of America's Heritage Abroad, \$206,000, as authorized by
6 Public Law 99-83, section 1303.

7 COMMISSION ON CIVIL RIGHTS
8 SALARIES AND EXPENSES

9 For necessary expenses of the Commission on Civil
10 Rights, including hire of passenger motor vehicles,
11 ~~\$8,500,000~~ \$9,000,000: *Provided*, That not to exceed
12 \$50,000 may be used to employ consultants: *Provided fur-*
13 *ther*, That none of the funds appropriated in this para-
14 graph shall be used to employ in excess of four full-time
15 individuals under Schedule C of the Excepted Service ex-
16 clusive of one special assistant for each Commissioner:
17 *Provided further*, That none of the funds appropriated in
18 this paragraph shall be used to reimburse Commissioners
19 for more than 75 billable days, with the exception of the
20 Chairperson who is permitted 125 billable days.

21 COMMISSION ON IMMIGRATION REFORM
22 SALARIES AND EXPENSES

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

1 gration Act of 1990, ~~\$2,377,000~~ \$1,894,000, to remain
2 available until expended.

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

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

10 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
11 SALARIES AND EXPENSES

12 For necessary expenses of the Equal Employment
13 Opportunity Commission as authorized by title VII of the
14 Civil Rights Act of 1964, as amended (29 U.S.C. 206(d)
15 and 621-634), the Americans with Disabilities Act of
16 1990, and the Civil Rights Act of 1991, including services
17 as authorized by 5 U.S.C. 3109; hire of passenger motor
18 vehicles as authorized by 31 U.S.C. 1343(b); nonmonetary
19 awards to private citizens; not to exceed \$26,500,000, for
20 payments to State and local enforcement agencies for serv-
21 ices to the Commission pursuant to title VII of the Civil
22 Rights Act of 1964, as amended, sections 6 and 14 of the
23 Age Discrimination in Employment Act, the Americans
24 with Disabilities Act of 1990, and the Civil Rights Act
25 of 1991; \$233,000,000: *Provided*, That the Commission

1 is authorized to make available for official reception and
2 representation expenses not to exceed \$2,500 from avail-
3 able funds.

4 FEDERAL COMMUNICATIONS COMMISSION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Federal Communica-
7 tions Commission, as authorized by law, including uni-
8 forms and allowances therefor, as authorized by 5 U.S.C.
9 5901-02; not to exceed \$600,000 for land and structures;
10 not to exceed \$500,000 for improvement and care of
11 grounds and repair to buildings; not to exceed \$4,000 for
12 official reception and representation expenses; purchase
13 (not to exceed sixteen) and hire of motor vehicles; special
14 counsel fees; and services as authorized by 5 U.S.C. 3109;
15 ~~\$185,232,000~~ \$166,185,000, of which not to exceed
16 \$300,000 shall remain available until September 30, 1997,
17 for research and policy studies: *Provided*, That
18 \$116,400,000 of offsetting collections shall be assessed
19 and collected pursuant to section 9 of title I of the Com-
20 munications Act of 1934, as amended, and shall be re-
21 tained and used for necessary expenses in this appropria-
22 tion, and shall remain available until expended: *Provided*
23 *further*, That the sum herein appropriated shall be reduced
24 as such offsetting collections are received during fiscal
25 year 1996 so as to result in a final fiscal year 1996 appro-

1 priation estimated at ~~\$68,832,000~~ \$49,785,000: *Provided*
2 *further*, That any offsetting collections received in excess
3 of \$116,400,000 in fiscal year 1996 shall remain available
4 until expended, but shall not be available for obligation
5 until October 1, 1996.

6 FEDERAL MARITIME COMMISSION

7 SALARIES AND EXPENSES

8 For necessary expenses of the Federal Maritime
9 Commission as authorized by section 201(d) of the Mer-
10 chant Marine Act of 1936, as amended (46 App. U.S.C.
11 1111), including services as authorized by 5 U.S.C. 3109;
12 hire of passenger motor vehicles as authorized by 31
13 U.S.C. 1343(b); and uniforms or allowances therefor, as
14 authorized by 5 U.S.C. 5901-02; ~~\$15,000,000~~
15 *\$14,855,000: Provided*, That not to exceed \$2,000 shall be
16 available for official reception and representation ex-
17 penses.

18 FEDERAL TRADE COMMISSION

19 SALARIES AND EXPENSES

20 For necessary expenses of the Federal Trade Com-
21 mission, including uniforms or allowances therefor, as au-
22 thorized by 5 U.S.C. 5901-5902; services as authorized
23 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
24 not to exceed \$2,000 for official reception and representa-
25 tion expenses; ~~\$82,928,000~~ \$63,142,000: *Provided*, That

1 *not to exceed \$3,000,000 shall be available for use to con-*
2 *tract with a person or persons for collection services in ac-*
3 *cordance with the terms of 31 U.S.C. 3718, as amended:*
4 *Provided further, That notwithstanding any other provi-*
5 *sion of law, not to exceed \$48,262,000 of offsetting collec-*
6 *tions derived from fees collected for premerger notification*
7 *filings under the Hart-Scott-Rodino Antitrust Improve-*
8 *ments Act of 1976 (15 U.S.C. 18(a)) shall be retained*
9 *and used for necessary expenses in this appropriation, and*
10 *shall remain available until expended: Provided further,*
11 *That the sum herein appropriated from the General Fund*
12 *shall be reduced as such offsetting collections are received*
13 *during fiscal year 1996, so as to result in a final fiscal*
14 *year 1996 appropriation from the General Fund estimated*
15 *at not more than ~~\$34,666,000~~ \$14,880,000, to remain*
16 *available until expended: Provided further, That any fees*
17 *received in excess of \$48,262,000 in fiscal year 1996 shall*
18 *remain available until expended, but shall not be available*
19 *for obligation until October 1, 1996: Provided further,*
20 *That none of the funds made available to the Federal*
21 *Trade Commission shall be available for obligation for ex-*
22 *penses authorized by section 151 of the Federal Deposit*
23 *Insurance Corporation Improvement Act of 1991 (Public*
24 *Law 102-242, 105 Stat. 2282-2285).*

1 JAPAN-UNITED STATES FRIENDSHIP COMMISSION

2 JAPAN-UNITED STATES FRIENDSHIP TRUST FUND

3 For expenses of the Japan-United States Friendship
4 Commission as authorized by Public Law 94-118, as
5 amended, from the interest earned on the Japan-United
6 States Friendship Trust Fund, \$1,247,000; and an
7 amount of Japanese currency not to exceed the equivalent
8 of \$1,420,000 based on exchange rates at the time of pay-
9 ment of such amounts as authorized by Public Law 94-
10 118.

11 LEGAL SERVICES CORPORATION

12 PAYMENT TO THE LEGAL SERVICES CORPORATION

13 For payment to the Legal Services Corporation to
14 carry out the purposes of the Legal Services Corporation
15 Act of 1974, as amended, \$278,000,000 of which
16 \$265,000,000 is for basic field programs; \$8,000,000 is
17 for the Office of the Inspector General, of which
18 \$5,750,000 shall be used to contract with independent au-
19 diting agencies for annual financial and program audits
20 of all grantees in accordance with Office of Management
21 and Budget Circular A-133; and \$5,000,000 is for man-
22 agement and administration.

23 ADMINISTRATIVE PROVISIONS—LEGAL SERVICES

24 CORPORATION

25 SEC. 501. Funds appropriated under this Act to the
26 Legal Services Corporation shall be distributed as follows:

1 (1) The Corporation shall define geographic
2 areas and funds available for each geographic area
3 shall be on a per capita basis pursuant to the num-
4 ber of poor people determined by the Bureau of the
5 Census to be within that geographic area: *Provided,*
6 That funds for a geographic area may be distributed
7 by the Corporation to one or more persons or enti-
8 ties eligible for funding under section 1006(a)(1)(A)
9 of the Legal Services Corporation Act, subject to
10 sections 502 and 504 of this Act.

11 (2) The amount of the grants from the Cor-
12 poration and of the contracts entered into by the
13 Corporation in accordance with paragraph (1) shall
14 be an equal figure per poor person for all geographic
15 areas, based on the most recent decennial census of
16 population conducted pursuant to section 141 of title
17 13, United States Code.

18 ~~SEC. 502.~~ None of the funds appropriated in this Act
19 to the Legal Services Corporation shall be used by the
20 Corporation in making grants or entering into contracts
21 for the provision of legal assistance unless the Corporation
22 ensures that the person or entity receiving funding to pro-
23 vide such legal assistance is—

1 (1) a private attorney or attorneys admitted to
2 practice in one of the States or the District of Co-
3 lumbia;

4 (2) a qualified nonprofit organization chartered
5 under the laws of one of the States or the District
6 of Columbia, a purpose of which is furnishing legal
7 assistance to eligible clients, the majority of the
8 board of directors or other governing body of which
9 is comprised of attorneys who are admitted to prac-
10 tice in one of the States or the District of Columbia
11 and who are appointed to terms of office on such
12 board or body by the governing bodies of State,
13 county, or municipal bar associations the member-
14 ship of which represents a majority of the attorneys
15 practicing law in the locality in which the organiza-
16 tion is to provide legal assistance;

17 (3) a State or local government (without regard
18 to section 1006(a)(1)(A)(ii) of the Legal Services
19 Corporation Act); or

20 (4) a substate regional planning or coordination
21 agency which is composed of a substate area whose
22 governing board is controlled by locally elected offi-
23 cials.

24 SEC. 503. None of the funds appropriated in this Act
25 to the Legal Services Corporation for grants or contracts

1 to basic field programs may be obligated unless such
2 grants or contracts are awarded on a competitive basis:
3 *Provided*, That not later than sixty days after enactment
4 of this Act, the Legal Services Corporation shall promul-
5 gate regulations to implement a competitive selection pro-
6 cess: *Provided further*, That such regulations shall include,
7 but not be limited to, the following selection criteria:

8 (1) The demonstration of a full understanding
9 of the basic legal needs of the eligible clients to be
10 served and a demonstration of the capability of serv-
11 ing those needs.

12 (2) The quality, feasibility, and cost effective-
13 ness of plans submitted by the applicant for the de-
14 livery of legal assistance to the eligible clients to be
15 served.

16 (3) The experiences of the Corporation with the
17 applicant, if the applicant has previously received fi-
18 nancial assistance from the Corporation, including
19 the applicant's record of past compliance with Cor-
20 poration policies, practices, and restrictions:

21 *Provided further*, That, such regulations shall ensure that
22 timely notice for the submission of applications for awards
23 is published in periodicals of local and State bar associa-
24 tions and in at least one daily newspaper of general cir-
25 culation in the area to be served by the person or entity

1 receiving the award: *Provided further*, No person or entity
2 that was previously awarded a grant or contract by the
3 Legal Services Corporation for the provision of legal as-
4 sistance may be given any preference in the competitive
5 selection process: *Provided further*, That for the purposes
6 of the funding provided in this Act, rights under sections
7 1007(a)(9) and 1011 of the Legal Services Corporation
8 Act (42 U.S.C. 2996f(a)(9) and 42 U.S.C. 2996j) shall
9 not apply.

10 SEC. 504. None of the funds appropriated in this Act
11 to the Legal Services Corporation may be used to provide
12 financial assistance to any person or entity—

13 (1) that makes available any funds, personnel,
14 or equipment for use in advocating or opposing any
15 plan or proposal, or represents any party or partici-
16 pates in any other way in litigation, that is intended
17 to or has the effect of altering, revising, or reappor-
18 tioning a legislative, judicial, or elective district at
19 any level of government, including influencing the
20 timing or manner of the taking of a census;

21 (2) that attempts to influence the issuance,
22 amendment, or revocation of any executive order,
23 regulation, or similar promulgation by any Federal,
24 State, or local agency;

1 (3) that attempts to influence any decision by
2 a Federal, State, or local agency, except when legal
3 assistance is provided by an employee of a grantee
4 to an eligible client on a particular application,
5 claim, or case, which directly involves the client's
6 legal rights or responsibilities, and which does not
7 involve the issuance, amendment, or revocation of
8 any agency promulgation described in paragraph (2);

9 (4) that attempts to influence the passage or
10 defeat of any legislation, constitutional amendment,
11 referendum, initiative, or any similar procedure of
12 the Congress of the United States, or by any State
13 or local legislative body;

14 (5) that attempts to influence the conduct of
15 oversight proceedings of the Corporation or any per-
16 son or entity receiving financial assistance provided
17 by the Corporation;

18 (6) that pays for any personal service, adver-
19 tisement, telegram, telephone communication, letter,
20 printed or written matter, administrative expenses,
21 or related expenses, associated with an activity pro-
22 hibited in paragraph (1), (2), (3), (4), or (5);

23 (7) that brings a class action suit against the
24 Federal Government or any State or local govern-
25 ment;

1 (8) that files a complaint or otherwise pursues
2 litigation against a defendant, or engages in
3 precomplaint settlement negotiations with a prospec-
4 tive defendant, unless—

5 (A) all plaintiffs have been specifically
6 identified, by name, in any complaint filed for
7 purposes of litigation; and

8 (B) a statement or statements of facts
9 written in English and, if necessary, in a lan-
10 guage which the plaintiffs understand, which
11 enumerate the particular facts known to the
12 plaintiffs on which the complaint is based, have
13 been signed by the plaintiffs (including named
14 plaintiffs in a class action), are kept on file by
15 the person or entity provided financial assist-
16 ance by the Corporation, and are made avail-
17 able to any Federal department or agency that
18 is auditing the activities of the Corporation or
19 of any recipient, and to any auditor receiving
20 Federal funds to conduct such auditing, includ-
21 ing any auditor or monitor of the Corporation:
22 *Provided*, That upon establishment of reasonable
23 cause that an injunction is necessary to prevent
24 probable, serious harm to such potential plaintiff, a
25 court of competent jurisdiction may enjoin the dis-

1 closure of the identity of any potential plaintiff
2 pending the outcome of such litigation or negotia-
3 tions after notice and an opportunity for a hearing
4 is provided to potential parties to the litigation or
5 the negotiations: *Provided further*, That other parties
6 shall have access to the statement of facts referred
7 to in subparagraph (B) only through the discovery
8 process after litigation has begun;

9 (9) unless, after January 1, 1996, and prior to
10 the provision of financial assistance—

11 (A) the governing board of a person or en-
12 tity receiving financial assistance provided by
13 the Legal Services Corporation has set specific
14 priorities in writing, pursuant to section
15 1007(a)(2)(C)(i) of the Legal Services Corpora-
16 tion Act, of the types of matters and cases to
17 which the staff of the nonprofit organization
18 shall devote its time and resources; and

19 (B) the staff of such person or entity re-
20 ceiving financial assistance provided by the
21 Legal Services Corporation has signed a written
22 agreement not to undertake cases or matters
23 other than in accordance with the specific prior-
24 ities set by such governing board, except in
25 emergency situations defined by such board and

1 in accordance with such board's written proce-
2 dures for such situations:

3 *Provided,* That the staff of such person or entity re-
4 ceiving financial assistance provided by the Legal
5 Services Corporation shall provide to their respective
6 governing board on a quarterly basis, and to the
7 Corporation on an annual basis, all cases undertaken
8 other than those in accordance with such priorities:
9 *Provided further,* That not later than 30 days after
10 enactment of this Act, the Corporation shall promul-
11 gate a suggested list of priorities which boards of di-
12 rectors may use in setting priorities under this para-
13 graph;

14 (10) unless, prior to receiving financial assist-
15 ance provided by the Legal Services Corporation,
16 such person or entity agrees to maintain records of
17 time spent on each case or matter with respect to
18 which that person or entity is engaged in activities:

19 *Provided,* That any non-Federal funds received by
20 any person or entity provided financial assistance by
21 the Corporation shall be accounted for and reported
22 as receipts and disbursements separate and distinct
23 from Corporation funds: *Provided further,* That such
24 person or entity receiving financial assistance pro-
25 vided by the Corporation agrees (notwithstanding

1 section 1009(d) of the Legal Services Corporation
2 Act) to make such records described in this para-
3 graph available to any Federal department, or agen-
4 cy or independent auditor receiving Federal funds to
5 conduct an audit of the activities of the Corporation
6 or recipient receiving funding under this Act;

7 (11) that provides legal assistance for or on be-
8 half of any alien, unless the alien is present in the
9 United States and is—

10 (A) an alien lawfully admitted for perma-
11 nent residence as defined in section 101(a)(20)
12 of the Immigration and Nationality Act (8
13 U.S.C. 1101(a)(20));

14 (B) an alien who is either married to a
15 United States citizen or is a parent or an un-
16 married child under the age of twenty-one years
17 of such a citizen and who has filed an applica-
18 tion for adjustment of status to permanent resi-
19 dent under the Immigration and Nationality
20 Act, and such application has not been rejected;

21 (C) an alien who is lawfully present in the
22 United States pursuant to an admission under
23 section 207 of the Immigration and Nationality
24 Act (8 U.S.C. 1157, relating to refugee admis-

1 sion) or who has been granted asylum by the
2 Attorney General under such Act;

3 ~~(D) an alien who is lawfully present in the~~
4 United States as a result of the Attorney Gen-
5 eral's withholding of deportation pursuant to
6 section 243(h) of the Immigration and Nation-
7 ality Act (8 U.S.C. 1253(h)); or

8 ~~(E) an alien to whom section 305 of the~~
9 Immigration Reform and Control Act of 1986
10 applies but only to the extent that the legal as-
11 sistance provided is that described in such sec-
12 tion:

13 ~~Provided, That an alien who is lawfully present in~~
14 the United States as a result of being granted condi-
15 tional entry pursuant to section 203(a)(7) of the Im-
16 migration and Nationality Act (8 U.S.C. 1153(a)(7))
17 before April 1, 1980, because of persecution or fear
18 of persecution on account of race, religion, or politi-
19 cal calamity shall be deemed, for purposes of this
20 section, to be an alien described in subparagraph
21 ~~(C);~~

22 ~~(12) that supports or conducts training pro-~~
23 grams for the purpose of advocating particular pub-
24 lic policies or encouraging political activities, labor
25 or anti-labor activities, boycotts, picketing, strikes,

1 and demonstrations, including the dissemination of
2 information about such policies or activities, except
3 that this paragraph shall not be construed to pro-
4 hibit the training of attorneys or paralegal personnel
5 to prepare them to provide adequate legal assistance
6 to eligible clients or to advise any eligible client as
7 to the nature of the legislative process or inform any
8 eligible client of his or her rights under statute,
9 order, or regulation;

10 (13) that provides legal assistance with respect
11 to any fee-generating case: *Provided*, That for the
12 purposes of this paragraph the term “fee-generating
13 case” means any case which, if undertaken on behalf
14 of an eligible client by an attorney in private prac-
15 tice may reasonably be expected to result in a fee for
16 legal services from an award to a client from public
17 funds, from the opposing party, or from any other
18 source;

19 (14) that claims, or whose employees or clients
20 claim, or collect attorneys’ fees from nongovern-
21 mental parties to litigation initiated by such client
22 with the assistance of such recipient or its employ-
23 ees;

24 (15) that participates in any litigation with re-
25 spect to abortion;

1 (16) that participates in any litigation on behalf
2 of a local, State, or Federal prisoner;

3 (17) that provides legal representation for any
4 person, or participates in any other way, in litigation,
5 lobbying, or rulemaking involving efforts to re-
6 form a State or Federal welfare system, except that
7 this paragraph shall not preclude a recipient from
8 representing an individual client who is seeking spe-
9 cific relief from a welfare agency where such relief
10 does not involve an effort to amend or otherwise
11 challenge existing law;

12 (18) that defends a person in a proceeding to
13 evict that person from a public housing project if
14 that person has been charged with the illegal sale or
15 distribution of a controlled substance and if the e-
16 viction proceeding is brought by a public housing agen-
17 cy because the illegal drug activity of that person
18 threatens the health or safety of other tenants resid-
19 ing in the public housing project or employees of the
20 public housing agency: *Provided*, That for the pur-
21 poses of this paragraph, the term “controlled sub-
22 stance” has the meaning given that term in section
23 102 of the Controlled Substances Act (21 U.S.C.
24 802): *Provided further*, That for the purposes of this
25 paragraph, the terms “public housing project” and

1 “public housing agency” have the meanings given
2 those terms in section 3 of the United States Hous-
3 ing Act of 1937 (42 U.S.C. 1437a);

4 (19) unless such person or entity agrees that it
5 and its employees will not accept employment result-
6 ing from in-person unsolicited advice to a
7 nonattorney that such nonattorney should obtain
8 counsel or take legal action: *Provided*, That such
9 person or entity or its employees receiving financial
10 assistance provided by the Corporation shall also
11 agree that such person or entity will not refer such
12 nonattorney to another person or entity or its em-
13 ployees that are receiving financial assistance pro-
14 vided by the Legal Services Corporation; or

15 (20) unless such person or entity enters into a
16 contractual agreement to be subject to all provisions
17 of Federal law relating to the proper use of Federal
18 funds, the violation of which shall render any grant
19 or contractual agreement to provide funding null
20 and void: *Provided*, That for such purposes the Cor-
21 poration shall be considered to be a Federal agency
22 and all funds provided by the Corporation shall be
23 considered to be Federal funds provided by grant or
24 contract.

1 ~~SEC. 505. None of the funds appropriated in this Act~~
2 ~~to the Legal Services Corporation or provided by the Cor-~~
3 ~~poration to any entity or person may be used to pay mem-~~
4 ~~bership dues to any private or non-profit organization.~~

5 ~~SEC. 506. None of the funds appropriated in this Act~~
6 ~~to the Legal Services Corporation may be used by any per-~~
7 ~~son or entity receiving financial assistance from the Cor-~~
8 ~~poration to file or pursue a lawsuit against the Corpora-~~
9 ~~tion.~~

10 ~~SEC. 507. None of the funds appropriated in this Act~~
11 ~~to the Legal Services Corporation may be used for any~~
12 ~~purpose prohibited or contrary to any of the provisions~~
13 ~~of authorization legislation for fiscal year 1996 for the~~
14 ~~Legal Services Corporation that is enacted into law: *Pro-*~~
15 ~~*vided.* That, upon enactment of Legal Services Corpora-~~
16 ~~tion reauthorization legislation, funding provided in this~~
17 ~~Act shall from that date be subject to the provisions of~~
18 ~~that legislation and any provisions in this Act that are~~
19 ~~inconsistent with that legislation shall no longer have ef-~~
20 ~~fect.~~

21 MARINE MAMMAL COMMISSION

22 SALARIES AND EXPENSES

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

1 MARTIN LUTHER KING, JR. FEDERAL HOLIDAY

2 COMMISSION

3 SALARIES AND EXPENSES

4 For necessary expenses of the Martin Luther King,
5 Jr. Federal Holiday Commission, as authorized by Public
6 Law 98-399, as amended, ~~\$250,000~~ \$350,000.

7 SECURITIES AND EXCHANGE COMMISSION

8 SALARIES AND EXPENSES

9 For necessary expenses for the Securities and Ex-
10 change Commission, including services as authorized by
11 5 U.S.C. 3109, the rental of space (to include multiple
12 year leases) in the District of Columbia and elsewhere, and
13 not to exceed \$3,000 for official reception and representa-
14 tion expenses, ~~\$103,445,000~~ \$105,257,000, of which
15 \$3,600,000 are for the Office of Economic Analysis, to be
16 headed by the Chief Economist of the Commission, and of
17 which not to exceed \$10,000 may be used toward funding
18 a permanent secretariat for the International Organiza-
19 tion of Securities Commissions, and of which not to exceed
20 \$100,000 shall be available for expenses for consultations
21 and meetings hosted by the Commission with foreign gov-
22 ernmental and other regulatory officials, members of their
23 delegations, appropriate representatives and staff to ex-
24 change views concerning developments relating to securi-
25 ties matters, development and implementation of coopera-

1 tion agreements concerning securities matters and provi-
2 sion of technical assistance for the development of foreign
3 securities markets, such expenses to include necessary lo-
4 gistic and administrative expenses and the expenses of
5 Commission staff and foreign invitees in attendance at
6 such consultations and meetings including: (i) such inci-
7 dental expenses as meals taken in the course of such at-
8 tendance, (ii) any travel or transportation to or from such
9 meetings, and (iii) any other related lodging or subsist-
10 ence: *Provided*, That immediately upon enactment of this
11 Act, the rate of fees under section 6(b) of the Securities
12 Act of 1933 (15 U.S.C. 77f(b)) shall increase from one-
13 fiftieth of 1 per centum to one ~~twenty-ninth~~ *thirty-fourth*
14 of 1 per centum and such increase shall be deposited as
15 an offsetting collection to this appropriation, to remain
16 available until expended, to recover costs of services of the
17 securities registration process: *Provided further*, *That no*
18 *funds may be used for the Office of Investor Education and*
19 *Assistance, and that \$1,500,000 of the funds appropriated*
20 *for the Commission shall be available for the enforcement*
21 *of the Investment Advisers Act of 1940 in addition to any*
22 *other appropriated funds designated by the Commission for*
23 *enforcement of such Act.*

1 SMALL BUSINESS ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses, not otherwise provided for,
4 of the Small Business Administration as authorized by
5 Public Law 103-403, including hire of passenger motor
6 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
7 not to exceed \$3,500 for official reception and representa-
8 tion expenses, ~~\$222,325,000~~ *\$197,903,000: Provided fur-*
9 *ther,* That the Administrator is authorized to charge fees
10 to cover the cost of publications developed by the Small
11 Business Administration, and certain loan servicing activi-
12 ties: *Provided further,* That notwithstanding 31 U.S.C.
13 3302, revenues received from all such activities shall be
14 credited to this account, to be available for carrying out
15 these purposes without further appropriations.

16 OFFICE OF INSPECTOR GENERAL

17 For necessary expenses of the Office of Inspector
18 General in carrying out the provisions of the Inspector
19 General Act of 1978, as amended (5 U.S.C. App. 1-11
20 as amended by Public Law 100-504), ~~\$8,750,000~~
21 *\$8,500,000.*

22 BUSINESS LOANS PROGRAM ACCOUNT

23 For ~~the cost of direct loans, \$5,000,000, and for the~~
24 ~~cost of guaranteed loans, \$146,710,000~~ *\$174,726,000,* as
25 authorized by 15 U.S.C. 631 note, of which ~~\$1,700,000~~
26 *\$1,216,000,* to be available until expended, shall be for the

1 Microloan Guarantee Program, and of which \$40,510,000
2 shall remain available until September 30, 1997: *Provided*,
3 That such costs, including the cost of modifying such
4 loans, shall be as defined in section 502 of the Congres-
5 sional Budget Act of 1974.

6 In addition, for administrative expenses to carry out
7 ~~the direct and~~ guaranteed loan programs, ~~\$92,622,000~~
8 *\$77,600,000*, which may be transferred to and merged with
9 the appropriations for Salaries and Expenses.

10 DISASTER LOANS PROGRAM ACCOUNT

11 For the cost of direct loans authorized by section 7(b)
12 of the Small Business Act, as amended, \$34,432,000, to
13 remain available until expended: *Provided*, That such
14 costs, including the cost of modifying such loans, shall be
15 as defined in section 502 of the Congressional Budget Act
16 of 1974.

17 In addition, for administrative expenses to carry out
18 the direct loan program, ~~\$78,000,000~~ *\$62,400,000*, which
19 may be transferred to and merged with the appropriations
20 for Salaries and Expenses.

21 SURETY BOND GUARANTEES REVOLVING FUND

22 For additional capital for the “Surety Bond Guarant-
23 tees Revolving Fund”, authorized by the Small Business
24 Investment Act, as amended, \$2,530,000, to remain avail-
25 able without fiscal year limitation as authorized by 15
26 U.S.C. 631 note.

1 ADMINISTRATIVE ~~PROVISION~~ PROVISIONS—SMALL
2 BUSINESS ADMINISTRATION

3 SEC. 508. Not to exceed 5 percent of any appropria-
4 tion made available for the current fiscal year for the
5 Small Business Administration in this Act may be trans-
6 ferred between such appropriations, but no such appro-
7 priation shall be increased by more than 10 percent by
8 any such transfers: *Provided*, That any transfer pursuant
9 to this section shall be treated as a reprogramming of
10 funds under section 605 of this Act and shall not be avail-
11 able for obligation or expenditure except in compliance
12 with the procedures set forth in that section.

13 *SEC. 509. (1) Notwithstanding any other provision of*
14 *law, no funds appropriated under this Act may be used in*
15 *violation of this subsection.*

16 *(2) Notwithstanding section 8 of the Small Business*
17 *Act or any other provision of law, in carrying out sub-*
18 *sections (a) and (d) of section 8 of the Small Business Act,*
19 *the Administrator shall provide assistance only to qualified*
20 *small business concerns.*

21 *(3) As used in this subsection—*

22 *(A) The term “Administrator” means the Ad-*
23 *ministrator of the Small Business Administration.*

24 *(B) The term “area of pervasive poverty, unem-*
25 *ployment, and general economic distress” means an*

1 *area that, based on the most recent decennial census*
2 *data available from the Bureau of the Census, meets*
3 *the following criteria—*

4 *(i) The unemployment rate for the area (as*
5 *determined by the appropriate available data) is*
6 *not less than 1.5 times the national unemploy-*
7 *ment rate, and*

8 *(ii) The poverty rate for the area (as deter-*
9 *mined by the most recent census data available)*
10 *for not less than 90 percent of the population*
11 *census tract (or where not tracted, the equivalent*
12 *county divisions as defined by the Bureau of the*
13 *Census for the purposes of defining poverty*
14 *areas) located entirely within the area is not less*
15 *than 20 percent.*

16 *(C) The term “small business concern” has the*
17 *same meaning as in section 3 of the Small Business*
18 *Act.*

19 *(D) Except as otherwise provided in this sub-*
20 *paragraph, the term “qualified business” means any*
21 *trade or business that is a qualified business under*
22 *the Small Business Act on the date of enactment of*
23 *this Act, except that such a business that fails to meet*
24 *the applicable location and employment requirements*
25 *under such Act shall not be a qualified business.*

1 (E) *The term “qualified small business concern”*
2 *means, with respect to any fiscal year of the small*
3 *business concern, any small business concern, if for*
4 *such year—*

5 (i) *every trade or business of such small*
6 *business concern is the active conduct of a quali-*
7 *fied business within an area of pervasive pov-*
8 *erty, unemployment, and general economic dis-*
9 *tress;*

10 (ii) *not less than 80 percent of the total*
11 *gross income of such small business concern is*
12 *derived from the active conduct of such business;*
13 *and*

14 (iii) *not less than 35 percent of the total*
15 *payroll of such small business concern is paid to*
16 *employees who are residents of an area of perva-*
17 *sive poverty, unemployment, and general eco-*
18 *nomi distress.*

19 *STATE JUSTICE INSTITUTE*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses of the State Justice Institute,*
22 *as authorized by The State Justice Institute Authorization*
23 *Act of 1992 (Public Law 102–572 (106 Stat. 4515–4516)),*
24 *\$5,000,000 to remain available until expended: Provided,*

1 *That not to exceed \$2,500 shall be available for official re-*
2 *ception and representation expenses.*

3 TITLE VI—GENERAL PROVISIONS

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

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

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

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

23 SEC. 605. (a) None of the funds provided under this
24 Act, or provided under previous Appropriations Acts to the
25 agencies funded by this Act that remain available for obli-

1 gation or expenditure in fiscal year 1996, or provided from
2 any accounts in the Treasury of the United States derived
3 by the collection of fees available to the agencies funded
4 by this Act, shall be available for obligation or expenditure
5 through a reprogramming of funds which (1) creates new
6 programs; (2) eliminates a program, project, or activity;
7 (3) increases funds or personnel by any means for any
8 project or activity for which funds have been denied or
9 restricted; (4) relocates an office or employees; (5) reorga-
10 nizes offices, programs, or activities; or (6) contracts out
11 or privatizes any functions or activities presently per-
12 formed by Federal employees; unless the Appropriations
13 Committees of both Houses of Congress are notified fif-
14 teen days in advance of such reprogramming of funds.

15 (b) None of the funds provided under this Act, or
16 provided under previous Appropriations Acts to the agen-
17 cies funded by this Act that remain available for obligation
18 or expenditure in fiscal year 1996, or provided from any
19 accounts in the Treasury of the United States derived by
20 the collection of fees available to the agencies funded by
21 this Act, shall be available for obligation or expenditure
22 for activities, programs, or projects through a
23 reprogramming of funds in excess of \$500,000 or 10 per-
24 cent, whichever is less, that (1) augments existing pro-
25 grams, projects, or activities; (2) reduces by 10 percent

1 funding for any existing program, project, or activity, or
2 numbers of personnel by 10 percent as approved by Con-
3 gress; or (3) results from any general savings from a re-
4 duction in personnel which would result in a change in
5 existing programs, activities, or projects as approved by
6 Congress; unless the Appropriations Committees of both
7 Houses of Congress are notified fifteen days in advance
8 of such reprogramming of funds.

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

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

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

1 SEC. 608. None of the funds made available in this
2 Act may be used to implement, administer, or enforce any
3 guidelines of the Equal Employment Opportunity Com-
4 mission covering harassment based on religion, when it is
5 made known to the Federal entity or official to which such
6 funds are made available that such guidelines do not differ
7 in any respect from the proposed guidelines published by
8 the Commission on October 1, 1993 (58 Fed. Reg.
9 51266).

10 ~~SEC. 609. LIMITATION ON THE USE OF FUNDS FOR~~
11 ~~DIPLOMATIC FACILITIES IN VIETNAM.—None of the~~
12 ~~funds appropriated or otherwise made available by this~~
13 ~~Act may be obligated or expended to pay for any cost in-~~
14 ~~curred for (1) opening or operating any United States dip-~~
15 ~~lomatic or consular post in the Socialist Republic of Viet-~~
16 ~~nam that was not operating on July 11, 1995; (2) expand-~~
17 ~~ing any United States diplomatic or consular post in the~~
18 ~~Socialist Republic of Vietnam that was operating on July~~
19 ~~11, 1995; or (3) increasing the total number of personnel~~
20 ~~assigned to United States diplomatic or consular posts in~~
21 ~~the Socialist Republic of Vietnam above the levels existing~~
22 ~~on July 11, 1995.~~

23 SEC. 610. None of the funds made available by this
24 Act may be used for any United Nations undertaking
25 when it is made known to the Federal official having au-

1 thority to obligate or expend such funds (1) that the Unit-
2 ed Nations undertaking is a peacekeeping mission, (2)
3 that such undertaking will involve United States Armed
4 Forces under the command or operational control of a for-
5 eign national, and (3) that the President's military advi-
6 sors have not submitted to the President a recommenda-
7 tion that such involvement is in the national security inter-
8 ests of the United States and the President has not sub-
9 mitted to the Congress such a recommendation.

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

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

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

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

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

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

1 SEC. 612. None of the funds made available in title
2 II for the National Oceanic and Atmospheric Administra-
3 tion under the heading “Fleet Modernization, Shipbuild-
4 ing and Conversion” may be used to implement sections
5 603, 604, and 605 of Public Law 102–567.

6 SEC. 613. None of the funds made available in this
7 Act may be used for “USIA Television Marti Program”
8 under the Television Broadcasting to Cuba Act or any
9 other program of United States Government television
10 broadcasts to Cuba, when it is made known to the Federal
11 official having authority to obligate or expend such funds
12 that such use would be inconsistent with the applicable
13 provisions of the March 1995 Office of Cuba Broadcasting
14 Reinventing Plan of the United States Information
15 Agency.

16 *SEC. 614. (1) Notwithstanding any other provision of*
17 *law, no funds appropriated under this Act may be used in*
18 *violation of the provisions of paragraphs (2) and (3).*

19 *(2) Notwithstanding any other provision of law, nei-*
20 *ther the Federal Government nor any officer, employee, or*
21 *department or agency of the Federal Government—*

22 *(A) may intentionally discriminate against, or*
23 *may grant a preference to, any individual or group*
24 *based in whole or in part on race, color, national ori-*
25 *gin, or sex, in connection with—*

- 1 (i) a Federal contract or subcontract;
2 (ii) Federal employment; or
3 (iii) any other federally conducted program
4 or activity;

5 (B) may require or encourage any Federal con-
6 tractor or subcontractor to intentionally discriminate
7 against, or grant a preference to, any individual or
8 group based in whole or in part on race, color, na-
9 tional origin, or sex; or

10 (C) may enter into a consent decree that re-
11 quires, authorizes, or permits any activity prohibited
12 by subparagraph (A) or (B).

13 (3) Nothing in this subsection shall be construed to
14 prohibit or limit any effort by the Federal Government or
15 any officer, employee, or department or agency of the Fed-
16 eral Government—

17 (A) to recruit qualified women or qualified mi-
18 norities into an applicant pool for Federal employ-
19 ment or to encourage businesses owned by women or
20 by minorities to bid for Federal contracts or sub-
21 contracts, if such recruitment or encouragement does
22 not involve using a numerical objective, or otherwise
23 granting a preference, based in whole or in part on
24 race, color, national origin, or sex, in selecting any
25 individual or group for the relevant employment, con-

1 *tract or subcontract, benefit, opportunity, or program;*
2 *or*

3 *(B) to require or encourage any Federal contrac-*
4 *tor or subcontractor to recruit qualified women or*
5 *qualified minorities into an applicant pool for em-*
6 *ployment or to encourage businesses owned by women*
7 *or by minorities to bid for Federal contracts or sub-*
8 *contracts, if such requirement or encouragement does*
9 *not involve using a numerical objective, or otherwise*
10 *granting a preference, based in whole or in part on*
11 *race, color, national origin, or sex, in selecting any*
12 *individual or group for the relevant employment, con-*
13 *tract or subcontract, benefit, opportunity, or program.*

14 *(4)(A) Nothing in this subsection shall be construed to*
15 *prohibit or limit any Act that is designated to benefit an*
16 *institution that is a historically Black college or university*
17 *on the basis that the institution is a historically Black col-*
18 *lege or university.*

19 *(B) Nothing in this subsection shall be construed to*
20 *prohibit or limit any action taken—*

21 *(i) pursuant to a law enacted under the constitu-*
22 *tional papers of Congress relating to the Indian*
23 *tribes; or*

24 *(ii) under a treaty between an Indian tribe and*
25 *the United States.*

1 (C) *Nothing in this subsection shall be construed to*
2 *prohibit or limit any classification based on sex if—*

3 (i) *sex is a bona fide occupational qualification*
4 *reasonably necessary to the normal operation of the*
5 *Federal Government entity or Federal contractor or*
6 *subcontractor involved;*

7 (ii) *the classification is designed to protect the*
8 *privacy of individuals; or*

9 (iii)(I) *the occupancy of the position for which*
10 *the classification is made, or access to the premises in*
11 *or on which any part of the duties of such position*
12 *is performed or is to be performed, is subject to any*
13 *requirement imposed in the interest of the national*
14 *security of the United States under any security pro-*
15 *gram in effect pursuant to or administered under any*
16 *Act or any Executive order of the President; or*

17 (II) *the classification is applied with respect to*
18 *a member of the Armed Forces serving on active duty*
19 *in a theatre of combat operations (as determined by*
20 *the Secretary of Defense).*

21 (5)(A) *In any action involving a violation of this sub-*
22 *section, a court may award only injunctive or equitable re-*
23 *lief (including but not limited to back pay), a reasonable*
24 *attorney's fee, and costs.*

1 (B) Nothing in this paragraph shall be construed to
2 affect any remedy available under any other law.

3 (6)(A) This subsection shall not affect any case pend-
4 ing on the date of enactment of this Act.

5 (B) This subsection shall not affect any contract, sub-
6 contract, or consent decree in effect on the date of enactment
7 of this Act, including any option exercised under such con-
8 tract or subcontract before or after such date of enactment.

9 (7) This subsection does not prohibit or limit the avail-
10 ability of funds to implement a—

11 (A) court order or consent decree issued before
12 the date of enactment of this Act; or

13 (B) court order or consent decree that—

14 (i) is issued on or after the date of enact-
15 ment of this Act; and

16 (ii) provides a remedy based on a finding
17 or discrimination by a person to whom the order
18 applies.

19 (8) As used in this subsection—

20 (A) The term “Federal Government” means the
21 executive and legislative branches of the Government
22 of the United States.

23 (B) The term “grant a preference” means use of
24 any preferential treatment and includes but is not

1 *limited to any use of a quota, set-aside, numerical*
2 *goal, timetable, or other numerical objective.*

3 (C) *The term “historically Black college or uni-*
4 *versity” means a part B institution, as defined in*
5 *section 322(2) of the Higher Education Act of 1965*
6 *(920 U.S.C. 1061(2)).*

7 *SEC. 615. (1) This Act may be cited as the “Stop*
8 *Turning Out Prisoners Act”.*

9 (2) *IN GENERAL.—Section 3626 of title 18, United*
10 *States Code, is amended to read as follows:*

11 ***“§ 3626. Appropriate remedies with respect to prison***
12 ***conditions***

13 “(a) *REQUIREMENTS FOR RELIEF.—*

14 “(1) *LIMITATIONS ON PROSPECTIVE RELIEF.—*
15 *Prospective relief in a civil action with respect to*
16 *prison conditions shall extend no further than nec-*
17 *essary to remove the conditions that are causing the*
18 *deprivation of the Federal rights of individual plain-*
19 *tiffs in that civil action. The court shall not grant or*
20 *approve any prospective relief unless the court finds*
21 *that such relief is narrowly drawn and the least in-*
22 *trusive means to remedy the violation of the Federal*
23 *right. In determining the intrusiveness of the relief,*
24 *the court shall give substantial weight to any adverse*

1 *impact on public safety or the operation of a crimi-*
2 *nal justice system caused by the relief.*

3 “(2) *PRISON POPULATION REDUCTION RELIEF.*—
4 *In any civil action with respect to prison conditions,*
5 *the court shall not grant or approve any relief the*
6 *purpose or effect of which is to reduce or limit the*
7 *prison population, unless the plaintiff proves that*
8 *crowding is the primary cause of the deprivation of*
9 *the Federal right and no other relief will remedy that*
10 *deprivation.*

11 “(b) *TERMINATION OF RELIEF.*—

12 “(1) *AUTOMATIC TERMINATION OF PROSPECTIVE*
13 *RELIEF AFTER 2-YEAR PERIOD.*—*In any civil action*
14 *with respect to prison conditions, any prospective re-*
15 *lief shall automatically terminate 2 years after the*
16 *later of—*

17 “(A) *the date the court found the violation*
18 *of a Federal right that was the basis for the re-*
19 *lief; or*

20 “(B) *the date of the enactment of the Stop*
21 *Turning Out Prisoners Act.*

22 “(2) *IMMEDIATE TERMINATION OF PROSPECTIVE*
23 *RELIEF.*—*In any civil action with respect to prison*
24 *conditions, a defendant or intervenor shall be entitled*
25 *to the immediate termination of any prospective re-*

1 *lief, if that relief was approved or granted in the ab-*
2 *sence of a finding by the court that prison conditions*
3 *violated a Federal right.*

4 *“(c) PROCEDURE FOR MOTIONS AFFECTING PROSPEC-*
5 *TIVE RELIEF.—*

6 *“(1) GENERALLY.—The court shall promptly*
7 *rule on any motion to modify or terminate prospec-*
8 *tive relief in a civil action with respect to prison con-*
9 *ditions.*

10 *“(2) AUTOMATIC STAY.—Any prospective relief*
11 *subject to a pending motion shall be automatically*
12 *stayed during the period—*

13 *“(A) beginning on the 30th day after such*
14 *motion is filed, in the case of a motion made*
15 *under subsection (b); and*

16 *“(B) beginning on the 180th day after such*
17 *motion is filed, in the case of a motion made*
18 *under any other law;*
19 *and ending on the date the court enters a final order*
20 *ruling on that motion.*

21 *“(d) STANDING.—Any Federal, State, or local official*
22 *or unit of government—*

23 *“(1) whose jurisdiction or function includes the*
24 *prosecution or custody of persons in a prison subject*
25 *to; or*

1 “(2) who otherwise is or may be affected by;
2 any relief the purpose or effect of which is to reduce or limit
3 the prison population shall have standing to oppose the im-
4 position or continuation in effect of that relief and may
5 intervene in any proceeding relating to that relief. Standing
6 shall be liberally conferred under this subsection so as to
7 effectuate the remedial purposes of this section.

8 “(e) *SPECIAL MASTERS.*—In any civil action in a
9 Federal court with respect to prison conditions, any special
10 master or monitor shall be a United States magistrate and
11 shall make proposed findings on the record on complicated
12 factual issues submitted to that special master or monitor
13 by the court, but shall have no other function. The parties
14 may not by consent extend the function of a special master
15 beyond that permitted under this subsection.

16 “(f) *ATTORNEY’S FEES.*—No attorney’s fee under sec-
17 tion 722 of the Revised Statutes of the United States (42
18 U.S.C. 1988) may be granted to a plaintiff in a civil action
19 with respect to prison conditions except to the extent such
20 fee is—

21 “(1) directly and reasonably incurred in proving
22 an actual violation of the plaintiff’s Federal rights;
23 and

1 “(2) *proportionally related to the extent the*
2 *plaintiff obtains court ordered relief for that viola-*
3 *tion.*

4 “(g) *DEFINITIONS.—As used in this section—*

5 “(1) *the term ‘prison’ means any Federal, State,*
6 *or local facility that incarcerates or detains juveniles*
7 *or adults accused of, convicted of, sentenced for, or ad-*
8 *judicated delinquent for, violations of criminal law;*

9 “(2) *the term ‘relief’ means all relief in any form*
10 *which may be granted or approved by the court, and*
11 *includes consent decrees and settlement agreements;*
12 *and*

13 “(3) *the term ‘prospective relief’ means all relief*
14 *other than compensatory monetary damages.”.*

15 “(3) *APPLICATION OF AMENDMENT.—Section 3626 of*
16 *title 18, United States Code, as amended by this section,*
17 *shall apply with respect to all relief (as defined in such*
18 *section) whether such relief was originally granted or ap-*
19 *proved before, on, or after the date of the enactment of this*
20 *Act.*

21 “(4) *CLERICAL AMENDMENT.—The table of sections at*
22 *the beginning of subchapter C of chapter 229 of title 18,*
23 *United States Code, is amended by striking “crowding” and*
24 *inserting “conditions”.*

1 TITLE VII—RESCISSIONS

2 DEPARTMENT OF JUSTICE

3 GENERAL ADMINISTRATION

4 WORKING CAPITAL FUND

5 (RESCISSION)

6 *Of the unobligated balances available under this head-*
7 *ing, \$35,000,000 are rescinded.*

8 DEPARTMENT OF COMMERCE

9 NATIONAL TELECOMMUNICATIONS AND INFORMATION

10 ADMINISTRATION

11 INFORMATION INFRASTRUCTURE GRANTS

12 (RESCISSION)

13 *Of the unobligated balances available under this head-*
14 *ing, \$36,769,000 are rescinded.*

15 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

16 CONSTRUCTION OF RESEARCH FACILITIES

17 (RESCISSION)

18 *Of the unobligated balances available under this head-*
19 *ing, \$152,993,000 are rescinded.*

20 DEPARTMENT OF STATE

21 ADMINISTRATION OF FOREIGN AFFAIRS

22 ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD

23 (RESCISSION)

24 *Of the unobligated balances available under this head-*
25 *ing, \$115,000,000 are rescinded.*

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RELATED AGENCIES

UNITED STATES INFORMATION AGENCY

RADIO CONSTRUCTION

(RESCISSION)

Of the unobligated balances available under this heading, \$7,400,000 are rescinded.

This Act may be cited as the “Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996”.

Passed the House of Representatives July 26, 1995.

Attest: ROBIN H. CARLE,
Clerk.

- HR 2076 RS—2
- HR 2076 RS—3
- HR 2076 RS—4
- HR 2076 RS—5
- HR 2076 RS—6
- HR 2076 RS—7
- HR 2076 RS—8
- HR 2076 RS—9
- HR 2076 RS—10
- HR 2076 RS—11
- HR 2076 RS—12

Calendar No. 184

104TH CONGRESS
1ST SESSION

H. R. 2076

[Report No. 104-139]

AN ACT

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

JULY 27 (legislative day, JULY 10), 1995

Received: read twice and referred to the Committee on Appropriations

SEPTEMBER 12 (legislative day, SEPTEMBER 5), 1995

Reported with amendments