

**Calendar No. 479**111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 3636****[Report No. 111-229]**

Making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2011, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

JULY 22, 2010

Ms. MIKULSKI, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

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**A BILL**

Making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2011, 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, 2011, and for other pur-  
6 poses, namely:

1 TITLE I  
2 DEPARTMENT OF COMMERCE  
3 INTERNATIONAL TRADE ADMINISTRATION  
4 OPERATIONS AND ADMINISTRATION

5 For necessary expenses for international trade activi-  
6 ties of the Department of Commerce provided for by law,  
7 and for engaging in trade promotional activities abroad,  
8 including expenses of grants and cooperative agreements  
9 for the purpose of promoting exports of United States  
10 firms, without regard to 44 U.S.C. 3702 and 3703; full  
11 medical coverage for dependent members of immediate  
12 families of employees stationed overseas and employees  
13 temporarily posted overseas; travel and transportation of  
14 employees of the International Trade Administration be-  
15 tween two points abroad, without regard to 49 U.S.C.  
16 40118; employment of Americans and aliens by contract  
17 for services; rental of space abroad for periods not exceed-  
18 ing 10 years, and expenses of alteration, repair, or im-  
19 provement; purchase or construction of temporary de-  
20 mountable exhibition structures for use abroad; payment  
21 of tort claims, in the manner authorized in the first para-  
22 graph of 28 U.S.C. 2672 when such claims arise in foreign  
23 countries; not to exceed \$245,250 for official representa-  
24 tion expenses abroad; purchase of passenger motor vehi-  
25 cles for official use abroad, not to exceed \$45,000 per vehi-

1 cle; obtaining insurance on official motor vehicles; and  
2 rental of tie lines, \$533,704,000, to remain available until  
3 September 30, 2012, of which \$9,439,000 is to be derived  
4 from fees to be retained and used by the International  
5 Trade Administration, notwithstanding 31 U.S.C. 3302:  
6 *Provided*, That not less than \$55,085,000 shall be for  
7 Manufacturing and Services; not less than \$54,753,000  
8 shall be for Market Access and Compliance; not less than  
9 \$72,412,000 shall be for the Import Administration; not  
10 less than \$313,802,000 shall be for the Trade Promotion  
11 and United States and Foreign Commercial Service; and  
12 not less than \$28,213,000 shall be for Executive Direction  
13 and Administration: *Provided further*, That the provisions  
14 of the first sentence of section 105(f) and all of section  
15 108(c) of the Mutual Educational and Cultural Exchange  
16 Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply  
17 in carrying out these activities without regard to section  
18 5412 of the Omnibus Trade and Competitiveness Act of  
19 1988 (15 U.S.C. 4912); and that for the purpose of this  
20 Act, contributions under the provisions of the Mutual  
21 Educational and Cultural Exchange Act of 1961 shall in-  
22 clude payment for assessments for services provided as  
23 part of these activities: *Provided further*, That negotiations  
24 shall be conducted within the World Trade Organization  
25 to recognize the right of members to distribute monies col-

1 lected from antidumping and countervailing duties: *Pro-*  
2 *vided further*, That negotiations shall be conducted within  
3 the World Trade Organization consistent with the negoti-  
4 ating objectives contained in the Trade Act of 2002, Pub-  
5 lic Law 107–210: *Provided further*, That within the  
6 amounts appropriated, \$1,100,000 shall be used for the  
7 projects, and in the amounts, specified in the report ac-  
8 companying this Act.

9 BUREAU OF INDUSTRY AND SECURITY

10 OPERATIONS AND ADMINISTRATION

11 For necessary expenses for export administration and  
12 national security activities of the Department of Com-  
13 merce, including costs associated with the performance of  
14 export administration field activities both domestically and  
15 abroad; full medical coverage for dependent members of  
16 immediate families of employees stationed overseas; em-  
17 ployment of Americans and aliens by contract for services  
18 abroad; payment of tort claims, in the manner authorized  
19 in the first paragraph of 28 U.S.C. 2672 when such claims  
20 arise in foreign countries; not to exceed \$11,250 for offi-  
21 cial representation expenses abroad; awards of compensa-  
22 tion to informers under the Export Administration Act of  
23 1979, and as authorized by 22 U.S.C. 401(b); and pur-  
24 chase of passenger motor vehicles for official use and  
25 motor vehicles for law enforcement use with special re-

1 quirement vehicles eligible for purchase without regard to  
2 any price limitation otherwise established by law,  
3 \$113,106,000, to remain available until expended, of  
4 which \$32,000,000 shall be for inspections and other ac-  
5 tivities related to national security: *Provided*, That the  
6 provisions of the first sentence of section 105(f) and all  
7 of section 108(c) of the Mutual Educational and Cultural  
8 Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(e))  
9 shall apply in carrying out these activities: *Provided fur-*  
10 *ther*, That payments and contributions collected and ac-  
11 cepted for materials or services provided as part of such  
12 activities may be retained for use in covering the cost of  
13 such activities, and for providing information to the public  
14 with respect to the export administration and national se-  
15 curity activities of the Department of Commerce and other  
16 export control programs of the United States and other  
17 governments.

18           ECONOMIC DEVELOPMENT ADMINISTRATION

19           ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

20           For grants for economic development assistance as  
21 provided by the Public Works and Economic Development  
22 Act of 1965, and for trade adjustment assistance,  
23 \$240,000,000, to remain available until expended.

## 1 SALARIES AND EXPENSES

2 For necessary expenses of administering the eco-  
3 nomic development assistance programs as provided for by  
4 law, \$40,181,000: *Provided*, That these funds may be used  
5 to monitor projects approved pursuant to title I of the  
6 Public Works Employment Act of 1976, title II of the  
7 Trade Act of 1974, and the Community Emergency  
8 Drought Relief Act of 1977.

## 9 MINORITY BUSINESS DEVELOPMENT AGENCY

## 10 MINORITY BUSINESS DEVELOPMENT

11 For necessary expenses of the Department of Com-  
12 merce in fostering, promoting, and developing minority  
13 business enterprise, including expenses of grants, con-  
14 tracts, and other agreements with public or private organi-  
15 zations, \$32,316,000.

## 16 ECONOMIC AND STATISTICAL ANALYSIS

## 17 SALARIES AND EXPENSES

18 For necessary expenses, as authorized by law, of eco-  
19 nomic and statistical analysis programs of the Department  
20 of Commerce, \$110,000,000, to remain available until  
21 September 30, 2012.

1 BUREAU OF THE CENSUS  
2 SALARIES AND EXPENSES

3 For expenses necessary for collecting, compiling, ana-  
4 lyzing, preparing, and publishing statistics, provided for  
5 by law, \$280,364,000.

6 PERIODIC CENSUSES AND PROGRAMS

7 For necessary expenses to collect and publish statis-  
8 ties for periodic censuses and programs provided for by  
9 law, \$964,059,000, to remain available until September  
10 30, 2012: *Provided*, That from amounts provided herein,  
11 funds may be used for promotion, outreach, and mar-  
12 keting activities: *Provided further*, That \$2,000,000 shall  
13 be transferred to the Office of Inspector General for activi-  
14 ties associated with carrying out investigations and audits  
15 under heading.

16 NATIONAL TELECOMMUNICATIONS AND INFORMATION  
17 ADMINISTRATION

18 SALARIES AND EXPENSES

19 For necessary expenses, as provided for by law, of  
20 the National Telecommunications and Information Ad-  
21 ministration (NTIA), \$21,825,000, to remain available  
22 until September 30, 2012: *Provided*, That, notwith-  
23 standing 31 U.S.C. 1535(d), the Secretary of Commerce  
24 shall charge Federal agencies for costs incurred in spec-  
25 trum management, analysis, operations, and related serv-

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

13 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING  
14 AND CONSTRUCTION

15 For the administration of prior-year grants, author-  
16 ized by section 392 of the Communications Act of 1934,  
17 \$20,000,000, to remain available until expended as au-  
18 thorized by section 391 of the Act: *Provided*, That not to  
19 exceed \$2,000,000 shall be available for program adminis-  
20 tration as authorized by section 391 of the Act: *Provided*  
21 *further*, That, notwithstanding the provisions of section  
22 391 of the Act, the prior-year unobligated balances may  
23 be made available for grants for projects for which appli-  
24 cations have been submitted and approved during any fis-  
25 cal year.



## 1 BROADBAND TECHNOLOGY OPPORTUNITIES PROGRAM

## 2 ADMINISTRATIVE EXPENSES

3 For the administration of grants authorized by sec-  
4 tion 6001 of the American Recovery and Reinvestment Act  
5 of 2009 and section 106 of the Broadband Data Improve-  
6 ment Act and for the development and maintenance of the  
7 national broadband map authorized by section 6001 of the  
8 American Recovery and Reinvestment Act of 2009,  
9 \$16,000,000, to remain available until expended: *Pro-*  
10 *vided*, That \$1,000,000 shall be transferred to the Office  
11 of Inspector General for activities associated with carrying  
12 out investigations and audits under this heading.

## 13 UNITED STATES PATENT AND TRADEMARK OFFICE

## 14 SALARIES AND EXPENSES

15 For necessary expenses of the United States Patent  
16 and Trademark Office (USPTO) provided for by law, in-  
17 cluding defense of suits instituted against the Under Sec-  
18 retary of Commerce for Intellectual Property and Director  
19 of the United States Patent and Trademark Office,  
20 \$2,321,724,000, to remain available until expended: *Pro-*  
21 *vided*, That the sum herein appropriated from the general  
22 fund shall be reduced as offsetting collections assessed and  
23 collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41  
24 and 376 are received during fiscal year 2011, so as to re-  
25 sult in a fiscal year 2011 appropriation from the general

1 fund estimated at \$0: *Provided further*, That during fiscal  
2 year 2011, should the total amount of offsetting fee collec-  
3 tions and the surcharge provided herein be less than  
4 \$2,321,724,000, this amount shall be reduced accordingly:  
5 *Provided further*, That any amount received in excess of  
6 \$2,321,724,000 in fiscal year 2011, in an amount up to  
7 \$100,000,000, shall remain available until expended: *Pro-*  
8 *vided further*, That from amounts provided herein, not to  
9 exceed \$750 shall be made available in fiscal year 2011  
10 for official reception and representation expenses: *Pro-*  
11 *vided further*, That in fiscal year 2011 from the amounts  
12 made available for “Salaries and Expenses” for the  
13 USPTO, the amounts necessary to pay: (1) the difference  
14 between the percentage of basic pay contributed by the  
15 USPTO and employees under section 8334(a) of title 5,  
16 United States Code, and the normal cost percentage (as  
17 defined by section 8331(17) of that title) of basic pay, of  
18 employees subject to subchapter III of chapter 83 of that  
19 title; and (2) the present value of the otherwise unfunded  
20 accruing costs, as determined by the Office of Personnel  
21 Management, of post-retirement life insurance and post-  
22 retirement health benefits coverage for all USPTO em-  
23 ployees, shall be transferred to the Civil Service Retire-  
24 ment and Disability Fund, the Employees Life Insurance  
25 Fund, and the Employees Health Benefits Fund, as ap-

1 appropriate, and shall be available for the authorized pur-  
2 poses of those accounts: *Provided further*, That sections  
3 801, 802, and 803 of division B, Public Law 108–447  
4 shall remain in effect during fiscal year 2011: *Provided*  
5 *further*, That the Director may, this year, reduce by regu-  
6 lation fees payable for documents in patent and trademark  
7 matters, in connection with the filing of documents filed  
8 electronically in a form prescribed by the Director: *Pro-*  
9 *vided further*, That there shall be a surcharge of 15 per-  
10 cent, rounded by standard arithmetic rules, on fees  
11 charged or authorized by sections 41(a), (b), (d) (1) and  
12 132(b) of title 35, United States Code, as administered  
13 under Public Law 108–447 and this Act: *Provided further*,  
14 That the surcharge established under the previous proviso  
15 shall be separate from, and in addition to, to any other  
16 surcharge that may be required pursuant to any provision  
17 of title 35, United States Code: *Provided further*, That the  
18 surcharge established in the previous two provisions shall  
19 take effect on the date that is 10 days after the date of  
20 enactment of this Act, and shall remain in effect during  
21 fiscal year 2011: *Provided further*, That the receipts col-  
22 lected as a result of these surcharges shall be available  
23 within the amounts provided herein to the United States  
24 Patent and Trademark Office without fiscal year limita-

1 tion, for all authorized activities and operations of the Of-  
2 fice.

3 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY  
4 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

5 For necessary expenses of the National Institute of  
6 Standards and Technology, \$584,500,000, to remain  
7 available until expended, of which not to exceed  
8 \$9,000,000 may be transferred to the “Working Capital  
9 Fund”: *Provided*, That not to exceed \$5,000 shall be for  
10 official reception and representation expenses: *Provided*  
11 *further*, That within the amounts appropriated,  
12 \$5,275,000 shall be used for the projects, and in the  
13 amounts, specified in the report accompanying this Act.

14 INDUSTRIAL TECHNOLOGY SERVICES

15 For necessary expenses of the Hollings Manufac-  
16 turing Extension Partnership of the National Institute of  
17 Standards and Technology, \$129,700,000, to remain  
18 available until expended.

19 In addition, for necessary expenses of the Technology  
20 Innovation Program of the National Institute of Stand-  
21 ards and Technology, \$69,900,000, to remain available  
22 until expended.

23 CONSTRUCTION OF RESEARCH FACILITIES

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

1 and maintenance of existing facilities, not otherwise pro-  
2 vided for the National Institute of Standards and Tech-  
3 nology, as authorized by 15 U.S.C. 278c–278e,  
4 \$156,706,000, to remain available until expended: *Pro-*  
5 *vided*, That within the amounts appropriated,  
6 \$48,000,000 shall be used for the projects, and in the  
7 amounts, specified in the report accompanying this Act:  
8 *Provided further*, That the Secretary of Commerce shall  
9 include in the budget justification materials that the Sec-  
10 retary submits to Congress in support of the Department  
11 of Commerce budget (as submitted with the budget of the  
12 President under section 1105(a) of title 31, United States  
13 Code) an estimate for each National Institute of Stand-  
14 ards and Technology construction project having a total  
15 multi-year program cost of more than \$5,000,000 and si-  
16 multaneously the budget justification materials shall in-  
17 clude an estimate of the budgetary requirements for each  
18 such project for each of the five subsequent fiscal years.

19 NATIONAL OCEANIC AND ATMOSPHERIC

20 ADMINISTRATION

21 OPERATIONS, RESEARCH, AND FACILITIES

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses of activities authorized by law  
24 for the National Oceanic and Atmospheric Administration,  
25 including maintenance, operation, and hire of aircraft and

1 vessels; grants, contracts, or other payments to nonprofit  
2 organizations for the purposes of conducting activities  
3 pursuant to cooperative agreements; and relocation of fa-  
4 cilities, \$3,384,301,000, to remain available until Sep-  
5 tember 30, 2012, except for funds provided for cooperative  
6 enforcement, which shall remain available until September  
7 30, 2013: *Provided*, That fees and donations received by  
8 the National Ocean Service for the management of na-  
9 tional marine sanctuaries may be retained and used for  
10 the salaries and expenses associated with those activities,  
11 notwithstanding 31 U.S.C. 3302: *Provided further*, That  
12 in addition, \$3,000,000 shall be derived by transfer from  
13 the fund entitled “Coastal Zone Management” and in ad-  
14 dition \$104,600,000 shall be derived by transfer from the  
15 fund entitled “Promote and Develop Fishery Products and  
16 Research Pertaining to American Fisheries” and  
17 \$6,000,000 is derived from recoveries of prior-year obliga-  
18 tions: *Provided further*, That of the \$3,497,901,000 pro-  
19 vided for in direct obligations under this heading  
20 \$3,384,301,000 is appropriated from the general fund,  
21 and \$107,600,000 is provided by transfer: *Provided fur-*  
22 *ther*, That the total amount available for the National Oce-  
23 anic and Atmospheric Administration corporate services  
24 administrative support costs shall not exceed  
25 \$242,763,000: *Provided further*, That payments of funds

1 made available under this heading to the Department of  
2 Commerce Working Capital Fund including Department  
3 of Commerce General Counsel legal services shall not ex-  
4 ceed \$41,944,000: *Provided further*, That within the  
5 amounts appropriated, \$69,990,000 shall be used for the  
6 projects, and in the amounts, specified in the report ac-  
7 companying this Act: *Provided further*, That none of the  
8 funds within the Fisheries Enforcement Asset Forfeiture  
9 Fund shall be available for obligation until the Adminis-  
10 trator of the National Oceanic and Atmospheric Adminis-  
11 tration completes a comprehensive independent audit of  
12 the fund's assets and related transactions, defines pre-  
13 cisely what monies constitute fund assets, state how the  
14 fund will comply with all applicable laws, and receives ap-  
15 proval from the Senate Committee on Appropriations for  
16 its spend plan: *Provided further*, That the Administrator  
17 shall identify and account for the Fisheries Enforcement  
18 Asset Forfeiture Fund as a separate and distinct part of  
19 the agency's annual budget submissions: *Provided further*,  
20 That any deviation from the amounts designated for spe-  
21 cific activities in the explanatory statement accompanying  
22 this Act, or any use of deobligated balances of funds pro-  
23 vided under this heading in previous years, shall be subject  
24 to the procedures set forth in section 505 of this Act: *Pro-*  
25 *vided further*, That in allocating grants under sections 306

1 and 306A of the Coastal Zone Management Act of 1972,  
2 as amended, no coastal State shall receive more than 5  
3 percent or less than 1 percent of increased funds appro-  
4 priated over the previous fiscal year.

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

11 PROCUREMENT, ACQUISITION AND CONSTRUCTION

12 For procurement, acquisition and construction of  
13 capital assets, including alteration and modification costs,  
14 of the National Oceanic and Atmospheric Administration,  
15 \$2,084,963,000, to remain available until September 30,  
16 2013, except funds provided for construction of facilities  
17 which shall remain available until expended: *Provided*,  
18 That of the \$2,091,963,000 provided for in direct obliga-  
19 tions under this heading, \$2,084,963,000 is appropriated  
20 from the general fund and \$7,000,000 is provided from  
21 recoveries of prior-year obligations: *Provided further*, That  
22 except to the extent expressly prohibited by any other law,  
23 the Department of Defense may delegate procurement  
24 functions related to the National Polar-orbiting Oper-  
25 ational Environmental Satellite System to officials of the



1 Department of Commerce pursuant to section 2311 of title  
2 10, United States Code: *Provided further*, That any devi-  
3 ation from the amounts designated for specific activities  
4 in the explanatory statement accompanying this Act, or  
5 any use of deobligated balances of funds provided under  
6 this heading in previous years, shall be subject to the pro-  
7 cedures set forth in section 505 of this Act: *Provided fur-*  
8 *ther*, That the Secretary of Commerce shall include in  
9 budget justification materials that the Secretary submits  
10 to Congress in support of the Department of Commerce  
11 budget (as submitted with the budget of the President  
12 under section 1105(a) of title 31, United States Code) an  
13 estimate for each National Oceanic and Atmospheric Ad-  
14 ministration Procurement, Acquisition or Construction  
15 project having a total of more than \$5,000,000 and simul-  
16 taneously the budget justification shall include an estimate  
17 of the budgetary requirements for each such project for  
18 each of the five subsequent fiscal years: *Provided further*,  
19 That within the amounts appropriated, \$6,575,000 shall  
20 be used for the projects, and in the amounts, specified in  
21 the report accompanying this Act.

22 PACIFIC COASTAL SALMON RECOVERY

23 For necessary expenses associated with the restora-  
24 tion of Pacific salmon populations, \$80,000,000, to re-  
25 main available until September 30, 2012: *Provided*, That

1 of the funds provided herein the Secretary of Commerce  
2 may issue grants to the States of Washington, Oregon,  
3 Idaho, Nevada, California, and Alaska, and federally rec-  
4 ognized tribes of the Columbia River and Pacific Coast  
5 (including Alaska) for projects necessary for conservation  
6 of salmon and steelhead populations that are listed as  
7 threatened or endangered, or identified by a State as at-  
8 risk to be so-listed, for maintaining populations necessary  
9 for exercise of tribal treaty fishing rights or native subsist-  
10 ence fishing, or for conservation of Pacific coastal salmon  
11 and steelhead habitat, based on guidelines to be developed  
12 by the Secretary of Commerce: *Provided further*, That  
13 funds disbursed to States shall be subject to a matching  
14 requirement of funds or documented in-kind contributions  
15 of at least 33 percent of the Federal funds.

16 FISHERMEN'S CONTINGENCY FUND

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

21 COASTAL ZONE MANAGEMENT FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 Of amounts collected pursuant to section 308 of the  
24 Coastal Zone Management Act of 1972 (16 U.S.C.  
25 1456a), not to exceed \$3,000,000 shall be transferred to

1 the “Operations, Research, and Facilities” account to off-  
2 set the costs of implementing such Act.

3 FISHERIES FINANCE PROGRAM ACCOUNT

4 Subject to section 502 of the Congressional Budget  
5 Act of 1974, during fiscal year 2011, obligations of direct  
6 loans may not exceed \$12,000,000 for Individual Fishing  
7 Quota loans and not to exceed \$59,000,000 for traditional  
8 direct loans as authorized by the Merchant Marine Act  
9 of 1936: *Provided*, That none of the funds made available  
10 under this heading may be used for direct loans for any  
11 new fishing vessel that will increase the harvesting capac-  
12 ity in any United States fishery.

13 DEPARTMENTAL MANAGEMENT

14 SALARIES AND EXPENSES

15 For expenses necessary for the departmental manage-  
16 ment of the Department of Commerce provided for by law,  
17 including not to exceed \$5,000 for official reception and  
18 representation, \$65,248,000.

19 HERBERT C. HOOVER BUILDING RENOVATION AND

20 MODERNIZATION

21 For expenses necessary, including blast windows, for  
22 the renovation and modernization of the Herbert C. Hoo-  
23 ver Building, \$17,487,000, to remain available until ex-  
24 pended.

## 1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector  
3 General in carrying out the provisions of the Inspector  
4 General Act of 1978 (5 U.S.C. App.) (as amended),  
5 \$30,394,000.

## 6 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

7 SEC. 101. During the current fiscal year, applicable  
8 appropriations and funds made available to the Depart-  
9 ment of Commerce by this Act shall be available for the  
10 activities specified in the Act of October 26, 1949 (15  
11 U.S.C. 1514), to the extent and in the manner prescribed  
12 by the Act, and, notwithstanding 31 U.S.C. 3324, may  
13 be used for advanced payments not otherwise authorized  
14 only upon the certification of officials designated by the  
15 Secretary of Commerce that such payments are in the  
16 public interest.

17 SEC. 102. During the current fiscal year, appropria-  
18 tions made available to the Department of Commerce by  
19 this Act for salaries and expenses shall be available for  
20 hire of passenger motor vehicles as authorized by 31  
21 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.  
22 3109; and uniforms or allowances therefor, as authorized  
23 by law (5 U.S.C. 5901–5902).

24 SEC. 103. Not to exceed 5 percent of any appropria-  
25 tion made available for the current fiscal year for the De-

1 partment of Commerce in this Act may be transferred be-  
2 tween such appropriations, but no such appropriation shall  
3 be increased by more than 10 percent by any such trans-  
4 fers: *Provided*, That any transfer pursuant to this section  
5 shall be treated as a reprogramming of funds under sec-  
6 tion 505 of this Act and shall not be available for obliga-  
7 tion or expenditure except in compliance with the proce-  
8 dures set forth in that section: *Provided further*, That the  
9 Secretary of Commerce shall notify the Committees on Ap-  
10 propriations at least 15 days in advance of the acquisition  
11 or disposal of any capital asset (including land, structures,  
12 and equipment) not specifically provided for in this Act  
13 or any other law appropriating funds for the Department  
14 of Commerce: *Provided further*, That for the National Oce-  
15 anic and Atmospheric Administration this section shall  
16 provide for transfers among appropriations made only to  
17 the National Oceanic and Atmospheric Administration  
18 and such appropriations may not be transferred and re-  
19 programmed to other Department of Commerce bureaus  
20 and appropriation accounts.

21       SEC. 104. Any costs incurred by a department or  
22 agency funded under this title resulting from personnel  
23 actions taken in response to funding reductions included  
24 in this title or from actions taken for the care and protec-  
25 tion of loan collateral or grant property shall be absorbed

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

11       SEC. 105. The requirements set forth by section 112  
12 of division B of Public Law 110–161 are hereby adopted  
13 by reference.

14       SEC. 106. Notwithstanding any other law, the Sec-  
15 retary may furnish services (including but not limited to  
16 utilities, telecommunications, and security services) nec-  
17 essary to support the operation, maintenance, and im-  
18 provement of space that persons, firms or organizations  
19 are authorized pursuant to the Public Buildings Coopera-  
20 tive Use Act of 1976 or other authority to use or occupy  
21 in the Herbert C. Hoover Building, Washington, DC, or  
22 other buildings, the maintenance, operation, and protec-  
23 tion of which has been delegated to the Secretary from  
24 the Administrator of General Services pursuant to the  
25 Federal Property and Administrative Services Act of

1 1949, as amended, on a reimbursable or nonreimbursable  
2 basis. Amounts received as reimbursement for services  
3 provided under this section or the authority under which  
4 the use or occupancy of the space is authorized, up to  
5 \$200,000, shall be credited to the appropriation or fund  
6 which initially bears the costs of such services.

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

11       SEC. 108. The Administrator of the National Oceanic  
12 and Atmospheric Administration is authorized to use, with  
13 their consent, with reimbursement and subject to the lim-  
14 its of available appropriations, the land, services, equip-  
15 ment, personnel, and facilities of any department, agency  
16 or instrumentality of the United States, or of any State,  
17 local government, Indian tribal government, Territory or  
18 possession, or of any political subdivision thereof, or of  
19 any foreign government or international organization for  
20 purposes related to carrying out the responsibilities of any  
21 statute administered by the National Oceanic and Atmos-  
22 pheric Administration.

23       SEC. 109. For an additional amount for the “Oper-  
24 ations, Research, and Facilities”, National Oceanic and  
25 Atmospheric Administration account, \$1,908,000, and for

1 an additional amount for the “Salaries and Expenses”,  
2 Departmental Management account, \$1,377,000, and for  
3 an additional amount for the “Periodic Censuses and Pro-  
4 grams”, Bureau of the Census account, \$256,000, to in-  
5 crease the Department’s acquisition workforce capacity  
6 and capabilities: *Provided*, That such funds shall be avail-  
7 able only to supplement and not to supplant existing ac-  
8 quisition workforce activities: *Provided further*, That such  
9 funds shall be available for training, recruitment, reten-  
10 tion, and hiring additional members of the acquisition  
11 workforce as defined by the Office of Federal Procurement  
12 Policy Act, as amended (41 U.S.C. 401 et seq.): *Provided*  
13 *further*, That such funds shall be available for information  
14 technology in support of acquisition workforce effective-  
15 ness or for management solutions to improve acquisition  
16 management.

17 UNITED STATES PARTICIPATING TERRITORIES

18 SEC. 110. (a) The Secretary of State shall ensure  
19 participation in the Commission for the Conservation and  
20 Management of Highly Migratory Fish Stocks in the  
21 Western and Central Pacific Ocean (“Commission”) and  
22 its subsidiary bodies by American Samoa, Guam, and the  
23 Northern Mariana Islands (collectively, the U.S. Partici-  
24 pating Territories) to the same extent provided to the ter-  
25 ritories of other nations.



1           (b) The U.S. Participating Territories are each au-  
2 thORIZED to use, assign, allocate, and manage catch limits  
3 of highly migratory fish stocks, or fishing effort limits,  
4 agreed to by the Commission for the participating terri-  
5 tories of the Convention, through arrangements with U.S.  
6 vessels with permits issued under the Pelagic Fishery  
7 Management Plan of the Western Pacific Region. Vessels  
8 under such arrangements are integral to the domestic fish-  
9 eries of the U.S. Participating Territories, provided that  
10 such arrangements are funded by deposits to the Western  
11 Pacific Sustainable Fisheries Fund in support of fisheries  
12 development projects identified in a Territory's Marine  
13 Conservation Plan and adopted pursuant to section 204  
14 of the Magnuson Stevens Fisheries Conservation and  
15 Management Act (16 U.S.C. § 1824). The Secretary of  
16 Commerce shall attribute catches made by vessels oper-  
17 ating under such arrangements to the U.S. Participating  
18 Territories for the purposes of annual reporting to the  
19 Commission.

20           (c) The Western Pacific Regional Fisheries Manage-  
21 ment Council is authorized to accept and deposit funding  
22 for arrangements pursuant to subsection (b) to the West-  
23 ern Pacific Sustainable Fisheries Fund in support of a  
24 Territory's Marine Conservation Plan adopted pursuant to  
25 section 204 of the Magnuson Stevens Fisheries Conserva-

1 tion and Management Act (16 U.S.C. § 1824), and shall  
2 recommend an amendment and associated regulations to  
3 the Pelagics Fishery Management Plan for the Western  
4 Pacific Region to implement the provisions of this section.

5 (d) Paragraph (b) of this section shall remain in ef-  
6 fect until such time as the Western Pacific Regional Fish-  
7 ery Management Council recommends an amendment to  
8 the Pelagics Fishery Management Plan for the Western  
9 Pacific Region, and implementing regulations to the Sec-  
10 retary, to authorize use, assignment, allocation and man-  
11 agement of catch limits of highly migratory fish stocks,  
12 or fishing effort limits, established by the Commission and  
13 applicable to U.S. Participating Territories, and until the  
14 Secretary of Commerce approves the amendment as rec-  
15 ommended and implementing regulations become effective.

16 This title may be cited as the “Department of Com-  
17 merce Appropriations Act, 2011”.

## 18 TITLE II

### 19 DEPARTMENT OF JUSTICE

#### 20 GENERAL ADMINISTRATION

#### 21 SALARIES AND EXPENSES

22 For expenses necessary for the administration of the  
23 Department of Justice, \$149,565,000, of which not to ex-  
24 ceed \$4,000,000 for security and construction of Depart-  
25 ment of Justice facilities shall remain available until ex-

1 pended: *Provided*, That the Attorney General is authorized  
2 to transfer funds appropriated within General Administra-  
3 tion to any office in this account: *Provided further*, That  
4 \$37,000,000 is for Department Leadership; \$9,403,000 is  
5 for Intergovernmental Relations/External Affairs;  
6 \$13,477,000 is for Executive Support/Professional Re-  
7 sponsibility; \$87,985,000 is for the Justice Management  
8 Division, and \$1,700,000 shall be for the activities of the  
9 Commission authorized by section 540 of this Act: *Pro-*  
10 *vided further*, That any change in amounts specified in the  
11 preceding proviso greater than 5 percent shall be sub-  
12 mitted for approval to the House and Senate Committees  
13 on Appropriations consistent with the terms of section 505  
14 of this Act: *Provided further*, That this transfer authority  
15 is in addition to transfers authorized under section 505  
16 of this Act.

17 NATIONAL DRUG INTELLIGENCE CENTER

18 For necessary expenses of the National Drug Intel-  
19 ligence Center, including reimbursement of Air Force per-  
20 sonnel for the National Drug Intelligence Center to sup-  
21 port the Department of Defense's counter-drug intel-  
22 ligence responsibilities, \$44,580,000: *Provided*, That the  
23 National Drug Intelligence Center shall maintain the per-  
24 sonnel and technical resources to provide timely support  
25 to law enforcement authorities and the intelligence com-

1 munity by conducting document and computer exploitation  
2 of materials collected in Federal, State, and local law en-  
3 forcement activity associated with counter-drug, counter-  
4 terrorism, and national security investigations and oper-  
5 ations.

6 JUSTICE INFORMATION-SHARING TECHNOLOGY

7 For necessary expenses for information-sharing tech-  
8 nology, including planning, development, deployment and  
9 departmental direction, \$165,000,000, to remain available  
10 until expended, of which not less than \$42,132,000 is for  
11 the Unified Financial Management System.

12 LAW ENFORCEMENT WIRELESS COMMUNICATIONS

13 For the costs of developing and implementing a na-  
14 tion-wide Integrated Wireless Network supporting Federal  
15 law enforcement communications, and for the costs of op-  
16 erations and maintenance of existing Land Mobile Radio  
17 legacy systems, \$207,727,000, to remain available until  
18 expended: *Provided*, That the Attorney General shall  
19 transfer to this account all funds made available to the  
20 Department of Justice for the purchase of portable and  
21 mobile radios: *Provided further*, That any transfer made  
22 under the preceding proviso shall be subject to section 505  
23 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, \$319,420,000, of which \$4,000,000 shall be derived  
5 by transfer from the Executive Office for Immigration Re-  
6 view fees deposited in the “Immigration Examinations  
7 Fee” account.

## 8 DETENTION TRUSTEE

9 For necessary expenses of the Federal Detention  
10 Trustee, \$1,533,863,000, to remain available until ex-  
11 pended: *Provided*, That the Trustee shall be responsible  
12 for managing the Justice Prisoner and Alien Transpor-  
13 tation System: *Provided further*, That not to exceed  
14 \$20,000,000 shall be considered “funds appropriated for  
15 State and local law enforcement assistance” pursuant to  
16 18 U.S.C. 4013(b).

## 17 OFFICE OF THE INSPECTOR GENERAL

18 For necessary expenses of the Office of the Inspector  
19 General, \$89,792,000, including not to exceed \$10,000 to  
20 meet unforeseen emergencies of a confidential character.

## 21 UNITED STATES PAROLE COMMISSION

## 22 SALARIES AND EXPENSES

23 For necessary expenses of the United States Parole  
24 Commission as authorized, \$13,582,000.

## 1 LEGAL ACTIVITIES

## 2 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

3 For expenses necessary for the legal activities of the  
4 Department of Justice, not otherwise provided for, includ-  
5 ing not to exceed \$20,000 for expenses of collecting evi-  
6 dence, to be expended under the direction of, and to be  
7 accounted for solely under the certificate of, the Attorney  
8 General; and rent of private or Government-owned space  
9 in the District of Columbia, \$963,389,000, of which not  
10 to exceed \$10,000,000 for litigation support contracts  
11 shall remain available until expended: *Provided*, That of  
12 the total amount appropriated, not to exceed \$7,500 shall  
13 be available to the United States National Central Bu-  
14 reau, INTERPOL, for official reception and representa-  
15 tion expenses: *Provided further*, That notwithstanding sec-  
16 tion 205 of this Act, upon a determination by the Attorney  
17 General that emergent circumstances require additional  
18 funding for litigation activities of the Civil Division, the  
19 Attorney General may transfer such amounts to “Salaries  
20 and Expenses, General Legal Activities” from available  
21 appropriations for the current fiscal year for the Depart-  
22 ment of Justice, as may be necessary to respond to such  
23 circumstances: *Provided further*, That any transfer pursu-  
24 ant to the previous proviso shall be treated as a re-  
25 programming under section 505 of this Act and shall not

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

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

16 SALARIES AND EXPENSES, ANTITRUST DIVISION

17 For expenses necessary for the enforcement of anti-  
18 trust and kindred laws, \$167,028,000, to remain available  
19 until expended: *Provided*, That notwithstanding any other  
20 provision of law, fees collected for premerger notification  
21 filings under the Hart-Scott-Rodino Antitrust Improve-  
22 ments Act of 1976 (15 U.S.C. 18a), regardless of the year  
23 of collection (and estimated to be \$96,000,000 in fiscal  
24 year 2011), shall be retained and used for necessary ex-  
25 penses in this appropriation, and shall remain available

1 until expended: *Provided further*, That the sum herein ap-  
2 propriated from the general fund shall be reduced as such  
3 offsetting collections are received during fiscal year 2011,  
4 so as to result in a final fiscal year 2011 appropriation  
5 from the general fund estimated at \$71,028,000.

6 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

7 For necessary expenses of the Offices of the United  
8 States Attorneys, including inter-governmental and coop-  
9 erative agreements, \$2,036,269,000: *Provided*, That of the  
10 total amount appropriated, not to exceed \$6,000 shall be  
11 available for official reception and representation ex-  
12 penses: *Provided further*, That not to exceed \$25,000,000  
13 shall remain available until expended: *Provided further*,  
14 That of the amount provided under this heading, not less  
15 than \$38,460,000 shall be used for salaries and expenses  
16 for assistant U.S. Attorneys to carry out section 704 of  
17 the Adam Walsh Child Protection and Safety Act of 2006  
18 (Public Law 109–248) concerning the prosecution of of-  
19 fenses relating to the sexual exploitation of children: *Pro-*  
20 *vided further*, That of the amount provided under this  
21 heading, \$31,965,000 is for salaries and expenses for new  
22 assistant U.S. Attorneys to carry out additional prosecu-  
23 tions of serious crimes in Indian Country.



## 1 UNITED STATES TRUSTEE SYSTEM FUND

2 For necessary expenses of the United States Trustee  
3 Program, as authorized, \$236,435,000, to remain avail-  
4 able until expended and to be derived from the United  
5 States Trustee System Fund: *Provided*, That notwith-  
6 standing any other provision of law, deposits to the Fund  
7 shall be available in such amounts as may be necessary  
8 to pay refunds due depositors: *Provided further*, That, not-  
9 withstanding any other provision of law, \$231,435,000 of  
10 offsetting collections pursuant to 28 U.S.C. 589a(b) shall  
11 be retained and used for necessary expenses in this appro-  
12 priation and shall remain available until expended: *Pro-*  
13 *vided further*, That the sum herein appropriated from the  
14 Fund shall be reduced as such offsetting collections are  
15 received during fiscal year 2011, so as to result in a final  
16 fiscal year 2011 appropriation from the Fund estimated  
17 at \$0.

## 18 SALARIES AND EXPENSES, FOREIGN CLAIMS

## 19 SETTLEMENT COMMISSION

20 For expenses necessary to carry out the activities of  
21 the Foreign Claims Settlement Commission, including  
22 services as authorized by section 3109 of title 5, United  
23 States Code, \$2,159,000.

## 1 FEES AND EXPENSES OF WITNESSES

2 For fees and expenses of witnesses, for expenses of  
3 contracts for the procurement and supervision of expert  
4 witnesses, for private counsel expenses, including ad-  
5 vances, and for expenses of foreign counsel, \$270,000,000,  
6 to remain available until expended: *Provided*, That not to  
7 exceed \$10,000,000 may be made available for construc-  
8 tion of buildings for protected witness safesites: *Provided*  
9 *further*, That not to exceed \$3,000,000 may be made avail-  
10 able for the purchase and maintenance of armored and  
11 other vehicles for witness security caravans: *Provided fur-*  
12 *ther*, That not to exceed \$11,000,000 may be made avail-  
13 able for the purchase, installation, maintenance, and up-  
14 grade of secure telecommunications equipment and a se-  
15 cure automated information network to store and retrieve  
16 the identities and locations of protected witnesses.

## 17 SALARIES AND EXPENSES, COMMUNITY RELATIONS

## 18 SERVICE

19 For necessary expenses of the Community Relations  
20 Service, \$12,606,000: *Provided*, That notwithstanding sec-  
21 tion 205 of this Act, upon a determination by the Attorney  
22 General that emergent circumstances require additional  
23 funding for conflict resolution and violence prevention ac-  
24 tivities of the Community Relations Service, the Attorney  
25 General may transfer such amounts to the Community Re-

1 lations Service, from available appropriations for the cur-  
2 rent fiscal year for the Department of Justice, as may be  
3 necessary to respond to such circumstances: *Provided fur-*  
4 *ther*, That any transfer pursuant to the preceding proviso  
5 shall be treated as a reprogramming under section 505  
6 of this Act and shall not be available for obligation or ex-  
7 penditure except in compliance with the procedures set  
8 forth in that section.

9 ASSETS FORFEITURE FUND

10 For expenses authorized by 28 U.S.C. 524(c)(1)(B),  
11 (F), and (G), \$20,990,000, to be derived from the Depart-  
12 ment of Justice Assets Forfeiture Fund.

13 UNITED STATES MARSHALS SERVICE

14 SALARIES AND EXPENSES

15 For necessary expenses of the United States Mar-  
16 shals Service, \$1,190,534,000; of which not to exceed  
17 \$6,000 shall be available for official reception and rep-  
18 resentation expenses; and of which not to exceed  
19 \$10,000,000 shall remain available until expended for in-  
20 formation technology systems.

21 CONSTRUCTION

22 For construction in space controlled, occupied or uti-  
23 lized by the United States Marshals Service for prisoner  
24 holding and related support, \$26,625,000, to remain avail-  
25 able until expended; of which not less than \$12,625,000

1 shall be available for the costs of courthouse security  
2 equipment, including furnishings, relocations, and tele-  
3 phone systems and cabling.

4 NATIONAL SECURITY DIVISION

5 SALARIES AND EXPENSES

6 For expenses necessary to carry out the activities of  
7 the National Security Division, \$99,537,000; of which not  
8 to exceed \$5,000,000 for information technology systems  
9 shall remain available until expended: *Provided*, That not-  
10 withstanding section 205 of this Act, upon a determina-  
11 tion by the Attorney General that emergent circumstances  
12 require additional funding for the activities of the National  
13 Security Division, the Attorney General may transfer such  
14 amounts to this heading from available appropriations for  
15 the current fiscal year for the Department of Justice, as  
16 may be necessary to respond to such circumstances: *Pro-*  
17 *vided further*, That any transfer pursuant to the preceding  
18 proviso shall be treated as a reprogramming under section  
19 505 of this Act and shall not be available for obligation  
20 or expenditure except in compliance with the procedures  
21 set forth in that section.

22 INTERAGENCY LAW ENFORCEMENT

23 INTERAGENCY CRIME AND DRUG ENFORCEMENT

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

1 most significant drug trafficking and affiliated money  
2 laundering organizations not otherwise provided for, to in-  
3 clude inter-governmental agreements with State and local  
4 law enforcement agencies engaged in the investigation and  
5 prosecution of individuals involved in organized crime drug  
6 trafficking, \$574,319,000, of which \$50,000,000 shall re-  
7 main available until expended: *Provided*, That any  
8 amounts obligated from appropriations under this heading  
9 may be used under authorities available to the organiza-  
10 tions reimbursed from this appropriation.

11 FEDERAL BUREAU OF INVESTIGATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Bureau of In-  
14 vestigation for detection, investigation, and prosecution of  
15 crimes against the United States, \$8,083,475,000, of  
16 which not to exceed \$150,000,000 shall remain available  
17 until expended: *Provided*, That not to exceed \$153,750  
18 shall be available for official reception and representation  
19 expenses.

20 CONSTRUCTION

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

1 owned buildings; preliminary planning and design of  
2 projects; and operation and maintenance of secure work  
3 environment facilities and secure networking capabilities;  
4 \$181,202,000, to remain available until expended.

5 DRUG ENFORCEMENT ADMINISTRATION

6 SALARIES AND EXPENSES

7 For necessary expenses of the Drug Enforcement Ad-  
8 ministration, including not to exceed \$70,000 to meet un-  
9 foreseen emergencies of a confidential character pursuant  
10 to 28 U.S.C. 530C; and expenses for conducting drug edu-  
11 cation and training programs, including travel and related  
12 expenses for participants in such programs and the dis-  
13 tribution of items of token value that promote the goals  
14 of such programs, \$2,088,176,000; of which not to exceed  
15 \$75,000,000 shall remain available until expended; and of  
16 which not to exceed \$75,000 shall be available for official  
17 reception and representation expenses.

18 CONSTRUCTION

19 For necessary expenses, to include the cost of equip-  
20 ment, furniture, and information technology requirements,  
21 related to construction or acquisition of buildings; and op-  
22 eration and maintenance of secure work environment fa-  
23 cilities and secure networking capabilities; \$41,941,000, to  
24 remain available until expended.

1 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND  
2 EXPLOSIVES  
3 SALARIES AND EXPENSES

4 For necessary expenses of the Bureau of Alcohol, To-  
5 bacco, Firearms and Explosives, not to exceed \$30,000 for  
6 official reception and representation expenses; for training  
7 of State and local law enforcement agencies with or with-  
8 out reimbursement, including training in connection with  
9 the training and acquisition of canines for explosives and  
10 fire accelerants detection; and for provision of laboratory  
11 assistance to State and local law enforcement agencies,  
12 with or without reimbursement, \$1,162,986,000, of which  
13 not to exceed \$1,000,000 shall be available for the pay-  
14 ment of attorneys' fees as provided by section 924(d)(2)  
15 of title 18, United States Code; and of which not to exceed  
16 \$20,000,000 shall remain available until expended: *Pro-*  
17 *vided*, That no funds appropriated herein shall be available  
18 for salaries or administrative expenses in connection with  
19 consolidating or centralizing, within the Department of  
20 Justice, the records, or any portion thereof, of acquisition  
21 and disposition of firearms maintained by Federal fire-  
22 arms licensees: *Provided further*, That no funds appro-  
23 priated herein shall be used to pay administrative expenses  
24 or the compensation of any officer or employee of the  
25 United States to implement an amendment or amend-

1 ments to 27 CFR 478.118 or to change the definition of  
2 “Curios or relics” in 27 CFR 478.11 or remove any item  
3 from ATF Publication 5300.11 as it existed on January  
4 1, 1994: *Provided further*, That none of the funds appro-  
5 priated herein shall be available to investigate or act upon  
6 applications for relief from Federal firearms disabilities  
7 under 18 U.S.C. 925(c): *Provided further*, That such funds  
8 shall be available to investigate and act upon applications  
9 filed by corporations for relief from Federal firearms dis-  
10 abilities under section 925(c) of title 18, United States  
11 Code: *Provided further*, That no funds made available by  
12 this or any other Act may be used to transfer the func-  
13 tions, missions, or activities of the Bureau of Alcohol, To-  
14 bacco, Firearms and Explosives to other agencies or De-  
15 partments in fiscal year 2011: *Provided further*, That, be-  
16 ginning in fiscal year 2011 and thereafter, no funds ap-  
17 propriated under this or any other Act may be used to  
18 disclose part or all of the contents of the Firearms Trace  
19 System database maintained by the National Trace Center  
20 of the Bureau of Alcohol, Tobacco, Firearms and Explo-  
21 sives or any information required to be kept by licensees  
22 pursuant to section 923(g) of title 18, United States Code,  
23 or required to be reported pursuant to paragraphs (3) and  
24 (7) of such section 923(g), except to: (1) a Federal, State,  
25 local, or tribal law enforcement agency, or a Federal,



1 State, or local prosecutor; or (2) a foreign law enforcement  
2 agency solely in connection with or for use in a criminal  
3 investigation or prosecution; or (3) a Federal agency for  
4 a national security or intelligence purpose; unless such dis-  
5 closure of such data to any of the entities described in  
6 (1), (2) or (3) of this proviso would compromise the iden-  
7 tity of any undercover law enforcement officer or confiden-  
8 tial informant, or interfere with any case under investiga-  
9 tion; and no person or entity described in (1), (2) or (3)  
10 shall knowingly and publicly disclose such data; and all  
11 such data shall be immune from legal process, shall not  
12 be subject to subpoena or other discovery, shall be inad-  
13 missible in evidence, and shall not be used, relied on, or  
14 disclosed in any manner, nor shall testimony or other evi-  
15 dence be permitted based on the data, in a civil action  
16 in any State (including the District of Columbia) or Fed-  
17 eral court or in an administrative proceeding other than  
18 a proceeding commenced by the Bureau of Alcohol, To-  
19 bacco, Firearms and Explosives to enforce the provisions  
20 of chapter 44 of such title, or a review of such an action  
21 or proceeding; except that this proviso shall not be con-  
22 strued to prevent: (A) the disclosure of statistical informa-  
23 tion concerning total production, importation, and expor-  
24 tation by each licensed importer (as defined in section  
25 921(a)(9) of such title) and licensed manufacturer (as de-

1 fined in section 921(a)(10) of such title); (B) the sharing  
2 or exchange of such information among and between Fed-  
3 eral, State, local, or foreign law enforcement agencies,  
4 Federal, State, or local prosecutors, and Federal national  
5 security, intelligence, or counterterrorism officials; or (C)  
6 the publication of annual statistical reports on products  
7 regulated by the Bureau of Alcohol, Tobacco, Firearms  
8 and Explosives, including total production, importation,  
9 and exportation by each licensed importer (as so defined)  
10 and licensed manufacturer (as so defined), or statistical  
11 aggregate data regarding firearms traffickers and traf-  
12 ficking channels, or firearms misuse, felons, and traf-  
13 ficking investigations: *Provided further*, That no funds  
14 made available by this or any other Act shall be expended  
15 to promulgate or implement any rule requiring a physical  
16 inventory of any business licensed under section 923 of  
17 title 18, United States Code: *Provided further*, That no  
18 funds under this Act may be used to electronically retrieve  
19 information gathered pursuant to 18 U.S.C. 923(g)(4) by  
20 name or any personal identification code: *Provided further*,  
21 That no funds authorized or made available under this or  
22 any other Act may be used to deny any application for  
23 a license under section 923 of title 18, United States Code,  
24 or renewal of such a license due to a lack of business activ-  
25 ity, provided that the applicant is otherwise eligible to re-

1 ceive such a license, and is eligible to report business in-  
2 come or to claim an income tax deduction for business ex-  
3 penses under the Internal Revenue Code of 1986.

4 FEDERAL PRISON SYSTEM

5 SALARIES AND EXPENSES

6 For necessary expenses of the Federal Prison System  
7 for the administration, operation, and maintenance of  
8 Federal penal and correctional institutions, including pur-  
9 chase (not to exceed 591, of which 559 are for replacement  
10 only) and hire of law enforcement and passenger motor  
11 vehicles, and for the provision of technical assistance and  
12 advice on corrections related issues to foreign govern-  
13 ments, \$6,533,779,000: *Provided*, That the Attorney Gen-  
14 eral may transfer to the Health Resources and Services  
15 Administration such amounts as may be necessary for di-  
16 rect expenditures by that Administration for medical relief  
17 for inmates of Federal penal and correctional institutions:  
18 *Provided further*, That the Director of the Federal Prison  
19 System, where necessary, may enter into contracts with  
20 a fiscal agent or fiscal intermediary claims processor to  
21 determine the amounts payable to persons who, on behalf  
22 of the Federal Prison System, furnish health services to  
23 individuals committed to the custody of the Federal Prison  
24 System: *Provided further*, That not to exceed \$4,500 shall  
25 be available for official reception and representation ex-

1 penses: *Provided further*, That not to exceed \$50,000,000  
2 shall remain available for necessary operations until Sep-  
3 tember 30, 2012: *Provided further*, That, of the amounts  
4 provided for contract confinement, not to exceed  
5 \$20,000,000 shall remain available until expended to  
6 make payments in advance for grants, contracts and reim-  
7 bursable agreements, and other expenses authorized by  
8 section 501(c) of the Refugee Education Assistance Act  
9 of 1980 (8 U.S.C. 1522 note), for the care and security  
10 in the United States of Cuban and Haitian entrants: *Pro-*  
11 *vided further*, That the Director of the Federal Prison Sys-  
12 tem may accept donated property and services relating to  
13 the operation of the prison card program from a not-for-  
14 profit entity which has operated such program in the past  
15 notwithstanding the fact that such not-for-profit entity  
16 furnishes services under contracts to the Federal Prison  
17 System relating to the operation of pre-release services,  
18 halfway houses, or other custodial facilities.

19 BUILDINGS AND FACILITIES

20 For planning, acquisition of sites and construction of  
21 new facilities; purchase and acquisition of facilities and re-  
22 modeling, and equipping of such facilities for penal and  
23 correctional use, including all necessary expenses incident  
24 thereto, by contract or force account; and constructing,  
25 remodeling, and equipping necessary buildings and facili-

1 ties at existing penal and correctional institutions, includ-  
2 ing all necessary expenses incident thereto, by contract or  
3 force account, \$269,733,000, to remain available until ex-  
4 pended, of which \$105,000,000 shall be derived from  
5 available unobligated balances previously appropriated  
6 under this heading, and of which not less than  
7 \$74,210,000 shall be available only for modernization,  
8 maintenance and repair, and of which not to exceed  
9 \$14,000,000 shall be available to construct areas for in-  
10 mate work programs: *Provided*, That labor of United  
11 States prisoners may be used for work performed under  
12 this appropriation.

13 FEDERAL PRISON INDUSTRIES, INCORPORATED

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

1     LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL  
2                     PRISON INDUSTRIES, INCORPORATED

3             Not to exceed \$2,700,000 of the funds of the Federal  
4 Prison Industries, Incorporated shall be available for its  
5 administrative expenses, and for services as authorized by  
6 section 3109 of title 5, United States Code, to be com-  
7 puted on an accrual basis to be determined in accordance  
8 with the corporation's current prescribed accounting sys-  
9 tem, and such amounts shall be exclusive of depreciation,  
10 payment of claims, and expenditures which such account-  
11 ing system requires to be capitalized or charged to cost  
12 of commodities acquired or produced, including selling and  
13 shipping expenses, and expenses in connection with acqui-  
14 sition, construction, operation, maintenance, improvement,  
15 protection, or disposition of facilities and other property  
16 belonging to the corporation or in which it has an interest.

17     STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

18                     OFFICE ON VIOLENCE AGAINST WOMEN

19                             SALARIES AND EXPENSES

20             For necessary expenses, not elsewhere specified in  
21 this title, for management and administration of programs  
22 within the Office on Violence Against Women,  
23 \$20,000,000: *Provided*, That notwithstanding section 205  
24 of this Act, upon a determination by the Attorney General  
25 that emergent circumstances require additional funding

1 for the foregoing, the Attorney General may transfer such  
2 amounts to “Salaries and Expenses” from available appro-  
3 priations for the current fiscal year for the Department  
4 of Justice as may be necessary to respond to such cir-  
5 cumstances: *Provided further*, That any transfer pursuant  
6 to the previous proviso shall be treated as a reprogram-  
7 ming under section 505 of this Act and shall not be avail-  
8 able for obligation or expenditure except in compliance  
9 with the procedures set forth in that section.

10 VIOLENCE AGAINST WOMEN PREVENTION AND  
11 PROSECUTION PROGRAMS  
12 (INCLUDING TRANSFER OF FUNDS)

13 For grants, contracts, cooperative agreements, and  
14 other assistance for the prevention and prosecution of vio-  
15 lence against women, as authorized by the Omnibus Crime  
16 Control and Safe Streets Act of 1968 (42 U.S.C. 3711  
17 et seq.) (“the 1968 Act”); the Violent Crime Control and  
18 Law Enforcement Act of 1994 (Public Law 103–322)  
19 (“the 1994 Act”); the Victims of Child Abuse Act of 1990  
20 (Public Law 101–647) (“the 1990 Act”); the Prosecu-  
21 torial Remedies and Other Tools to end the Exploitation  
22 of Children Today Act of 2003 (Public Law 108–21); the  
23 Juvenile Justice and Delinquency Prevention Act of 1974  
24 (42 U.S.C. 5601 et seq.) (“the 1974 Act”); the Victims  
25 of Trafficking and Violence Protection Act of 2000 (Public

1 Law 106–386) (“the 2000 Act”); and the Violence  
2 Against Women and Department of Justice Reauthoriza-  
3 tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);  
4 and for related victims services, \$468,000,000, to remain  
5 available until expended: *Provided*, That except as other-  
6 wise provided by law, not to exceed 3 percent of funds  
7 made available under this heading may be used for ex-  
8 penses related to evaluation, training, and technical assist-  
9 ance: *Provided further*, That of the amount provided  
10 (which shall be by transfer for programs administered by  
11 the Office of Justice Programs)—

12           (1) \$207,000,000 is for grants to combat vio-  
13           lence against women, as authorized by part T of the  
14           1968 Act;

15           (2) \$40,000,000 is for transitional housing as-  
16           sistance grants for victims of domestic violence,  
17           stalking or sexual assault as authorized by section  
18           40299 of the 1994 Act;

19           (3) \$2,000,000 is for the National Institute of  
20           Justice for research and evaluation of violence  
21           against women and related issues addressed by  
22           grant programs of the Office on Violence Against  
23           Women;



1           (4) \$50,000,000 is for grants to encourage ar-  
2 rest policies as authorized by part U of the 1968  
3 Act;

4           (5) \$25,000,000 is for sexual assault victims  
5 assistance, as authorized by section 41601 of the  
6 1994 Act;

7           (6) \$37,000,000 is for rural domestic violence  
8 and child abuse enforcement assistance grants, as  
9 authorized by section 40295 of the 1994 Act;

10          (7) \$9,500,000 is for grants to reduce violent  
11 crimes against women on campus, as authorized by  
12 section 304 of the 2005 Act;

13          (8) \$50,000,000 is for legal assistance for vic-  
14 tims, as authorized by section 1201 of the 2000 Act;

15          (9) \$4,250,000 is for enhanced training and  
16 services to end violence against and abuse of women  
17 in later life, as authorized by section 40802 of the  
18 1994 Act;

19          (10) \$14,000,000 is for the safe havens for  
20 children program, as authorized by section 1301 of  
21 the 2000 Act;

22          (11) \$6,750,000 is for education and training  
23 to end violence against and abuse of women with  
24 disabilities, as authorized by section 1402 of the  
25 2000 Act;

1           (12) \$3,000,000 is for an engaging men and  
2 youth in prevention program, as authorized by sec-  
3 tion 41305 of the 1994 Act;

4           (13) \$1,000,000 is for tracking of violence  
5 against Indian women, as authorized by section 905  
6 of the 2005 Act and consistent with title I of the  
7 Adam Walsh Child Protection and Safety Act of  
8 2006;

9           (14) \$3,500,000 is for services to advocate and  
10 respond to youth, as authorized by section 41201 of  
11 the 1994 Act;

12           (15) \$3,000,000 is for grants to assist children  
13 and youth exposed to violence, as authorized by sec-  
14 tion 41303 of the 1994 Act;

15           (16) \$3,000,000 is for the court training and  
16 improvements program, as authorized by section  
17 41002 of the 1994 Act;

18           (17) \$1,000,000 is for the National Resource  
19 Center on Workplace Responses to assist victims of  
20 domestic violence, as authorized by section 41501 of  
21 the 1994 Act;

22           (18) \$3,000,000 for the Supporting Teens  
23 through Education and Protection program, as au-  
24 thorized by section 41204 of the 1994 Act;

1           (19) \$2,000,000 is for analysis and research on  
2 violence against Indian women, as authorized by sec-  
3 tion 904 of the 2005 Act;

4           (20) \$500,000 is for the Office on Violence  
5 Against Women to establish a national clearinghouse  
6 that provides training and technical assistance on  
7 issues relating to sexual assault of American Indian  
8 and Alaska Native women; and

9           (21) \$500,000 is for the Office on Violence  
10 Against Women to sponsor regional summits on vio-  
11 lence against women in Indian country for Depart-  
12 ment of Justice representatives, local tribal advo-  
13 cates, law enforcement, and judges.

14                           OFFICE OF JUSTICE PROGRAMS

15   SALARIES AND EXPENSES

16       For necessary expenses, not elsewhere specified in  
17 this title, for management and administration of programs  
18 within the Office of Justice Programs, \$167,500,000: *Pro-*  
19 *vided*, That notwithstanding section 109 of title I of Public  
20 Law 90-351, an additional amount, not to exceed  
21 \$32,500,000 shall be available for authorized activities of  
22 the Office of Audit, Assessment, and Management.

23                           RESEARCH, EVALUATION AND STATISTICS

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

1 Crime Control and Safe Streets Act of 1968 (“the 1968  
2 Act”); the Violent Crime Control and Law Enforcement  
3 Act of 1994 (“the 1994 Act”); the Juvenile Justice and  
4 Delinquency Prevention Act of 1974 (“the 1974 Act”); the  
5 Missing Children’s Assistance Act (42 U.S.C. 5771 et  
6 seq.); the Prosecutorial Remedies and Other Tools to end  
7 the Exploitation of Children Today Act of 2003 (Public  
8 Law 108–21); the Justice for All Act of 2004 (Public Law  
9 108–405); the Violence Against Women and Department  
10 of Justice Reauthorization Act of 2005 (Public Law 109–  
11 162) (“the 2005 Act”); the Victims of Child Abuse Act  
12 of 1990 (Public Law 101–647); the Second Chance Act  
13 of 2007 (Public Law 110–199); the Victims of Crime Act  
14 of 1984 (Public Law 98–473); the Victims of Trafficking  
15 and Violence Prevention Act of 2000 (Public Law 106–  
16 386); the Adam Walsh Child Protection and Safety Act  
17 of 2006 (Public Law 109–248); the NICS Improvement  
18 Amendments Act of 2007 (Public Law 110–180); the  
19 PROTECT Our Children Act of 2008 (Public Law 110–  
20 401); subtitle D of title II of the Homeland Security Act  
21 of 2002 (Public Law 107–296) (“the 2002 Act”); and  
22 other programs, \$346,000,000, to remain available until  
23 expended, of which—

24           (1) \$60,000,000 is for criminal justice statistics  
25           programs, and other activities, as authorized by part

1 C of title I of the 1968 Act, of which \$41,000,000  
2 is for the administration and redesign of the Na-  
3 tional Crime Victimization Survey;

4 (2) \$60,000,000 is for research, development,  
5 and evaluation programs, and other activities as au-  
6 thorized by part B of title I of the 1968 Act and  
7 subtitle D of title II of the 2002 Act;

8 (3) \$6,000,000 is for a program to prosecute,  
9 prevent, and otherwise combat hate crimes, includ-  
10 ing related research, of which \$5,000,000 is for in-  
11 vestigation and prosecution assistance grants and  
12 \$1,000,000 is for a hate crimes training program;

13 (4) \$1,000,000 is for an evaluation clearing  
14 house program;

15 (5) \$10,000,000 is for grants to assist State  
16 and tribal governments as authorized by the NICS  
17 Improvements Amendments Act of 2007 (Public  
18 Law 110–180);

19 (6) \$10,000,000 is for the National Criminal  
20 History Improvement Program for grants to up-  
21 grade criminal records;

22 (7) \$30,000,000 is for Paul Coverdell Forensic  
23 Science Improvement Grants under part BB of title  
24 I of the 1968 Act;

1           (8) \$3,000,000 is for grants to improve the  
2           stalking and domestic violence databases, as author-  
3           ized by section 40602 of the 1994 Act; and

4           (9) \$166,000,000 is for DNA-related and foren-  
5           sic programs and activities, of which—

6                 (A) \$151,000,000 is for a DNA analysis  
7                 and capacity enhancement program and for  
8                 other local, State, and Federal forensic activi-  
9                 ties including the purposes of section 2 of the  
10                DNA Analysis Backlog Elimination Act of 2000  
11                (the Debbie Smith DNA Backlog Grant Pro-  
12                gram);

13               (B) \$5,000,000 is for the purposes de-  
14               scribed in the Kirk Bloodsworth Post-Convic-  
15               tion DNA Testing Program (Public Law 108–  
16               405, section 412);

17               (C) \$5,000,000 is for Sexual Assault Fo-  
18               rensic Exam Program Grants as authorized by  
19               Public Law 108–405, section 304.

20               (D) \$5,000,000 is for the purposes de-  
21               scribed in the DNA Training and Education for  
22               Law Enforcement, Correctional Personnel, and  
23               Court Officers program (Public Law 108–405,  
24               section 303).

1 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE  
2 (INCLUDING TRANSFER OF FUNDS)

3 For grants, contracts, cooperative agreements, and  
4 other assistance authorized by the Violent Crime Control  
5 and Law Enforcement Act of 1994 (Public Law 103–322)  
6 (“the 1994 Act”); the Omnibus Crime Control and Safe  
7 Streets Act of 1968 (“the 1968 Act”); the Justice for All  
8 Act of 2004 (Public Law 108–405); the Victims of Child  
9 Abuse Act of 1990 (Public Law 101–647) (“the 1990  
10 Act”); the Trafficking Victims Protection Reauthorization  
11 Act of 2005 (Public Law 109–164); the Violence Against  
12 Women and Department of Justice Reauthorization Act  
13 of 2005 (Public Law 109–162) (“the 2005 Act”); the  
14 Adam Walsh Child Protection and Safety Act of 2006  
15 (Public Law 109–248) (“the Adam Walsh Act”); the Vic-  
16 tims of Trafficking and Violence Protection Act of 2000  
17 (Public Law 106–386); subtitle D of title II of the Home-  
18 land Security Act of 2002 (Public Law 107–296) (“the  
19 2002 Act”); the Second Chance Act of 2007 (Public Law  
20 110–199); the Prioritizing Resources and Organization for  
21 Intellectual Property Act of 2008 (Public Law 110–403);  
22 the Victims of Crime Act of 1984 (Public Law 98–473);  
23 and other programs (including the State Automated Vic-  
24 tim Notification program of the Bureau of Justice Assist-

1 ance), \$1,510,475,000, to remain available until expended  
2 as follows—

3           (1) \$520,000,000 for the Edward Byrne Memo-  
4 rial Justice Assistance Grant program as authorized  
5 by subpart 1 of part E of title I of the 1968 Act  
6 (except that section 1001(c), and the special rules  
7 for Puerto Rico under section 505(g), of title I of  
8 the 1968 Act shall not apply for purposes of this  
9 Act), of which \$5,000,000 is for use by the National  
10 Institute of Justice in assisting units of local govern-  
11 ment to identify, select, develop, modernize, and pur-  
12 chase new technologies for use by law enforcement,  
13 \$2,000,000 is for a program to improve State and  
14 local law enforcement intelligence capabilities includ-  
15 ing antiterrorism training and training to ensure  
16 that constitutional rights, civil liberties, civil rights,  
17 and privacy interests are protected throughout the  
18 intelligence process, and \$3,000,000 is for a State  
19 and local assistance help desk and diagnostic center  
20 program;

21           (2) \$300,000,000 for the State Criminal Alien  
22 Assistance Program, as authorized by section  
23 241(i)(5) of the Immigration and Nationality Act (8  
24 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction  
25 shall request compensation for any cost greater than



1 the actual cost for Federal immigration and other  
2 detainees housed in State and local detention facili-  
3 ties;

4 (3) \$20,000,000 for the Southwest Border  
5 Prosecutor Initiative to reimburse State, county,  
6 parish, tribal, or municipal governments for costs as-  
7 sociated with the prosecution of criminal cases de-  
8 clined by local offices of the United States Attor-  
9 neys;

10 (4) \$213,475,000 for discretionary grants to  
11 improve the functioning of the criminal justice sys-  
12 tem, to prevent or combat juvenile delinquency, and  
13 to assist victims of crime (other than compensation),  
14 which shall be used for the projects, and in the  
15 amounts, specified in the explanatory statement ac-  
16 companying this Act;

17 (5) \$40,000,000 for competitive grants to im-  
18 prove the functioning of the criminal justice system,  
19 to prevent or combat juvenile delinquency, and to as-  
20 sist victims of crime (other than compensation);

21 (6) \$2,000,000 for the purposes described in  
22 the Missing Alzheimer's Disease Patient Alert Pro-  
23 gram (section 240001 of the 1994 Act);

24 (7) \$15,000,000 for victim services programs  
25 for victims of trafficking, as authorized by section

1 107(b)(2) of Public Law 106–386 and for programs  
2 authorized under Public Law 109–164: *Provided*,  
3 That no less than \$6,700,000 shall be for victim  
4 services grants for foreign national victims of traf-  
5 ficking;

6 (8) \$45,000,000 for Drug Courts, as authorized  
7 by section 1001(25)(A) of title I of the 1968 Act;

8 (9) \$5,000,000 for prison rape prevention and  
9 prosecution and other programs, as authorized by  
10 the Prison Rape Elimination Act of 2003 (Public  
11 Law 108–79);

12 (10) \$20,000,000 for grants for Residential  
13 Substance Abuse Treatment for State Prisoners, as  
14 authorized by part S of title I of the 1968 Act;

15 (11) \$8,000,000 for the Capital Litigation Im-  
16 provement Grant Program, as authorized by section  
17 426 of Public Law 108–405, and for grants for  
18 wrongful conviction review;

19 (12) \$11,000,000 for mental health courts and  
20 adult and juvenile collaboration program grants, as  
21 authorized by parts V and HH of title I of the 1968  
22 Act, and the Mentally Ill Offender Treatment and  
23 Crime Reduction Reauthorization and Improvement  
24 Act of 2008 (Public Law 110–416);

1           (13) \$50,000,000 for assistance to Indian  
2 tribes, of which—

3           (A) \$10,000,000 shall be available for  
4 grants under section 20109 of subtitle A of title  
5 II of the 1994 Act;

6           (B) \$25,000,000 shall be available for the  
7 Tribal Courts Initiative;

8           (C) \$12,000,000 shall be available for trib-  
9 al alcohol and substance abuse reduction assist-  
10 ance grants; and

11           (D) \$3,000,000 shall be available for train-  
12 ing and technical assistance and civil and crimi-  
13 nal legal assistance as authorized by title I of  
14 Public Law 106–559;

15           (14) \$10,000,000 for economic, high technology  
16 and Internet crime prevention grants, including as  
17 authorized by section 401 of Public Law 110–403;

18           (15) \$3,500,000 for training programs as au-  
19 thorized by section 40152 of the 1994 Act, and for  
20 related local demonstration projects;

21           (16) \$50,000,000 for offender reentry programs  
22 and research, as authorized by the Second Chance  
23 Act of 2007 (Public Law 110–199), of which up to  
24 \$5,000,000 may be used for a program to improve

1 State, local, and tribal probation supervision efforts  
2 and strategies;

3 (17) \$10,000,000 for activities related to com-  
4 prehensive criminal justice reform and recidivism re-  
5 duction efforts by States;

6 (18) \$10,000,000 for implementation of a stu-  
7 dent loan repayment assistance program pursuant to  
8 section 952 of Public Law 110–315;

9 (19) \$5,000,000 for the Northern Border Pros-  
10 ecutor Initiative to reimburse State, county, parish,  
11 tribal, or municipal governments for the costs associ-  
12 ated with the prosecution of criminal cases declined  
13 by local offices of the United States Attorneys;

14 (20) \$5,000,000 for an initiative to assist and  
15 support evidence-based policing;

16 (21) \$3,000,000 for technical and other tar-  
17 geted assistance to improve the functioning of the  
18 criminal justice system;

19 (22) \$7,500,000 for a justice information-shar-  
20 ing and technology program;

21 (23) \$20,000,000 for implementation of the  
22 Adam Walsh Act;

23 (24) \$25,000,000 for an initiative relating to  
24 children exposed to violence;

1           (25) \$20,000,000 for an Edward Byrne Memo-  
2           rial criminal justice innovation program;

3           (26) \$11,000,000 for sex offender management  
4           assistance as authorized by the Adam Walsh Act  
5           and the Violent Crime Control Act of 1994 (Public  
6           Law 103–322);

7           (27) \$30,000,000 for the matching grant pro-  
8           gram for law enforcement armor vests, as authorized  
9           by section 2501 of title I of the 1968 Act: *Provided*,  
10          That \$1,500,000 is transferred directly to the Na-  
11          tional Institute of Standards and Technology’s Of-  
12          fice of Law Enforcement Standards from the Com-  
13          munity Oriented Policing Services Office for re-  
14          search, testing and evaluation programs;

15          (28) \$1,000,000 for the National Sex Offender  
16          Public Web site;

17          (29) \$10,000,000 is for the Statewide Victim  
18          Notification System program of the Bureau of Jus-  
19          tice Assistance; and

20          (30) \$40,000,000 is for the Regional Informa-  
21          tion Sharing Systems program, as authorized by  
22          part M of title I of the 1968 Act:

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

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

4 JUVENILE JUSTICE PROGRAMS

5 For grants, contracts, cooperative agreements, and  
6 other assistance authorized by the Juvenile Justice and  
7 Delinquency Prevention Act of 1974 (“the 1974 Act”); the  
8 Omnibus Crime Control and Safe Streets Act of 1968  
9 (“the 1968 Act”); the Violence Against Women and De-  
10 partment of Justice Reauthorization Act of 2005 (Public  
11 Law 109–162); the Missing Children’s Assistance Act (42  
12 U.S.C. 5771 et seq.); the Prosecutorial Remedies and  
13 Other Tools to end the Exploitation of Children Today Act  
14 of 2003 (Public Law 108–21); the Victims of Child Abuse  
15 Act of 1990 (Public Law 101–647) (“the 1990 Act”); the  
16 Adam Walsh Child Protection and Safety Act of 2006  
17 (Public Law 109–248); the PROTECT Our Children Act  
18 of 2008 (Public Law 110–401); and other juvenile justice  
19 programs, \$489,555,000, to remain available until ex-  
20 pended as follows—

21 (1) \$70,000,000 for programs authorized by  
22 section 221 of the 1974 Act, and for training and  
23 technical assistance to assist small, nonprofit organi-  
24 zations with the Federal grants process;

1           (2) \$75,355,000 for grants and projects, as au-  
2           thorized by sections 261 and 262 of the 1974 Act,  
3           which shall be used for the projects, and in the  
4           amounts, specified in the explanatory statement ac-  
5           companying this Act;

6           (3) \$100,000,000 for youth mentoring grants;

7           (4) \$70,000,000 for delinquency prevention, as  
8           authorized by section 505 of the 1974 Act, of which,  
9           pursuant to sections 261 and 262 thereof—

10           (A) \$25,000,000 is for the Tribal Youth  
11           Program;

12           (B) \$20,000,000 is for a gang and youth  
13           violence education and prevention initiative; and

14           (C) \$25,000,000 is for grants of \$360,000  
15           to each State and \$4,840,000 shall be available  
16           for discretionary grants, for programs and ac-  
17           tivities to enforce State laws prohibiting the  
18           sale of alcoholic beverages to minors or the pur-  
19           chase or consumption of alcoholic beverages by  
20           minors, for prevention and reduction of con-  
21           sumption of alcoholic beverages by minors, and  
22           for technical assistance and training;

23           (5) \$22,500,000 for programs authorized by  
24           the Victims of Child Abuse Act of 1990;

1           (6) \$40,000,000 for the Juvenile Accountability  
2 Block Grants program as authorized by part R of  
3 title I of the 1968 Act and Guam shall be considered  
4 a State;

5           (7) \$20,000,000 for community-based violence  
6 prevention initiatives;

7           (8) \$5,000,000 for a juvenile delinquency court  
8 improvement program;

9           (9) \$14,200,000 for the court-appointed special  
10 advocate program, as authorized by section 217 of  
11 the 1990 Act;

12           (10) \$2,500,000 for child abuse training pro-  
13 grams for judicial personnel and practitioners, as  
14 authorized by section 222 of the 1990 Act; and

15           (11) \$70,000,000 for missing and exploited  
16 children programs, including as authorized by sec-  
17 tions 404(b) and 405(a) of the 1974 Act:

18 *Provided*, That not more than 10 percent of each amount  
19 may be used for research, evaluation, and statistics activi-  
20 ties designed to benefit the programs or activities author-  
21 ized: *Provided further*, That not more than 2 percent of  
22 each amount may be used for training and technical as-  
23 sistance: *Provided further*, That the previous two provisos  
24 shall not apply to grants and projects authorized by sec-  
25 tions 261 and 262 of the 1974 Act, or by sections 217



1 and 222 of the 1990 Act, or to missing and exploited chil-  
2 dren programs.

3 PUBLIC SAFETY OFFICER BENEFITS

4 For payments and expenses authorized under section  
5 1001(a)(4) of title I of the Omnibus Crime Control and  
6 Safe Streets Act of 1968, such sums as are necessary (in-  
7 cluding amounts for administrative costs, which amounts  
8 shall be paid to the “Salaries and Expenses” account), to  
9 remain available until expended; and in addition,  
10 \$16,300,000 for payments authorized by section 1201(b)  
11 of such Act and for educational assistance authorized by  
12 section 1218 of such Act, to remain available until ex-  
13 pended: *Provided*, That notwithstanding section 205 of  
14 this Act, upon a determination by the Attorney General  
15 that emergent circumstances require additional funding  
16 for such disability and education payments, the Attorney  
17 General may transfer such amounts to “Public Safety Of-  
18 ficer Benefits” from available appropriations for the cur-  
19 rent fiscal year for the Department of Justice as may be  
20 necessary to respond to such circumstances: *Provided fur-*  
21 *ther*, That any transfer pursuant to the previous proviso  
22 shall be treated as a reprogramming under section 505  
23 of this Act and shall not be available for obligation or ex-  
24 penditure except in compliance with the procedures set  
25 forth in that section.

## 1           COMMUNITY ORIENTED POLICING SERVICES

## 2                           SALARIES AND EXPENSES

3           For necessary expenses, not elsewhere specified in  
4 this title, for management and administration of programs  
5 within the Community Oriented Policing Services Office,  
6 \$40,000,000: *Provided*, That notwithstanding section 205  
7 of this Act, upon a determination by the Attorney General  
8 that emergent circumstances require additional funding  
9 for the foregoing, the Attorney General may transfer such  
10 amounts to “Salaries and Expenses” from available appro-  
11 priations for the current fiscal year for the Department  
12 of Justice as may be necessary to respond to such cir-  
13 cumstances: *Provided further*, That any transfer pursuant  
14 to the previous proviso shall be treated as a reprogram-  
15 ming under section 505 of this Act and shall not be avail-  
16 able for obligation or expenditure except in compliance  
17 with the procedures set forth in that section.

## 18       COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

## 19                           (INCLUDING TRANSFERS OF FUNDS)

20           For activities authorized by the Violent Crime Con-  
21 trol and Law Enforcement Act of 1994 (Public Law 103–  
22 322); the Omnibus Crime Control and Safe Streets Act  
23 of 1968 (“the 1968 Act”); and the Violence Against  
24 Women and Department of Justice Reauthorization Act  
25 of 2005 (Public Law 109–162), \$585,955,000, to remain

1 available until expended: *Provided*, That any balances  
2 made available through prior-year deobligations shall only  
3 be available in accordance with section 505 of this Act.

4 Of the amount provided:

5           (1) \$400,000,000 is for grants under section  
6           1701 of title I of the 1968 Act (42 U.S.C. 3796dd)  
7           for the hiring and rehiring of additional career law  
8           enforcement officers under part Q of such title not-  
9           withstanding subsection (i) of such section and not-  
10          withstanding 42 U.S.C. 3796dd-3(c): *Provided*,  
11          That notwithstanding subsection (g) of the 1968 Act  
12          (42 U.S.C. 3796dd), the Federal share of the costs  
13          of a project funded by such grants may not exceed  
14          90 percent unless the Director of the Office of Com-  
15          munity Oriented Policing Services waives, wholly or  
16          in part, the requirement of a non-Federal contribu-  
17          tion to the costs of a project: *Provided further*, That  
18          within the amounts appropriated, \$42,000,000 shall  
19          be used for the hiring and rehiring of tribal law en-  
20          forcement officers: *Provided further*, That within the  
21          amounts appropriated, up to \$30,000,000 is avail-  
22          able for the hiring or rehiring of officers who will be  
23          assigned to Internet Crimes Against Children Task  
24          Forces;

1           (2) \$13,135,000 for grants to entities described  
2           in section 1701 of title I of the 1968 Act, to address  
3           public safety and methamphetamine manufacturing,  
4           sale, and use in hot spots as authorized by section  
5           754 of Public Law 109–177, and for other anti-  
6           methamphetamine-related activities: *Provided*, That  
7           within the amounts appropriated \$8,135,000 shall  
8           be used for the projects, and in the amounts, speci-  
9           fied in the report accompanying this Act: *Provided*  
10          *further*, That within the amounts appropriated  
11          \$5,000,000 is for anti-methamphetamine-related ac-  
12          tivities in Indian Country;

13           (3) \$103,820,000 is for a law enforcement tech-  
14          nologies and interoperable communications program,  
15          and related law enforcement and public safety equip-  
16          ment: *Provided*, That within the amounts appro-  
17          priated, \$102,320,000 shall be used for the projects,  
18          and in the amounts, specified in the explanatory  
19          statement accompanying this Act: *Provided further*,  
20          That of the amounts provided under this heading  
21          \$1,500,000 is transferred directly to the National  
22          Institute of Standards and Technology’s Office of  
23          Law Enforcement Standards from the Community  
24          Oriented Policing Services Office for research, test-  
25          ing, and evaluation programs;

1           (4) \$25,000,000 is for improving tribal law en-  
2           forcement, including equipment and training;

3           (5) \$12,000,000 is for community policing de-  
4           velopment activities;

5           (6) \$24,000,000 is for a national grant pro-  
6           gram the purpose of which is to assist State and  
7           local law enforcement to locate, arrest and prosecute  
8           child sexual predators and exploiters, and to enforce  
9           sex offender registration laws described in section  
10          1701(b) of the 1968 Act, of which—

11                   (A) \$11,000,000 is for sex offender man-  
12                   agement assistance as authorized by the Adam  
13                   Walsh Act and the Violent Crime Control Act  
14                   of 1994 (Public Law 103–322); and

15                   (B) \$1,000,000 is for the National Sex Of-  
16                   fender Public Registry; and

17           (7) \$14,000,000 is for expenses authorized by  
18          part AA of the 1968 Act (Secure our Schools).

19          GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

20          SEC. 201. In addition to amounts otherwise made  
21          available in this title for official reception and representa-  
22          tion expenses, a total of not to exceed \$50,000 from funds  
23          appropriated to the Department of Justice in this title  
24          shall be available to the Attorney General for official re-  
25          ception and representation expenses.

1       SEC. 202. 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. 203. 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. 204. 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 203 intended to address the phil-  
17 osophical beliefs of individual employees of the Bureau of  
18 Prisons.

19       SEC. 205. Not to exceed 5 percent of any appropria-  
20 tion made available for the current fiscal year for the De-  
21 partment of Justice in this Act may be transferred be-  
22 tween such appropriations, but no such appropriation, ex-  
23 cept as otherwise specifically provided, shall be increased  
24 by more than 10 percent by any such transfers: *Provided*,  
25 That any transfer pursuant to this section shall be treated

1 as a reprogramming of funds under section 505 of this  
2 Act and shall not be available for obligation except in com-  
3 pliance with the procedures set forth in that section.

4       SEC. 206. The Attorney General is authorized to ex-  
5 tend through September 30, 2012, the Personnel Manage-  
6 ment Demonstration Project transferred to the Attorney  
7 General pursuant to section 1115 of the Homeland Secu-  
8 rity Act of 2002, Public Law 107–296 (6 U.S.C. 533)  
9 without limitation on the number of employees or the posi-  
10 tions covered.

11       SEC. 207. Notwithstanding any other provision of  
12 law, Public Law 102–395 section 102(b) shall extend to  
13 the Bureau of Alcohol, Tobacco, Firearms and Explosives  
14 in the conduct of undercover investigative operations and  
15 shall apply without fiscal year limitation with respect to  
16 any undercover investigative operation by the Bureau of  
17 Alcohol, Tobacco, Firearms and Explosives that is nec-  
18 essary for the detection and prosecution of crimes against  
19 the United States.

20       SEC. 208. None of the funds made available to the  
21 Department of Justice in this Act may be used for the  
22 purpose of transporting an individual who is a prisoner  
23 pursuant to conviction for crime under State or Federal  
24 law and is classified as a maximum or high security pris-  
25 oner, other than to a prison or other facility certified by

1 the Federal Bureau of Prisons as appropriately secure for  
2 housing such a prisoner.

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

8 (b) The preceding sentence does not preclude the  
9 renting, maintenance, or purchase of audiovisual or elec-  
10 tronic equipment for inmate training, religious, or edu-  
11 cational programs.

12 SEC. 210. None of the funds made available under  
13 this title shall be obligated or expended for Sentinel, or  
14 for any other major new or enhanced information tech-  
15 nology program having total estimated development costs  
16 in excess of \$100,000,000, unless the Deputy Attorney  
17 General and the investment review board certify to the  
18 Committees on Appropriations that the information tech-  
19 nology program has appropriate program management  
20 and contractor oversight mechanisms in place, and that  
21 the program is compatible with the enterprise architecture  
22 of the Department of Justice.

23 SEC. 211. The notification thresholds and procedures  
24 set forth in section 505 of this Act shall apply to devi-  
25 ations from the amounts designated for specific activities



1 in this Act and accompanying statement, and to any use  
2 of deobligated balances of funds provided under this title  
3 in previous years.

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

11       SEC. 213. Notwithstanding any other provision of  
12 law, no funds shall be available for the salary, benefits,  
13 or expenses of any United States Attorney assigned dual  
14 or additional responsibilities by the Attorney General or  
15 his designee that exempt that United States Attorney  
16 from the residency requirements of 28 U.S.C. 545.

17       SEC. 214. None of the funds appropriated in this or  
18 any other Act shall be obligated for the initiation of a fu-  
19 ture phase of the Federal Bureau of Investigation's Sen-  
20 tinel program until the Attorney General certifies to the  
21 Committees on Appropriations that existing phases cur-  
22 rently under contract for development or fielding have  
23 completed a majority of the work for that phase under  
24 the performance measurement baseline validated by the  
25 integrated baseline review conducted in 2008: *Provided,*

1 That this restriction does not apply to planning and design  
2 activities for future phases: *Provided further*, That the Bu-  
3 reau will notify the Committees on Appropriations of any  
4 significant changes to the baseline.

5 SEC. 215. At the discretion of the Attorney General,  
6 and in addition to any amounts that otherwise may be  
7 available (or authorized to be made available) by law, with  
8 respect to funds appropriated by this Act under the head-  
9 ings for “State and Local Law Enforcement Assistance”  
10 and “Juvenile Justice Programs”—

11 (1) Up to 3 percent of funds made available for  
12 grant or reimbursement programs may be used to  
13 provide training and technical assistance; and

14 (2) Notwithstanding section 205 of this Act, up  
15 to 3 percent of funds made available for grant or re-  
16 imbursement programs under such headings, except  
17 for amounts appropriated for programs administered  
18 by the National Institute of Justice and the Bureau  
19 of Justice Statistics, may be transferred to and  
20 merged with funds provided to the National Insti-  
21 tute of Justice and the Bureau of Justice Statistics,  
22 to be used by them for research, evaluation, or sta-  
23 tistical purposes, without regard to the authoriza-  
24 tions for such grant or reimbursement programs.

1        SEC. 216. The Attorney General may, upon request  
2 by a grantee and based upon a determination of fiscal  
3 hardship, waive the requirements of paragraph (1) of sec-  
4 tion 2976(g) and the requirements of paragraphs (1) and  
5 (2) of section 2978(e), of the Omnibus Crime Control and  
6 Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)) and  
7 42 U.S.C. 3797w-2(e)(1) and 42 U.S.C. 3797w-2(e)(2)  
8 with respect to funds appropriated in this or any other  
9 Act making appropriations for fiscal years 2010 and 2011  
10 for Adult and Juvenile Offender State and Local Reentry  
11 Demonstration Projects, and State, Tribal and Local Re-  
12 entry Courts authorized under part FF of such Act of  
13 1968.

14        SEC. 217. That section 530A of title 28, United  
15 States Code, is hereby amended by replacing “appro-  
16 priated” with “used from appropriations”, and by insert-  
17 ing “(2),” before “(3)”.

18        SEC. 218. Section 112(a)(1) of division B of the Con-  
19 solidated Appropriations Act, 2004 (Public Law 108-199;  
20 118 Stat. 62) is repealed.

21        This title may be cited as the “Department of Justice  
22 Appropriations Act, 2011”.

1 TITLE III  
2 SCIENCE

3 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

4 For necessary expenses of the Office of Science and  
5 Technology Policy, in carrying out the purposes of the Na-  
6 tional Science and Technology Policy, Organization, and  
7 Priorities Act of 1976 (42 U.S.C. 6601–6671), hire of  
8 passenger motor vehicles, and services as authorized by  
9 5 U.S.C. 3109, not to exceed \$2,100 for official reception  
10 and representation expenses, and rental of conference  
11 rooms in the District of Columbia, \$6,990,000.

12 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION  
13 SCIENCE

14 For necessary expenses, not otherwise provided for,  
15 in the conduct and support of science research and devel-  
16 opment activities, including research, development, oper-  
17 ations, support, and services; maintenance and repair, fa-  
18 cility planning and design; space flight, spacecraft control,  
19 and communications activities; program management; per-  
20 sonnel and related costs, including uniforms or allowances  
21 therefor, as authorized by 5 U.S.C. 5901–5902; travel ex-  
22 penses; purchase and hire of passenger motor vehicles; and  
23 purchase, lease, charter, maintenance, and operation of  
24 mission and administrative aircraft, \$5,005,600,000, to  
25 remain available until September 30, 2012.

## 1 AERONAUTICS AND SPACE RESEARCH AND TECHNOLOGY

2 For necessary expenses, not otherwise provided for,  
3 in the conduct and support of aeronautics and space re-  
4 search and development activities, including research, de-  
5 velopment, operations, support, and services; maintenance  
6 and repair, facility planning and design; space flight,  
7 spacecraft control, and communications activities; pro-  
8 gram management; personnel and related costs, including  
9 uniforms or allowances therefor, as authorized by 5 U.S.C.  
10 5901–5902; travel expenses; purchase and hire of pas-  
11 senger motor vehicles; and purchase, lease, charter, main-  
12 tenance, and operation of mission and administrative air-  
13 craft, \$904,600,000, to remain available until September  
14 30, 2012; of which \$579,600,000 shall be for aeronautics  
15 activities; and of which \$325,000,000 shall be for space  
16 research and technology activities.

## 17 EXPLORATION

18 For necessary expenses, not otherwise provided for,  
19 in the conduct and support of exploration research and  
20 development activities, including research, development,  
21 operations, support, and services; maintenance; construc-  
22 tion of facilities including repair, rehabilitation, revitaliza-  
23 tion, and modification of facilities, construction of new fa-  
24 cilities and additions to existing facilities, facility planning  
25 and design, and restoration, and acquisition or condemna-

1 tion of real property, as authorized by law; space flight,  
2 spacecraft control, and communications activities; pro-  
3 gram management, personnel and related costs, including  
4 uniforms or allowances therefor, as authorized by 5 U.S.C.  
5 5901–5902; travel expenses; purchase and hire of pas-  
6 senger motor vehicles; and purchase, lease, charter, main-  
7 tenance, and operation of mission and administrative air-  
8 craft, \$3,912,000,000, to remain available until Sep-  
9 tember 30, 2012: *Provided*, That when any activity has  
10 been initiated by the incurrence of obligations for con-  
11 struction of facilities or environmental compliance and res-  
12 toration activities as authorized by law, such amount  
13 available for such activity shall remain available until Sep-  
14 tember 30, 2016.

15 SPACE OPERATIONS

16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses, not otherwise provided for,  
18 in the conduct and support of space operations research  
19 and development activities, including research, develop-  
20 ment, operations, support, and services; maintenance; con-  
21 struction of facilities including repair, rehabilitation, revi-  
22 talization, and modification of facilities, construction of  
23 new facilities and additions to existing facilities, facility  
24 planning and design, and restoration, and acquisition or  
25 condemnation of real property, as authorized by law; space

1 flight, spacecraft control and communications activities;  
2 program management; personnel and related costs, includ-  
3 ing uniforms or allowances therefor, as authorized by 5  
4 U.S.C. 5901–5902; travel expenses; purchase and hire of  
5 passenger motor vehicles; and purchase, lease, charter,  
6 maintenance and operation of mission and administrative  
7 aircraft, \$5,533,400,000, to remain available until Sep-  
8 tember 30, 2012: *Provided*, That of the amounts provided  
9 under this heading, not more than \$1,609,700,000 shall  
10 be for Space Shuttle operations, production, research, de-  
11 velopment, and support, not more than \$2,779,800,000  
12 shall be for International Space Station operations, pro-  
13 duction, research, development, and support, and not more  
14 than \$1,144,000,000 shall be for Space and Flight Sup-  
15 port: *Provided further*, That when any activity has been  
16 initiated by the incurrence of obligations for construction  
17 of facilities or environmental compliance and restoration  
18 activities as authorized by law, such amount available for  
19 such activity shall remain available until September 30,  
20 2016: *Provided further*, That up to \$50,000,000 may be  
21 transferred to “Economic Development Assistance Pro-  
22 grams, Economic Development Administration”, Depart-  
23 ment of Commerce, to spur regional economic growth in  
24 areas impacted by Shuttle retirement and exploration pro-  
25 grammatic changes and that up to \$15,000,000 may be

1 transferred to “Training and Employment Services, Em-  
2 ployment and Training Administration”, Department of  
3 Labor, for job training activities in areas impacted by job  
4 losses associated with Shuttle retirement and exploration  
5 programmatic changes.

6 EDUCATION

7 For necessary expenses, not otherwise provided for,  
8 in carrying out aerospace and aeronautical education re-  
9 search and development activities, including research, de-  
10 velopment, operations, support, and services; program  
11 management; personnel and related costs, uniforms or al-  
12 lowances therefor, as authorized by 5 U.S.C. 5901–5902;  
13 travel expenses; purchase and hire of passenger motor ve-  
14 hicles; and purchase, lease, charter, maintenance, and op-  
15 eration of mission and administrative aircraft,  
16 \$145,800,000, to remain available until September 30,  
17 2012.

18 CROSS AGENCY SUPPORT

19 For necessary expenses, not otherwise provided for,  
20 in the conduct and support of science, aeronautics, explo-  
21 ration, space operations and education research and devel-  
22 opment activities, including research, development, oper-  
23 ations, support, and services; maintenance and repair, fa-  
24 cility planning and design; space flight, spacecraft control,  
25 and communications activities; program management; per-



1 sonnel and related costs, including uniforms or allowances  
2 therefor, as authorized by 5 U.S.C. 5901–5902; travel ex-  
3 penses; purchase and hire of passenger motor vehicles; not  
4 to exceed \$52,500 for official reception and representation  
5 expenses; and purchase, lease, charter, maintenance, and  
6 operation of mission and administrative aircraft,  
7 \$3,075,808,000, to remain available until September 30,  
8 2012: *Provided*, That not more than \$2,270,200,000 shall  
9 be available for center management and operations: *Pro-*  
10 *vided further*, That not less than \$45,000,000 shall be  
11 available for independent verification and validation activi-  
12 ties: *Provided further*, That within the amounts appro-  
13 priated, \$45,725,000 shall be used for the projects, and  
14 in the amounts, specified in the report accompanying this  
15 Act.

16 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND  
17 REMEDIATION

18 For necessary expenses for construction of facilities  
19 including repair, rehabilitation, revitalization, and modi-  
20 fication of facilities, construction of new facilities and ad-  
21 ditions to existing facilities, facility planning and design,  
22 and restoration, and acquisition or condemnation of real  
23 property, as authorized by law, and environmental compli-  
24 ance and restoration, \$381,300,000, to remain available  
25 until September 30, 2016: *Provided*, That within the

1 funds provided, \$40,500,000 shall be available to support  
2 science research and development activities; \$14,000,000  
3 shall be available to support space operations research and  
4 development activities; and \$265,800,000 shall be avail-  
5 able for cross agency support activities.

6 OFFICE OF INSPECTOR GENERAL

7 For necessary expenses of the Office of Inspector  
8 General in carrying out the Inspector General Act of 1978,  
9 \$38,000,000, to remain available until September 30,  
10 2012.

11 ADMINISTRATIVE PROVISIONS

12 Funds for announced prizes otherwise authorized  
13 shall remain available, without fiscal year limitation, until  
14 the prize is claimed or the offer is withdrawn.

15 Not to exceed 5 percent of any appropriation made  
16 available for the current fiscal year for the National Aero-  
17 nautics and Space Administration in this Act may be  
18 transferred between such appropriations, but no such ap-  
19 propriation, except as otherwise specifically provided, shall  
20 be increased by more than 10 percent by any such trans-  
21 fers. Any transfer pursuant to this provision shall be treat-  
22 ed as a reprogramming of funds under section 505 of this  
23 Act and shall not be available for obligation except in com-  
24 pliance with the procedures set forth in that section.

1       Notwithstanding any other provision of law, no funds  
2 shall be used to implement by Reduction in Force or other  
3 involuntary separations (except for cause) by the National  
4 Aeronautics and Space Administration prior to September  
5 30, 2011.

6       The unexpired balances of previous accounts, for ac-  
7 tivities for which funds are provided under this Act, may  
8 be transferred to the new accounts established in this Act  
9 that provide such activity. Balances so transferred shall  
10 be merged with the funds in the newly established ac-  
11 counts, but shall be available under the same terms, condi-  
12 tions and period of time as previously appropriated.

13       Section 20 of the National Aeronautics and Space  
14 Administration Authorization Act of Fiscal Year 1992  
15 (Public Law 102–195, 42 U.S.C. 2467a) is amended by  
16 adding at the end thereof:

17       “(d) AVAILABILITY OF FUNDS.—The interest accru-  
18 ing from the National Aeronautics and Space Administra-  
19 tion Endeavor Teacher Fellowship Trust Fund principal  
20 shall be available in fiscal year 2011 and hereafter for the  
21 purpose of the Endeavor Science Teacher Certificate Pro-  
22 gram.”.

23       Of funds provided under the headings “Science” and  
24 “Exploration” in this Act, up to \$15,000,000 shall be  
25 available for a reimbursable agreement with the Depart-

1 ment of Energy for the purpose of re-establishing facilities  
2 to produce fuel required for radioisotope thermoelectric  
3 generators to enable future missions.

4 For an additional amount for the “Cross-Agency  
5 Support”, National Aeronautics and Space Administration  
6 account, \$3,492,000, to increase the agency’s acquisition  
7 workforce capacity and capabilities: *Provided*, That such  
8 funds may be transferred by the Administrator to any  
9 other account in the agency to carry out the purposes pro-  
10 vided herein: *Provided further*, That such transfer author-  
11 ity is in addition to any other transfer authority provided  
12 in this Act: *Provided further*, That such funds shall be  
13 available only to supplement and not to supplant existing  
14 acquisition workforce activities: *Provided further*, That  
15 such funds shall be available for training, recruitment, re-  
16 tention, and hiring additional members of the acquisition  
17 workforce as defined by the Office of Federal Procurement  
18 Policy Act, as amended (41 U.S.C. 401 et seq.): *Provided*  
19 *further*, That such funds shall be available for information  
20 technology in support of acquisition workforce effective-  
21 ness or for management solutions to improve acquisition  
22 management.

1 NATIONAL SCIENCE FOUNDATION  
2 RESEARCH AND RELATED ACTIVITIES  
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses in carrying out the National  
5 Science Foundation Act of 1950, as amended (42 U.S.C.  
6 1861–1875), and the Act to establish a National Medal  
7 of Science (42 U.S.C. 1880–1881); services as authorized  
8 by 5 U.S.C. 3109; maintenance and operation of aircraft  
9 and purchase of flight services for research support; acqui-  
10 sition of aircraft; and authorized travel; \$5,967,180,000,  
11 to remain available until September 30, 2012, of which  
12 not to exceed \$590,000,000 shall remain available until  
13 expended for polar research and operations support, and  
14 for reimbursement to other Federal agencies for oper-  
15 ational and science support and logistical and other re-  
16 lated activities for the United States Antarctic program:  
17 *Provided*, That from funds specified in the fiscal year  
18 2011 budget request for icebreaking services, \$54,000,000  
19 shall be transferred to the U.S. Coast Guard “Operating  
20 Expenses” within 60 days of enactment of this Act: *Pro-*  
21 *vided further*, That receipts for scientific support services  
22 and materials furnished by the National Research Centers  
23 and other National Science Foundation supported re-  
24 search facilities may be credited to this appropriation.

## 1 MAJOR RESEARCH EQUIPMENT AND FACILITIES

## 2 CONSTRUCTION

3 For necessary expenses for the acquisition, construc-  
4 tion, commissioning, and upgrading of major research  
5 equipment, facilities, and other such capital assets pursu-  
6 ant to the National Science Foundation Act of 1950, as  
7 amended (42 U.S.C. 1861–1875), including authorized  
8 travel, \$155,190,000, to remain available until expended:  
9 *Provided*, That none of the funds may be used to reim-  
10 burse the Judgment Fund.

## 11 EDUCATION AND HUMAN RESOURCES

12 For necessary expenses in carrying out science, math-  
13 ematics and engineering education and human resources  
14 programs and activities pursuant to the National Science  
15 Foundation Act of 1950, as amended (42 U.S.C. 1861–  
16 1875), including services as authorized by 5 U.S.C. 3109,  
17 authorized travel, and rental of conference rooms in the  
18 District of Columbia, \$892,000,000, to remain available  
19 until September 30, 2012.

## 20 AGENCY OPERATIONS AND AWARD MANAGEMENT

21 For agency operations and award management nec-  
22 essary in carrying out the National Science Foundation  
23 Act of 1950, as amended (42 U.S.C. 1861–1875); services  
24 authorized by 5 U.S.C. 3109; hire of passenger motor ve-  
25 hicles; not to exceed \$6,900 for official reception and rep-

1 representation expenses; uniforms or allowances therefor, as  
2 authorized by 5 U.S.C. 5901–5902; rental of conference  
3 rooms in the District of Columbia; and reimbursement of  
4 the Department of Homeland Security for security guard  
5 services; \$317,190,000: *Provided*, That contracts may be  
6 entered into under this heading in fiscal year 2011 for  
7 maintenance and operation of facilities, and for other serv-  
8 ices, to be provided during the next fiscal year.

9 OFFICE OF THE NATIONAL SCIENCE BOARD

10 For necessary expenses (including payment of sala-  
11 ries, authorized travel, hire of passenger motor vehicles,  
12 the rental of conference rooms in the District of Columbia,  
13 and the employment of experts and consultants under sec-  
14 tion 3109 of title 5, United States Code) involved in car-  
15 rying out section 4 of the National Science Foundation  
16 Act of 1950, as amended (42 U.S.C. 1863) and Public  
17 Law 86–209 (42 U.S.C. 1880 et seq.), \$4,840,000: *Pro-*  
18 *vided*, That not to exceed \$2,100 shall be available for offi-  
19 cial reception and representation expenses.

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector  
22 General as authorized by the Inspector General Act of  
23 1978, as amended, \$15,000,000, to remain available until  
24 September 30, 2012.

## 1 ADMINISTRATIVE PROVISION

2 For an additional amount for the “Agency Oper-  
3 ations and Award Management”, National Science Foun-  
4 dation account, \$2,000,000, to increase the agency’s ac-  
5 quisition workforce capacity and capabilities: *Provided*,  
6 That such funds shall be available only to supplement and  
7 not to supplant existing acquisition workforce activities:  
8 *Provided further*, That such funds shall be available for  
9 training, recruitment, retention, and hiring additional  
10 members of the acquisition workforce as defined by the  
11 Office of Federal Procurement Policy Act, as amended (41  
12 U.S.C. 401 et seq.): *Provided further*, That such funds  
13 shall be available for information technology in support  
14 of acquisition workforce effectiveness or for management  
15 solutions to improve acquisition management.

16 This title may be cited as the “Science Appropria-  
17 tions Act, 2011”.

## 18 TITLE IV

## 19 RELATED AGENCIES

## 20 COMMISSION ON CIVIL RIGHTS

## 21 SALARIES AND EXPENSES

22 For necessary expenses of the Commission on Civil  
23 Rights, including hire of passenger motor vehicles,  
24 \$9,400,000: *Provided*, That none of the funds appro-  
25 priated in this paragraph shall be used to employ in excess



1 of four full-time individuals under Schedule C of the Ex-  
2 cepted Service exclusive of one special assistant for each  
3 Commissioner: *Provided further*, That none of the funds  
4 appropriated in this paragraph shall be used to reimburse  
5 Commissioners for more than 75 billable days, with the  
6 exception of the chairperson, who is permitted 125 billable  
7 days.

8 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

9 SALARIES AND EXPENSES

10 For necessary expenses of the Equal Employment  
11 Opportunity Commission as authorized by title VII of the  
12 Civil Rights Act of 1964, the Age Discrimination in Em-  
13 ployment Act of 1967, the Equal Pay Act of 1963, the  
14 Americans with Disabilities Act of 1990, the Civil Rights  
15 Act of 1991, the Genetic Information Non-Discrimination  
16 Act (GINA) of 2008 (Public Law 110–233), the ADA  
17 Amendments Act of 2008 (Public Law 110–325), and the  
18 Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–  
19 2), including services as authorized by 5 U.S.C. 3109; hire  
20 of passenger motor vehicles as authorized by 31 U.S.C.  
21 1343(b); nonmonetary awards to private citizens,  
22 \$355,303,000: *Provided*, That the Commission is author-  
23 ized to make available for official reception and represen-  
24 tation expenses not to exceed \$1,875 from available funds:  
25 *Provided further*, That the Commission may take no action

1 to implement any workforce repositioning, restructuring,  
2 or reorganization until such time as the House and Senate  
3 Committees on Appropriations have been notified of such  
4 proposals, in accordance with the reprogramming require-  
5 ments of section 505 of this Act: *Provided further*, That  
6 the Chair is authorized to accept and use any gift or dona-  
7 tion to carry out the work of the Commission.

8 STATE AND LOCAL ASSISTANCE

9 For payments to State and local enforcement agen-  
10 cies for authorized services to the Commission,  
11 \$30,000,000.

12 INTERNATIONAL TRADE COMMISSION

13 SALARIES AND EXPENSES

14 For necessary expenses of the International Trade  
15 Commission, including hire of passenger motor vehicles,  
16 and services as authorized by 5 U.S.C. 3109, and not to  
17 exceed \$1,875 for official reception and representation ex-  
18 penses, \$87,000,000, to remain available until expended.

19 LEGAL SERVICES CORPORATION

20 PAYMENT TO THE LEGAL SERVICES CORPORATION

21 For payment to the Legal Services Corporation to  
22 carry out the purposes of the Legal Services Corporation  
23 Act of 1974, \$430,000,000, of which \$401,700,000 is for  
24 basic field programs and required independent audits;  
25 \$4,300,000 is for the Office of Inspector General, of which

1 such amounts as may be necessary may be used to conduct  
2 additional audits of recipients; \$20,000,000 is for manage-  
3 ment and grants oversight; \$3,000,000 is for client self-  
4 help and information technology; and \$1,000,000 is for  
5 loan repayment assistance: *Provided*, That the Legal Serv-  
6 ices Corporation may continue to provide locality pay to  
7 officers and employees at a rate no greater than that pro-  
8 vided by the Federal Government to Washington, DC-  
9 based employees as authorized by 5 U.S.C. 5304, notwith-  
10 standing section 1005(d) of the Legal Services Corpora-  
11 tion Act, 42 U.S.C. 2996(d): *Provided further*, That the  
12 authorities provided in section 205 of this Act shall be  
13 applicable to the Legal Services Corporation.

14 ADMINISTRATIVE PROVISION—LEGAL SERVICES

15 CORPORATION

16 None of the funds appropriated in this Act to the  
17 Legal Services Corporation shall be expended for any pur-  
18 pose prohibited or limited by, or contrary to any of the  
19 provisions of, sections 501, 502, 503, 504, 505, and 506  
20 of Public Law 105–119, and all funds appropriated in this  
21 Act to the Legal Services Corporation shall be subject to  
22 the same terms and conditions set forth in such sections,  
23 except that all references in sections 502 and 503 to 1997  
24 and 1998 shall be deemed to refer instead to 2010 and  
25 2011, respectively.

1 Section 504 of the Departments of Commerce, Jus-  
2 tice, and State, the Judiciary, and Related Agencies Ap-  
3 propriations Act, 1996 (as contained in Public Law 104-  
4 134) is amended:

5 (1) in subsection (a), in the matter preceding  
6 paragraph (1), by inserting after “)” the following:  
7 “that uses Federal funds (or funds from any source  
8 with regard to paragraphs (14) and (15) in a man-  
9 ner”;

10 (2) by striking subsection (d); and

11 (3) by redesignating subsections (e) and (f) as  
12 subsections (d) and (e), respectively.

13 MARINE MAMMAL COMMISSION

14 SALARIES AND EXPENSES

15 For necessary expenses of the Marine Mammal Com-  
16 mission as authorized by title II of Public Law 92-522,  
17 \$3,250,000.

18 OFFICE OF THE UNITED STATES TRADE

19 REPRESENTATIVE

20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of the United  
22 States Trade Representative, including the hire of pas-  
23 senger motor vehicles and the employment of experts and  
24 consultants as authorized by 5 U.S.C. 3109, \$50,757,000,  
25 of which \$1,000,000 shall remain available until expended:

1 *Provided*, That not to exceed \$93,000 shall be available  
2 for official reception and representation expenses: *Pro-*  
3 *vided further*, That negotiations shall be conducted within  
4 the World Trade Organization to recognize the right of  
5 members to distribute monies collected from antidumping  
6 and countervailing duties: *Provided further*, That negotia-  
7 tions shall be conducted within the World Trade Organiza-  
8 tion consistent with the negotiating objectives contained  
9 in the Trade Act of 2002, Public Law 107–210.

10 STATE JUSTICE INSTITUTE

11 SALARIES AND EXPENSES

12 For necessary expenses of the State Justice Institute,  
13 as authorized by the State Justice Institute Authorization  
14 Act of 1984 (42 U.S.C. 10701 et seq.) \$6,273,000, of  
15 which \$500,000 shall remain available until September 30,  
16 2012: *Provided*, That not to exceed \$1,875 shall be avail-  
17 able for official reception and representation expenses.

18 TITLE V

19 GENERAL PROVISIONS

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

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

1        SEC. 503. The expenditure of any appropriation  
2 under this Act for any consulting service through procure-  
3 ment contract, pursuant to 5 U.S.C. 3109, shall be limited  
4 to those contracts where such expenditures are a matter  
5 of public record and available for public inspection, except  
6 where otherwise provided under existing law, or under ex-  
7 isting Executive order issued pursuant to existing law.

8        SEC. 504. If any provision of this Act or the applica-  
9 tion of such provision to any person or circumstances shall  
10 be held invalid, the remainder of the Act and the applica-  
11 tion of each provision to persons or circumstances other  
12 than those as to which it is held invalid shall not be af-  
13 fected thereby.

14        SEC. 505. (a) None of the funds provided under this  
15 Act, or provided under previous appropriations Acts to the  
16 agencies funded by this Act that remain available for obli-  
17 gation or expenditure in fiscal year 2011, or provided from  
18 any accounts in the Treasury of the United States derived  
19 by the collection of fees available to the agencies funded  
20 by this Act, shall be available for obligation or expenditure  
21 through the reprogramming of funds that—

22            (1) creates or initiates a new program, project  
23 or activity, unless the House and Senate Committees  
24 on Appropriation are notified 15 days in advance of  
25 such reprogramming of funds;

1           (2) eliminates a program, project or activity,  
2 unless the House and Senate Committees on Appro-  
3 priations are notified 15 days in advance of such re-  
4 programming of funds;

5           (3) increases funds or personnel by any means  
6 for any project or activity for which funds have been  
7 denied or restricted by this Act, unless the House  
8 and Senate Committees on Appropriations are noti-  
9 fied 15 days in advance of such reprogramming of  
10 funds;

11          (4) relocates an office or employees, unless the  
12 House and Senate Committees on Appropriations  
13 are notified 15 days in advance of such reprogram-  
14 ming of funds;

15          (5) reorganizes or renames offices, programs or  
16 activities, unless the House and Senate Committees  
17 on Appropriations are notified 15 days in advance of  
18 such reprogramming of funds;

19          (6) contracts out or privatizes any functions or  
20 activities presently performed by Federal employees,  
21 unless the House and Senate Committees on Appro-  
22 priations are notified 15 days in advance of such re-  
23 programming of funds;

24          (7) proposes to use funds directed for a specific  
25 activity by either the House or Senate Committee on

1 Appropriations for a different purpose, unless the  
2 House and Senate Committees on Appropriations  
3 are notified 15 days in advance of such reprogram-  
4 ming of funds;

5 (8) augments funds for existing programs,  
6 projects or activities in excess of \$500,000 or 10  
7 percent, whichever is less, or reduces by 10 percent  
8 funding for any program, project or activity, or  
9 numbers of personnel by 10 percent as approved by  
10 Congress, unless the House and Senate Committees  
11 on Appropriations are notified 15 days in advance of  
12 such reprogramming of funds; or

13 (9) results from any general savings, including  
14 savings from a reduction in personnel, which would  
15 result in a change in existing programs, projects or  
16 activities as approved by Congress, unless the House  
17 and Senate Committees on Appropriations are noti-  
18 fied 15 days in advance of such reprogramming of  
19 funds.

20 (b) None of the funds in provided under this Act, or  
21 provided under previous appropriations Acts to the agen-  
22 cies funded by this Act that remain available for obligation  
23 or expenditure in fiscal year 2011, or provided from any  
24 accounts in the Treasury of the United States derived by  
25 the collection of fees available to the agencies funded by



1 this Act, shall be available for obligation or expenditure,  
2 through the reprogramming of funds after August 1, ex-  
3 cept in extraordinary circumstances, and only after the  
4 House and Senate Committees on Appropriations are noti-  
5 fied 30 days in advance of such reprogramming of funds.

6       SEC. 506. Hereafter, none of the funds made avail-  
7 able in this or any other Act may be used to implement,  
8 administer, or enforce any guidelines of the Equal Em-  
9 ployment Opportunity Commission covering harassment  
10 based on religion, when it is made known to the Federal  
11 entity or official to which such funds are made available  
12 that such guidelines do not differ in any respect from the  
13 proposed guidelines published by the Commission on Octo-  
14 ber 1, 1993 (58 Fed. Reg. 51266).

15       SEC. 507. If it has been finally determined by a court  
16 or Federal agency that any person intentionally affixed a  
17 label bearing a “Made in America” inscription, or any in-  
18 scription with the same meaning, to any product sold in  
19 or shipped to the United States that is not made in the  
20 United States, the person shall be ineligible to receive any  
21 contract or subcontract made with funds made available  
22 in this Act, pursuant to the debarment, suspension, and  
23 ineligibility procedures described in sections 9.400 through  
24 9.409 of title 48, Code of Federal Regulations.

1        SEC. 508. The Departments of Commerce and Jus-  
2 tice, the National Science Foundation, and the National  
3 Aeronautics and Space Administration, shall provide to  
4 the House and Senate Committees on Appropriations a  
5 quarterly accounting of the cumulative balances of any un-  
6 obligated funds that were received by such agency during  
7 any previous fiscal year.

8        SEC. 509. Any costs incurred by a department or  
9 agency funded under this Act resulting from, or to pre-  
10 vent, personnel actions taken in response to funding re-  
11 ductions included in this Act shall be absorbed within the  
12 total budgetary resources available to such department or  
13 agency: *Provided*, That the authority to transfer funds be-  
14 tween appropriations accounts as may be necessary to  
15 carry out this section is provided in addition to authorities  
16 included elsewhere in this Act: *Provided further*, That use  
17 of funds to carry out this section shall be treated as a  
18 reprogramming of funds under section 505 of this Act and  
19 shall not be available for obligation or expenditure except  
20 in compliance with the procedures set forth in that section.

21        SEC. 510. None of the funds provided by this Act  
22 shall be available to promote the sale or export of tobacco  
23 or tobacco products, or to seek the reduction or removal  
24 by any foreign country of restrictions on the marketing  
25 of tobacco or tobacco products, except for restrictions

1 which are not applied equally to all tobacco or tobacco  
2 products of the same type.

3 SEC. 511. None of the funds appropriated pursuant  
4 to this Act or any other provision of law may be used for—

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

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

19 SEC. 512. Notwithstanding any other provision of  
20 law, amounts deposited or available in the Fund estab-  
21 lished under 42 U.S.C. 10601 in any fiscal year in excess  
22 of \$841,186,000 shall not be available for obligation until  
23 the following fiscal year.

24 SEC. 513. None of the funds made available to the  
25 Department of Justice in this Act may be used to discrimi-

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

5       SEC. 514. None of the funds made available in this  
6 Act may be transferred to any department, agency, or in-  
7 strumentality of the United States Government, except  
8 pursuant to a transfer made by, or transfer authority pro-  
9 vided in, this Act or any other appropriations Act.

10       SEC. 515. Any funds provided in this Act used to im-  
11 plement E-Government Initiatives shall be subject to the  
12 procedures set forth in section 505 of this Act.

13       SEC. 516. (a) Tracing studies conducted by the Bu-  
14 reau of Alcohol, Tobacco, Firearms and Explosives are re-  
15 leased without adequate disclaimers regarding the limita-  
16 tions of the data.

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

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

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

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

16 SEC. 517. (a) The Inspectors General of the Depart-  
17 ment of Commerce, the Department of Justice, the Na-  
18 tional Aeronautics and Space Administration, the Na-  
19 tional Science Foundation, and the Legal Services Cor-  
20 poration shall conduct audits, pursuant to the Inspector  
21 General Act (5 U.S.C. App.), of grants or contracts for  
22 which funds are appropriated by this Act, and shall submit  
23 reports to Congress on the progress of such audits, which  
24 may include preliminary findings and a description of  
25 areas of particular interest, within 180 days after initi-

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

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

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

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

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

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

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

18 SEC. 518. None of the funds appropriated or other-  
19 wise made available under this Act may be used to issue  
20 patents on claims directed to or encompassing a human  
21 organism.

22 SEC. 519. None of the funds made available in this  
23 Act shall be used in any way whatsoever to support or  
24 justify the use of torture by any official or contract em-  
25 ployee of the United States Government.

1       SEC. 520. (a) Notwithstanding any other provision  
2 of law or treaty, none of the funds appropriated or other-  
3 wise made available under this Act or any other Act may  
4 be expended or obligated by a department, agency, or in-  
5 strumentality of the United States to pay administrative  
6 expenses or to compensate an officer or employee of the  
7 United States in connection with requiring an export li-  
8 cense for the export to Canada of components, parts, ac-  
9 cessories or attachments for firearms listed in Category  
10 I, section 121.1 of title 22, Code of Federal Regulations  
11 (International Trafficking in Arms Regulations (ITAR),  
12 part 121, as it existed on April 1, 2005) with a total value  
13 not exceeding \$500 wholesale in any transaction, provided  
14 that the conditions of subsection (b) of this section are  
15 met by the exporting party for such articles.

16       (b) The foregoing exemption from obtaining an ex-  
17 port license—

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

24           (2) does not permit the export without a license  
25 of—



1 (A) fully automatic firearms and compo-  
2 nents and parts for such firearms, other than  
3 for end use by the Federal Government, or a  
4 Provincial or Municipal Government of Canada;

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

10 (C) articles for export from Canada to an-  
11 other foreign destination.

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

20 (d) The President may require export licenses under  
21 this section on a temporary basis if the President deter-  
22 mines, upon publication first in the Federal Register, that  
23 the Government of Canada has implemented or main-  
24 tained inadequate import controls for the articles specified  
25 in subsection (a), such that a significant diversion of such

1 articles has and continues to take place for use in inter-  
2 national terrorism or in the escalation of a conflict in an-  
3 other nation. The President shall terminate the require-  
4 ments of a license when reasons for the temporary require-  
5 ments have ceased.

6       SEC. 521. Notwithstanding any other provision of  
7 law, no department, agency, or instrumentality of the  
8 United States receiving appropriated funds under this Act  
9 or any other Act shall obligate or expend in any way such  
10 funds to pay administrative expenses or the compensation  
11 of any officer or employee of the United States to deny  
12 any application submitted pursuant to 22 U.S.C.  
13 2778(b)(1)(B) and qualified pursuant to 27 CFR section  
14 478.112 or .113, for a permit to import United States ori-  
15 gin “curios or relics” firearms, parts, or ammunition.

16       SEC. 522. None of the funds made available in this  
17 Act may be used to include in any new bilateral or multi-  
18 lateral trade agreement the text of—

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

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

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

1        SEC. 523. None of the funds made available in this  
2 Act may be used to authorize or issue a national security  
3 letter in contravention of any of the following laws author-  
4 izing the Federal Bureau of Investigation to issue national  
5 security letters: The Right to Financial Privacy Act; The  
6 Electronic Communications Privacy Act; The Fair Credit  
7 Reporting Act; The National Security Act of 1947; USA  
8 PATRIOT Act; and the laws amended by these Acts.

9        SEC. 524. If at any time during any quarter, the pro-  
10 gram manager of a project within the jurisdiction of the  
11 Departments of Commerce or Justice, the National Aero-  
12 nautics and Space Administration, or the National Science  
13 Foundation totaling more than \$75,000,000 has reason-  
14 able cause to believe that the total program cost has in-  
15 creased by 10 percent, the program manager shall imme-  
16 diately inform the Secretary, Administrator, or Director.  
17 The Secretary, Administrator, or Director shall notify the  
18 House and Senate Committees on Appropriations within  
19 30 days in writing of such increase, and shall include in  
20 such notice: the date on which such determination was  
21 made; a statement of the reasons for such increases; the  
22 action taken and proposed to be taken to control future  
23 cost growth of the project; changes made in the perform-  
24 ance or schedule milestones and the degree to which such  
25 changes have contributed to the increase in total program

1 costs or procurement costs; new estimates of the total  
2 project or procurement costs; and a statement validating  
3 that the project's management structure is adequate to  
4 control total project or procurement costs.

5       SEC. 525. Funds appropriated by this Act, or made  
6 available by the transfer of funds in this Act, for intel-  
7 ligence or intelligence related activities are deemed to be  
8 specifically authorized by the Congress for purposes of sec-  
9 tion 504 of the National Security Act of 1947 (50 U.S.C.  
10 414) during fiscal year 2011 until the enactment of the  
11 Intelligence Authorization Act for fiscal year 2011.

12       SEC. 526. The Departments, agencies, and commis-  
13 sions funded under this Act, shall establish and maintain  
14 on the homepages of their Internet Web site—

15             (1) a direct link to the Internet Web site of  
16             their Offices of Inspectors General; and

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

22       SEC. 527. None of the funds appropriated or other-  
23 wise made available by this Act may be used to enter into  
24 a contract in an amount greater than \$5,000,000 or to  
25 award a grant in excess of such amount unless the pro-

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

15       SEC. 528. None of the funds appropriated or other-  
16 wise made available in this Act may be used in a manner  
17 that is inconsistent with the principal negotiating objective  
18 of the United States with respect to trade remedy laws  
19 to preserve the ability of the United States—

20               (1) to enforce vigorously its trade laws, includ-  
21               ing antidumping, countervailing duty, and safeguard  
22               laws;

23               (2) to avoid agreements that—

1 (A) lessen the effectiveness of domestic  
2 and international disciplines on unfair trade, es-  
3 pecially dumping and subsidies; or

4 (B) lessen the effectiveness of domestic  
5 and international safeguard provisions, in order  
6 to ensure that United States workers, agricul-  
7 tural producers, and firms can compete fully on  
8 fair terms and enjoy the benefits of reciprocal  
9 trade concessions; and

10 (3) to address and remedy market distortions  
11 that lead to dumping and subsidization, including  
12 overcapacity, cartelization, and market access bar-  
13 riers.

14 (RESCISSIONS)

15 SEC. 529. (a) Of the unobligated balances available  
16 to the Department of Justice from prior appropriations,  
17 the following funds are hereby rescinded, not later than  
18 September 30, 2011, from the following accounts in the  
19 specified amounts—

20 (1) “Legal Activities, Assets Forfeiture Fund”,  
21 \$495,000,000;

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

25 (3) “Office of Justice Programs”, \$42,000,000;

1           (4) “Community Oriented Policing Services”,  
2           \$10,200,000;

3           (5) “Working Capital Fund”, \$20,000,000; and

4           (6) “Federal Bureau of Investigation, Salaries  
5           and Expenses”, \$20,000,000.

6           (b) Of the unobligated balances available to the Na-  
7           tional Aeronautics and Space Administration from prior  
8           year appropriations under the heading “Exploration”,  
9           \$14,000,000 are hereby rescinded.

10          (c) Of the unobligated balances available to the Na-  
11          tional Science Foundation from prior appropriations,  
12          \$50,000,000 under the heading “Research and Related  
13          Activities” is hereby rescinded.

14          (d) Of the unobligated balances available to the Bu-  
15          reau of the Census from prior year appropriations,  
16          \$457,000,000 under the heading “Periodic Censuses and  
17          Programs” is hereby rescinded.

18          (e) Within 30 days of enactment of this Act, the De-  
19          partment of Justice, the National Aeronautics and Space  
20          Administration, the National Science Foundation, and the  
21          Bureau of the Census shall submit to the Committee on  
22          Appropriations of the Senate a report specifying the  
23          amount of each rescission made pursuant to this section.

24          (f) The rescissions contained in this section shall not  
25          apply to funds provided in this Act.

1       SEC. 530. None of the funds made available in this  
2 Act may be used to purchase first class or premium airline  
3 travel in contravention of sections 301–10.122 through  
4 301–10.124 of title 41 of the Code of Federal Regulations.

5       SEC. 531. None of the funds made available in this  
6 Act may be used to send or otherwise pay for the attend-  
7 ance of more than 50 employees from a Federal depart-  
8 ment or agency at any single conference occurring outside  
9 the United States. This provision shall not apply to law  
10 enforcement training and/or operational conferences for  
11 law enforcement personnel when the majority of Federal  
12 employees in attendance are law enforcement personnel  
13 stationed outside the United States.

14       SEC. 532. (a) None of the funds made available in  
15 this or any other Act may be used to release an individual  
16 who is detained, as of June 24, 2009, at Naval Station,  
17 Guantanamo Bay, Cuba, into the continental United  
18 States, Alaska, Hawaii, or the District of Columbia, into  
19 any of the United States territories of Guam, American  
20 Samoa (AS), the United States Virgin Islands (USVI), the  
21 Commonwealth of Puerto Rico and the Commonwealth of  
22 the Northern Mariana Islands (CNMI).

23       (b) None of the funds made available in this or any  
24 other Act may be used to transfer an individual who is  
25 detained, as of June 24, 2009, at Naval Station, Guanta-



1 namo Bay, Cuba, into the continental United States, Alas-  
2 ka, Hawaii, or the District of Columbia, into any of the  
3 United States territories of Guam, American Samoa (AS),  
4 the United States Virgin Islands (USVI), the Common-  
5 wealth of Puerto Rico and the Commonwealth of the  
6 Northern Mariana Islands (CNMI), for the purpose of de-  
7 tention, except as provided in subsection (c).

8 (c) None of the funds made available in this or any  
9 other Act may be used to transfer an individual who is  
10 detained, as of June 24, 2009, at Naval Station, Guanta-  
11 namo Bay, Cuba, into the continental United States, Alas-  
12 ka, Hawaii, or the District of Columbia, into any of the  
13 United States territories of Guam, American Samoa (AS),  
14 the United States Virgin Islands (USVI), the Common-  
15 wealth of Puerto Rico and the Commonwealth of the  
16 Northern Mariana Islands (CNMI), for the purposes of  
17 prosecuting such individual, or detaining such individual  
18 during legal proceedings, until 45 days after the plan de-  
19 scribed in subsection (d) is received.

20 (d) The President shall submit to Congress, in classi-  
21 fied form, a plan regarding the proposed disposition of any  
22 individual covered by subsection (c) who is detained as of  
23 June 24, 2009. Such plan shall include, at a minimum,  
24 each of the following for each such individual:

1           (1) A determination of the risk that the indi-  
2           vidual might instigate an act of terrorism within the  
3           continental United States, Alaska, Hawaii, the Dis-  
4           trict of Columbia, or the United States territories if  
5           the individual were so transferred.

6           (2) A determination of the risk that the indi-  
7           vidual might advocate, coerce, or incite violent extre-  
8           mism, ideologically motivated criminal activity, or  
9           acts of terrorism, among inmate populations at in-  
10          carceration facilities within the continental United  
11          States, Alaska, Hawaii, the District of Columbia, or  
12          the United States territories if the individual were  
13          transferred to such a facility.

14          (3) The costs associated with transferring the  
15          individual in question.

16          (4) The legal rationale and associated court de-  
17          mands for transfer.

18          (5) A plan for mitigation of any risks described  
19          in paragraphs (1), (2), and (7).

20          (6) A copy of a notification to the Governor of  
21          the State to which the individual will be transferred,  
22          to the Mayor of the District of Columbia if the indi-  
23          vidual will be transferred to the District of Colum-  
24          bia, or to any United States territories with a certifi-  
25          cation by the Attorney General of the United States

1 in classified form at least 14 days prior to such  
2 transfer (together with supporting documentation  
3 and justification) that the individual poses little or  
4 no security risk to the United States.

5 (7) An assessment of any risk to the national  
6 security of the United States or its citizens, includ-  
7 ing members of the Armed Services of the United  
8 States, that is posed by such transfer and the ac-  
9 tions taken to mitigate such risk.

10 (e) None of the funds made available in this or any  
11 other Act may be used to transfer or release an individual  
12 detained at Naval Station, Guantanamo Bay, Cuba, as of  
13 June 24, 2009, to the country of such individual's nation-  
14 ality or last habitual residence or to any other country  
15 other than the United States or to a freely associated  
16 State, unless the President submits to the Congress, in  
17 classified form, at least 15 days prior to such transfer or  
18 release, the following information:

19 (1) The name of any individual to be trans-  
20 ferred or released and the country or the freely asso-  
21 ciated State to which such individual is to be trans-  
22 ferred or released.

23 (2) An assessment of any risk to the national  
24 security of the United States or its citizens, includ-  
25 ing members of the Armed Services of the United

1 States, that is posed by such transfer or release and  
2 the actions taken to mitigate such risk.

3 (3) The terms of any agreement with the coun-  
4 try or the freely associated State for the acceptance  
5 of such individual, including the amount of any fi-  
6 nancial assistance related to such agreement.

7 (f) None of the funds made available in this Act may  
8 be used to provide any immigration benefit (including a  
9 visa, admission into the United States or any of the  
10 United States territories, parole into the United States or  
11 any of the United States territories (other than parole for  
12 the purposes of prosecution and related detention), or clas-  
13 sification as a refugee or applicant for asylum) to any indi-  
14 vidual who is detained, as of June 24, 2009, at Naval Sta-  
15 tion, Guantanamo Bay, Cuba.

16 (g) In this section, the term “freely associated  
17 States” means the Federated States of Micronesia (FSM),  
18 the Republic of the Marshall Islands (RMI), and the Re-  
19 public of Palau.

20 (h) Prior to the termination of detention operations  
21 at Naval Station, Guantanamo Bay, Cuba, the President  
22 shall submit to the Congress a report in classified form  
23 describing the disposition or legal status of each individual  
24 detained at the facility as of the date of enactment of this  
25 Act.

1       SEC. 533. None of the funds made available under  
2 this Act may be distributed to the Association of Commu-  
3 nity Organizations for Reform Now (ACORN) or its sub-  
4 sidiaries.

5       SEC. 534. To the extent practicable, funds made  
6 available in this Act should be used to purchase light bulbs  
7 that are “Energy Star” qualified or have the “Federal En-  
8 ergy Management Program” designation.

9       SEC. 535. The Director of the Office of Management  
10 and Budget shall instruct any department, agency, or in-  
11 strumentality of the United States Government receiving  
12 funds appropriated under this Act to track undisbursed  
13 balances in expired grant accounts and include in its an-  
14 nual performance plan and performance and account-  
15 ability reports the following:

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

19           (2) The method that the department, agency, or  
20 instrumentality uses to track undisbursed balances  
21 in expired grant accounts.

22           (3) Identification of undisbursed balances in ex-  
23 pired grant accounts that may be returned to the  
24 Treasury of the United States.

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

7           SEC. 536. None of the funds made available in this  
8           Act may be used to relocate the Bureau of the Census  
9           or employees from the Department of Commerce to the  
10          jurisdiction of the Executive Office of the President.

11          SEC. 537. (a) Of the amounts appropriated for dis-  
12          cretionary grants to improve the functioning of the crimi-  
13          nal justice system, to prevent or combat delinquency, and  
14          to assist victims of crime (other than compensation),  
15          under the heading “State and local law enforcement as-  
16          sistance” under the major heading “Office of Justice Pro-  
17          grams” under the overarching heading “State and local  
18          law enforcement activities” under division B, title II of  
19          the Omnibus Appropriations Act, 2009 (Public Law 111–  
20          8; 123 Stat. 579), the amounts to be made available to  
21          the Louisiana District Attorney’s Association, Baton  
22          Rouge, Louisiana, for the purpose to support an early  
23          intervention program for at-risk elementary students, pur-  
24          suant to the joint statement of managers accompanying  
25          that Act, shall be made available to the University of Lou-

1 isiana-Lafayette, Lafayette, Louisiana, for the same pur-  
2 pose.

3 (b) Of the amounts appropriated for discretionary  
4 grants to improve the functioning of the criminal justice  
5 system, to prevent or combat delinquency, and to assist  
6 victims of crime (other than compensation), under the  
7 heading “State and local law enforcement assistance”  
8 under the major heading “Office of Justice Programs”  
9 under the overarching heading “State and local law en-  
10 forcement activities” under division B, title II of the Om-  
11 nibus Appropriations Act, 2009 (Public Law 111–8; 123  
12 Stat. 579), the amounts to be made available to Genesee  
13 County, Michigan, for the purpose to assist individuals  
14 transitioning from prison, pursuant to the joint statement  
15 of managers accompanying that Act, shall be made avail-  
16 able to My Brother’s Keeper of Genesee County, Michi-  
17 gan, for the same purpose.

18 (c) Of the amounts appropriated for discretionary  
19 grants to improve the functioning of the criminal justice  
20 system, to prevent or combat delinquency, and to assist  
21 victims of crime (other than compensation), under the  
22 heading “State and local law enforcement assistance”  
23 under the major heading “Office of Justice Programs”  
24 under the overarching heading “State and local law en-  
25 forcement activities” under division B, title II of the Om-

1 nibus Appropriations Act, 2009 (Public Law 111–8; 123  
2 Stat. 579), the amounts to be made available to the City  
3 of Las Vegas, Las Vegas, Nevada, for copper wire theft  
4 prevention efforts, pursuant to the joint statement of man-  
5 agers accompanying that Act, shall be made available to  
6 the City of Las Vegas for the Shared Computer Operation  
7 for Protection and Enforcement (SCOPE), Las Vegas,  
8 Nevada.

9 (d) Of the amounts appropriated for discretionary  
10 grants to improve the functioning of the criminal justice  
11 system, to prevent or combat delinquency, and to assist  
12 victims of crime (other than compensation), under the  
13 heading “State and local law enforcement assistance”  
14 under the major heading “Office of Justice Programs”  
15 under the overarching heading “State and local law en-  
16 forcement activities” under division B, title II of the Om-  
17 nibus Appropriations Act, 2009 (Public Law 111–8; 123  
18 Stat. 579), the amounts to be made available to the  
19 Marcus Institute, Atlanta, Georgia, to provide remediation  
20 for the potential consequences of childhood abuse and ne-  
21 glect, pursuant to the joint statement of managers accom-  
22 panying that Act, shall be made available to the Georgia  
23 State University Center for Healthy Development, At-  
24 lanta, Georgia, for the same purpose.



1        SEC. 538. (a) The head of any department, agency,  
2 board or commission funded by this Act shall submit quar-  
3 terly reports to the Inspector General for any entity with-  
4 out an inspector general or the senior ethics official of the  
5 appropriate department, agency, board or commission re-  
6 garding the costs and contracting procedures relating to  
7 each conference held by the department, agency, board or  
8 commission during fiscal year 2011 for which the cost to  
9 the Government was more than \$20,000.

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

13            (1) a description of the subject of and number  
14 of participants attending that conference;

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

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

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

19            and

20                    (C) a discussion of the methodology used  
21 to determine which costs relate to that con-  
22 ference; and

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

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

3 (B) a discussion of any cost comparison  
4 conducted by the department, agency, board or  
5 commission in evaluating potential contractors  
6 for that conference.

7 SEC. 539. (a) None of the funds made available in  
8 this Act may be used to maintain or establish a computer  
9 network unless such network blocks the viewing,  
10 downloading, and exchanging of pornography.

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

15 COMMISSION ON WARTIME RELOCATION AND INTERN-  
16 MENT OF LATIN AMERICANS OF JAPANESE DESCENT

17 SEC. 540. (a) FINDINGS.—Based on a preliminary  
18 study published in December 1982 by the Commission on  
19 Wartime Relocation and Internment of Civilians, Congress  
20 finds the following:

21 (1) During World War II, the United States—

22 (A) expanded its internment program and  
23 national security investigations to conduct the  
24 program and investigations in Latin America;  
25 and

1 (B) financed relocation to the United  
2 States, and internment, of approximately 2,300  
3 Latin Americans of Japanese descent, for the  
4 purpose of exchanging the Latin Americans of  
5 Japanese descent for United States citizens  
6 held by Axis countries.

7 (2) Approximately 2,300 men, women, and chil-  
8 dren of Japanese descent from 13 Latin American  
9 countries were held in the custody of the Depart-  
10 ment of State in internment camps operated by the  
11 Immigration and Naturalization Service from 1941  
12 through 1948.

13 (3) Those men, women, and children either—

14 (A) were arrested without a warrant, hear-  
15 ing, or indictment by local police, and sent to  
16 the United States for internment; or

17 (B) in some cases involving women and  
18 children, voluntarily entered internment camps  
19 to remain with their arrested husbands, fathers,  
20 and other male relatives.

21 (4) Passports held by individuals who were  
22 Latin Americans of Japanese descent were routinely  
23 confiscated before the individuals arrived in the  
24 United States, and the Department of State ordered  
25 United States consuls in Latin American countries

1 to refuse to issue visas to the individuals prior to de-  
2 parture.

3 (5) Despite their involuntary arrival, Latin  
4 American internees of Japanese descent were consid-  
5 ered to be and treated as illegal entrants by the Im-  
6 migration and Naturalization Service. Thus, the in-  
7 ternees became illegal aliens in United States cus-  
8 tody who were subject to deportation proceedings for  
9 immediate removal from the United States. In some  
10 cases, Latin American internees of Japanese descent  
11 were deported to Axis countries to enable the United  
12 States to conduct prisoner exchanges.

13 (6) Approximately 2,300 men, women, and chil-  
14 dren of Japanese descent were relocated from their  
15 homes in Latin America, detained in internment  
16 camps in the United States, and in some cases, de-  
17 ported to Axis countries to enable the United States  
18 to conduct prisoner exchanges.

19 (7) The Commission on Wartime Relocation  
20 and Internment of Civilians studied Federal actions  
21 conducted pursuant to Executive Order 9066 (relat-  
22 ing to authorizing the Secretary of War to prescribe  
23 military areas). Although the United States program  
24 of interning Latin Americans of Japanese descent  
25 was not conducted pursuant to Executive Order

1 9066, an examination of that extraordinary program  
2 is necessary to establish a complete account of Fed-  
3 eral actions to detain and intern civilians of enemy  
4 or foreign nationality, particularly of Japanese de-  
5 scent. Although historical documents relating to the  
6 program exist in distant archives, the Commission  
7 on Wartime Relocation and Internment of Civilians  
8 did not research those documents.

9 (8) Latin American internees of Japanese de-  
10 scent were a group not covered by the Civil Liberties  
11 Act of 1988 (50 U.S.C. App. 1989b et seq.), which  
12 formally apologized and provided compensation pay-  
13 ments to former Japanese Americans interned pur-  
14 suant to Executive Order 9066.

15 (b) PURPOSE.—The purpose of this section is to es-  
16 tablish a fact-finding Commission to extend the study of  
17 the Commission on Wartime Relocation and Internment  
18 of Civilians to investigate and determine facts and cir-  
19 cumstances surrounding the relocation, internment, and  
20 deportation to Axis countries of Latin Americans of Japa-  
21 nese descent from December 1941 through February  
22 1948, and the impact of those actions by the United  
23 States, and to recommend appropriate remedies, if any,  
24 based on preliminary findings by the original Commission  
25 and new discoveries.

1 (c) ESTABLISHMENT OF THE COMMISSION.—

2 (1) IN GENERAL.—There is established the  
3 Commission on Wartime Relocation and Internment  
4 of Latin Americans of Japanese descent (referred to  
5 in this section as the “Commission”).

6 (2) COMPOSITION.—The Commission shall be  
7 composed of 9 members, who shall be appointed not  
8 later than 60 days after the date of enactment of  
9 this section, of whom—

10 (A) 3 members shall be appointed by the  
11 President;

12 (B) 3 members shall be appointed by the  
13 Speaker of the House of Representatives, on  
14 the joint recommendation of the majority leader  
15 of the House of Representatives and the minor-  
16 ity leader of the House of Representatives; and

17 (C) 3 members shall be appointed by the  
18 President pro tempore of the Senate, on the  
19 joint recommendation of the majority leader of  
20 the Senate and the minority leader of the Sen-  
21 ate.

22 (3) PERIOD OF APPOINTMENT; VACANCIES.—  
23 Members shall be appointed for the life of the Com-  
24 mission. A vacancy in the Commission shall not af-

1       fect its powers, but shall be filled in the same man-  
2       ner as the original appointment was made.

3           (4) MEETINGS.—

4           (A) FIRST MEETING.—The President shall  
5       call the first meeting of the Commission not  
6       later than the later of—

7           (i) 60 days after the date of enact-  
8       ment of this section; or

9           (ii) 30 days after the date of enact-  
10      ment of legislation making appropriations  
11      to carry out this section.

12          (B) SUBSEQUENT MEETINGS.—Except as  
13      provided in subparagraph (A), the Commission  
14      shall meet at the call of the Chairperson.

15          (5) QUORUM.—Five members of the Commis-  
16      sion shall constitute a quorum, but a lesser number  
17      of members may hold hearings.

18          (6) CHAIRPERSON AND VICE CHAIRPERSON.—  
19      The Commission shall elect a Chairperson and Vice  
20      Chairperson from among its members. The Chair-  
21      person and Vice Chairperson shall serve for the life  
22      of the Commission.

23          (d) DUTIES OF THE COMMISSION.—

24           (1) IN GENERAL.—The Commission shall—

1 (A) extend the study of the Commission on  
2 Wartime Relocation and Internment of Civil-  
3 ians, established by the Commission on War-  
4 time Relocation and Internment of Civilians  
5 Act—

6 (i) to investigate and determine facts  
7 and circumstances surrounding the United  
8 States' relocation, internment, and depor-  
9 tation to Axis countries of Latin Ameri-  
10 cans of Japanese descent from December  
11 1941 through February 1948, and the im-  
12 pact of those actions by the United States;  
13 and

14 (ii) in investigating those facts and  
15 circumstances, to review directives of the  
16 United States Armed Forces and the De-  
17 partment of State requiring the relocation,  
18 detention in internment camps, and depor-  
19 tation to Axis countries of Latin Ameri-  
20 cans of Japanese descent; and

21 (B) recommend appropriate remedies, if  
22 any, based on preliminary findings by the origi-  
23 nal Commission and new discoveries.

24 (2) REPORT.—Not later than 1 year after the  
25 date of the first meeting of the Commission pursu-



1 ant to subsection (c)(4)(A), the Commission shall  
2 submit a written report to Congress, which shall  
3 contain findings resulting from the investigation  
4 conducted under paragraph (1)(A) and recommenda-  
5 tions described in paragraph (1)(B).

6 (e) POWERS OF THE COMMISSION.—

7 (1) HEARINGS.—The Commission or, at its di-  
8 rection, any subcommittee or member of the Com-  
9 mission, may, for the purpose of carrying out this  
10 section—

11 (A) hold such public hearings in such cities  
12 and countries, sit and act at such times and  
13 places, take such testimony, receive such evi-  
14 dence, and administer such oaths as the Com-  
15 mission or such subcommittee or member con-  
16 siders advisable; and

17 (B) require, by subpoena or otherwise, the  
18 attendance and testimony of such witnesses and  
19 the production of such books, records, cor-  
20 respondence, memoranda, papers, documents,  
21 tapes, and materials as the Commission or such  
22 subcommittee or member considers advisable.

23 (2) ISSUANCE AND ENFORCEMENT OF SUB-  
24 POENAS.—

1 (A) ISSUANCE.—Subpoenas issued under  
2 paragraph (1) shall bear the signature of the  
3 Chairperson of the Commission and shall be  
4 served by any person or class of persons des-  
5 ignated by the Chairperson for that purpose.

6 (B) ENFORCEMENT.—In the case of contu-  
7 macy or failure to obey a subpoena issued  
8 under paragraph (1), the United States district  
9 court for the judicial district in which the sub-  
10 poenaed person resides, is served, or may be  
11 found may issue an order requiring such person  
12 to appear at any designated place to testify or  
13 to produce documentary or other evidence. Any  
14 failure to obey the order of the court may be  
15 punished by the court as a contempt of that  
16 court.

17 (3) WITNESS ALLOWANCES AND FEES.—Section  
18 1821 of title 28, United States Code, shall apply to  
19 witnesses requested or subpoenaed to appear at any  
20 hearing of the Commission. The per diem and mile-  
21 age allowances for witnesses shall be paid from  
22 funds available to pay the expenses of the Commis-  
23 sion.

24 (4) INFORMATION FROM FEDERAL AGENCIES.—  
25 The Commission may secure directly from any Fed-

1 eral department or agency such information as the  
2 Commission considers necessary to perform its du-  
3 ties. Upon request of the Chairperson of the Com-  
4 mission, the head of such department or agency  
5 shall furnish such information to the Commission.

6 (5) POSTAL SERVICES.—The Commission may  
7 use the United States mails in the same manner and  
8 under the same conditions as other departments and  
9 agencies of the Federal Government.

10 (f) PERSONNEL AND ADMINISTRATIVE PROVI-  
11 SIONS.—

12 (1) COMPENSATION OF MEMBERS.—Each mem-  
13 ber of the Commission who is not an officer or em-  
14 ployee of the Federal Government shall be com-  
15 pensated at a rate equal to the daily equivalent of  
16 the annual rate of basic pay prescribed for level IV  
17 of the Executive Schedule under section 5315 of title  
18 5, United States Code, for each day (including travel  
19 time) during which such member is engaged in the  
20 performance of the duties of the Commission. All  
21 members of the Commission who are officers or em-  
22 ployees of the United States shall serve without com-  
23 pensation in addition to that received for their serv-  
24 ices as officers or employees of the United States.

1           (2) TRAVEL EXPENSES.—The members of the  
2 Commission shall be allowed travel expenses, includ-  
3 ing per diem in lieu of subsistence, at rates author-  
4 ized for employees of agencies under subchapter I of  
5 chapter 57 of title 5, United States Code, while  
6 away from their homes or regular places of business  
7 in the performance of services for the Commission.

8           (3) STAFF.—

9           (A) IN GENERAL.—The Chairperson of the  
10 Commission may, without regard to the civil  
11 service laws and regulations, appoint and termi-  
12 nate the employment of such personnel as may  
13 be necessary to enable the Commission to per-  
14 form its duties.

15           (B) COMPENSATION.—The Chairperson of  
16 the Commission may fix the compensation of  
17 the personnel without regard to chapter 51 and  
18 subchapter III of chapter 53 of title 5, United  
19 States Code, relating to classification of posi-  
20 tions and General Schedule pay rates, except  
21 that the rate of pay for the personnel may not  
22 exceed the rate payable for level V of the Exec-  
23 utive Schedule under section 5316 of such title.

24           (4) DETAIL OF GOVERNMENT EMPLOYEES.—  
25 Any Federal Government employee may be detailed

1 to the Commission without reimbursement, and such  
2 detail shall be without interruption or loss of civil  
3 service status or privilege.

4 (5) PROCUREMENT OF TEMPORARY AND INTER-  
5 MITTENT SERVICES.—The Chairperson of the Com-  
6 mission may procure temporary and intermittent  
7 services under section 3109(b) of title 5, United  
8 States Code, at rates for individuals that do not ex-  
9 ceed the daily equivalent of the annual rate of basic  
10 pay prescribed for level V of the Executive Schedule  
11 under section 5316 of such title.

12 (6) OTHER ADMINISTRATIVE MATTERS.—The  
13 Commission may—

14 (A) enter into agreements with the Admin-  
15 istrator of General Services to procure nec-  
16 essary financial and administrative services;

17 (B) enter into contracts to procure sup-  
18 plies, services, and property; and

19 (C) enter into contracts with Federal,  
20 State, or local agencies, or private institutions  
21 or organizations, for the conduct of research or  
22 surveys, the preparation of reports, and other  
23 activities necessary to enable the Commission to  
24 perform its duties.

1 (g) TERMINATION.—The Commission shall terminate  
2 90 days after the date on which the Commission submits  
3 its report to Congress under subsection (d)(2).

4 (h) AUTHORIZATION OF APPROPRIATIONS.—

5 (1) IN GENERAL.—There are authorized to be  
6 appropriated such sums as may be necessary to  
7 carry out this section.

8 (2) AVAILABILITY.—Any sums appropriated  
9 under the authorization contained in this subsection  
10 shall remain available, without fiscal year limitation,  
11 until expended.

12 SEC. 541. (a) Using funds appropriated to the Legal  
13 Services Corporation (“Corporation”) in this Act, the Cor-  
14 poration shall comply with, and ensure that recipients and  
15 recipient attorneys comply with, the corresponding rec-  
16 ommendations contained in the provisions of—

17 (1) the report entitled “Governance and Ac-  
18 countability Practices Need to Be Modernized and  
19 Strengthened”, GAO–07–993, issued August 2007  
20 by the Government Accountability Office;

21 (2) the report entitled “Improved Internal Con-  
22 trols Needed in Grants Management and Oversight”,  
23 GAO–08–37, issued December 2007 by the Govern-  
24 ment Accountability Office;

1           (3) the report entitled “Selected Internal Con-  
2           trols at Legal Services NYC”, Report No. AU09–01,  
3           issued December 11, 2008 by the Office of Inspector  
4           General of the Corporation;

5           (4) the report entitled “Selected Internal Con-  
6           trols at Legal Aid and Defender Association, Inc.”,  
7           Report No. AU09–02, issued February 5, 2009 by  
8           that Office of Inspector General;

9           (5) the report entitled “Selected Internal Con-  
10          trols at California Indian Legal Services”, Report  
11          No. AU09–03, issued March 27, 2009 by that Office  
12          of Inspector General;

13          (6) the report entitled “Selected Internal Con-  
14          trols at Legal Assistance Foundation of Metropoli-  
15          tan Chicago”, Report No. AU08–05, issued Sep-  
16          tember 30, 2008 by that Office of Inspector General;

17          (7) the report entitled “Selected Internal Con-  
18          trols at Philadelphia Legal Assistance Center”, Re-  
19          port No. AU08–04, issued August 14, 2008 by that  
20          Office of Inspector General;

21          (8) the report entitled “Legal Services Corpora-  
22          tion FY 2008 Financial Statement Audit Report”,  
23          issued January 28, 2009 by that Office of Inspector  
24          General;

1           (9) the report entitled “Audit of Legal Services  
2 Corporation’s Consultant Contract”, Report No.  
3 AU09–05, issued July 7, 2009 by that Office of In-  
4 spector General;

5           (10) the report entitled “Selected Internal Con-  
6 trols at Legal Aid of Northwest Texas”, Report No.  
7 AU09–06, issued August 10, 2009 by that Office of  
8 Inspector General; and

9           (11) the report entitled “Protocol for the Ac-  
10 ceptance and Use of Private Contributions to LSC”,  
11 issued August 2008 by the Audit Committee of the  
12 Board of Directors of the Corporation.

13       (b) The Corporation may not expend \$10,000,000 of  
14 the funds described in subsection (a) until the President  
15 and the Chairman submit the certification described in  
16 subsection (c).

17       (c) The President and the Chairman shall, not later  
18 than 30 days after enactment of this Act, determine  
19 whether the Corporation has met the requirements of sub-  
20 section (a). The President and the Chairman shall make  
21 the determination based on the standards, best manage-  
22 ment practices, and guidelines in the provisions described  
23 in subsection (a). If the President and the Chairman de-  
24 termine that the Corporation has met the requirements,  
25 the President and the Chairman shall submit a certifi-



1 cation to the Committee on Appropriations of the House  
2 of Representatives, and the Committee on Appropriations  
3 of the Senate. Upon the President’s and the Chairman’s  
4 joint submission of the certification, the Corporation may  
5 expend the amount described in subsection (b).

6 (d) In this section, the terms “Corporation” and “re-  
7 cipient” have the meanings given the terms in section  
8 1002 of the Legal Services Corporation Act (42 U.S.C.  
9 2996a).

10 (e) In this section, the terms “President” and  
11 “Chairman” refer to the President of the Legal Services  
12 Corporation and the Chairman of the Board of the Legal  
13 Services Corporation.

14 This Act may be cited as the “Commerce, Justice,  
15 Science, and Related Agencies Appropriations Act, 2011”.

Calendar No. 479

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

**S. 3636**

[Report No. 111-229]

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## **A BILL**

Making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2011, and for other purposes.

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JULY 22, 2010

Read twice and placed on the calendar