

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

# H. R. 5326

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## AN ACT

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

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any  
2 money in the Treasury not otherwise appropriated, for the  
3 fiscal year ending September 30, 2013, and for other pur-  
4 poses, namely:

5 TITLE I

6 DEPARTMENT OF COMMERCE

7 INTERNATIONAL TRADE ADMINISTRATION

8 OPERATIONS AND ADMINISTRATION

9 For necessary expenses for international trade activi-  
10 ties of the Department of Commerce provided for by law,  
11 and for engaging in trade promotional activities abroad,  
12 including expenses of grants and cooperative agreements  
13 for the purpose of promoting exports of United States  
14 firms, without regard to sections 3702 and 3703 of title  
15 44, United States Code; full medical coverage for depend-  
16 ent members of immediate families of employees stationed  
17 overseas and employees temporarily posted overseas; travel  
18 and transportation of employees of the International  
19 Trade Administration between two points abroad, without  
20 regard to section 40118 of title 49, United States Code;  
21 employment of citizens of the United States and aliens by  
22 contract for services; rental of space abroad for periods  
23 not exceeding 10 years, and expenses of alteration, repair,  
24 or improvement; purchase or construction of temporary  
25 demountable exhibition structures for use abroad; pay-

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

1                   BUREAU OF INDUSTRY AND SECURITY  
2                   OPERATIONS AND ADMINISTRATION

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

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

10           ECONOMIC DEVELOPMENT ADMINISTRATION

11           ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

12           For grants for economic development assistance as  
13 provided by the Public Works and Economic Development  
14 Act of 1965, for trade adjustment assistance, for the cost  
15 of loan guarantees authorized by section 26 of the Steven-  
16 son-Wydler Technology Innovation Act of 1980 (15 U.S.C.  
17 3721), and for grants, including grants authorized under  
18 section 27 of the Stevenson-Wydler Technology Innovation  
19 Act of 1980 (15 U.S.C. 3722), \$182,000,000, to remain  
20 available until expended; of which \$5,000,000 shall be for  
21 projects to facilitate the relocation, to the United States,  
22 of a source of employment located outside the United  
23 States; and of which up to \$5,000,000 shall be for loan  
24 guarantees under section 26: *Provided*, That the costs for  
25 loan guarantees, including the cost of modifying such

1 loans, shall be as defined in section 502 of the Congres-  
2 sional Budget Act of 1974: *Provided further*, That these  
3 funds for loan guarantees under such section 26 are avail-  
4 able to subsidize total loan principal, any part of which  
5 is to be guaranteed, not to exceed \$70,000,000.

6 SALARIES AND EXPENSES

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

14 MINORITY BUSINESS DEVELOPMENT AGENCY

15 MINORITY BUSINESS DEVELOPMENT

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

21 ECONOMIC AND STATISTICAL ANALYSIS

22 SALARIES AND EXPENSES

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

1 of Commerce, \$96,000,000, to remain available until Sep-  
2 tember 30, 2014.

3 BUREAU OF THE CENSUS

4 SALARIES AND EXPENSES

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

10 PERIODIC CENSUSES AND PROGRAMS

11 For necessary expenses for collecting, compiling, ana-  
12 lyzing, preparing and publishing statistics for periodic cen-  
13 suses and programs, provided for by law, \$625,357,000  
14 (reduced by \$4,000,000), to remain available until Sep-  
15 tember 30, 2014: *Provided*, That from amounts provided  
16 herein, funds may be used for promotion, outreach, and  
17 marketing activities.

18 NATIONAL TELECOMMUNICATIONS AND INFORMATION

19 ADMINISTRATION

20 SALARIES AND EXPENSES

21 For necessary expenses, as provided for by law, of  
22 the National Telecommunications and Information Ad-  
23 ministration (NTIA), \$45,568,000, to remain available  
24 until September 30, 2014: *Provided*, That, notwith-  
25 standing 31 U.S.C. 1535(d), the Secretary of Commerce

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

15 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING  
16 AND CONSTRUCTION

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

21 U.S. PATENT AND TRADEMARK OFFICE  
22 SALARIES AND EXPENSES  
23 (INCLUDING TRANSFERS OF FUNDS)

24 For necessary expenses of the United States Patent  
25 and Trademark Office (USPTO) provided for by law, in-



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

1 for official reception and representation expenses: *Pro-*  
2 *vided further*, That in fiscal year 2013 from the amounts  
3 made available for “Salaries and Expenses” for the  
4 USPTO, the amounts necessary to pay (1) the difference  
5 between the percentage of basic pay contributed by the  
6 USPTO and employees under section 8334(a) of title 5,  
7 United States Code, and the normal cost percentage (as  
8 defined by section 8331(17) of that title) as provided by  
9 the Office of Personnel Management (OPM) for USPTO’s  
10 specific use, of basic pay, of employees subject to sub-  
11 chapter III of chapter 83 of that title, and (2) the present  
12 value of the otherwise unfunded accruing costs, as deter-  
13 mined by OPM for USPTO’s specific use of post-retire-  
14 ment life insurance and post-retirement health benefits  
15 coverage for all USPTO employees who are enrolled in  
16 Federal Employees Health Benefits (FEHB) and Federal  
17 Employees Group Life Insurance (FEGLI), shall be trans-  
18 ferred to the Civil Service Retirement and Disability  
19 Fund, the FEGLI Fund, and the FEHB Fund, as appro-  
20 priate, and shall be available for the authorized purposes  
21 of those accounts: *Provided further*, That any differences  
22 between the present value factors published in OPM’s  
23 yearly 300 series benefit letters and the factors that OPM  
24 provides for USPTO’s specific use shall be recognized as  
25 an imputed cost on USPTO’s financial statements, where

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

11 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY  
12 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

13 For necessary expenses of the National Institute of  
14 Standards and Technology, \$621,173,000, to remain  
15 available until expended, of which not to exceed  
16 \$9,000,000 may be transferred to the “Working Capital  
17 Fund” *Provided*, That not to exceed \$5,000 shall be for  
18 official reception and representation expenses.

19 INDUSTRIAL TECHNOLOGY SERVICES

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

## 1 CONSTRUCTION OF RESEARCH FACILITIES

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

## 20 NATIONAL OCEANIC AND ATMOSPHERIC

## 21 ADMINISTRATION

## 22 OPERATIONS, RESEARCH, AND FACILITIES

## 23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses of activities authorized by law  
25 for the National Oceanic and Atmospheric Administration,

1 including maintenance, operation, and hire of aircraft and  
2 vessels; grants, contracts, or other payments to nonprofit  
3 organizations for the purposes of conducting activities  
4 pursuant to cooperative agreements; and relocation of fa-  
5 cilities, \$2,968,371,000 (increased by \$1,600,000) (re-  
6 duced by \$542,000) (reduced by \$18,000,000), to remain  
7 available until September 30, 2014, except that funds pro-  
8 vided for cooperative enforcement shall remain available  
9 until September 30, 2015: *Provided*, That fees and dona-  
10 tions received by the National Ocean Service for the man-  
11 agement of national marine sanctuaries may be retained  
12 and used for the salaries and expenses associated with  
13 those activities, notwithstanding section 3302 of title 31,  
14 United States Code: *Provided further*, That in addition,  
15 \$119,064,000 shall be derived by transfer from the fund  
16 entitled “Promote and Develop Fishery Products and Re-  
17 search Pertaining to American Fisheries”: *Provided fur-*  
18 *ther*, That of the \$3,102,435,000 (reduced by \$542,000)  
19 (reduced by \$18,000,000) provided for in direct obliga-  
20 tions under this heading, \$2,968,371,000 (reduced by  
21 \$542,000) (reduced by \$18,000,000) is appropriated from  
22 the general fund, \$119,064,000 is provided by transfer,  
23 and \$15,000,000 is derived from recoveries of prior year  
24 obligations: *Provided further*, That the total amount avail-  
25 able for National Oceanic and Atmospheric Administra-

1 tion corporate services administrative support costs shall  
2 not exceed \$207,013,000: *Provided further*, That any devi-  
3 ation from the amounts designated for specific activities  
4 in the statement accompanying this Act, or any use of  
5 deobligated balances of funds provided under this heading  
6 in previous years, shall be subject to the procedures set  
7 forth in section 505 of this Act.

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

14       PROCUREMENT, ACQUISITION AND CONSTRUCTION

15       For procurement, acquisition and construction of  
16 capital assets, including alteration and modification costs,  
17 of the National Oceanic and Atmospheric Administration,  
18 \$1,931,948,000, to remain available until September 30,  
19 2015, except that funds provided for construction of facili-  
20 ties shall remain available until expended: *Provided*, That  
21 of the \$1,946,948,000 provided for in direct obligations  
22 under this heading, \$1,931,948,000 is appropriated from  
23 the general fund and \$15,000,000 is provided from recov-  
24 eries of prior year obligations: *Provided further*, That any  
25 deviation from the amounts designated for specific activi-

1 ties in the statement accompanying this Act, or any use  
2 of deobligated balances of funds provided under this head-  
3 ing in previous years, shall be subject to the procedures  
4 set forth in section 505 of this Act: *Provided further*, That  
5 the Secretary of Commerce shall include in budget jus-  
6 tification materials that the Secretary submits to Congress  
7 in support of the Department of Commerce budget (as  
8 submitted with the budget of the President under section  
9 1105(a) of title 31, United States Code) an estimate for  
10 each National Oceanic and Atmospheric Administration  
11 procurement, acquisition or construction project having a  
12 total of more than \$5,000,000 and simultaneously the  
13 budget justification shall include an estimate of the budg-  
14 etary requirements for each such project for each of the  
15 5 subsequent fiscal years.

16                   PACIFIC COASTAL SALMON RECOVERY

17       For necessary expenses associated with the restora-  
18 tion of Pacific salmon populations, \$65,000,000, to re-  
19 main available until September 30, 2014: *Provided*, That,  
20 of the funds provided herein, the Secretary of Commerce  
21 may issue grants to the States of Washington, Oregon,  
22 Idaho, Nevada, California, and Alaska, and to the Feder-  
23 ally recognized tribes of the Columbia River and Pacific  
24 Coast (including Alaska), for projects necessary for con-  
25 servation of salmon and steelhead populations that are

1 listed as threatened or endangered, or that are identified  
2 by a State as at-risk to be so listed, for maintaining popu-  
3 lations necessary for exercise of tribal treaty fishing rights  
4 or native subsistence fishing, or for conservation of Pacific  
5 coastal salmon and steelhead habitat, based on guidelines  
6 to be developed by the Secretary of Commerce: *Provided*  
7 *further*, That all funds shall be allocated based on sci-  
8 entific and other merit principles and shall not be available  
9 for marketing activities: *Provided further*, That funds dis-  
10 bursed to States shall be subject to a matching require-  
11 ment of funds or documented in-kind contributions of at  
12 least 33 percent of the Federal funds.

13                   FISHERMEN’S CONTINGENCY FUND

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

18                   FISHERIES FINANCE PROGRAM ACCOUNT

19           Subject to section 502 of the Congressional Budget  
20 Act of 1974, during fiscal year 2013, obligations of direct  
21 loans may not exceed \$24,000,000 for Individual Fishing  
22 Quota loans and not to exceed \$59,000,000 for traditional  
23 direct loans as authorized by the Merchant Marine Act  
24 of 1936: *Provided*, That none of the funds made available  
25 under this heading may be used for direct loans for any



1 new fishing vessel that will increase the harvesting capac-  
2 ity in any United States fishery.

3 DEPARTMENTAL MANAGEMENT

4 SALARIES AND EXPENSES

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

13 OFFICE OF INSPECTOR GENERAL

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

17 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

1 Secretary of Commerce that such payments are in the  
2 public interest.

3       SEC. 102. During the current fiscal year, appropria-  
4 tions made available to the Department of Commerce by  
5 this Act for salaries and expenses shall be available for  
6 hire of passenger motor vehicles as authorized by 31  
7 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.  
8 3109; and uniforms or allowances therefor, as authorized  
9 by law (5 U.S.C. 5901–5902).

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

1        SEC. 104. Any costs incurred by a department or  
2 agency funded under this title resulting from personnel  
3 actions taken in response to funding reductions included  
4 in this title or from actions taken for the care and protec-  
5 tion of loan collateral or grant property shall be absorbed  
6 within the total budgetary resources available to such de-  
7 partment or agency: *Provided*, That the authority to trans-  
8 fer funds between appropriations accounts as may be nec-  
9 essary to carry out this section is provided in addition to  
10 authorities included elsewhere in this Act: *Provided fur-*  
11 *ther*, That use of funds to carry out this section shall be  
12 treated as a reprogramming of funds under section 505  
13 of this Act and shall not be available for obligation or ex-  
14 penditure except in compliance with the procedures set  
15 forth in that section.

16        SEC. 105. (a) Section 105(f) of the Commerce, Jus-  
17 tice, Science, and Related Agencies Appropriations Act,  
18 2012 (Public Law 112–55) is amended—

19            (1) by striking “paragraph (2)” and inserting  
20            “subsection (e)(2)”; and

21            (2) by striking “this subsection” and inserting  
22            “subsection (e)”.

23        (b) The requirements set forth by section 105 of the  
24 Commerce, Justice, Science, and Related Agencies Appro-  
25 priations Act, 2012 (Public Law 112–55), as amended by

1 subsection (a) of this section, are hereby adopted by ref-  
2 erence.

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

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

1        SEC. 108. The Administrator of the National Oceanic  
2 and Atmospheric Administration is authorized to use, with  
3 their consent, with reimbursement and subject to the lim-  
4 its of available appropriations, the land, services, equip-  
5 ment, personnel, and facilities of any department, agency,  
6 or instrumentality of the United States, or of any State,  
7 local government, Indian tribal government, Territory, or  
8 possession, or of any political subdivision thereof, or of  
9 any foreign government or international organization, for  
10 purposes related to carrying out the responsibilities of any  
11 statute administered by the National Oceanic and Atmos-  
12 pheric Administration.

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

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

1 TITLE II  
2 DEPARTMENT OF JUSTICE  
3 GENERAL ADMINISTRATION  
4 SALARIES AND EXPENSES

5 For expenses necessary for the administration of the  
6 Department of Justice, \$110,322,000 (reduced by  
7 \$1,000,000) (reduced by \$22,418,000), of which not to  
8 exceed \$4,000,000 for security and construction of De-  
9 partment of Justice facilities shall remain available until  
10 expended.

11 JUSTICE INFORMATION SHARING TECHNOLOGY

12 For necessary expenses for information sharing tech-  
13 nology, including planning, development, deployment and  
14 departmental direction, \$33,426,000, to remain available  
15 until expended.

16 ADMINISTRATIVE REVIEW AND APPEALS  
17 (INCLUDING TRANSFER OF FUNDS)

18 For expenses necessary for the administration of par-  
19 don and clemency petitions and immigration-related activi-  
20 ties, \$313,438,000, of which \$4,000,000 shall be derived  
21 by transfer from the Executive Office for Immigration Re-  
22 view fees deposited in the “Immigration Examinations  
23 Fee” account.

## 1 OFFICE OF INSPECTOR GENERAL

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

## 5 UNITED STATES PAROLE COMMISSION

## 6 SALARIES AND EXPENSES

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

## 9 LEGAL ACTIVITIES

## 10 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

11 For expenses necessary for the legal activities of the  
12 Department of Justice, not otherwise provided for, includ-  
13 ing not to exceed \$20,000 for expenses of collecting evi-  
14 dence, to be expended under the direction of, and to be  
15 accounted for solely under the certificate of, the Attorney  
16 General; and rent of private or Government-owned space  
17 in the District of Columbia, \$863,367,000 (reduced by  
18 \$5,000,000), of which not to exceed \$10,000,000 for liti-  
19 gation support contracts shall remain available until ex-  
20 pended: *Provided*, That of the total amount appropriated,  
21 not to exceed \$9,000 shall be available to INTERPOL  
22 Washington for official reception and representation ex-  
23 penses: *Provided further*, That notwithstanding section  
24 205 of this Act, upon a determination by the Attorney  
25 General that emergent circumstances require additional

1 funding for litigation activities of the Civil Division, the  
2 Attorney General may transfer such amounts to “Salaries  
3 and Expenses, General Legal Activities” from available  
4 appropriations for the current fiscal year for the Depart-  
5 ment of Justice, as may be necessary to respond to such  
6 circumstances: *Provided further*, That any transfer pursu-  
7 ant to the previous proviso shall be treated as a re-  
8 programming under section 505 of this Act and shall not  
9 be available for obligation or expenditure except in compli-  
10 ance with the procedures set forth in that section: *Pro-*  
11 *vided further*, That of the amount appropriated, such sums  
12 as may be necessary shall be available to reimburse the  
13 Office of Personnel Management for salaries and expenses  
14 associated with the election monitoring program under  
15 section 8 of the Voting Rights Act of 1965 (42 U.S.C.  
16 1973f): *Provided further*, That of the amounts provided  
17 under this heading for the election monitoring program,  
18 \$3,390,000 shall remain available until expended.

19       In addition, for reimbursement of expenses of the De-  
20 partment of Justice associated with processing cases  
21 under the National Childhood Vaccine Injury Act of 1986,  
22 not to exceed \$7,833,000, to be appropriated from the  
23 Vaccine Injury Compensation Trust Fund.



## 1 SALARIES AND EXPENSES, ANTITRUST DIVISION

2 For expenses necessary for the enforcement of anti-  
3 trust and kindred laws, \$159,587,000, to remain available  
4 until expended: *Provided*, That notwithstanding any other  
5 provision of law, fees collected for premerger notification  
6 filings under the Hart-Scott-Rodino Antitrust Improve-  
7 ments Act of 1976 (15 U.S.C. 18a), regardless of the year  
8 of collection (and estimated to be \$115,000,000 in fiscal  
9 year 2013), shall be retained and used for necessary ex-  
10 penses in this appropriation, and shall remain available  
11 until expended: *Provided further*, That the sum herein ap-  
12 propriated from the general fund shall be reduced as such  
13 offsetting collections are received during fiscal year 2013,  
14 so as to result in a final fiscal year 2013 appropriation  
15 from the general fund estimated at \$44,587,000.

## 16 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

17 For necessary expenses of the Offices of the United  
18 States Attorneys, including inter-governmental and coop-  
19 erative agreements, \$1,965,000,000: *Provided*, That of the  
20 total amount appropriated, not to exceed \$7,200 shall be  
21 available for official reception and representation ex-  
22 penses: *Provided further*, That not to exceed \$25,000,000  
23 shall remain available until expended: *Provided further*,  
24 That each United States Attorney shall establish or par-

1 ticipate in a United States Attorney-led task force on  
2 human trafficking.

3 UNITED STATES TRUSTEE SYSTEM FUND

4 For necessary expenses of the United States Trustee  
5 Program, as authorized, \$223,258,000, to remain avail-  
6 able until expended and to be derived from the United  
7 States Trustee System Fund: *Provided*, That, notwith-  
8 standing any other provision of law, deposits to the Fund  
9 shall be available in such amounts as may be necessary  
10 to pay refunds due depositors: *Provided further*, That, not-  
11 withstanding any other provision of law, \$223,258,000 of  
12 offsetting collections pursuant to section 589a(b) of title  
13 28, United States Code, shall be retained and used for  
14 necessary expenses in this appropriation and shall remain  
15 available until expended: *Provided further*, That the sum  
16 herein appropriated from the Fund shall be reduced as  
17 such offsetting collections are received during fiscal year  
18 2013, so as to result in a final fiscal year 2013 appropria-  
19 tion from the Fund estimated at \$0.

20 SALARIES AND EXPENSES, FOREIGN CLAIMS

21 SETTLEMENT COMMISSION

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

## 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, of which not to exceed  
7 \$10,000,000 is for construction of buildings for protected  
8 witness safesites; not to exceed \$3,000,000 is for the pur-  
9 chase and maintenance of armored and other vehicles for  
10 witness security caravans; and not to exceed \$11,000,000  
11 is for the purchase, installation, maintenance, and up-  
12 grade of secure telecommunications equipment and a se-  
13 cure automated information network to store and retrieve  
14 the identities and locations of protected witnesses.

## 15 SALARIES AND EXPENSES, COMMUNITY RELATIONS

## 16 SERVICE

17 For necessary expenses of the Community Relations  
18 Service, \$11,456,000: *Provided*, That notwithstanding sec-  
19 tion 205 of this Act, upon a determination by the Attorney  
20 General that emergent circumstances require additional  
21 funding for conflict resolution and violence prevention ac-  
22 tivities of the Community Relations Service, the Attorney  
23 General may transfer such amounts to the Community Re-  
24 lations Service, from available appropriations for the cur-  
25 rent fiscal year for the Department of Justice, as may be

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

7 ASSETS FORFEITURE FUND

8 For expenses authorized by subparagraphs (B), (F),  
9 and (G) of section 524(c)(1) of title 28, United States  
10 Code, \$20,948,000, to be derived from the Department  
11 of Justice Assets Forfeiture Fund.

12 UNITED STATES MARSHALS SERVICE

13 SALARIES AND EXPENSES

14 For necessary expenses of the United States Mar-  
15 shals Service, \$1,188,488,000, of which not to exceed  
16 \$6,000 shall be available for official reception and rep-  
17 resentation expenses, and not to exceed \$15,000,000 shall  
18 remain available until expended.

19 CONSTRUCTION

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

1 FEDERAL PRISONER DETENTION  
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses related to United States pris-  
4 oners in the custody of the United States Marshals Service  
5 as authorized by section 4013 of title 18, United States  
6 Code, \$1,647,383,000, to remain available until expended:  
7 *Provided*, That not to exceed \$20,000,000 shall be consid-  
8 ered “funds appropriated for State and local law enforce-  
9 ment assistance” pursuant to section 4013(b) of title 18,  
10 United States Code: *Provided further*, That the United  
11 States Marshals Service shall be responsible for managing  
12 the Justice Prisoner and Alien Transportation System:  
13 *Provided further*, That any unobligated balances available  
14 from funds appropriated under the heading “General Ad-  
15 ministration, Detention Trustee” shall be transferred to  
16 and merged with the appropriation under this heading.

17 NATIONAL SECURITY DIVISION  
18 SALARIES AND EXPENSES

19 For expenses necessary to carry out the activities of  
20 the National Security Division, \$90,039,000, of which not  
21 to exceed \$5,000,000 for information technology systems  
22 shall remain available until expended: *Provided*, That not-  
23 withstanding section 205 of this Act, upon a determina-  
24 tion by the Attorney General that emergent circumstances  
25 require additional funding for the activities of the National

1 Security Division, the Attorney General may transfer such  
2 amounts to this heading from available appropriations for  
3 the current fiscal year for the Department of Justice, as  
4 may be necessary to respond to such circumstances: *Pro-*  
5 *vided further*, That any transfer pursuant to the preceding  
6 proviso shall be treated as a reprogramming under section  
7 505 of this Act and shall not be available for obligation  
8 or expenditure except in compliance with the procedures  
9 set forth in that section.

10 INTERAGENCY LAW ENFORCEMENT

11 INTERAGENCY CRIME AND DRUG ENFORCEMENT

12 For necessary expenses for the identification, inves-  
13 tigation, and prosecution of individuals associated with the  
14 most significant drug trafficking, and affiliated money  
15 laundering organizations not otherwise provided for, to in-  
16 clude inter-governmental agreements with State and local  
17 law enforcement agencies engaged in the investigation and  
18 prosecution of individuals involved in organized crime drug  
19 trafficking, \$521,793,000, of which \$50,000,000 shall re-  
20 main available until expended: *Provided*, That any  
21 amounts obligated from appropriations under this heading  
22 may be used under authorities available to the organiza-  
23 tions reimbursed from this appropriation.

## 1 FEDERAL BUREAU OF INVESTIGATION

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Bureau of In-  
4 vestigation for detection, investigation, and prosecution of  
5 crimes against the United States, \$8,185,007,000, of  
6 which not to exceed \$216,000,000 shall remain available  
7 until expended: *Provided*, That not to exceed \$184,500  
8 shall be available for official reception and representation  
9 expenses.

## 10 CONSTRUCTION

11 For necessary expenses, to include the cost of equip-  
12 ment, furniture, and information technology requirements,  
13 related to construction or acquisition of buildings, facili-  
14 ties and sites by purchase, or as otherwise authorized by  
15 law; conversion, modification and extension of Federally-  
16 owned buildings; preliminary planning and design of  
17 projects; and operation and maintenance of secure work  
18 environment facilities and secure networking capabilities;  
19 \$80,982,000, to remain available until expended.

## 20 DRUG ENFORCEMENT ADMINISTRATION

## 21 SALARIES AND EXPENSES

22 For necessary expenses of the Drug Enforcement Ad-  
23 ministration, including not to exceed \$70,000 to meet un-  
24 foreseen emergencies of a confidential character pursuant  
25 to section 530C of title 28, United States Code; and ex-





1 current fiscal year and any fiscal year thereafter, no funds  
2 appropriated under this or any other Act shall be used  
3 to pay administrative expenses or the compensation of any  
4 officer or employee of the United States to implement an  
5 amendment or amendments to section 478.118 of title 27,  
6 Code of Federal Regulations, or to change the definition  
7 of “Curios or relics” in section 478.11 of title 27, Code  
8 of Federal Regulations, or remove any item from ATF  
9 Publication 5300.11 as it existed on January 1, 1994:  
10 *Provided further*, That none of the funds appropriated  
11 herein shall be available to investigate or act upon applica-  
12 tions for relief from Federal firearms disabilities under  
13 section 925(c) of title 18, United States Code: *Provided*  
14 *further*, That such funds shall be available to investigate  
15 and act upon applications filed by corporations for relief  
16 from Federal firearms disabilities under section 925(c) of  
17 title 18, United States Code: *Provided further*, That no  
18 funds made available by this or any other Act may be used  
19 to transfer the functions, missions, or activities of the Bu-  
20 reau of Alcohol, Tobacco, Firearms and Explosives to  
21 other agencies or Departments: *Provided further*, That, in  
22 the current fiscal year and any fiscal year thereafter, no  
23 funds made available by this or any other Act shall be  
24 expended to promulgate or implement any rule requiring  
25 a physical inventory of any business licensed under section

1 923 of title 18, United States Code: *Provided further*,  
2 That, in the current fiscal year and any fiscal year there-  
3 after, no funds authorized or made available under this  
4 or any other Act may be used to deny any application for  
5 a license under section 923 of title 18, United States Code,  
6 or renewal of such a license due to a lack of business activ-  
7 ity, provided that the applicant is otherwise eligible to re-  
8 ceive such a license, and is eligible to report business in-  
9 come or to claim an income tax deduction for business ex-  
10 penses under the Internal Revenue Code of 1986.

11 FEDERAL PRISON SYSTEM

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses of the Federal Prison System  
15 for the administration, operation, and maintenance of  
16 Federal penal and correctional institutions, and for the  
17 provision of technical assistance and advice on corrections  
18 related issues to foreign governments, \$6,820,217,000:  
19 *Provided*, That the Attorney General may transfer to the  
20 Health Resources and Services Administration such  
21 amounts as may be necessary for direct expenditures by  
22 that Administration for medical relief for inmates of Fed-  
23 eral penal and correctional institutions: *Provided further*,  
24 That the Director of the Federal Prison System, where  
25 necessary, may enter into contracts with a fiscal agent or

1 fiscal intermediary claims processor to determine the  
2 amounts payable to persons who, on behalf of the Federal  
3 Prison System, furnish health services to individuals com-  
4 mitted to the custody of the Federal Prison System: *Pro-*  
5 *vided further*, That not to exceed \$5,400 shall be available  
6 for official reception and representation expenses: *Pro-*  
7 *vided further*, That not to exceed \$50,000,000 shall re-  
8 main available for necessary operations until September  
9 30, 2014: *Provided further*, That, of the amounts provided  
10 for contract confinement, not to exceed \$20,000,000 shall  
11 remain available until expended to make payments in ad-  
12 vance for grants, contracts and reimbursable agreements,  
13 and other expenses authorized by section 501(c) of the  
14 Refugee Education Assistance Act of 1980 (8 U.S.C. 1522  
15 note), for the care and security in the United States of  
16 Cuban and Haitian entrants: *Provided further*, That the  
17 Director of the Federal Prison System may accept donated  
18 property and services relating to the operation of the pris-  
19 on card program from a nonprofit entity which has oper-  
20 ated such program in the past notwithstanding the fact  
21 that such nonprofit entity furnishes services under con-  
22 tracts to the Federal Prison System relating to the oper-  
23 ation of pre-release services, halfway houses, or other cus-  
24 todial facilities.

## 1 BUILDINGS AND FACILITIES

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

## 17 FEDERAL PRISON INDUSTRIES, INCORPORATED

18 The Federal Prison Industries, Incorporated, is here-  
19 by authorized to make such expenditures, within the limits  
20 of funds and borrowing authority available, and in accord  
21 with the law, and to make such contracts and commit-  
22 ments, without regard to fiscal year limitations as pro-  
23 vided by section 9104 of title 31, United States Code, as  
24 may be necessary in carrying out the program set forth  
25 in the budget for the current fiscal year for such corpora-

1 tion, including purchase (not to exceed five for replace-  
2 ment only) and hire of passenger motor vehicles.

3       LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL  
4                   PRISON INDUSTRIES, INCORPORATED

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

19       STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

20                   OFFICE ON VIOLENCE AGAINST WOMEN

21                   VIOLENCE AGAINST WOMEN PREVENTION AND

22                                   PROSECUTION PROGRAMS

23       For grants, contracts, cooperative agreements, and  
24 other assistance for the prevention and prosecution of vio-  
25 lence against women, as authorized by the Omnibus Crime

1 Control and Safe Streets Act of 1968 (42 U.S.C. 3711  
2 et seq.) (“the 1968 Act”); the Violent Crime Control and  
3 Law Enforcement Act of 1994 (Public Law 103–322)  
4 (“the 1994 Act”); the Victims of Child Abuse Act of 1990  
5 (Public Law 101–647) (“the 1990 Act”); the Prosecu-  
6 torial Remedies and Other Tools to end the Exploitation  
7 of Children Today Act of 2003 (Public Law 108–21); the  
8 Juvenile Justice and Delinquency Prevention Act of 1974  
9 (42 U.S.C. 5601 et seq.) (“the 1974 Act”); the Victims  
10 of Trafficking and Violence Protection Act of 2000 (Public  
11 Law 106–386) (“the 2000 Act”); and the Violence  
12 Against Women and Department of Justice Reauthoriza-  
13 tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);  
14 and for related victims services, \$415,000,000 (increased  
15 by \$5,000,000), to remain available until expended: *Pro-*  
16 *vided*, That except as otherwise provided by law, not to  
17 exceed 5 percent of funds made available under this head-  
18 ing may be used for expenses related to evaluation, train-  
19 ing, and technical assistance: *Provided further*, That of the  
20 amount provided—

21 (1) \$189,000,000 is for grants to combat vio-  
22 lence against women, as authorized by part T of the  
23 1968 Act;

24 (2) \$25,000,000 is for transitional housing as-  
25 sistance grants for victims of domestic violence,

1 stalking or sexual assault as authorized by section  
2 40299 of the 1994 Act;

3 (3) \$3,500,000 is for the National Institute of  
4 Justice for research and evaluation of violence  
5 against women and related issues addressed by  
6 grant programs of the Office on Violence Against  
7 Women, which shall be transferred to “Research,  
8 Evaluation, and Statistics” for administration by the  
9 Office of Justice Programs;

10 (4) \$10,000,000 is for a grant program to pro-  
11 vide services to advocate for and respond to youth  
12 victims of domestic violence, dating violence, sexual  
13 assault, and stalking; assistance to children and  
14 youth exposed to such violence; programs to engage  
15 men and youth in preventing such violence; and as-  
16 sistance to middle and high school students through  
17 education and other services related to such violence:  
18 *Provided*, That unobligated balances available for  
19 the programs authorized by sections 41201, 41204,  
20 41303 and 41305 of the 1994 Act shall be available  
21 for this program: *Provided further*, That 10 percent  
22 of the total amount available for this grant program  
23 shall be available for grants under the program au-  
24 thorized by section 2015 of the 1968 Act: *Provided*  
25 *further*, That the definitions and grant conditions in

1 section 40002 of the 1994 Act shall apply to this  
2 program;

3 (5) \$50,000,000 is for grants to encourage ar-  
4 rest policies as authorized by part U of the 1968  
5 Act;

6 (6) \$23,000,000 is for sexual assault victims  
7 assistance, as authorized by section 41601 of the  
8 1994 Act;

9 (7) \$36,500,000 is for rural domestic violence  
10 and child abuse enforcement assistance grants, as  
11 authorized by section 40295 of the 1994 Act;

12 (8) \$9,000,000 is for grants to reduce violent  
13 crimes against women on campus, as authorized by  
14 section 304 of the 2005 Act;

15 (9) \$41,000,000 is for legal assistance for vic-  
16 tims, as authorized by section 1201 of the 2000 Act;

17 (10) \$4,250,000 is for enhanced training and  
18 services to end violence against and abuse of women  
19 in later life, as authorized by section 40802 of the  
20 1994 Act;

21 (11) \$11,500,000 is for the safe havens for  
22 children program, as authorized by section 1301 of  
23 the 2000 Act;

24 (12) \$5,750,000 is for education and training  
25 to end violence against and abuse of women with



1 disabilities, as authorized by section 1402 of the  
2 2000 Act;

3 (13) \$4,500,000 is for the court training and  
4 improvements program, as authorized by section  
5 41002 of the 1994 Act;

6 (14) \$500,000 is for the National Resource  
7 Center on Workplace Responses to assist victims of  
8 domestic violence, as authorized by section 41501 of  
9 the 1994 Act;

10 (15) \$1,000,000 is for analysis and research on  
11 violence against Indian women, including as author-  
12 ized by section 904 of the 2005 Act, which may be  
13 transferred to “Research, Evaluation, and Statis-  
14 tics” for administration by the Office of Justice Pro-  
15 grams; and

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

21 OFFICE OF JUSTICE PROGRAMS

22 RESEARCH, EVALUATION AND STATISTICS

23 For grants, contracts, cooperative agreements, and  
24 other assistance authorized by title I of the Omnibus  
25 Crime Control and Safe Streets Act of 1968 (“the 1968

1 Act”); the Juvenile Justice and Delinquency Prevention  
2 Act of 1974 (“the 1974 Act”); the Missing Children’s As-  
3 sistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial  
4 Remedies and Other Tools to end the Exploitation of Chil-  
5 dren Today Act of 2003 (Public Law 108–21); the Justice  
6 for All Act of 2004 (Public Law 108–405); the Violence  
7 Against Women and Department of Justice Reauthoriza-  
8 tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);  
9 the Victims of Child Abuse Act of 1990 (Public Law 101–  
10 647); the Second Chance Act of 2007 (Public Law 110–  
11 199); the Victims of Crime Act of 1984 (Public Law 98–  
12 473); the Adam Walsh Child Protection and Safety Act  
13 of 2006 (Public Law 109–248) (“the Adam Walsh Act”);  
14 the PROTECT Our Children Act of 2008 (Public Law  
15 110–401); subtitle D of title II of the Homeland Security  
16 Act of 2002 (Public Law 107–296) (“the 2002 Act”); the  
17 NICS Improvement Amendments Act of 2007 (Public  
18 Law 110–180); and other programs; \$112,000,000 (in-  
19 creased by \$18,000,000), to remain available until ex-  
20 pended, of which—

21           (1) \$45,000,000 is for criminal justice statistics  
22           programs, and other activities, as authorized by part  
23           C of title I of the 1968 Act;

24           (2) \$40,000,000 is for research, development,  
25           and evaluation programs, and other activities as au-

1       thorized by part B of title I of the 1968 Act and  
2       subtitle D of title II of the 2002 Act; and

3               (3) \$27,000,000 (increased by \$18,000,000) is  
4       for regional information sharing activities, as au-  
5       thorized by part M of title I of the 1968 Act.

6       STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

7       For grants, contracts, cooperative agreements, and  
8       other assistance authorized by the Violent Crime Control  
9       and Law Enforcement Act of 1994 (Public Law 103–322)  
10      (“the 1994 Act”); the Omnibus Crime Control and Safe  
11      Streets Act of 1968 (“the 1968 Act”); the Justice for All  
12      Act of 2004 (Public Law 108–405); the Victims of Child  
13      Abuse Act of 1990 (Public Law 101–647) (“the 1990  
14      Act”); the Trafficking Victims Protection Reauthorization  
15      Act of 2005 (Public Law 109–164); the Violence Against  
16      Women and Department of Justice Reauthorization Act  
17      of 2005 (Public Law 109–162) (“the 2005 Act”); the  
18      Adam Walsh Child Protection and Safety Act of 2006  
19      (Public Law 109–248) (“the Adam Walsh Act”); the Vic-  
20      tims of Trafficking and Violence Protection Act of 2000  
21      (Public Law 106–386); the NICS Improvement Amend-  
22      ments Act of 2007 (Public Law 110–180); subtitle D of  
23      title II of the Homeland Security Act of 2002 (Public Law  
24      107–296) (“the 2002 Act”); the Second Chance Act of  
25      2007 (Public Law 110–199); the Prioritizing Resources

1 and Organization for Intellectual Property Act of 2008  
2 (Public Law 110–403); the Victims of Crime Act of 1984  
3 (Public Law 98–473); the Mentally Ill Offender Treat-  
4 ment and Crime Reduction Reauthorization and Improve-  
5 ment Act of 2008 (Public Law 110–416); and other pro-  
6 grams, \$962,500,000 (increased by \$4,000,000) (in-  
7 creased by \$22,418,000), to remain available until ex-  
8 pended as follows—

9           (1) \$370,000,000 (increased by \$22,418,000)  
10       for the Edward Byrne Memorial Justice Assistance  
11       Grant program as authorized by subpart 1 of part  
12       E of title I of the 1968 Act (except that section  
13       1001(e), and the special rules for Puerto Rico under  
14       section 505(g), of title I of the 1968 Act shall not  
15       apply for purposes of this Act), of which, notwith-  
16       standing such subpart 1, \$5,000,000 is for a Pre-  
17       venting Violence Against Law Enforcement Officer  
18       Resilience and Survivability Initiative (VALOR), and  
19       \$4,000,000 is for use by the National Institute of  
20       Justice for research targeted toward developing a  
21       better understanding of the domestic radicalization  
22       phenomenon, and advancing evidence-based strate-  
23       gies for effective intervention and prevention;

24           (2) \$165,000,000 for the State Criminal Alien  
25       Assistance Program, as authorized by section

1 241(i)(5) of the Immigration and Nationality Act (8  
2 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction  
3 shall request compensation for any cost greater than  
4 the actual cost for Federal immigration and other  
5 detainees housed in State and local detention facili-  
6 ties;

7 (3) \$20,000,000 for competitive grants to im-  
8 prove the functioning of the criminal justice system,  
9 to prevent or combat juvenile delinquency, and to as-  
10 sist victims of crime (other than compensation);

11 (4) \$13,500,000 for victim services programs  
12 for victims of trafficking, as authorized by section  
13 107(b)(2) of Public Law 106–386 and for programs  
14 authorized under Public Law 109–164;

15 (5) \$41,000,000 (increased by \$4,000,000) for  
16 drug courts, as authorized by section  
17 1001(a)(25)(A) of title I of the 1968 Act;

18 (6) \$4,000,000 for a veterans treatment courts  
19 program;

20 (7) \$9,000,000 for mental health courts and  
21 adult and juvenile collaboration program grants, as  
22 authorized by parts V and HH of title I of the 1968  
23 Act, and the Mentally Ill Offender Treatment and  
24 Crime Reduction Reauthorization and Improvement  
25 Act of 2008 (Public Law 110–416);

1           (8) \$15,000,000 for grants for Residential Sub-  
2           stance Abuse Treatment for State Prisoners, as au-  
3           thorized by part S of title I of the 1968 Act;

4           (9) \$1,000,000 for the Capital Litigation Im-  
5           provement Grant Program, as authorized by section  
6           426 of Public Law 108–405, and for grants for  
7           wrongful conviction review;

8           (10) \$7,000,000 for economic, high technology  
9           and Internet crime prevention grants, including as  
10          authorized by section 401 of Public Law 110–403;

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

13          (12) \$20,000,000 for the matching grant pro-  
14          gram for law enforcement armor vests, as authorized  
15          by section 2501 of title I of the 1968 Act;

16          (13) \$1,000,000 for the National Sex Offender  
17          Public Website;

18          (14) \$12,000,000 for grants to assist State and  
19          tribal governments and related activities, as author-  
20          ized by the NICS Improvement Amendments Act of  
21          2007 (Public Law 110–180);

22          (15) \$6,000,000 for the National Criminal His-  
23          tory Improvement Program for grants to upgrade  
24          criminal records;

1           (16) \$125,000,000 for DNA-related and foren-  
2           sic programs and activities, of which—

3                   (A) \$117,000,000 is for a DNA analysis  
4                   and capacity enhancement program and for  
5                   other local, State, and Federal forensic activi-  
6                   ties, including the purposes authorized under  
7                   section 2 of the DNA Analysis Backlog Elimini-  
8                   nation Act of 2000 (the Debbie Smith DNA  
9                   Backlog Grant Program);

10                   (B) \$4,000,000 is for the purposes de-  
11                   scribed in the Kirk Bloodsworth Post-Convic-  
12                   tion DNA Testing Program (Public Law 108–  
13                   405, section 412); and

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

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

20           (18) \$38,000,000 for assistance to Indian  
21           tribes;

22           (19) \$1,000,000 for the purposes described in  
23           the Missing Alzheimer’s Disease Patient Alert Pro-  
24           gram (section 240001 of the 1994 Act);





1 (“the 1968 Act”); the Violence Against Women and De-  
2 partment of Justice Reauthorization Act of 2005 (Public  
3 Law 109–162) (“the 2005 Act”); the Missing Children’s  
4 Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial  
5 Remedies and Other Tools to end the Exploitation of Chil-  
6 dren Today Act of 2003 (Public Law 108–21); the Victims  
7 of Child Abuse Act of 1990 (Public Law 101–647) (“the  
8 1990 Act”); the Adam Walsh Child Protection and Safety  
9 Act of 2006 (Public Law 109–248) (“the Adam Walsh  
10 Act”); the PROTECT Our Children Act of 2008 (Public  
11 Law 110–401); and other juvenile justice programs,  
12 \$209,500,000 (reduced by \$30,000,000) (increased by  
13 \$30,000,000), to remain available until expended as fol-  
14 lows—

15           (1) \$33,000,000 for programs authorized by  
16           section 221 of the 1974 Act, and for training and  
17           technical assistance to assist small, nonprofit organi-  
18           zations with the Federal grants process;

19           (2) \$90,000,000 for youth mentoring grants;

20           (3) \$18,000,000 for programs authorized by  
21           the Victims of Child Abuse Act of 1990;

22           (4) \$67,000,000 (reduced by \$30,000,000) (in-  
23           creased by \$30,000,000) for missing and exploited  
24           children programs, including as authorized by sec-  
25           tions 404(b) and 405(a) of the 1974 Act (except

1 that section 102(b)(4)(B) of the PROTECT Our  
2 Children Act of 2008 (Public Law 110–401) shall  
3 not apply for purposes of this Act); and

4 (5) \$1,500,000 for child abuse training pro-  
5 grams for judicial personnel and practitioners, as  
6 authorized by section 222 of the 1990 Act:

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

15 PUBLIC SAFETY OFFICER BENEFITS

16 For payments and expenses authorized under section  
17 1001(a)(4) of title I of the Omnibus Crime Control and  
18 Safe Streets Act of 1968, such sums as are necessary (in-  
19 cluding amounts for administrative costs), to remain avail-  
20 able until expended; and \$16,300,000 for payments au-  
21 thorized by section 1201(b) of such Act and for edu-  
22 cational assistance authorized by section 1218 of such Act,  
23 to remain available until expended: *Provided*, That not-  
24 withstanding section 205 of this Act, upon a determina-  
25 tion by the Attorney General that emergent circumstances

1 require additional funding for such disability and edu-  
2 cation payments, the Attorney General may transfer such  
3 amounts to “Public Safety Officers Benefits” from avail-  
4 able appropriations for the Department of Justice as may  
5 be necessary to respond to such circumstances: *Provided*  
6 *further*, That any transfer pursuant to the previous pro-  
7 viso shall be treated as a reprogramming under section  
8 505 of this Act and shall not be available for obligation  
9 or expenditure except in compliance with the procedures  
10 set forth in that section.

11           COMMUNITY ORIENTED POLICING SERVICES

12       COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

13       For activities authorized by the Violent Crime Con-  
14 trol and Law Enforcement Act of 1994 (Public Law 103–  
15 322); the Omnibus Crime Control and Safe Streets Act  
16 of 1968 (“the 1968 Act”); and the Violence Against  
17 Women and Department of Justice Reauthorization Act  
18 of 2005 (Public Law 109–162) (“the 2005 Act”),  
19 \$72,500,000 (increased by \$126,000,000), to remain  
20 available until expended: *Provided*, That any balances  
21 made available through prior year deobligations shall only  
22 be available in accordance with section 505 of this Act:  
23 *Provided further*, That of the amount provided—

24           (1) \$12,500,000 is for anti-methamphetamine-  
25       related activities, which shall be transferred to the

1 Drug Enforcement Administration upon enactment  
2 of this Act;

3 (2) \$20,000,000 is for improving tribal law en-  
4 forcement, including hiring, equipment, training, and  
5 anti-methamphetamine activities; and

6 (3) \$40,000,000 (increased by \$126,000,000) is  
7 for grants under section 1701 of title I of the 1968  
8 Act (42 U.S.C. 3796dd) for the hiring and rehiring  
9 of additional career law enforcement officers under  
10 part Q of such title notwithstanding subsection (i) of  
11 such section: *Provided*, That, notwithstanding sec-  
12 tion 1704(c) of such title (42 U.S.C. 3796dd-3(c)),  
13 funding for hiring or rehiring a career law enforce-  
14 ment officer may not exceed \$125,000 unless the Di-  
15 rector of the Office of Community Oriented Policing  
16 Services grants a waiver from this limitation.

17 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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

24 SEC. 202. None of the funds appropriated by this  
25 title shall be available to pay for an abortion, except where

1 the life of the mother would be endangered if the fetus  
2 were carried to term, or in the case of rape: *Provided*,  
3 That should this prohibition be declared unconstitutional  
4 by a court of competent jurisdiction, this section shall be  
5 null and void.

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

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

17 SEC. 205. Not to exceed 5 percent of any appropria-  
18 tion made available for the current fiscal year for the De-  
19 partment of Justice in this Act may be transferred be-  
20 tween such appropriations, but no such appropriation, ex-  
21 cept as otherwise specifically provided, shall be increased  
22 by more than 10 percent by any such transfers: *Provided*,  
23 That any transfer pursuant to this section shall be treated  
24 as a reprogramming of funds under section 505 of this

1 Act and shall not be available for obligation except in com-  
2 pliance with the procedures set forth in that section.

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

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

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

1 oner, other than to a prison or other facility certified by  
2 the Federal Bureau of Prisons as appropriately secure for  
3 housing such a prisoner.

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

9 (b) Subsection (a) does not preclude the rental, main-  
10 tenance, or purchase of audiovisual or electronic equip-  
11 ment for inmate training, religious, or educational pro-  
12 grams.

13 SEC. 210. None of the funds made available under  
14 this title shall be obligated or expended for any new or  
15 enhanced information technology program having total es-  
16 timated development costs in excess of \$100,000,000, un-  
17 less the Deputy Attorney General and the investment re-  
18 view board certify to the Committees on Appropriations  
19 of the House of Representatives and the Senate that the  
20 information technology program has appropriate program  
21 management controls and contractor oversight mecha-  
22 nisms in place, and that the program is compatible with  
23 the enterprise architecture of the Department of Justice.

24 SEC. 211. The notification thresholds and procedures  
25 set forth in section 505 of this Act shall apply to devi-

1 ations from the amounts designated for specific activities  
2 in this Act and accompanying statement, and to any use  
3 of deobligated balances of funds provided under this title  
4 in previous years.

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

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

19       SEC. 214. At the discretion of the Attorney General,  
20 and in addition to any amounts that otherwise may be  
21 available (or authorized to be made available) by law, with  
22 respect to funds appropriated by this title under the head-  
23 ings “Research, Evaluation, and Statistics”, “State and  
24 Local Law Enforcement Assistance”, and “Juvenile Jus-  
25 tice Programs”—



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

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

16          SEC. 215. The Attorney General may, upon request  
17          by a grantee and based upon a determination of fiscal  
18          hardship, waive the requirements of sections 2976(g)(1),  
19          2978(e)(1) and (2), and 2904 of title I of the Omnibus  
20          Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
21          3797w(g)(1), 3797w-2(e)(1) and (2), 3797q-3) and sec-  
22          tion 6(c)(3) of the Prison Rape Elimination Act of 2003  
23          (42 U.S.C. 15605(e)(3)) with respect to funds appro-  
24          priated in this or any other Act making appropriations  
25          for fiscal years 2010 through 2013 for Adult and Juvenile

1 Offender State and Local Reentry Demonstration Projects  
2 and for State, Tribal, and Local Reentry Courts author-  
3 ized under part FF of title I of such Act of 1968, and  
4 for the Prosecution Drug Treatment Alternatives to Pris-  
5 on Program authorized under part CC of such Act of  
6 1968, and Grants to Protect Inmates and Safeguard Com-  
7 munities under such Act of 2003.

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

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

23       SEC. 218. None of the funds made available to the  
24 Department of Justice in this Act may be used for the  
25 purpose of implementing the requirement for public enti-

1 ties, places of public accommodation, and commercial fa-  
2 cilities to provide a permanent means of accessible entry  
3 to pools and spas under the revised regulations for titles  
4 II and III of the Americans with Disabilities Act of 1990  
5 (28 C.F.R. 35.101 et seq.; 36.101 et seq.).

6 SEC. 219. None of the funds made available by this  
7 Act may be used to require a person licensed under section  
8 923 of title 18, United States Code, to report information  
9 to the Department of Justice regarding the sale of mul-  
10 tiple rifles or shotguns to the same person.

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

### 13 TITLE III

### 14 SCIENCE

#### 15 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

16 For necessary expenses of the Office of Science and  
17 Technology Policy, in carrying out the purposes of the Na-  
18 tional Science and Technology Policy, Organization, and  
19 Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of  
20 passenger motor vehicles, and services as authorized by  
21 section 3109 of title 5, United States Code, not to exceed  
22 \$2,250 for official reception and representation expenses,  
23 and rental of conference rooms in the District of Colum-  
24 bia, \$5,850,000.

1 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION  
2 SCIENCE

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

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

21 AERONAUTICS

22 For necessary expenses, not otherwise provided for,  
23 in the conduct and support of aeronautics research and  
24 development activities, including research, development,  
25 operations, support, and services; maintenance and repair,

1 facility planning and design; space flight, spacecraft con-  
2 trol, and communications activities; program manage-  
3 ment; personnel and related costs, including uniforms or  
4 allowances therefor, as authorized by sections 5901 and  
5 5902 of title 5, United States Code; travel expenses; pur-  
6 chase and hire of passenger motor vehicles; and purchase,  
7 lease, charter, maintenance, and operation of mission and  
8 administrative aircraft, \$569,900,000, to remain available  
9 until September 30, 2014.

10

## SPACE TECHNOLOGY

11 For necessary expenses, not otherwise provided for,  
12 in the conduct and support of space research and tech-  
13 nology development activities, including research, develop-  
14 ment, operations, support, and services; maintenance and  
15 repair, facility planning and design; space flight, space-  
16 craft control, and communications activities; program  
17 management; personnel and related costs, including uni-  
18 forms or allowances therefor, as authorized by sections  
19 5901 and 5902 of title 5, United States Code; travel ex-  
20 penses; purchase and hire of passenger motor vehicles; and  
21 purchase, lease, charter, maintenance, and operation of  
22 mission and administrative aircraft, \$632,500,000, to re-  
23 main available until September 30, 2014.

## 1 EXPLORATION

2 For necessary expenses, not otherwise provided for,  
3 in the conduct and support of exploration research and  
4 development activities, including research, development,  
5 operations, support, and services; maintenance and repair,  
6 facility planning and design; space flight, spacecraft con-  
7 trol, and communications activities; program manage-  
8 ment; personnel and related costs, including uniforms or  
9 allowances therefor, as authorized by sections 5901 and  
10 5902 of title 5, United States Code; travel expenses; pur-  
11 chase and hire of passenger motor vehicles; and purchase,  
12 lease, charter, maintenance, and operation of mission and  
13 administrative aircraft, \$3,711,900,000, to remain avail-  
14 able until September 30, 2014: *Provided*, That not less  
15 than \$1,024,900,000 shall be for the Orion Multi-Purpose  
16 Crew Vehicle: *Provided further*, That not less than  
17 \$1,857,000,000 shall be for the Space Launch System,  
18 which shall have a lift capability not less than 130 metric  
19 tons and which shall have an upper stage and other core  
20 elements developed simultaneously: *Provided further*, That  
21 of the funds made available for the Space Launch System,  
22 \$1,454,200,000 shall be for launch vehicle development  
23 and \$402,800,000 shall be for exploration ground sys-  
24 tems: *Provided further*, That funds made available for the  
25 Orion Multi-Purpose Crew Vehicle and Space Launch Sys-

1 tem are in addition to funds provided for these programs  
2 under the “Construction and Environmental Compliance  
3 and Restoration” heading.

4 SPACE OPERATIONS

5 For necessary expenses, not otherwise provided for,  
6 in the conduct and support of space operations research  
7 and development activities, including research, develop-  
8 ment, operations, support and services; space flight, space-  
9 craft control and communications activities, including op-  
10 erations, production, and services; maintenance and re-  
11 pair, facility planning and design; program management;  
12 personnel and related costs, including uniforms or allow-  
13 ances therefor, as authorized by sections 5901 and 5902  
14 of title 5, United States Code; travel expenses; purchase  
15 and hire of passenger motor vehicles; and purchase, lease,  
16 charter, maintenance and operation of mission and admin-  
17 istrative aircraft, \$3,985,000,000, to remain available  
18 until September 30, 2014.

19 EDUCATION

20 For necessary expenses, not otherwise provided for,  
21 in carrying out aerospace and aeronautical education re-  
22 search and development activities, including research, de-  
23 velopment, operations, support, and services; program  
24 management; personnel and related costs, including uni-  
25 forms or allowances therefor, as authorized by sections



1 5901 and 5902 of title 5, United States Code; travel ex-  
2 penses; purchase and hire of passenger motor vehicles; and  
3 purchase, lease, charter, maintenance, and operation of  
4 mission and administrative aircraft, \$100,000,000, to re-  
5 main available until September 30, 2014, of which  
6 \$9,000,000 shall be for the Experimental Program to  
7 Stimulate Competitive Research and \$24,000,000 shall be  
8 for the National Space Grant College program.

9 CROSS AGENCY SUPPORT

10 For necessary expenses, not otherwise provided for,  
11 in the conduct and support of science, aeronautics, explo-  
12 ration, space operations and education research and devel-  
13 opment activities, including research, development, oper-  
14 ations, support, and services; maintenance and repair, fa-  
15 cility planning and design; space flight, spacecraft control,  
16 and communications activities; program management; per-  
17 sonnel and related costs, including uniforms or allowances  
18 therefor, as authorized by sections 5901 and 5902 of title  
19 5, United States Code; travel expenses; purchase and hire  
20 of passenger motor vehicles; not to exceed \$63,000 for of-  
21 ficial reception and representation expenses; and purchase,  
22 lease, charter, maintenance, and operation of mission and  
23 administrative aircraft, \$2,843,500,000 (reduced by  
24 \$126,000,000), to remain available until September 30,  
25 2014.

1 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND  
2 RESTORATION

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

## 1 OFFICE OF INSPECTOR GENERAL

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

## 6 ADMINISTRATIVE PROVISIONS

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

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

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

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

18 Section 30102(c) of title 51, United States Code, is  
19 amended—

20 (1) in paragraph (2) by striking “and” at the  
21 end;

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

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

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

5                           NATIONAL SCIENCE FOUNDATION

6                           RESEARCH AND RELATED ACTIVITIES

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

## 1 MAJOR RESEARCH EQUIPMENT AND FACILITIES

## 2 CONSTRUCTION

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

## 12 EDUCATION AND HUMAN RESOURCES

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

## 21 AGENCY OPERATIONS AND AWARD MANAGEMENT

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

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

12 OFFICE OF THE NATIONAL SCIENCE BOARD

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

23 OFFICE OF INSPECTOR GENERAL

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

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

3 ADMINISTRATIVE PROVISION

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

13 TITLE IV

14 RELATED AGENCIES

15 COMMISSION ON CIVIL RIGHTS

16 SALARIES AND EXPENSES

17 (INCLUDING TRANSFER OF FUNDS)

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



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



## 1 INTERNATIONAL TRADE COMMISSION

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the International Trade  
4 Commission, including hire of passenger motor vehicles,  
5 and services as authorized by section 3109 of title 5,  
6 United States Code, and not to exceed \$2,250 for official  
7 reception and representation expenses, \$83,000,000, to re-  
8 main available until expended.

## 9 LEGAL SERVICES CORPORATION

## 10 PAYMENT TO THE LEGAL SERVICES CORPORATION

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

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

8 ADMINISTRATIVE PROVISIONS—LEGAL SERVICES  
9 CORPORATION

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

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

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

3 MARINE MAMMAL COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Marine Mammal Com-  
6 mission as authorized by title II of the Marine Mammal  
7 Protection Act of 1972 (16 U.S.C. 1361 et seq.),  
8 \$3,025,000 (reduced by \$181,500).

9 OFFICE OF THE UNITED STATES TRADE

10 REPRESENTATIVE

11 SALARIES AND EXPENSES

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

20 STATE JUSTICE INSTITUTE

21 SALARIES AND EXPENSES

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

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

## 6 TITLE V

### 7 GENERAL PROVISIONS

#### 8 (INCLUDING RESCISSIONS)

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (RESCISSIONS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (2) is—

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 and

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

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

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

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

1           commission in evaluating potential contractors  
2           for that conference.

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

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

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

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

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

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

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

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

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

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

5 SPENDING REDUCTION ACCOUNT

6 SEC. 541. The amount by which the applicable alloca-  
7 tion of new budget authority made by the Committee on  
8 Appropriations of the House of Representatives under sec-  
9 tion 302(b) of the Congressional Budget Act of 1974 ex-  
10 ceeds the amount of proposed new budget authority is \$0  
11 (increased by \$1,000,000) (increased by \$542,000).

12 SEC. 542. None of the funds made available by this  
13 Act may be used by the Attorney General to originate or  
14 join in any lawsuit that seeks to overturn, enjoin, or invali-  
15 date—

16 (1) Oklahoma Taxpayer and Citizen Protection  
17 Act of 2007 (HB 1804), which became effective on  
18 November 1, 2007;

19 (2) Missouri House Bill 390, First Regular Ses-  
20 sion 2009, 9th General Assembly, which became ef-  
21 fective on August 28, 2009;

22 (3) the Support Our Law Enforcement and  
23 Safe Neighborhoods Act (SB 1070), which was  
24 signed into law in Arizona on April 23, 2010;

1           (4) The Illegal Immigration Enforcement Act  
2           (HB 497), which was signed into law in Utah on  
3           March 15, 2011;

4           (5) Indiana Senate Enrolled Act No. 590, First  
5           Regular Session, 117th General Assembly (2011),  
6           which was signed into law on May 10, 2011;

7           (6) the Beason-Hammon Alabama Taxpayer  
8           and Citizen Protection Act (HB 56), which was  
9           passed by the Alabama State legislature on June 9,  
10          2011;

11          (7) South Carolina Act No. 69 (SB 20), which  
12          was signed into law on June 27, 2011;

13          (8) the Illegal Immigration Reform and En-  
14          forcement Act of 2011 (HB 87), which became ef-  
15          fective in the State of Georgia on July 1, 2011; or

16          (9) an Act to amend the Indiana Code con-  
17          cerning education (HB 1402), which became effec-  
18          tive in the State of Indiana on July 1, 2011.

19          SEC. 543. None of the funds made available by this  
20          Act may be used to develop, approve, or implement a new  
21          limited access privilege program (as that term is used in  
22          section 303A of the Magnuson-Stevens Fishery Conserva-  
23          tion and Management Act (16 U.S.C. 1853a)) that are  
24          not already developed, approved, or implemented for any  
25          fishery under the jurisdiction of the South Atlantic, Mid-

1 Atlantic, New England, or Gulf of Mexico Fishery Man-  
2 agement Council.

3 SEC. 544. None of the funds made available by this  
4 Act may be used to implement, administer, or enforce the  
5 Equal Employment Opportunity Commission (EEOC) En-  
6 forcement Guidance Number 915.002 concerning “Con-  
7 sideration of arrest and conviction records in employment  
8 decisions”.

9 SEC. 545. None of the funds made available in this  
10 Act may be used to enforce section 221(a) of title 13,  
11 United States Code, with respect to the American Commu-  
12 nity Survey.

13 SEC. 546. None of the funds made available by this  
14 Act may be used in contravention of paragraph (1), (2),  
15 or (3) of section 1001(a) of title 18, United States Code.

16 SEC. 547. None of the funds made available by this  
17 Act may be used to defend against any action chal-  
18 lenging—

19 (1) any provision of Public Law 111–148 or  
20 any provision of title I or subtitle B of title II of  
21 Public Law 111–152; or

22 (2) any amendment to a provision of law made  
23 by any provision described in paragraph (1).

24 SEC. 548. None of the funds made available by this  
25 Act may be used to litigate against any of the several



1 States on behalf of the National Labor Relations Board  
2 pertaining to secret ballot union elections.

3 SEC. 549. None of the funds made available by this  
4 Act may be used by the Department of Justice to be a  
5 party to a single or multi-state court settlement where  
6 funds are removed from any residential mortgage-backed  
7 securitization trust.

8 SEC. 550. None of the funds made available in this  
9 Act may be used by the Department of Justice to bring  
10 any action against any State for implementation of a State  
11 law requiring voter identification.

12 SEC. 551. None of the funds made available in this  
13 Act may be used to conduct the survey, conducted by the  
14 Secretary of Commerce, commonly referred to as the  
15 “American Community Survey”.

16 SEC. 552. None of the funds made available by this  
17 Act may be used to enforce section 526 of the Energy  
18 Independence and Security Act of 2007 (Public Law 110–  
19 140; 42 U.S.C. 17142).

20 SEC. 553. None of the funds made available by this  
21 Act may be used to implement the National Ocean Policy  
22 developed under Executive Order No. 13547 (75 Fed.  
23 Reg. 43023, relating to the stewardship of oceans, coasts,  
24 and the Great Lakes).

1       SEC. 554. None of the funds made available by this  
2 Act may be used to lease or purchase new light duty vehi-  
3 cles, for any executive fleet, or for an agency’s fleet inven-  
4 tory, except in accordance with Presidential Memo-  
5 randum-Federal Fleet Performance, dated May 24, 2011.

6       SEC. 555. None of the funds made available in this  
7 Act for the State Criminal Alien Assistance Program  
8 under the heading “Department of Justice—State and  
9 Local Law Enforcement Activities—Office of Justice Pro-  
10 grams—State and Local Law Enforcement Assistance”  
11 may be used in contravention of section 642 of the Illegal  
12 Immigration Reform and Immigrant Responsibility Act of  
13 1996 (8 U.S.C. 1373).

14       SEC. 556. None of the funds made available by this  
15 Act may be used for the purpose of implementing section  
16 36.302(c)(9) of title 28, Code of Federal Regulations.

17       SEC. 557. The amount made available by this Act for  
18 “Department of Justice—Office of Justice Programs—  
19 State and Local Law Enforcement Assistance” for emer-  
20 gency Federal law enforcement assistance, as authorized  
21 by section 609M of the Justice Assistance Act of 1984  
22 (42 U.S.C. 10513; Public Law 98–473) is hereby in-  
23 creased by \$20,000,000 and the amount otherwise pro-  
24 vided by this Act for PERIODIC CENSUSES AND

1 PROGRAMS AND STATISTICS is hereby reduced by  
2 \$20,000,000.

3 SEC. 558. The amounts otherwise provided by this  
4 Act are revised by—

5 (1) reducing the amount made available under  
6 the heading “Department of Commerce; Inter-  
7 national Trade Administration; Operations and Ad-  
8 ministration” (and the amount provided under such  
9 heading for official representation expenses abroad)  
10 by \$155,979;

11 (2) reducing the amount made available under  
12 the heading “Department of Commerce; Bureau of  
13 Industry and Security; Operations and Administra-  
14 tion” (and the amount provided under such heading  
15 for official representation expenses abroad), by  
16 \$6,750;

17 (3) reducing the amount made available under  
18 the heading “Department of Commerce; U.S. Patent  
19 and Trademark Office; Salaries and Expenses” (and  
20 the amount provided under such heading for official  
21 reception and representation expenses) by \$450;

22 (4) reducing the amount made available under  
23 the heading “Department of Commerce; National  
24 Institute of Standards and Technology; Scientific  
25 and Technical Research and Services” (and the

1 amount provided under such heading for official re-  
2 ception and representation expenses) by \$2,500;

3 (5) reducing the amount made available under  
4 the heading “Department of Commerce; Depart-  
5 mental Management; Salaries and Expenses” (and  
6 the amount provided under such heading for official  
7 reception and representation) by \$2,250;

8 (6) reducing the amount made available under  
9 the heading “Department of Justice; Legal Activi-  
10 ties; Salaries and Expenses, General Legal Activi-  
11 ties” (and the amount made available under such  
12 heading to INTERPOL Washington for official re-  
13 ception and representation expenses) by \$4,500;

14 (7) reducing the amount made available under  
15 the heading “Department of Justice; Legal Activi-  
16 ties; Salaries and Expenses, United States Attor-  
17 neys” (and the amount provided under such heading  
18 for official reception and representation expenses) by  
19 \$3,600;

20 (8) reducing the amount made available under  
21 the heading “Department of Justice; United States  
22 Marshals Service; Salaries and Expenses” (and the  
23 amount provided under such heading for official re-  
24 ception and representation expenses) by \$3,000;

1           (9) reducing the amount made available under  
2 the heading “Department of Justice; Federal Bu-  
3 reau of Investigations; Salaries and Expenses” (and  
4 the amount provided under such heading for official  
5 reception and representation expenses) by \$98,640;

6           (10) reducing the amount made available under  
7 the heading “Department of Justice; Drug Enforce-  
8 ment Administration; Salaries and Expenses” (and  
9 the amount provided under such heading for official  
10 reception and representation expenses) by \$45,000;

11           (11) reducing the amount made available under  
12 the heading “Department of Justice; Bureau of Al-  
13 cohol, Tobacco, Firearms and Explosives; Salaries  
14 and Expenses” (and the amount provided under  
15 such heading for official reception and representa-  
16 tion expenses) by \$18,000;

17           (12) reducing the amount made available under  
18 the heading “Department of Justice; Federal Prison  
19 System; Salaries and Expenses” (and the amount  
20 provided under such heading for official reception  
21 and representation expenses) by \$2,700;

22           (13) reducing the amount made available under  
23 the heading “Science; Office of Science and Tech-  
24 nology Policy” (and the amount provided under such

1 heading for official reception and representation ex-  
2 penses) by \$1,125;

3 (14) reducing the amount made available under  
4 the heading “Science; National Aeronautics and  
5 Space Administration; Cross Agency Support” (and  
6 the amount provided under such heading for official  
7 reception and representation expenses) by \$31,709;

8 (15) reducing the amount made available under  
9 the heading “Science; National Science Foundation;  
10 Agency Operations and Award Management” (and  
11 the amount provided under such heading for official  
12 reception and representation expenses) by \$4,140;

13 (16) reducing the amount made available under  
14 the heading “Science; Office of the National Science  
15 Board” (and the amount provided under such head-  
16 ing for official reception and representation ex-  
17 penses) by \$1,250;

18 (17) reducing the amount made available under  
19 the heading “Related Agencies; Equal Employment  
20 Opportunity Commission” (and the amount provided  
21 under such heading for official reception and rep-  
22 resentation expenses) by \$1,125;

23 (18) reducing the amount made available under  
24 the heading “Related Agencies; International Trade  
25 Commission; Salaries and Expenses” (and the

1 amount provided under such heading for official re-  
2 ception and representation expenses) by \$1,125;

3 (19) reducing the amount made available under  
4 the heading “Related Agencies; Office of the United  
5 States Trade Representative; Salaries and Ex-  
6 penses” (and the amount provided under such head-  
7 ing for official reception and representation ex-  
8 penses) by \$58,032;

9 (20) reducing the amount made available under  
10 the heading “Related Agencies; State Justice Insti-  
11 tute; Salaries and Expenses” (and the amount pro-  
12 vided under such heading for official reception and  
13 representation expenses) by \$1,125; and

14 (21) by increasing the amount made available  
15 for “Department of Commerce; National Institute of  
16 Standards and Technology; Industrial Technology  
17 Services” (and the amount provided under such  
18 heading for the Manufacturing Extension Partner-  
19 ship) by \$443,000.

20 SEC. 559. None of the funds made available by this  
21 Act may be used to implement section 10011(b) of Public  
22 Law 111–11.

23 SEC. 560. None of the funds made available by this  
24 Act may be used by the Executive Office for United States  
25 Attorneys (including the offices of United States attor-

1 neys), the United States Marshals Service, or employees  
2 of the Department of Justice, to carry out activities lo-  
3 cated at a newly constructed Federal courthouse located  
4 on a site between Broadway, Hill, First, and Second  
5 Streets in Los Angeles, California.

6       SEC. 561. None of the funds made available under  
7 this Act, may be used in contravention of the Defense of  
8 Marriage Act (Public Law 104–199).

9       SEC. 562. None of the funds made available by this  
10 Act may be used to implement a proposed rule for turtle  
11 excluder devices as described in the Southeast Fishery  
12 Bulletin published by the National Oceanic and Atmos-  
13 pheric Administration on May 8, 2012.

14       SEC. 563. None of the funds made available by this  
15 Act may be used to pay the salary of any officer or em-  
16 ployee of the Department of Commerce who uses amounts  
17 in the Fisheries Enforcement Asset Forfeiture Fund of  
18 the National Oceanic and Atmospheric Administration  
19 that consists of the sums described in section 311(e)(1)  
20 of the Magnuson-Stevens Fishery Conservation and Man-  
21 agement Act (16 U.S.C. 1861(e)(1)) for any purpose other  
22 than a purpose specifically authorized under such section.

23       SEC. 564. None of the funds made available by this  
24 Act may be used to carry out the activities of the Climate



1 Change Education program of the National Science Foun-  
2 dation.

3 SEC. 565. None of the funds made available by this  
4 Act may be used to carry out the functions of the Political  
5 Science Program in the Division of Social and Economic  
6 Sciences of the Directorate for Social, Behavioral, and  
7 Economic Sciences of the National Science Foundation.

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

Passed the House of Representatives May 10, 2012.

Attest:

*Clerk.*

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

**H. R. 5326**

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**AN ACT**

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