

109TH CONGRESS
1ST SESSION

H. R. 2862

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2005

Ordered to be printed with the amendment of the Senate

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

Making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2006, and for other pur-
6 poses, namely:

1 TITLE I—DEPARTMENT OF JUSTICE

2 GENERAL ADMINISTRATION

3 SALARIES AND EXPENSES

4 For expenses necessary for the administration of the
 5 Department of Justice, \$126,956,000 (reduced by
 6 \$2,500,000), of which not to exceed \$3,317,000 is for the
 7 Facilities Program 2000, to remain available until ex-
 8 pended: *Provided*, That not to exceed 45 permanent posi-
 9 tions and 46 full-time equivalent workyears and
 10 \$11,821,000 shall be expended for the Department Lead-
 11 ership Program exclusive of augmentation that occurred
 12 in these offices in fiscal year 2005: *Provided further*, That
 13 not to exceed 28 permanent positions, 23 full-time equiva-
 14 lent workyears and \$3,980,000 shall be expended for the
 15 Office of Legislative Affairs: *Provided further*, That not
 16 to exceed 17 permanent positions, 22 full-time equivalent
 17 workyears and \$2,764,000 shall be expended for the Office
 18 of Public Affairs: *Provided further*, That the latter two
 19 aforementioned offices may utilize non-reimbursable de-
 20 tails of career employees within the caps described in the
 21 preceding two provisos.

22 JUSTICE INFORMATION SHARING TECHNOLOGY

23 For necessary expenses for information sharing tech-
 24 nology, including planning, development, deployment and
 25 Departmental direction, \$135,000,000, to remain avail-
 26 able until expended.

1 NARROWBAND COMMUNICATIONS/INTEGRATED WIRELESS
2 NETWORK

3 For the costs of conversion to narrowband commu-
4 nications, including the cost for operation and mainte-
5 nance of Land Mobile Radio legacy systems, \$110,000,000
6 (reduced by \$39,126,000), to remain available until Sep-
7 tember 30, 2007: *Provided*, That the Attorney General
8 shall transfer to the “Narrowband Communications” ac-
9 count all funds made available to the Department of Jus-
10 tice for the purchase of portable and mobile radios: *Pro-*
11 *vided further*, That any transfer made under the preceding
12 proviso shall be subject to section 605 of this Act.

13 ADMINISTRATIVE REVIEW AND APPEALS

14 For expenses necessary for the administration of par-
15 don and clemency petitions and immigration-related activi-
16 ties, \$215,685,000.

17 DETENTION TRUSTEE

18 For necessary expenses of the Federal Detention
19 Trustee, \$1,222,000,000, to remain available until ex-
20 pended: *Provided*, That the Trustee shall be responsible
21 for managing the Justice Prisoner and Alien Transpor-
22 tation System and for overseeing housing related to such
23 detention: *Provided further*, That any unobligated balances
24 available in prior years from the funds appropriated under
25 the heading “Federal Prisoner Detention” shall be trans-
26 ferred to and merged with the appropriation under the

1 heading “Detention Trustee” and shall be available until
 2 expended.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
 5 General, \$66,801,000, including not to exceed \$10,000 to
 6 meet unforeseen emergencies of a confidential character.

7 UNITED STATES PAROLE COMMISSION

8 SALARIES AND EXPENSES

9 For necessary expenses of the United States Parole
 10 Commission as authorized, \$11,200,000.

11 LEGAL ACTIVITIES

12 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

13 For expenses necessary for the legal activities of the
 14 Department of Justice, not otherwise provided for, includ-
 15 ing not to exceed \$20,000 for expenses of collecting evi-
 16 dence, to be expended under the direction of, and to be
 17 accounted for solely under the certificate of, the Attorney
 18 General; and rent of private or Government-owned space
 19 in the District of Columbia, \$665,821,000, of which not
 20 to exceed \$10,000,000 for litigation support contracts
 21 shall remain available until expended: *Provided*, That of
 22 the total amount appropriated, not to exceed \$1,000 shall
 23 be available to the United States National Central Bu-
 24 reau, INTERPOL, for official reception and representa-
 25 tion expenses: *Provided further*, That notwithstanding sec-
 26 tion 105 of this Act, upon a determination by the Attorney

1 General that emergent circumstances require additional
 2 funding for litigation activities of the Civil Division; the
 3 Attorney General may transfer such amounts to “Salaries
 4 and Expenses, General Legal Activities” from available
 5 appropriations for the current fiscal year for the Depart-
 6 ment of Justice, as may be necessary to respond to such
 7 circumstances: *Provided further*, That any transfer pursu-
 8 ant to the previous proviso shall be treated as a re-
 9 programming under section 605 of this Act and shall not
 10 be available for obligation or expenditure except in compli-
 11 ance with the procedures set forth in that section.

12 In addition, for reimbursement of expenses of the De-
 13 partment of Justice associated with processing cases
 14 under the National Childhood Vaccine Injury Act of 1986,
 15 not to exceed \$6,333,000, to be appropriated from the
 16 Vaccine Injury Compensation Trust Fund.

17 SALARIES AND EXPENSES, ANTITRUST DIVISION

18 For expenses necessary for the enforcement of anti-
 19 trust and kindred laws, \$144,451,000, to remain available
 20 until expended: *Provided*, That, notwithstanding any other
 21 provision of law, not to exceed \$116,000,000 of offsetting
 22 collections derived from fees collected for premerger notifi-
 23 cation filings under the Hart-Scott-Rodino Antitrust Im-
 24 provements Act of 1976 (15 U.S.C. 18a), regardless of
 25 the year of collection, shall be retained and used for nec-
 26 essary expenses in this appropriation, and shall remain

1 available until expended: *Provided further*, That the sum
 2 herein appropriated from the general fund shall be re-
 3 duced as such offsetting collections are received during fis-
 4 cal year 2006, so as to result in a final fiscal year 2006
 5 appropriation from the general fund estimated at not more
 6 than \$28,451,000.

7 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

8 For necessary expenses of the Offices of the United
 9 States Attorneys, including inter-governmental and coop-
 10 erative agreements, \$1,626,146,000: *Provided*, That of the
 11 total amount appropriated, not to exceed \$8,000 shall be
 12 available for official reception and representation ex-
 13 penses: *Provided further*, That not to exceed \$20,000,000
 14 shall remain available until expended: *Provided further*,
 15 That, in addition to reimbursable full-time equivalent
 16 workyears available to the Offices of the United States At-
 17 torneys, not to exceed 10,465 positions and 10,451 full-
 18 time equivalent workyears shall be supported from the
 19 funds appropriated in this Act for the United States At-
 20 torneys.

21 UNITED STATES TRUSTEE SYSTEM FUND

22 For necessary expenses of the United States Trustee
 23 Program, as authorized, \$214,402,000, to remain avail-
 24 able until expended and to be derived from the United
 25 States Trustee System Fund: *Provided*, That, notwith-
 26 standing any other provision of law, deposits to the Fund

1 shall be available in such amounts as may be necessary
 2 to pay refunds due depositors: *Provided further*, That, not-
 3 withstanding any other provision of law, \$214,402,000 of
 4 offsetting collections pursuant to 28 U.S.C. 589a(b) shall
 5 be retained and used for necessary expenses in this appro-
 6 priation and remain available until expended: *Provided*
 7 *further*, That the sum herein appropriated from the Fund
 8 shall be reduced as such offsetting collections are received
 9 during fiscal year 2006, so as to result in a final fiscal
 10 year 2006 appropriation from the Fund estimated at \$0.

11 SALARIES AND EXPENSES; FOREIGN CLAIMS

12 SETTLEMENT COMMISSION

13 For expenses necessary to carry out the activities of
 14 the Foreign Claims Settlement Commission, including
 15 services as authorized by 5 U.S.C. 3109, \$1,220,000.

16 UNITED STATES MARSHALS SERVICE

17 SALARIES AND EXPENSES

18 For necessary expenses of the United States Mar-
 19 shals Service, \$800,255,000; of which not to exceed
 20 \$6,000 shall be available for official reception and rep-
 21 resentation expenses; and of which \$20,000,000 for infor-
 22 mation technology systems; equipment, and the renovation
 23 of United States Marshals Service prisoner holding space
 24 in United States courthouses and Federal buildings shall
 25 remain available until expended: *Provided*, That, in addi-
 26 tion to reimbursable full-time equivalent workyears avail-

1 able to the United States Marshals Service, not to exceed
 2 4,729 positions and 4,551 full-time equivalent workyears
 3 shall be supported from the funds appropriated in this Act
 4 for the United States Marshals Service.

5 FEES AND EXPENSES OF WITNESSES

6 For fees and expenses of witnesses, for expenses of
 7 contracts for the procurement and supervision of expert
 8 witnesses, for private counsel expenses, including ad-
 9 vances, such sums as are necessary, to remain available
 10 until expended: *Provided*, That not to exceed \$8,000,000
 11 may be made available for construction of buildings for
 12 protected witness safesites: *Provided further*, That not to
 13 exceed \$1,000,000 may be made available for the purchase
 14 and maintenance of armored vehicles for transportation
 15 of protected witnesses: *Provided further*, That not to ex-
 16 ceed \$7,000,000 may be made available for the purchase,
 17 installation, maintenance and upgrade of secure tele-
 18 communications equipment and a secure automated infor-
 19 mation network to store and retrieve the identities and
 20 locations of protected witnesses.

21 SALARIES AND EXPENSES, COMMUNITY RELATIONS

22 SERVICE

23 For necessary expenses of the Community Relations
 24 Service, \$9,659,000: *Provided*, That notwithstanding sec-
 25 tion 105 of this Act, upon a determination by the Attorney
 26 General that emergent circumstances require additional

1 funding for conflict resolution and violence prevention ac-
 2 tivities of the Community Relations Service, the Attorney
 3 General may transfer such amounts to the Community Re-
 4 lations Service, from available appropriations for the cur-
 5 rent fiscal year for the Department of Justice, as may be
 6 necessary to respond to such circumstances: *Provided fur-*
 7 *ther,* That any transfer pursuant to the previous proviso
 8 shall be treated as a reprogramming under section 605
 9 of this Act and shall not be available for obligation or ex-
 10 penditure except in compliance with the procedures set
 11 forth in that section.

12 ASSETS FORFEITURE FUND

13 For expenses authorized by 28 U.S.C. 524(c)(1)(B),
 14 (F), and (G), \$21,468,000, to be derived from the Depart-
 15 ment of Justice Assets Forfeiture Fund.

16 INTERAGENCY LAW ENFORCEMENT

17 INTERAGENCY CRIME AND DRUG ENFORCEMENT

18 For necessary expenses for the identification, inves-
 19 tigation, and prosecution of individuals associated with the
 20 most significant drug trafficking and affiliated money
 21 laundering organizations not otherwise provided for, to in-
 22 clude inter-governmental agreements with State and local
 23 law enforcement agencies engaged in the investigation and
 24 prosecution of individuals involved in organized crime drug
 25 trafficking, \$506,940,000, of which \$50,000,000 shall re-
 26 main available until expended: *Provided,* That any

1 amounts obligated from appropriations under this heading
2 may be used under authorities available to the organiza-
3 tions reimbursed from this appropriation.

4 FEDERAL BUREAU OF INVESTIGATION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Federal Bureau of In-
7 vestigation for detection, investigation, and prosecution of
8 crimes against the United States; including purchase for
9 police-type use of not to exceed 3,868 passenger motor ve-
10 hicles; of which 3,039 will be for replacement only; and
11 not to exceed \$70,000 to meet unforeseen emergencies of
12 a confidential character pursuant to 28 U.S.C. 530C;
13 \$5,741,132,000; of which not to exceed \$150,000,000
14 shall remain available until expended; of which
15 \$2,288,897,000 shall be for counterterrorism investiga-
16 tions; foreign counterintelligence; and other activities re-
17 lated to our national security; and of which not to exceed
18 \$25,000,000 is authorized to be made available for making
19 advances for expenses arising out of contractual or reim-
20 bursable agreements with State and local law enforcement
21 agencies while engaged in cooperative activities related to
22 violent crime; terrorism; organized crime; gang-related
23 crime; cybercrime; and drug investigations: *Provided*, That
24 not to exceed \$205,000 shall be available for official recep-
25 tion and representation expenses: *Provided further*, That,

1 in addition to reimbursable full-time equivalent workyears
 2 available to the Federal Bureau of Investigation, not to
 3 exceed ~~31,668~~ positions and ~~30,525~~ full-time equivalent
 4 workyears shall be supported from the funds appropriated
 5 in this Act for the Federal Bureau of Investigation.

6 CONSTRUCTION

7 For necessary expenses to construct or acquire build-
 8 ings and sites by purchase, or as otherwise authorized by
 9 law (including equipment for such buildings); conversion
 10 and extension of Federally-owned buildings; and prelimi-
 11 nary planning and design of projects; ~~\$20,105,000~~, to re-
 12 main available until expended: *Provided*, That
 13 ~~\$10,000,000~~ shall be available for equipment and associ-
 14 ated costs for a permanent central records complex in
 15 Frederick County, Virginia.

16 DRUG ENFORCEMENT ADMINISTRATION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Drug Enforcement Ad-
 19 ministration, including not to exceed \$70,000 to meet un-
 20 foreseen emergencies of a confidential character pursuant
 21 to 28 U.S.C. 530C; expenses for conducting drug edu-
 22 cation and training programs, including travel and related
 23 expenses for participants in such programs and the dis-
 24 tribution of items of token value that promote the goals
 25 of such programs; and purchase of not to exceed ~~1,043~~
 26 passenger motor vehicles, of which ~~937~~ will be for replace-

1 ment only, for police-type use, \$1,706,173,000 (increased
 2 by \$10,000,000); of which not to exceed \$75,000,000 shall
 3 remain available until expended; and of which not to ex-
 4 ceed \$100,000 shall be available for official reception and
 5 representation expenses: *Provided*, That, in addition to re-
 6 imburseable full-time equivalent workyears available to the
 7 Drug Enforcement Administration, not to exceed 8,371
 8 positions and 8,270 full-time equivalent workyears shall
 9 be supported from the funds appropriated in this Act for
 10 the Drug Enforcement Administration.

11 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND

12 EXPLOSIVES

13 SALARIES AND EXPENSES

14 For necessary expenses of the Bureau of Alcohol, To-
 15 bacco, Firearms and Explosives, including the purchase of
 16 not to exceed 822 vehicles for police-type use, of which
 17 650 shall be for replacement only; not to exceed \$25,000
 18 for official reception and representation expenses; for
 19 training of State and local law enforcement agencies with
 20 or without reimbursement, including training in connec-
 21 tion with the training and acquisition of canines for explo-
 22 sives and fire accelerants detection; and for provision of
 23 laboratory assistance to State and local law enforcement
 24 agencies, with or without reimbursement, \$923,613,000,
 25 of which not to exceed \$1,000,000 shall be available for

1 the payment of attorneys' fees as provided by 18 U.S.C.
2 924(d)(2); and of which \$10,000,000 shall remain avail-
3 able until expended: *Provided*, That no funds appropriated
4 herein shall be available for salaries or administrative ex-
5 penses in connection with consolidating or centralizing,
6 within the Department of Justice, the records, or any por-
7 tion thereof, of acquisition and disposition of firearms
8 maintained by Federal firearms licensees: *Provided fur-*
9 *ther*, That no funds appropriated herein shall be used to
10 pay administrative expenses or the compensation of any
11 officer or employee of the United States to implement an
12 amendment or amendments to 27 CFR 178.118 or to
13 change the definition of "Curios or relics" in 27 CFR
14 178.11 or remove any item from ATF Publication
15 5300.11 as it existed on January 1, 1994: *Provided fur-*
16 *ther*, That none of the funds appropriated herein shall be
17 available to investigate or act upon applications for relief
18 from Federal firearms disabilities under 18 U.S.C. 925(e):
19 *Provided further*, That such funds shall be available to in-
20 vestigate and act upon applications filed by corporations
21 for relief from Federal firearms disabilities under section
22 925(e) of title 18, United States Code: *Provided further*,
23 That no funds made available by this or any other Act
24 may be used to transfer the functions, missions, or activi-
25 ties of the Bureau of Alcohol, Tobacco, Firearms and Ex-

1 plosives to other agencies or Departments in fiscal year
2 2006: *Provided further*, That no funds appropriated under
3 this or any other Act with respect to any fiscal year may
4 be used to disclose part or all of the contents of the Fire-
5 arms Trace System database maintained by the National
6 Trace Center of the Bureau of Alcohol, Tobacco, Firearms
7 and Explosives or any information required to be kept by
8 licensees pursuant to section 923(g) of title 18, United
9 States Code, or required to be reported pursuant to para-
10 graphs (3) and (7) of such section 923(g), to anyone other
11 than a Federal, State, or local law enforcement agency or
12 a prosecutor solely in connection with and for use in a
13 bona fide criminal investigation or prosecution and then
14 only such information as pertains to the geographic juris-
15 diction of the law enforcement agency requesting the dis-
16 closure and not for use in any civil action or proceeding
17 other than an action or proceeding commenced by the Bu-
18 reau of Alcohol, Tobacco, Firearms and Explosives, or a
19 review of such an action or proceeding, to enforce the pro-
20 visions of chapter 44 of such title, and all such data shall
21 be immune from legal process and shall not be subject to
22 subpoena or other discovery in any civil action in a State
23 or Federal court or in any administrative proceeding other
24 than a proceeding commenced by the Bureau of Alcohol,
25 Tobacco, Firearms and Explosives to enforce the provi-

1 sions of that chapter, or a review of such an action or
2 proceeding; except that this proviso shall not be construed
3 to prevent the disclosure of statistical information con-
4 cerning total production, importation, and exportation by
5 each licensed importer (as defined in section 921(a)(9) of
6 such title) and licensed manufacturer (as defined in sec-
7 tion 921(a)(10) of such title): *Provided further*, That no
8 funds made available by this or any other Act shall be
9 expended to promulgate or implement any rule requiring
10 a physical inventory of any business licensed under section
11 923 of title 18, United States Code: *Provided further*, That
12 no funds under this Act may be used to electronically re-
13 trieve information gathered pursuant to 18 U.S.C.
14 923(g)(4) by name or any personal identification code:
15 *Provided further*, That no funds authorized or made avail-
16 able under this or any other Act may be used to deny any
17 application for a license under section 923 of title 18,
18 United States Code, or renewal of such a license due to
19 a lack of business activity, provided that the applicant is
20 otherwise eligible to receive such a license, and is eligible
21 to report business income or to claim an income tax dedue-
22 tion for business expenses under the Internal Revenue
23 Code of 1986.

1 FEDERAL PRISON SYSTEM

2 SALARIES AND EXPENSES

3 For expenses necessary of the Federal Prison System
4 for the administration, operation, and maintenance of
5 Federal penal and correctional institutions, including pur-
6 chase (not to exceed 768, of which 701 are for replacement
7 only) and hire of law enforcement and passenger motor
8 vehicles, and for the provision of technical assistance and
9 advice on corrections related issues to foreign govern-
10 ments, \$4,895,649,000: *Provided*, That the Attorney Gen-
11 eral may transfer to the Health Resources and Services
12 Administration such amounts as may be necessary for di-
13 rect expenditures by that Administration for medical relief
14 for inmates of Federal penal and correctional institutions:
15 *Provided further*, That the Director of the Federal Prison
16 System, where necessary, may enter into contracts with
17 a fiscal agent/fiscal intermediary claims processor to de-
18 termine the amounts payable to persons who, on behalf
19 of the Federal Prison System, furnish health services to
20 individuals committed to the custody of the Federal Prison
21 System: *Provided further*, That not to exceed \$6,000 shall
22 be available for official reception and representation ex-
23 penses: *Provided further*, That not to exceed \$50,000,000
24 shall remain available for necessary operations until Sep-
25 tember 30, 2007: *Provided further*, That, of the amounts

1 provided for Contract Confinement, not to exceed
2 \$20,000,000 shall remain available until expended to
3 make payments in advance for grants, contracts and reim-
4 bursable agreements, and other expenses authorized by
5 section 501(e) of the Refugee Education Assistance Act
6 of 1980, for the care and security in the United States
7 of Cuban and Haitian entrants: *Provided further*, That the
8 Director of the Federal Prison System may accept donated
9 property and services relating to the operation of the pris-
10 on card program from a not-for-profit entity which has
11 operated such program in the past notwithstanding the
12 fact that such not-for-profit entity furnishes services
13 under contracts to the Federal Prison System relating to
14 the operation of pre-release services, halfway houses or
15 other custodial facilities.

16 BUILDINGS AND FACILITIES

17 For planning, acquisition of sites and construction of
18 new facilities; purchase and acquisition of facilities and re-
19 modeling, and equipping of such facilities for penal and
20 correctional use, including all necessary expenses incident
21 thereto, by contract or force account; and constructing,
22 remodeling, and equipping necessary buildings and facili-
23 ties at existing penal and correctional institutions, includ-
24 ing all necessary expenses incident thereto, by contract or
25 force account, \$70,112,000, to remain available until ex-
26 pended, of which not to exceed \$14,000,000 shall be avail-

1 able to construct areas for inmate work programs: *Pro-*
2 *vided*, That labor of United States prisoners may be used
3 for work performed under this appropriation.

4 FEDERAL PRISON INDUSTRIES, INCORPORATED

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

15 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
16 PRISON INDUSTRIES, INCORPORATED

17 Not to exceed \$3,365,000 of the funds of the corpora-
18 tion shall be available for its administrative expenses, and
19 for services as authorized by 5 U.S.C. 3109, to be com-
20 puted on an accrual basis to be determined in accordance
21 with the corporation's current prescribed accounting sys-
22 tem, and such amounts shall be exclusive of depreciation,
23 payment of claims, and expenditures which such account-
24 ing system requires to be capitalized or charged to cost
25 of commodities acquired or produced, including selling and
26 shipping expenses, and expenses in connection with acqui-

1 sition, construction, operation, maintenance, improvement,
 2 protection, or disposition of facilities and other property
 3 belonging to the corporation or in which it has an interest.

4 OFFICE ON VIOLENCE AGAINST WOMEN

5 VIOLENCE AGAINST WOMEN PREVENTION AND

6 PROSECUTION PROGRAMS

7 For grants, contracts, cooperative agreements, and
 8 other assistance for the prevention and prosecution of vio-
 9 lence against women as authorized by the Omnibus Crime
 10 Control and Safe Streets Act of 1968 (“the 1968 Act”);
 11 the Violent Crime Control and Law Enforcement Act of
 12 1994 (Public Law 103–322) (“the 1994 Act”); the Vie-
 13 tims of Child Abuse Act of 1990 (“the 1990 Act”); the
 14 Prosecutorial Remedies and Other Tools to End the Ex-
 15 ploitation of Children Today Act of 2003 (Public Law
 16 108–21); the Juvenile Justice and Delinquency Prevention
 17 Act of 1974 (“the 1974 Act”); and the Victims of Traf-
 18 ficking and Violence Protection Act of 2000 (Public Law
 19 106–386); \$387,497,000 (increased by \$2,000,000), in-
 20 cluding amounts for administrative costs, to remain avail-
 21 able until expended: *Provided*, That except as otherwise
 22 provided by law, not to exceed three percent of funds made
 23 available under this heading may be used for expenses re-
 24 lated to evaluation, training and technical assistance: *Pro-*
 25 *vided further*, That of the amount provided—

1 (1) \$11,897,000 for the court-appointed special
2 advocate program, as authorized by section 217 of
3 the 1990 Act;

4 (2) \$1,925,000 (increased by \$2,000,000) for
5 child abuse training programs for judicial personnel
6 and practitioners, as authorized by section 222 of
7 the 1990 Act;

8 (3) \$983,000 for grants for televised testimony,
9 as authorized by Part N of the 1968 Act;

10 (4) \$187,308,000 for grants to combat violence
11 against women, as authorized by part T of the 1968
12 Act, of which—

13 (A) \$5,000,000 shall be for the National
14 Institute of Justice for research and evaluation
15 of violence against women;

16 (B) \$10,000,000 shall be for the Office of
17 Juvenile Justice and Delinquency Prevention
18 for the Safe Start Program, as authorized by
19 the 1974 Act; and

20 (C) \$15,000,000 shall be for transitional
21 housing assistance grants for victims of domes-
22 tic violence, stalking or sexual assault as au-
23 thorized by Public Law 108–21;

24 (5) \$63,491,000 for grants to encourage arrest
25 policies as authorized by part U of the 1968 Act;

1 (6) ~~\$39,685,000~~ for rural domestic violence and
2 child abuse enforcement assistance grants, as au-
3 thorized by section ~~40295(a)~~ of the 1994 Act;

4 (7) ~~\$4,415,000~~ for training programs as au-
5 thorized by section ~~40152~~ of the 1994 Act, and for
6 related local demonstration projects;

7 (8) ~~\$2,950,000~~ for grants to improve the stalk-
8 ing and domestic violence databases, as authorized
9 by section ~~40602~~ of the 1994 Act;

10 (9) ~~\$9,175,000~~ to reduce violent crimes against
11 women on campus, as authorized by section ~~1108(a)~~
12 of Public Law ~~106-386~~;

13 (10) ~~\$39,740,000~~ for legal assistance for vic-
14 tims, as authorized by section ~~1201(e)~~ of Public Law
15 ~~106-386~~;

16 (11) ~~\$4,600,000~~ for enhancing protection for
17 older and disabled women from domestic violence
18 and sexual assault, as authorized by section ~~40802~~
19 of the 1994 Act;

20 (12) ~~\$14,078,000~~ for the safe havens for chil-
21 dren pilot program, as authorized by section ~~1301(a)~~
22 of Public Law ~~106-386~~; and

23 (13) ~~\$7,250,000~~ for education and training to
24 end violence against and abuse of women with dis-

1 abilities, as authorized by section 1402(a) of Public
 2 Law 106–386.

3 OFFICE OF JUSTICE PROGRAMS

4 JUSTICE ASSISTANCE

5 For grants, contracts, cooperative agreements, and
 6 other assistance authorized by title I of the Omnibus
 7 Crime Control and Safe Streets Act of 1968, the Missing
 8 Children’s Assistance Act, including salaries and expenses
 9 in connection therewith, the Prosecutorial Remedies and
 10 Other Tools to end the Exploitation of Children Today Act
 11 of 2003 (Public Law 108–21), and the Victims of Crime
 12 Act of 1984, \$227,466,000, to remain available until ex-
 13 pended.

14 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

15 For grants, contracts, cooperative agreements, and
 16 other assistance authorized by the Violent Crime Control
 17 and Law Enforcement Act of 1994 (Public Law 103–322)
 18 (“the 1994 Act”); the Omnibus Crime Control and Safe
 19 Streets Act of 1968 (“the 1968 Act”); and the Victims
 20 of Trafficking and Violence Protection Act of 2000 (Public
 21 Law 106–386); and other programs, \$1,001,296,000 (re-
 22 duced by \$4,000,000) (increased by \$50,000,000) (in-
 23 creased by \$21,947,600) (including amounts for adminis-
 24 trative costs, which shall be transferred to and merged
 25 with the “Justice Assistance” account): *Provided*, That

1 funding provided under this heading shall remain available
2 until expended, as follows—

3 ~~(1) \$348,466,000 (reduced by \$4,000,000) (in-~~
4 ~~creased by \$21,947,600) for the Edward Byrne Me-~~
5 ~~memorial Justice Assistance Grant program pursuant~~
6 ~~to the amendments made by section 201 of H.R.~~
7 ~~3036 of the 108th Congress, as passed by the House~~
8 ~~of Representatives on March 30, 2004 (except that~~
9 ~~the special rules for Puerto Rico established pursu-~~
10 ~~ant to such amendments shall not apply for purposes~~
11 ~~of this Act), of which—~~

12 ~~(A) \$10,000,000 is for the National Insti-~~
13 ~~tute of Justice in assisting units of local gov-~~
14 ~~ernment to identify, select, develop, modernize,~~
15 ~~and purchase new technologies for use by law~~
16 ~~enforcement; and~~

17 ~~(B) \$85,000,000 for Boys and Girls Clubs~~
18 ~~in public housing facilities and other areas in~~
19 ~~cooperation with State and local law enforce-~~
20 ~~ment, as authorized by section 401 of Public~~
21 ~~Law 104-294 (42 U.S.C. 13751 note);~~

22 ~~(2) \$355,000,000 (increased by \$50,000,000)~~
23 ~~for the State Criminal Alien Assistance Program, as~~
24 ~~authorized by section 242(j) of the Immigration and~~
25 ~~Nationality Act;~~

1 ~~(3)~~ \$30,000,000 for the Southwest Border
2 Prosecutor Initiative to reimburse State, county,
3 parish, tribal, or municipal governments only for
4 costs associated with the prosecution of criminal
5 cases declined by local United States Attorneys of-
6 fices;

7 ~~(4)~~ \$110,000,000 for discretionary grants au-
8 thorized by subpart 2 of part E, of title I of the
9 1968 Act, notwithstanding the provisions of section
10 ~~511~~ of said Act;

11 ~~(5)~~ \$10,000,000 for victim services programs
12 for victims of trafficking, as authorized by section
13 ~~107(b)(2)~~ of Public Law ~~106-386~~;

14 ~~(6)~~ \$871,000 for the Missing Alzheimer's Dis-
15 ease Patient Alert Program, as authorized by section
16 ~~240001(c)~~ of the 1994 Act;

17 ~~(7)~~ \$40,000,000 for Drug Courts, as authorized
18 by Part ~~EE~~ of the 1968 Act;

19 ~~(8)~~ \$10,000,000 for a prescription drug moni-
20 toring program;

21 ~~(9)~~ \$40,000,000 for prison rape prevention and
22 prosecution programs, as authorized by the Prison
23 Rape Elimination Act of 2003 (Public Law ~~108-79~~),
24 of which \$2,175,000 shall be transferred to the Na-

1 tional Prison Rape Elimination Commission for au-
 2 thorized activities;

3 ~~(10) \$25,000,000 for grants for residential sub-~~
 4 ~~stance abuse treatment for State prisoners, as au-~~
 5 ~~thorized by part S of the 1968 Act;~~

6 ~~(11) \$10,359,000 for a program to improve~~
 7 ~~State and local law enforcement intelligence capabili-~~
 8 ~~ties including antiterrorism training and training to~~
 9 ~~ensure that constitutional rights, civil liberties, civil~~
 10 ~~rights, and privacy interests are protected through-~~
 11 ~~out the intelligence process;~~

12 ~~(12) \$10,000,000 for a capital litigation im-~~
 13 ~~provement grant program; and~~

14 ~~(13) \$11,600,000 for a cannabis eradication~~
 15 ~~program to be administered by the Drug Enforce-~~
 16 ~~ment Administration.~~

17 *Provided, That, if a unit of local government uses any of*
 18 *the funds made available under this title to increase the*
 19 *number of law enforcement officers, the unit of local gov-*
 20 *ernment will achieve a net gain in the number of law en-*
 21 *forcement officers who perform nonadministrative public*
 22 *safety service.*

23 WEED AND SEED PROGRAM FUND

24 For necessary expenses, including salaries and re-
 25 lated expenses of the Executive Office for Weed and Seed,
 26 to implement “Weed and Seed” program activities;

1 \$50,000,000, to remain available until September 30,
2 2007, for inter-governmental agreements, including
3 grants, cooperative agreements, and contracts, with State
4 and local law enforcement agencies, non-profit organiza-
5 tions, and agencies of local government engaged in the in-
6 vestigation and prosecution of violent and gang-related
7 crimes and drug offenses in “Weed and Seed” designated
8 communities, and for either reimbursements or transfers
9 to appropriation accounts of the Department of Justice
10 and other Federal agencies which shall be specified by the
11 Attorney General to execute the “Weed and Seed” pro-
12 gram strategy: *Provided*, That funds designated by Con-
13 gress through language for other Department of Justice
14 appropriation accounts for “Weed and Seed” program ac-
15 tivities shall be managed and executed by the Attorney
16 General through the Executive Office for Weed and Seed:
17 *Provided further*, That the Attorney General may direct
18 the use of other Department of Justice funds and per-
19 sonnel in support of “Weed and Seed” program activities
20 only after the Attorney General notifies the Committees
21 on Appropriations of the House of Representatives and the
22 Senate in accordance with section 605 of this Act: *Pro-*
23 *vided further*, That of the funds appropriated for the Exec-
24 utive Office for Weed and Seed, not to exceed \$2,000,000

1 shall be directed for comprehensive community develop-
 2 ment training and technical assistance.

3 COMMUNITY ORIENTED POLICING SERVICES

4 For activities authorized by the Violent Crime Con-
 5 trol and Law Enforcement Act of 1994 (Public Law 103-
 6 322) (including administrative costs), \$520,057,000 (in-
 7 creased by \$2,500,000) (increased by \$10,000,000) (in-
 8 creased by \$34,000,000), to remain available until ex-
 9 pended: *Provided*, That of the funds under this heading,
 10 not to exceed \$2,575,000 shall be available for the Office
 11 of Justice Programs for reimbursable services associated
 12 with programs administered by the Community Oriented
 13 Policing Services Office: *Provided further*, That section
 14 1703(b) and (c) of the Omnibus Crime Control and Safe
 15 Streets Act of 1968 (“the 1968 Act”) shall not apply to
 16 non-hiring grants made pursuant to part Q of title I there-
 17 of (42 U.S.C. 3796dd et seq.): *Provided further*, That up
 18 to \$29,000,000 of balances made available as a result of
 19 prior year deobligations may be obligated for program
 20 management and administration: *Provided further*, That
 21 any balances made available as a result of prior year
 22 deobligations in excess of \$29,000,000 shall only be obli-
 23 gated in accordance with section 605 of this Act. Of the
 24 amounts provided—

25 (1) \$30,000,000 is for the matching grant pro-
 26 gram for law enforcement armor vests as authorized

1 by section 2501 of part Y of the 1968 Act, of which
 2 not to exceed \$3,000,000 shall be for the National
 3 Institute of Justice to test and evaluate vests;

4 (2) \$60,000,000 (increased by \$34,000,000) is
 5 for policing initiatives to combat methamphetamine
 6 production and trafficking and to enhance policing
 7 initiatives in “drug hot spots”;

8 (3) \$120,000,000 is for a law enforcement tech-
 9 nologies and interoperable communications program;

10 (4) \$25,000,000 (increased by \$2,500,000) is
 11 for grants to upgrade criminal records, as authorized
 12 under the Crime Identification Technology Act of
 13 1998 (42 U.S.C. 14601);

14 (5) \$10,000,000 is for an offender re-entry pro-
 15 gram;

16 (6) \$177,057,000 is for a DNA analysis and
 17 capacity enhancement program, and for other State,
 18 local and Federal forensic activities;

19 (7) \$38,000,000 is for law enforcement assist-
 20 ance to Indian tribes; and

21 (8) \$60,000,000 for a national program to re-
 22 duce gang violence.

23 JUVENILE JUSTICE PROGRAMS

24 For grants, contracts, cooperative agreements, and
 25 other assistance authorized by the Juvenile Justice and
 26 Delinquency Prevention Act of 1974 (“the Act”), and

1 other juvenile justice programs, including salaries and ex-
2 penses in connection therewith to be transferred to and
3 merged with the appropriations for Justice Assistance,
4 \$333,712,000, to remain available until expended, as fol-
5 lows—

6 (1) \$712,000 for concentration of Federal ef-
7 forts, as authorized by section 204 of the Act;

8 (2) \$83,000,000 for State and local programs
9 authorized by section 221 of the Act, including
10 training and technical assistance to assist small,
11 non-profit organizations with the Federal grants
12 process;

13 (3) \$70,000,000 for demonstration projects, as
14 authorized by sections 261 and 262 of the Act;

15 (4) \$5,000,000 for juvenile mentoring pro-
16 grams;

17 (5) \$80,000,000 for delinquency prevention, as
18 authorized by section 505 of the Act, of which—

19 (A) \$10,000,000 shall be for the Tribal
20 Youth Program;

21 (B) \$25,000,000 shall be for a gang resist-
22 ance education and training program; and

23 (C) \$25,000,000 shall be for grants of
24 \$360,000 to each State and \$6,640,000 shall be
25 available for discretionary grants to States, for

1 programs and activities to enforce State laws
 2 prohibiting the sale of alcoholic beverages to
 3 minors or the purchase or consumption of alco-
 4 holic beverages by minors; prevention and re-
 5 duction of consumption of alcoholic beverages
 6 by minors; and for technical assistance and
 7 training;

8 (6) \$5,000,000 for Project Childsafe;

9 (7) \$15,000,000 for the Secure Our Schools
 10 Act as authorized by Public Law 106-386;

11 (8) \$15,000,000 for programs authorized by
 12 the Victims of Child Abuse Act of 1990; and

13 (9) \$60,000,000 for the Juvenile Accountability
 14 Block Grants program as authorized by Public Law
 15 107-273 and Guam shall be considered a State:

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

24 PUBLIC SAFETY OFFICERS BENEFITS

25 To remain available until expended, for payments au-
 26 thorized by part L of title I of the Omnibus Crime Control

1 and Safe Streets Act of 1968 (42 U.S.C. 3796), such sums
 2 as are necessary, as authorized by section 6093 of Public
 3 Law 100-690 (102 Stat. 4339-4340); and \$4,884,000, to
 4 remain available until expended for payments as author-
 5 ized by section 1201(b) of said Act; and \$4,064,000 for
 6 educational assistance, as authorized by section 1212 of
 7 the 1968 Act.

8 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

9 SEC. 101. In addition to amounts otherwise made
 10 available in this title for official reception and representa-
 11 tion expenses, a total of not to exceed \$60,000 from funds
 12 appropriated to the Department of Justice in this title
 13 shall be available to the Attorney General for official re-
 14 ception and representation expenses.

15 SEC. 102. None of the funds appropriated by this
 16 title shall be available to pay for an abortion, except where
 17 the life of the mother would be endangered if the fetus
 18 were carried to term, or in the case of rape: *Provided*,
 19 That should this prohibition be declared unconstitutional
 20 by a court of competent jurisdiction, this section shall be
 21 null and void.

22 SEC. 103. None of the funds appropriated under this
 23 title shall be used to require any person to perform, or
 24 facilitate in any way the performance of, any abortion.

1 ~~SEC. 104.~~ Nothing in the preceding section shall re-
2 move the obligation of the Director of the Bureau of Pris-
3 ons to provide escort services necessary for a female in-
4 mate to receive such service outside the Federal facility:
5 *Provided,* That nothing in this section in any way dimin-
6 ishes the effect of section ~~103~~ intended to address the phil-
7 osophical beliefs of individual employees of the Bureau of
8 Prisons.

9 ~~SEC. 105.~~ Not to exceed ~~5~~ percent of any appropria-
10 tion made available for the current fiscal year for the De-
11 partment of Justice in this Act may be transferred be-
12 tween such appropriations; but no such appropriation, ex-
13 cept as otherwise specifically provided, shall be increased
14 by more than 10 percent by any such transfers: *Provided,*
15 That any transfer pursuant to this section shall be treated
16 as a reprogramming of funds under section ~~605~~ of this
17 Act and shall not be available for obligation except in com-
18 pliance with the procedures set forth in that section.

19 ~~SEC. 106.~~ The Attorney General is authorized to ex-
20 tend through September 30, 2007, the Personnel Manage-
21 ment Demonstration Project transferred to the Attorney
22 General pursuant to section ~~1115~~ of the Homeland Secu-
23 rity Act of 2002, Public Law 107–296 (6 U.S.C. 533)
24 without limitation on the number of employees or the posi-
25 tions covered.

1 SEC. 107. None of the funds made available in this
2 Act may be used by the Drug Enforcement Administration
3 to establish a procurement quota following the approval
4 of a new drug application or an abbreviated new drug ap-
5 plication for a controlled substance.

6 SEC. 108. The limitation established in the preceding
7 section shall not apply to any new drug application or ab-
8 breviated new drug application for which the Drug En-
9 forcement Administration has reviewed and provided pub-
10 lic comments on labeling, promotion, risk management
11 plans, and any other documents.

12 SEC. 109. Notwithstanding any other provision of
13 law, Public Law 102-395 section 102(b) shall extend to
14 the Bureau of Alcohol, Tobacco, Firearms and Explosives
15 in the conduct of undercover investigative operations and
16 shall apply without fiscal year limitation with respect to
17 any undercover investigative operation initiated by the Bu-
18 reau of Alcohol, Tobacco, Firearms and Explosives that
19 is necessary for the detection and prosecution of crimes
20 against the United States.

21 SEC. 110. Any funds provided in this Act under “De-
22 partment of Justice” used to implement E-Government
23 Initiatives shall be subject to the procedures set forth in
24 section 605 of this Act.

1 ~~SEC. 111.~~ None of the funds made available to the
2 Department of Justice in this Act may be used for the
3 purpose of transporting an individual who is a prisoner
4 pursuant to conviction for crime under State or Federal
5 law and is classified as a maximum or high security pris-
6 oner, other than to a prison or other facility certified by
7 the Federal Bureau of Prisons as appropriately secure for
8 housing such a prisoner.

9 ~~SEC. 112.~~ (a) None of the funds appropriated by this
10 Act may be used by Federal prisons to purchase cable tele-
11 vision services, to rent or purchase videocassettes, video-
12 cassette recorders, or other audiovisual or electronic equip-
13 ment used primarily for recreational purposes.

14 ~~(b)~~ The preceding sentence does not preclude the
15 renting, maintenance, or purchase of audiovisual or elec-
16 tronic equipment for inmate training, religious, or edu-
17 cational programs.

18 This title may be cited as the “Department of Justice
19 Appropriations Act, 2006”.

1 ~~TITLE H—DEPARTMENT OF COMMERCE AND~~
2 ~~RELATED AGENCIES~~

3 ~~TRADE AND INFRASTRUCTURE DEVELOPMENT~~

4 ~~RELATED AGENCIES~~

5 ~~OFFICE OF THE UNITED STATES TRADE~~

6 ~~REPRESENTATIVE~~

7 ~~SALARIES AND EXPENSES~~

8 ~~For necessary expenses of the Office of the United~~
9 ~~States Trade Representative, including the hire of pas-~~
10 ~~senger motor vehicles and the employment of experts and~~
11 ~~consultants as authorized by 5 U.S.C. 3109, \$44,779,000,~~
12 ~~of which \$1,000,000 shall remain available until expended:~~
13 ~~*Provided,* That not to exceed \$124,000 shall be available~~
14 ~~for official reception and representation expenses: *Pro-*~~
15 ~~*vided further,* That not less than \$2,000,000 provided~~
16 ~~under this heading shall be for expenses authorized by 19~~
17 ~~U.S.C. 2451 and 1677b(e).~~

18 ~~INTERNATIONAL TRADE COMMISSION~~

19 ~~SALARIES AND EXPENSES~~

20 ~~For necessary expenses of the International Trade~~
21 ~~Commission, including hire of passenger motor vehicles,~~
22 ~~and services as authorized by 5 U.S.C. 3109, and not to~~
23 ~~exceed \$2,500 for official reception and representation ex-~~
24 ~~penses, \$62,752,000, to remain available until expended.~~

1 DEPARTMENT OF COMMERCE

2 INTERNATIONAL TRADE ADMINISTRATION

3 OPERATIONS AND ADMINISTRATION

4 For necessary expenses for international trade activi-
5 ties of the Department of Commerce provided for by law,
6 and for engaging in trade promotional activities abroad,
7 including expenses of grants and cooperative agreements
8 for the purpose of promoting exports of United States
9 firms, without regard to 44 U.S.C. 3702 and 3703; full
10 medical coverage for dependent members of immediate
11 families of employees stationed overseas and employees
12 temporarily posted overseas; travel and transportation of
13 employees of the United States and Foreign Commercial
14 Service between two points abroad, without regard to 49
15 U.S.C. 40118; employment of Americans and aliens by
16 contract for services; rental of space abroad for periods
17 not exceeding 10 years; and expenses of alteration, repair,
18 or improvement; purchase or construction of temporary
19 demountable exhibition structures for use abroad; pay-
20 ment of tort claims, in the manner authorized in the first
21 paragraph of 28 U.S.C. 2672 when such claims arise in
22 foreign countries; not to exceed \$327,000 for official rep-
23 resentation expenses abroad; purchase of passenger motor
24 vehicles for official use abroad, not to exceed \$45,000 per
25 vehicle; obtaining insurance on official motor vehicles; and

1 rental of tie lines, \$406,925,000, of which \$13,000,000
 2 is to be derived from fees to be retained and used by the
 3 International Trade Administration, notwithstanding 31
 4 U.S.C. 3302: *Provided*, That \$47,434,000 shall be for
 5 Manufacturing and Services; \$39,815,000 shall be for
 6 Market Access and Compliance; \$62,134,000 shall be for
 7 the Import Administration of which not less than
 8 \$3,000,000 is for the Office of China Compliance;
 9 \$231,722,000 shall be for the United States and Foreign
 10 Commercial Service; and \$25,820,000 shall be for Execu-
 11 tive Direction and Administration: *Provided further*, That
 12 the provisions of the first sentence of section 105(f) and
 13 all of section 108(c) of the Mutual Educational and Cul-
 14 tural Exchange Act of 1961 (22 U.S.C. 2455(f) and
 15 2458(c)) shall apply in carrying out these activities with-
 16 out regard to section 5412 of the Omnibus Trade and
 17 Competitiveness Act of 1988 (15 U.S.C. 4912); and that
 18 for the purpose of this Act, contributions under the provi-
 19 sions of the Mutual Educational and Cultural Exchange
 20 Act of 1961 shall include payment for assessments for
 21 services provided as part of these activities.

22 BUREAU OF INDUSTRY AND SECURITY

23 OPERATIONS AND ADMINISTRATION

24 For necessary expenses for export administration and
 25 national security activities of the Department of Com-

1 merce, including costs associated with the performance of
2 export administration field activities both domestically and
3 abroad; full medical coverage for dependent members of
4 immediate families of employees stationed overseas; em-
5 ployment of Americans and aliens by contract for services
6 abroad; payment of tort claims, in the manner authorized
7 in the first paragraph of 28 U.S.C. 2672 when such claims
8 arise in foreign countries; not to exceed \$15,000 for offi-
9 cial representation expenses abroad; awards of compensa-
10 tion to informers under the Export Administration Act of
11 1979; and as authorized by 22 U.S.C. 401(b); and pur-
12 chase of passenger motor vehicles for official use and
13 motor vehicles for law enforcement use with special re-
14 quirement vehicles eligible for purchase without regard to
15 any price limitation otherwise established by law;
16 \$77,000,000, to remain available until expended, of which
17 \$14,767,000 shall be for inspections and other activities
18 related to national security: *Provided*, That the provisions
19 of the first sentence of section 105(f) and all of section
20 108(e) of the Mutual Educational and Cultural Exchange
21 Act of 1961 (~~22 U.S.C. 2455(f) and 2458(e)~~) shall apply
22 in carrying out these activities: *Provided further*, That
23 payments and contributions collected and accepted for ma-
24 terials or services provided as part of such activities may
25 be retained for use in covering the cost of such activities;

1 and for providing information to the public with respect
 2 to the export administration and national security activi-
 3 ties of the Department of Commerce and other export con-
 4 trol programs of the United States and other govern-
 5 ments.

6 ECONOMIC DEVELOPMENT ADMINISTRATION

7 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

8 For grants for economic development assistance as
 9 provided by the Public Works and Economic Development
 10 Act of 1965, and for trade adjustment assistance,
 11 \$200,985,000, to remain available until expended.

12 SALARIES AND EXPENSES

13 For necessary expenses of administering the eco-
 14 nomic development assistance programs as provided for by
 15 law, \$26,584,000: *Provided*, That these funds may be used
 16 to monitor projects approved pursuant to title I of the
 17 Public Works Employment Act of 1976, title II of the
 18 Trade Act of 1974, and the Community Emergency
 19 Drought Relief Act of 1977.

20 MINORITY BUSINESS DEVELOPMENT AGENCY

21 MINORITY BUSINESS DEVELOPMENT

22 For necessary expenses of the Department of Com-
 23 merce in fostering, promoting, and developing minority
 24 business enterprise, including expenses of grants, con-
 25 tracts, and other agreements with public or private organi-
 26 zations, \$30,024,000.

1 ECONOMIC AND INFORMATION INFRASTRUCTURE

2 ECONOMIC AND STATISTICAL ANALYSIS

3 SALARIES AND EXPENSES

4 For necessary expenses, as authorized by law, of eco-
5 nomic and statistical analysis programs of the Department
6 of Commerce, \$80,304,000, to remain available until Sep-
7 tember 30, 2007.

8 BUREAU OF THE CENSUS

9 SALARIES AND EXPENSES

10 For expenses necessary for collecting, compiling, ana-
11 lyzing, preparing, and publishing statistics, provided for
12 by law, \$208,029,000 (reduced by \$10,000,000).

13 PERIODIC CENSUSES AND PROGRAMS

14 For necessary expenses related to the 2010 decennial
15 census, \$463,596,000 (reduced by \$10,000,000), to re-
16 main available until September 30, 2007: *Provided*, That
17 of the total amount available related to the 2010 decennial
18 census, \$213,849,000 (reduced by \$10,000,000) is for the
19 Re-engineered Design Process for the Short-Form Only
20 Census, \$169,948,000 is for the American Community
21 Survey, and \$79,799,000 is for the Master Address File/
22 Topologically Integrated Geographic Encoding and Ref-
23 erencing (MAF/TIGER) system.

24 In addition, for expenses to collect and publish statis-
25 tics for other periodic censuses and programs provided for
26 by law, \$160,612,000, to remain available until September

1 30, 2007, of which \$72,928,000 is for economic statistics
 2 programs and \$87,684,000 is for demographic statistics
 3 programs: *Provided*, That regarding construction of a fa-
 4 cility at the Suitland Federal Center, quarterly reports re-
 5 garding the expenditure of funds and project planning, de-
 6 sign and cost decisions shall be provided by the Bureau,
 7 in cooperation with the General Services Administration,
 8 to the Committees on Appropriations of the Senate and
 9 the House of Representatives: *Provided further*, That none
 10 of the funds provided in this or any other Act under the
 11 heading “Bureau of the Census, Periodic Censuses and
 12 Programs” shall be used to fund the construction and ten-
 13 ant build-out costs of a facility at the Suitland Federal
 14 Center: *Provided further*, That none of the funds provided
 15 in this or any other Act for any fiscal year may be used
 16 for the collection of Census data on race identification that
 17 does not include “some other race” as a category.

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), \$17,716,000: *Provided*, That, not-
 24 withstanding 31 U.S.C. 1535(d), the Secretary of Com-
 25 merce shall charge Federal agencies for costs incurred in

1 spectrum management, analysis, and operations, and re-
 2 lated services and such fees shall be retained and used
 3 as offsetting collections for costs of such spectrum serv-
 4 ices, to remain available until expended: *Provided further,*
 5 That the Secretary of Commerce is authorized to retain
 6 and use as offsetting collections all funds transferred, or
 7 previously transferred, from other Government agencies
 8 for all costs incurred in telecommunications research, en-
 9 gineering, and related activities by the Institute for Tele-
 10 communication Sciences of NTIA, in furtherance of its as-
 11 signed functions under this paragraph, and such funds re-
 12 ceived from other Government agencies shall remain avail-
 13 able until expended.

14 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
 15 AND CONSTRUCTION

16 For the administration of the program as authorized
 17 by section 392 of the Communications Act of 1934,
 18 \$2,000,000, to remain available until expended as author-
 19 ized by section 391 of the Act.

20 UNITED STATES PATENT AND TRADEMARK OFFICE
 21 SALARIES AND EXPENSES

22 For necessary expenses of the United States Patent
 23 and Trademark Office provided for by law, including de-
 24 fense of suits instituted against the Under Secretary of
 25 Commerce for Intellectual Property and Director of the
 26 United States Patent and Trademark Office,

1 ~~\$1,703,300,000,~~ to remain available until expended: *Pro-*
2 *vided,* That the sum herein appropriated from the general
3 fund shall be reduced as offsetting collections assessed and
4 collected pursuant to ~~15 U.S.C. 1113~~ and ~~35 U.S.C. 41~~
5 ~~and 376~~ are received during fiscal year 2006, so as to re-
6 sult in a fiscal year 2006 appropriation from the general
7 fund estimated at \$0: *Provided further,* That during fiscal
8 year 2006, should the total amount of offsetting fee collec-
9 tions be less than ~~\$1,703,300,000,~~ this amount shall be
10 reduced accordingly: *Provided further,* That not less than
11 ~~657~~ full-time equivalents, ~~690~~ positions and ~~\$85,017,000~~
12 shall be for the examination of trademark applications;
13 and not less than ~~6,050~~ full-time equivalents, ~~6,304~~ posi-
14 tions and ~~\$926,356,000~~ shall be for the examination and
15 searching of patent applications: *Provided further,* That
16 not more than ~~265~~ full-time equivalents, ~~272~~ positions and
17 ~~\$37,490,000~~ shall be for the Office of the General Coun-
18 sel: *Provided further,* That not more than ~~82~~ full-time
19 equivalents, ~~82~~ positions and ~~\$25,393,000~~ shall be for the
20 Office of the Administrator for External Affairs: *Provided*
21 *further,* That from amounts provided herein, not to exceed
22 ~~\$1,000~~ shall be made available in fiscal year 2006 for offi-
23 cial reception and representation expenses: *Provided fur-*
24 *ther,* That notwithstanding section ~~1353~~ of title ~~31,~~
25 United States Code, no employee of the United States

1 Patent and Trademark Office may accept payment or re-
2 imbursement from a non-Federal entity for travel, subsist-
3 ence, or related expenses for the purpose of enabling an
4 employee to attend and participate in a convention, con-
5 ference, or meeting when the entity offering payment or
6 reimbursement is a person or corporation subject to regu-
7 lation by the Office, or represents a person or corporation
8 subject to regulation by the Office, unless the person or
9 corporation is an organization exempt from taxation pur-
10 suant to section 501(c)(3) of the Internal Revenue Code
11 of 1986: *Provided further*, That in fiscal year 2006, from
12 the amounts made available for “Salaries and Expenses”
13 for the United States Patent and Trademark Office
14 (PTO), the amounts necessary to pay: (1) the difference
15 between the percentage of basic pay contributed by the
16 PTO and employees under section 8334(a) of title 5,
17 United States Code, and the normal cost percentage (as
18 defined by section 8331(17) of that title) of basic pay, of
19 employees subject to subchapter III of chapter 83 of that
20 title; and (2) the present value of the otherwise unfunded
21 accruing costs, as determined by the Office of Personnel
22 Management, of post-retirement life insurance and post-
23 retirement health benefits coverage for all PTO employees,
24 shall be transferred to the Civil Service Retirement and
25 Disability Fund, the Employees Life Insurance Fund, and

1 the Employees Health Benefits Fund, as appropriate, and
 2 shall be available for the authorized purposes of those ac-
 3 counts.

4 SCIENCE AND TECHNOLOGY

5 TECHNOLOGY ADMINISTRATION

6 SALARIES AND EXPENSES

7 For necessary expenses for the Under Secretary for
 8 Technology Office of Technology Policy, \$6,460,000.

9 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

10 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

11 For necessary expenses of the National Institute of
 12 Standards and Technology, \$397,744,000, to remain
 13 available until expended, of which not to exceed \$760,000
 14 may be transferred to the “Working Capital Fund”.

15 MANUFACTURING EXTENSION PARTNERSHIPS

16 For necessary expenses of Manufacturing Extension
 17 Partnerships of the National Institute of Standards and
 18 Technology, \$106,000,000, to remain available until ex-
 19 pended.

20 CONSTRUCTION OF RESEARCH FACILITIES

21 For construction of new research facilities, including
 22 architectural and engineering design, and for renovation
 23 and maintenance of existing facilities, not otherwise pro-
 24 vided for the National Institute of Standards and Tech-
 25 nology, as authorized by 15 U.S.C. 278e-278e,
 26 \$45,000,000, to remain available until expended.

1 NATIONAL OCEANIC AND ATMOSPHERIC
2 ADMINISTRATION
3 OPERATIONS, RESEARCH, AND FACILITIES
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses of activities authorized by law
6 for the National Oceanic and Atmospheric Administration,
7 including maintenance, operation, and hire of aircraft and
8 vessels; grants, contracts, or other payments to nonprofit
9 organizations for the purposes of conducting activities
10 pursuant to cooperative agreements; and relocation of fa-
11 cilities, \$2,444,000,000 (reduced by \$50,000,000), to re-
12 main available until September 30, 2007: *Provided*, That
13 fees and donations received by the National Ocean Service
14 for the management of national marine sanctuaries may
15 be retained and used for the salaries and expenses associ-
16 ated with those activities, notwithstanding 31 U.S.C.
17 3302: *Provided further*, That in addition, \$3,000,000 shall
18 be derived by transfer from the fund entitled “Coastal
19 Zone Management” and in addition \$77,000,000 shall be
20 derived by transfer from the fund entitled “Promote and
21 Develop Fishery Products and Research Pertaining to
22 American Fisheries”: *Provided further*, That of the
23 \$2,543,000,000 (reduced by \$50,000,000) provided for in
24 direct obligations under this heading \$2,444,000,000 (re-
25 duced by \$50,000,000) is appropriated from the General
26 Fund, \$80,000,000 is provided by transfer, and

1 \$19,000,000 is derived from deobligations from prior
2 years: *Provided further*, That no general administrative
3 charge shall be applied against an assigned activity in-
4 cluded in this Act or the report accompanying this Act:
5 *Provided further*, That the total amount available for the
6 National Oceanic and Atmospheric Administration cor-
7 porate services administrative support costs shall not ex-
8 ceed \$189,010,000: *Provided further*, That payments of
9 funds made available under this heading to the Depart-
10 ment of Commerce Working Capital Fund including De-
11 partment of Commerce General Counsel legal services
12 shall not exceed \$40,700,000: *Provided further*, That any
13 deviation from the amounts designated for specific activi-
14 ties in the report accompanying this Act, or any use of
15 deobligated balances of funds provided under this heading
16 in previous years, shall be subject to the procedures set
17 forth in section 605 of this Act.

18 In addition, for necessary retired pay expenses under
19 the Retired Serviceman's Family Protection and Survivor
20 Benefits Plan, and for payments for the medical care of
21 retired personnel and their dependents under the Depend-
22 ents Medical Care Act (10 U.S.C. ch. 55), such sums as
23 may be necessary.

24 PROCUREMENT, ACQUISITION AND CONSTRUCTION

25 For procurement, acquisition and construction of
26 capital assets, including alteration and modification costs,

1 of the National Oceanic and Atmospheric Administration;
2 \$936,000,000 to remain available until September 30,
3 2008: *Provided*, That of the amounts provided for the Na-
4 tional Polar-orbiting Operational Environmental Satellite
5 System, funds shall only be made available on a dollar for
6 dollar matching basis with funds provided for the same
7 purpose by the Department of Defense: *Provided further*,
8 That except to the extent expressly prohibited by any
9 other law, the Department of Defense may delegate pro-
10 curement functions related to the National Polar-orbiting
11 Operational Environmental Satellite System to officials of
12 the Department of Commerce pursuant to section 2311
13 of title 10, United States Code: *Provided further*, That any
14 deviation from the amounts designated for specific activi-
15 ties in the report accompanying this Act, or any use of
16 deobligated balances of funds provided under this heading
17 in previous years, shall be subject to the procedures set
18 forth in section 605 of this Act: *Provided further*, That
19 none of the funds provided in this Act or any other Act
20 under the heading “National Oceanic and Atmospheric
21 Administration, Procurement, Acquisition and Construe-
22 tion” shall be used to fund the General Services Adminis-
23 tration’s standard construction and tenant build-out costs
24 of a facility at the Suitland Federal Center.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, \$50,000,000: *Provided*, That this amount shall be available to fund grants to the States of Washington, Oregon, Idaho, California, and Alaska, and to the Columbia River and Pacific Coastal Tribes for projects necessary for restoration of salmon and steelhead populations that are listed as threatened or endangered, or identified by a State as at-risk to be so-listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least thirty-three percent of the Federal funds: *Provided further*, That, in order to fulfill the matching requirement in the previous proviso, non-Federal contributions of funds pursuant to the previous proviso must be used in direct support of this program.

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed \$3,000,000 shall be transferred to the "Operations, Research, and Facilities" account to offset the costs of implementing such Act.

1 FISHERIES FINANCE PROGRAM ACCOUNT

2 For the costs of direct loans, \$60,000, as authorized
 3 by the Merchant Marine Act of 1936: *Provided*, That such
 4 costs, including the cost of modifying such loans, shall be
 5 as defined in the Federal Credit Reform Act of 1990: *Pro-*
 6 *vided further*, That these funds are only available to sub-
 7 sidize gross obligations for the principal amount of direct
 8 loans not to exceed \$5,000,000 for Individual Fishing
 9 Quota loans, and not to exceed \$18,900,000 for fishing
 10 capacity reduction loans: *Provided further*, That none of
 11 the funds made available under this heading may be used
 12 for direct loans for any new fishing vessel that will in-
 13 crease the harvesting capacity in any United States fish-
 14 ery.

15 OTHER

16 DEPARTMENTAL MANAGEMENT

17 SALARIES AND EXPENSES

18 For expenses necessary for the departmental manage-
 19 ment of the Department of Commerce provided for by law,
 20 including not to exceed \$5,000 for official entertainment,
 21 \$47,466,000: *Provided*, That not to exceed 12 full-time
 22 equivalents and \$1,621,000 shall be expended for the leg-
 23 islative affairs function of the Department.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978 (5 U.S.C. App.), \$22,758,000.

5 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

16 SEC. 202. During the current fiscal year, appropria-
17 tions made available to the Department of Commerce by
18 this Act for salaries and expenses shall be available for
19 hire of passenger motor vehicles as authorized by 31
20 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.
21 3109; and uniforms or allowances therefor, as authorized
22 by law (5 U.S.C. 5901–5902).

23 SEC. 203. Not to exceed 5 percent of any appropria-
24 tion made available for the current fiscal year for the De-
25 partment of Commerce in this Act may be transferred be-

1 tween such appropriations, but no such appropriation shall
2 be increased by more than 10 percent by any such trans-
3 fers: *Provided*, That any transfer pursuant to this section
4 shall be treated as a reprogramming of funds under sec-
5 tion 605 of this Act and shall not be available for obliga-
6 tion or expenditure except in compliance with the proce-
7 dures set forth in that section: *Provided further*, That the
8 Secretary of Commerce shall notify the Committees on Ap-
9 propriations at least 15 days in advance of the acquisition
10 or disposal of any capital asset (including land, structures,
11 and equipment) not specifically provided for in this or any
12 other Departments of Commerce, Justice, and State, the
13 Judiciary, and Related Agencies Appropriations Act.

14 SEC. 204. Any costs incurred by a department or
15 agency funded under this title resulting from personnel
16 actions taken in response to funding reductions included
17 in this title or from actions taken for the care and protec-
18 tion of loan collateral or grant property shall be absorbed
19 within the total budgetary resources available to such de-
20 partment or agency: *Provided*, That the authority to trans-
21 fer funds between appropriations accounts as may be nec-
22 essary to carry out this section is provided in addition to
23 authorities included elsewhere in this Act: *Provided fur-*
24 *ther*, That use of funds to carry out this section shall be
25 treated as a reprogramming of funds under section 605

1 of this Act and shall not be available for obligation or ex-
 2 penditure except in compliance with the procedures set
 3 forth in that section.

4 ~~SEC. 205.~~ Any funds provided in this Act under “De-
 5 partment of Commerce” used to implement E-Government
 6 Initiatives shall be subject to the procedures set forth in
 7 section 605 of this Act.

8 This title may be cited as the “Department of Com-
 9 merce and Related Agencies Appropriations Act, 2006”.

10 TITLE III—SCIENCE

11 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

12 For necessary expenses of the Office of Science and
 13 Technology Policy, in carrying out the purposes of the Na-
 14 tional Science and Technology Policy, Organization, and
 15 Priorities Act of 1976 (42 U.S.C. 6601–6671), hire of
 16 passenger motor vehicles, and services as authorized by
 17 5 U.S.C. 3109, not to exceed \$2,500 for official reception
 18 and representation expenses, and rental of conference
 19 rooms in the District of Columbia, \$5,564,000.

20 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

21 SCIENCE, AERONAUTICS AND EXPLORATION

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses, not otherwise provided for,
 24 in the conduct and support of science, aeronautics and ex-
 25 ploration research and development activities, including
 26 research, development, operations, support and services;

1 maintenance; construction of facilities including repair, re-
2 habilitation, revitalization, and modification of facilities;
3 construction of new facilities and additions to existing fa-
4 cilities; facility planning and design, and restoration, and
5 acquisition or condemnation of real property, as author-
6 ized by law; environmental compliance and restoration;
7 space flight, spacecraft control and communications activi-
8 ties including operations, production, and services; pro-
9 gram management; personnel and related costs, including
10 uniforms or allowances therefor, as authorized by 5 U.S.C.
11 5901–5902; travel expenses; purchase and hire of pas-
12 senger motor vehicles; not to exceed \$35,000 for official
13 reception and representation expenses; and purchase,
14 lease, charter, maintenance and operation of mission and
15 administrative aircraft, \$9,725,750,000, to remain avail-
16 able until September 30, 2007, of which amounts as deter-
17 mined by the Administrator for salaries and benefits;
18 training; travel and awards; facility and related costs; in-
19 formation technology services; science, engineering, fabri-
20 cating and testing services; and other administrative serv-
21 ices may be transferred to “Exploration Capabilities” in
22 accordance with section 312(b) of the National Aero-
23 nautics and Space Act of 1958, as amended by Public Law
24 106–377: *Provided*, That any funds provided under this
25 heading used to implement E-Government Initiatives shall

1 be subject to the procedures set forth in section 605 of
2 this Act.

3 EXPLORATION CAPABILITIES

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses, not otherwise provided for,
6 in the conduct and support of exploration capabilities re-
7 search and development activities, including research, de-
8 velopment, operations, support and services; maintenance;
9 construction of facilities including repair, rehabilitation,
10 revitalization and modification of facilities; construction of
11 new facilities and additions to existing facilities; facility
12 planning and design; and acquisition or condemnation of
13 real property, as authorized by law; environmental compli-
14 ance and restoration; space flight, spacecraft control and
15 communications activities including operations, produc-
16 tion, and services; program management; personnel and
17 related costs, including uniforms or allowances therefor;
18 as authorized by 5 U.S.C. 5901–5902; travel expenses;
19 purchase and hire of passenger motor vehicles; not to ex-
20 ceed \$35,000 for official reception and representation ex-
21 penses; and purchase, lease, charter, maintenance and op-
22 eration of mission and administrative aircraft,
23 \$6,712,900,000, to remain available until September 30,
24 2007, of which amounts as determined by the Adminis-
25 trator for salaries and benefits; training; travel and
26 awards; facility and related costs; information technology

1 services; science, engineering, fabricating and testing serv-
 2 ices; and other administrative services may be transferred
 3 to “Science, Aeronautics and Exploration” in accordance
 4 with section 312(b) of the National Aeronautics and Space
 5 Act of 1958, as amended by Public Law 106-377: *Pro-*
 6 *vided,* That any funds provided under this heading used
 7 to implement E-Government Initiatives shall be subject to
 8 the procedures set forth in section 605 of this Act.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
 11 General in carrying out the Inspector General Act of 1978,
 12 as amended, \$32,400,000.

13 ADMINISTRATIVE PROVISIONS

14 Notwithstanding the limitation on the availability of
 15 funds appropriated for “Science, Aeronautics and Explo-
 16 ration”, or “Exploration Capabilities” by this appropria-
 17 tions Act, when any activity has been initiated by the in-
 18 currence of obligations for construction of facilities or en-
 19 vironmental compliance and restoration activities as au-
 20 thorized by law, such amount available for such activity
 21 shall remain available until expended. This provision does
 22 not apply to the amounts appropriated for institutional
 23 minor revitalization and construction of facilities, and in-
 24 stitutional facility planning and design.

25 Notwithstanding the limitation on the availability of
 26 funds appropriated for “Science, Aeronautics and Explo-

1 ration”, or “Exploration Capabilities” by this appropria-
 2 tions Act, the amounts appropriated for construction of
 3 facilities shall remain available until September 30, 2008.

4 From amounts made available in this Act for these
 5 activities, subject to the operating plan procedures of the
 6 House and Senate Committees on Appropriations, the Ad-
 7 ministrator may transfer amounts between the “Science,
 8 Aeronautics, and Exploration” account and the “Explo-
 9 ration Capabilities” account during fiscal year 2006.

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

13 Funding made available under the headings “Explo-
 14 ration Capabilities” and “Science, Aeronautics, and Ex-
 15 ploration” in this Act shall be governed by the terms and
 16 conditions specified in the statement of managers accom-
 17 panying the conference report for this Act.

18 NATIONAL SCIENCE FOUNDATION

19 RESEARCH AND RELATED ACTIVITIES

20 For necessary expenses in carrying out the National
 21 Science Foundation Act of 1950, as amended (42 U.S.C.
 22 1861–1875), and the Act to establish a National Medal
 23 of Science (42 U.S.C. 1880–1881); services as authorized
 24 by 5 U.S.C. 3109; maintenance and operation of aircraft
 25 and purchase of flight services for research support; acqui-

1 sition of aircraft, \$4,377,520,000 to remain available until
 2 September 30, 2007, of which not to exceed \$425,000,000
 3 shall remain available until expended for Polar research
 4 and operations support, and for reimbursement to other
 5 Federal agencies for operational and science support and
 6 logistical and other related activities for the United States
 7 Antarctic program: *Provided*, That from amounts specified
 8 for Polar research and operations support, the National
 9 Science Foundation may reimburse the Coast Guard for
 10 such sums as determined by the Director of the National
 11 Science Foundation to be necessary to support the Foun-
 12 dation's mission requirements: *Provided further*, That any
 13 reimbursement pursuant to the previous proviso shall be
 14 treated as a reprogramming under section 605 of this Act
 15 and shall not be available for obligation or expenditure ex-
 16 cept in compliance with the procedures set forth in that
 17 section: *Provided further*, That receipts for scientific sup-
 18 port services and materials furnished by the National Re-
 19 search Centers and other National Science Foundation
 20 supported research facilities may be credited to this appro-
 21 priation: *Provided further*, That funds under this heading
 22 may be available for innovation inducement prizes.

23 MAJOR RESEARCH EQUIPMENT AND FACILITIES

24 CONSTRUCTION

25 For necessary expenses for the acquisition, construc-
 26 tion, commissioning, and upgrading of major research

1 equipment, facilities, and other such capital assets pursu-
 2 ant to the National Science Foundation Act of 1950, as
 3 amended, including authorized travel, \$193,350,000, to
 4 remain available until expended.

5 EDUCATION AND HUMAN RESOURCES

6 For necessary expenses in carrying out science and
 7 engineering education and human resources programs and
 8 activities pursuant to the National Science Foundation
 9 Act of 1950, as amended (42 U.S.C. 1861–1875), includ-
 10 ing services as authorized by 5 U.S.C. 3109, and rental
 11 of conference rooms in the District of Columbia,
 12 \$807,000,000, to remain available until September 30,
 13 2007.

14 SALARIES AND EXPENSES

15 For salaries and expenses necessary in carrying out
 16 the National Science Foundation Act of 1950, as amended
 17 (42 U.S.C. 1861–1875); services authorized by 5 U.S.C.
 18 3109; hire of passenger motor vehicles; not to exceed
 19 \$9,000 for official reception and representation expenses;
 20 uniforms or allowances therefor, as authorized by 5 U.S.C.
 21 5901–5902; rental of conference rooms in the District of
 22 Columbia; and reimbursement of the General Services Ad-
 23 ministration for security guard services; \$250,000,000:
 24 *Provided*, That contracts may be entered into under “Sala-
 25 ries and Expenses” in fiscal year 2006 for maintenance

1 and operation of facilities, and for other services, to be
2 provided during the next fiscal year.

3 OFFICE OF THE NATIONAL SCIENCE BOARD

4 For necessary expenses (including payment of sala-
5 ries, authorized travel, hire of passenger motor vehicles,
6 the rental of conference rooms in the District of Columbia,
7 and the employment of experts and consultants under sec-
8 tion 3109 of title 5, United States Code) involved in ear-
9 rying out section 4 of the National Science Foundation
10 Act of 1950 (42 U.S.C. 1863) and Public Law 86-209
11 (42 U.S.C. 1880 et seq.), \$4,000,000: *Provided*, That not
12 more than \$9,000 shall be available for official reception
13 and representation expenses.

14 OFFICE OF INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector
16 General as authorized by the Inspector General Act of
17 1978, as amended, \$11,500,000, to remain available until
18 September 30, 2007.

19 This title may be cited as the “Science Appropria-
20 tions Act, 2006”.

1 TITLE IV—DEPARTMENT OF STATE AND
2 RELATED AGENCY

3 DEPARTMENT OF STATE

4 ADMINISTRATION OF FOREIGN AFFAIRS

5 DIPLOMATIC AND CONSULAR PROGRAMS

6 For necessary expenses of the Department of State
7 and the Foreign Service not otherwise provided for, includ-
8 ing employment, without regard to civil service and classi-
9 fication laws, of persons on a temporary basis (not to ex-
10 ceed \$700,000 of this appropriation), as authorized by
11 section 801 of the United States Information and Edu-
12 cational Exchange Act of 1948; representation to certain
13 international organizations in which the United States
14 participates pursuant to treaties ratified pursuant to the
15 advice and consent of the Senate or specific Acts of Con-
16 gress; arms control, nonproliferation and disarmament ac-
17 tivities as authorized; acquisition by exchange or purchase
18 of passenger motor vehicles as authorized by law; and for
19 expenses of general administration, \$3,747,118,000: *Pro-*
20 *vided,* That not to exceed 71 permanent positions and
21 \$9,804,000 shall be for the Bureau of Legislative Affairs:
22 *Provided further,* That, of the amount made available
23 under this heading, not to exceed \$4,000,000 may be
24 transferred to, and merged with, funds in the “Emer-
25 gencies in the Diplomatic and Consular Service” appro-

1 priations account, to be available only for emergency evac-
2 uations and terrorism rewards: *Provided further*, That, of
3 the amount made available under this heading,
4 \$340,000,000 shall be available only for public diplomacy
5 international information programs: *Provided further*,
6 That of the amount made available under this heading,
7 \$3,000,000 shall be available only for the operations of
8 the Office on Right-Sizing the United States Government
9 Overseas Presence: *Provided further*, That funds available
10 under this heading may be available for a United States
11 Government interagency task force to examine, coordinate
12 and oversee United States participation in the United Na-
13 tions headquarters renovation project: *Provided further*,
14 That no funds may be obligated or expended for proc-
15 essing licenses for the export of satellites of United States
16 origin (including commercial satellites and satellite compo-
17 nents) to the People's Republic of China unless, at least
18 15 days in advance, the Committees on Appropriations of
19 the House of Representatives and the Senate are notified
20 of such proposed action.

21 In addition, not to exceed \$1,469,000 shall be derived
22 from fees collected from other executive agencies for lease
23 or use of facilities located at the International Center in
24 accordance with section 4 of the International Center Act;
25 in addition, as authorized by section 5 of such Act,

1 \$490,000, to be derived from the reserve authorized by
 2 that section, to be used for the purposes set out in that
 3 section; in addition, as authorized by section 810 of the
 4 United States Information and Educational Exchange
 5 Act, not to exceed \$6,000,000, to remain available until
 6 expended, may be credited to this appropriation from fees
 7 or other payments received from English teaching, library,
 8 motion pictures, and publication programs and from fees
 9 from educational advising and counseling and exchange
 10 visitor programs; and, in addition, not to exceed \$15,000,
 11 which shall be derived from reimbursements, surcharges,
 12 and fees for use of Blair House facilities.

13 In addition, for the costs of worldwide security up-
 14 grades, \$689,523,000, to remain available until expended.

15 CAPITAL INVESTMENT FUND

16 For necessary expenses of the Capital Investment
 17 Fund, \$128,263,000 (reduced by \$59,142,000), to remain
 18 available until expended, as authorized: *Provided*, That
 19 section 135(e) of Public Law 103-236 shall not apply to
 20 funds available under this heading.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector
 23 General, \$29,983,000, notwithstanding section 209(a)(1)
 24 of the Foreign Service Act of 1980 (Public Law 96-465),
 25 as it relates to post inspections.

1 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

2 For expenses of educational and cultural exchange
3 programs, as authorized, ~~\$410,400,000~~, to remain avail-
4 able until expended: *Provided*, That not to exceed
5 \$2,000,000, to remain available until expended, may be
6 credited to this appropriation from fees or other payments
7 received from or in connection with English teaching, edu-
8 cational advising and counseling programs, and exchange
9 visitor programs as authorized.

10 REPRESENTATION ALLOWANCES

11 For representation allowances as authorized,
12 ~~\$8,281,000~~.

13 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

14 For expenses, not otherwise provided, to enable the
15 Secretary of State to provide for extraordinary protective
16 services, as authorized, ~~\$9,390,000~~, to remain available
17 until September 30, 2007.

18 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

19 For necessary expenses for carrying out the Foreign
20 Service Buildings Act of 1926 (22 U.S.C. 292–303), pre-
21 serving, maintaining, repairing, and planning for buildings
22 that are owned or directly leased by the Department of
23 State, renovating, in addition to funds otherwise available,
24 the Harry S Truman Building, and carrying out the Dip-
25 lomatic Security Construction Program as authorized,
26 ~~\$603,510,000~~, to remain available until expended as au-

1 thorized, of which not to exceed \$25,000 may be used for
 2 domestic and overseas representation as authorized: *Pro-*
 3 *vided*, That none of the funds appropriated in this para-
 4 graph shall be available for acquisition of furniture, fur-
 5 nishings, or generators for other departments and agen-
 6 eies.

7 In addition, for the costs of worldwide security up-
 8 grades, acquisition, and construction as authorized,
 9 \$910,200,000, to remain available until expended.

10 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
 11 SERVICE

12 For expenses necessary to enable the Secretary of
 13 State to meet unforeseen emergencies arising in the Diplo-
 14 matic and Consular Service, \$10,000,000, to remain avail-
 15 able until expended as authorized, of which not to exceed
 16 \$1,000,000 may be transferred to and merged with the
 17 Repatriation Loans Program Account, subject to the same
 18 terms and conditions.

19 REPATRIATION LOANS PROGRAM ACCOUNT

20 For the cost of direct loans, \$712,000, as authorized:
 21 *Provided*, That such costs, including the cost of modifying
 22 such loans, shall be as defined in section 502 of the Con-
 23 gressional Budget Act of 1974. In addition, for adminis-
 24 trative expenses necessary to carry out the direct loan pro-
 25 gram, \$607,000, which may be transferred to and merged

1 with the Diplomatic and Consular Programs account
 2 under Administration of Foreign Affairs.

3 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

4 For necessary expenses to carry out the Taiwan Rela-
 5 tions Act (Public Law 96-8), \$19,751,000.

6 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND

7 DISABILITY FUND

8 For payment to the Foreign Service Retirement and
 9 Disability Fund, as authorized by law, \$131,700,000.

10 INTERNATIONAL ORGANIZATIONS

11 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

12 For expenses, not otherwise provided for, necessary
 13 to meet annual obligations of membership in international
 14 multilateral organizations, pursuant to treaties ratified
 15 pursuant to the advice and consent of the Senate, conven-
 16 tions or specific Acts of Congress, \$1,166,212,000 (re-
 17 duced by \$21,947,600): *Provided*, That the Secretary of
 18 State shall, at the time of the submission of the Presi-
 19 dent's budget to Congress under section 1105(a) of title
 20 31, United States Code, transmit to the Committees on
 21 Appropriations of the Senate and of the House of Rep-
 22 resentatives the most recent biennial budget prepared by
 23 the United Nations for the operations of the United Na-
 24 tions: *Provided further*, That the Secretary of State shall
 25 notify the Committees on Appropriations at least 15 days
 26 in advance (or in an emergency, as far in advance as is

1 practicable) of any United Nations action to increase
 2 funding for any United Nations program without identi-
 3 fying an offsetting decrease elsewhere in the United Na-
 4 tions budget and cause the United Nations budget for the
 5 biennium 2006–2007 to exceed the revised United Nations
 6 budget level for the biennium 2004–2005 of
 7 \$3,695,480,000: *Provided further*, That any payment of
 8 arrearages under this title shall be directed toward special
 9 activities that are mutually agreed upon by the United
 10 States and the respective international organization: *Pro-*
 11 *vided further*, That none of the funds appropriated in this
 12 paragraph shall be available for a United States contribu-
 13 tion to an international organization for the United States
 14 share of interest costs made known to the United States
 15 Government by such organization for loans incurred on
 16 or after October 1, 1984, through external borrowings.

17 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
 18 ACTIVITIES

19 For necessary expenses to pay assessed and other ex-
 20 penses of international peacekeeping activities directed to
 21 the maintenance or restoration of international peace and
 22 security, \$1,035,500,000, of which 15 percent shall re-
 23 main available until September 30, 2007: *Provided*, That
 24 none of the funds made available under this Act shall be
 25 obligated or expended for any new or expanded United
 26 Nations peacekeeping mission unless, at least 15 days in

1 advance of voting for the new or expanded mission in the
2 United Nations Security Council (or in an emergency as
3 far in advance as is practicable): (1) the Committees on
4 Appropriations of the House of Representatives and the
5 Senate and other appropriate committees of the Congress
6 are notified of the estimated cost and length of the mis-
7 sion, the vital national interest that will be served, and
8 the planned exit strategy; (2) the Committees on Appro-
9 priations of the House of Representatives and the Senate
10 and other appropriate committees of the Congress are no-
11 tified that the United Nations has taken appropriate
12 measures to prevent United Nations employees, contractor
13 personnel, and peacekeeping forces serving in any United
14 Nations peacekeeping mission from trafficking in persons,
15 exploiting victims of trafficking, or committing acts of ille-
16 gal sexual exploitation, and to hold accountable any such
17 individuals who engage in any such acts while partici-
18 pating in the peacekeeping mission; and (3) a reprogram-
19 ming of funds pursuant to section 605 of this Act is sub-
20 mitted, and the procedures therein followed, setting forth
21 the source of funds that will be used to pay for the cost
22 of the new or expanded mission: *Provided further*, That
23 funds shall be available for peacekeeping expenses only
24 upon a certification by the Secretary of State to the appro-
25 priate committees of the Congress that American manu-

1 facturers and suppliers are being given opportunities to
 2 provide equipment, services, and material for United Na-
 3 tions peacekeeping activities equal to those being given to
 4 foreign manufacturers and suppliers: *Provided further,*
 5 That none of the funds made available under this heading
 6 are available to pay the United States share of the cost
 7 of court monitoring that is part of any United Nations
 8 peacekeeping mission.

9 INTERNATIONAL COMMISSIONS

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

13 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

14 UNITED STATES AND MEXICO

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

20 SALARIES AND EXPENSES

21 For salaries and expenses, not otherwise provided for,
 22 \$27,000,000.

23 CONSTRUCTION

24 For detailed plan preparation and construction of au-
 25 thorized projects, \$5,300,000, to remain available until ex-
 26 pended, as authorized.

1 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

2 For necessary expenses, not otherwise provided, for
 3 the International Joint Commission and the International
 4 Boundary Commission, United States and Canada, as au-
 5 thorized by treaties between the United States and Can-
 6 ada or Great Britain, and for the Border Environment
 7 Cooperation Commission as authorized by Public Law
 8 103-182, \$9,500,000, of which not to exceed \$9,000 shall
 9 be available for representation expenses incurred by the
 10 International Joint Commission.

11 INTERNATIONAL FISHERIES COMMISSIONS

12 For necessary expenses for international fisheries
 13 commissions, not otherwise provided for, as authorized by
 14 law, \$22,000,000: *Provided*, That the United States' share
 15 of such expenses may be advanced to the respective com-
 16 missions pursuant to 31 U.S.C. 3324.

17 OTHER

18 PAYMENT TO THE ASIA FOUNDATION

19 For a grant to the Asia Foundation, as authorized
 20 by the Asia Foundation Act (22 U.S.C. 4402),
 21 \$10,000,000, to remain available until expended, as au-
 22 thorized.

23 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

24 For necessary expenses of Eisenhower Exchange Fel-
 25 lowships, Incorporated, as authorized by sections 4 and
 26 5 of the Eisenhower Exchange Fellowship Act of 1990 (20

1 U.S.C. 5204–5205), all interest and earnings accruing to
 2 the Eisenhower Exchange Fellowship Program Trust
 3 Fund on or before September 30, 2006, to remain avail-
 4 able until expended: *Provided*, That none of the funds ap-
 5 propriated herein shall be used to pay any salary or other
 6 compensation, or to enter into any contract providing for
 7 the payment thereof, in excess of the rate authorized by
 8 5 U.S.C. 5376; or for purposes which are not in accord-
 9 ance with OMB Circulars A–110 (Uniform Administrative
 10 Requirements) and A–122 (Cost Principles for Non-profit
 11 Organizations), including the restrictions on compensation
 12 for personal services.

13 ISRAELI ARAB SCHOLARSHIP PROGRAM

14 For necessary expenses of the Israeli Arab Scholar-
 15 ship Program as authorized by section 214 of the Foreign
 16 Relations Authorization Act, Fiscal Years 1992 and 1993
 17 (22 U.S.C. 2452), all interest and earnings accruing to
 18 the Israeli Arab Scholarship Fund on or before September
 19 30, 2006, to remain available until expended.

20 EAST-WEST CENTER

21 To enable the Secretary of State to provide for ear-
 22 nying out the provisions of the Center for Cultural and
 23 Technical Interchange Between East and West Act of
 24 1960, by grant to the Center for Cultural and Technical
 25 Interchange Between East and West in the State of Ha-
 26 waii, \$6,000,000: *Provided*, That none of the funds appro-

1 priated herein shall be used to pay any salary, or enter
 2 into any contract providing for the payment thereof, in
 3 excess of the rate authorized by 5 U.S.C. 5376.

4 NATIONAL ENDOWMENT FOR DEMOCRACY

5 For grants made by the Department of State to the
 6 National Endowment for Democracy as authorized by the
 7 National Endowment for Democracy Act, \$50,000,000, to
 8 remain available until expended.

9 RELATED AGENCY

10 BROADCASTING BOARD OF GOVERNORS

11 INTERNATIONAL BROADCASTING OPERATIONS

12 For expenses necessary to enable the Broadcasting
 13 Board of Governors, as authorized, to carry out inter-
 14 national communication activities, including the purchase,
 15 installation, rent, and improvement of facilities for radio
 16 and television transmission and reception to Cuba, and to
 17 make and supervise grants for radio and television broad-
 18 casting to the Middle East, \$620,000,000: *Provided*, That
 19 of the total amount in this heading, not to exceed \$16,000
 20 may be used for official receptions within the United
 21 States as authorized, not to exceed \$35,000 may be used
 22 for representation abroad as authorized, and not to exceed
 23 \$39,000 may be used for official reception and representa-
 24 tion expenses of Radio Free Europe/Radio Liberty, and
 25 in addition, notwithstanding any other provision of law,
 26 not to exceed \$2,000,000 in receipts from advertising and

1 revenue from business ventures, not to exceed \$500,000
 2 in receipts from cooperating international organizations,
 3 and not to exceed \$1,000,000 in receipts from privatiza-
 4 tion efforts of the Voice of America and the International
 5 Broadcasting Bureau, to remain available until expended
 6 for carrying out authorized purposes.

7 BROADCASTING CAPITAL IMPROVEMENTS

8 For the purchase, rent, construction, and improve-
 9 ment of facilities for radio and television transmission and
 10 reception, and purchase and installation of necessary
 11 equipment for radio and television transmission and recep-
 12 tion as authorized, \$10,893,000, to remain available until
 13 expended, as authorized.

14 GENERAL PROVISIONS—DEPARTMENT OF STATE AND
 15 RELATED AGENCY

16 SEC. 401. Funds appropriated under this title shall
 17 be available, except as otherwise provided, for allowances
 18 and differentials as authorized by subchapter 59 of title
 19 5, United States Code, for services as authorized by 5
 20 U.S.C. 3109, and for hire of passenger transportation pur-
 21 suant to 31 U.S.C. 1343(b).

22 SEC. 402. Not to exceed 5 percent of any appropria-
 23 tion made available for the current fiscal year for the De-
 24 partment of State in this Act may be transferred between
 25 such appropriations, but no such appropriation, except as
 26 otherwise specifically provided, shall be increased by more

1 than 10 percent by any such transfers: *Provided*, That not
2 to exceed 5 percent of any appropriation made available
3 for the current fiscal year for the Broadcasting Board of
4 Governors in this Act may be transferred between such
5 appropriations, but no such appropriation, except as oth-
6 erwise specifically provided, shall be increased by more
7 than 10 percent by any such transfers: *Provided further*,
8 That any transfer pursuant to this section shall be treated
9 as a reprogramming of funds under section 605 of this
10 Act and shall not be available for obligation or expenditure
11 except in compliance with the procedures set forth in that
12 section.

13 SEC. 403. None of the funds made available in this
14 Act may be used by the Department of State or the Broad-
15 casting Board of Governors to provide equipment, tech-
16 nical support, consulting services, or any other form of
17 assistance to the Palestinian Broadcasting Corporation.

18 SEC. 404. (a) The Senior Policy Operating Group on
19 Trafficking in Persons, established under section 406 of
20 division B of Public Law 108–7 to coordinate agency ac-
21 tivities regarding policies (including grants and grant poli-
22 cies) involving the international trafficking in persons,
23 shall coordinate all such policies related to the activities
24 of traffickers and victims of severe forms of trafficking.

1 (b) None of the funds provided in this or any other
 2 Act shall be expended to perform functions that duplicate
 3 coordinating responsibilities of the Operating Group.

4 (c) The Operating Group shall continue to report only
 5 to the authorities that appointed them pursuant to section
 6 406 of division B of Public Law 108–7.

7 SEC. 405. Any funds provided in this Act under “De-
 8 partment of State” used to implement E-Government Ini-
 9 tiatives shall be subject to the procedures set forth in sec-
 10 tion 605 of this Act.

11 SEC. 406. (a) Subsection (f) of section 36 of the State
 12 Department Basic Authorities Act of 1956 (22 U.S.C.
 13 2708(f)) is amended—

14 (1) by striking “(f) INELIGIBILITY.—An offi-
 15 cer” and inserting the following:

16 “(f) INELIGIBILITY.—

17 “(1) IN GENERAL.—Except as provided in para-
 18 graph (2), an officer”; and

19 (2) by adding at the end the following new
 20 paragraph:

21 “(2) EXCEPTION IN CERTAIN CIR-
 22 CUMSTANCES.—The Secretary may pay a reward to
 23 an officer or employee of a foreign government (or
 24 any entity thereof) who, while in the performance of
 25 his or her official duties, furnishes information de-

scribed in such subsection, if the Secretary determines that such payment satisfies the following conditions:

“(A) Such payment is appropriate in light of the exceptional or high-profile nature of the information furnished pursuant to such subsection.

“(B) Such payment may aid in furnishing further information described in such subsection.

“(C) Such payment is formally requested by such agency.”.

(b) Subsection (b) of such section (22 U.S.C. 2708(b)) is amended in the matter preceding paragraph (1) by inserting “or to an officer or employee of a foreign government in accordance with subsection (f)(2)” after “individual”.

This title may be cited as the “Department of State and Related Agency Appropriations Act, 2006”.

TITLE V—RELATED AGENCIES

ANTITRUST MODERNIZATION COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Antitrust Modernization Commission, as authorized by Public Law 107-273, \$1,172,000, to remain available until expended.

1 COMMISSION FOR THE PRESERVATION OF AMERICA'S
2 HERITAGE ABROAD

3 SALARIES AND EXPENSES

4 For expenses for the Commission for the Preservation
5 of America's Heritage Abroad, \$499,000, as authorized by
6 section 1303 of Public Law 99-83.

7 COMMISSION ON CIVIL RIGHTS

8 SALARIES AND EXPENSES

9 For necessary expenses of the Commission on Civil
10 Rights, including hire of passenger motor vehicles,
11 \$9,096,000: *Provided*, That none of the funds appro-
12 priated in this paragraph shall be used to employ in excess
13 of four full-time individuals under Schedule C of the Ex-
14 cepted Service exclusive of one special assistant for each
15 Commissioner: *Provided further*, That none of the funds
16 appropriated in this paragraph shall be used to reimburse
17 Commissioners for more than 75 billable days, with the
18 exception of the chairperson, who is permitted 125 billable
19 days.

20 COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

21 SALARIES AND EXPENSES

22 For necessary expenses for the United States Com-
23 mission on International Religious Freedom, as authorized
24 by title II of the International Religious Freedom Act of

1 1998 (Public Law 105-292), \$3,200,000, to remain avail-
2 able until expended.

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

6 For necessary expenses of the Commission on Secu-
7 rity and Cooperation in Europe, as authorized by Public
8 Law 94-304, \$2,030,000, to remain available until ex-
9 pended as authorized by section 3 of Public Law 99-7.

10 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
11 PEOPLE'S REPUBLIC OF CHINA
12 SALARIES AND EXPENSES

13 For necessary expenses of the Congressional-Execu-
14 tive Commission on the People's Republic of China, as au-
15 thorized, \$1,900,000, including not more than \$3,000 for
16 the purpose of official representation, to remain available
17 until expended.

18 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
19 SALARIES AND EXPENSES

20 For necessary expenses of the Equal Employment
21 Opportunity Commission as authorized by title VII of the
22 Civil Rights Act of 1964 (29 U.S.C. 206(d) and 621-634),
23 the Americans with Disabilities Act of 1990, and the Civil
24 Rights Act of 1991, including services as authorized by
25 5 U.S.C. 3109; hire of passenger motor vehicles as author-

1 ized by ~~31 U.S.C. 1343(b)~~; non-monetary awards to pri-
 2 vate citizens; and not to exceed ~~\$33,000,000~~ for payments
 3 to State and local enforcement agencies for services to the
 4 Commission pursuant to title VII of the Civil Rights Act
 5 of 1964, sections 6 and 14 of the Age Discrimination in
 6 Employment Act, the Americans with Disabilities Act of
 7 1990, and the Civil Rights Act of 1991, ~~\$331,228,000~~.
 8 *Provided*, That the Commission is authorized to make
 9 available for official reception and representation expenses
 10 not to exceed ~~\$2,500~~ from available funds: *Provided fur-*
 11 *ther*, That the Commission may take no action to imple-
 12 ment any workforce repositioning, restructuring, or reor-
 13 ganization until such time as the Committees on Appro-
 14 priations have been notified of such proposals, in accord-
 15 ance with the reprogramming provisions of section 605 of
 16 this Act.

17 FEDERAL COMMUNICATIONS COMMISSION

18 SALARIES AND EXPENSES

19 For necessary expenses of the Federal Communica-
 20 tions Commission, as authorized by law, including uni-
 21 forms and allowances therefor, as authorized by ~~5 U.S.C.~~
 22 ~~5901–5902~~; not to exceed ~~\$4,000~~ for official reception and
 23 representation expenses; purchase and hire of motor vehi-
 24 cles; special counsel fees; and services as authorized by
 25 ~~5 U.S.C. 3109, \$289,771,000~~. *Provided*, That

1 \$288,771,000 of offsetting collections shall be assessed
 2 and collected pursuant to section 9 of title I of the Com-
 3 munications Act of 1934, shall be retained and used for
 4 necessary expenses in this appropriation, and shall remain
 5 available until expended: *Provided further*, That the sum
 6 herein appropriated shall be reduced as such offsetting
 7 collections are received during fiscal year 2006 so as to
 8 result in a final fiscal year 2006 appropriation estimated
 9 at \$1,000,000: *Provided further*, That any offsetting col-
 10 lections received in excess of \$288,771,000 in fiscal year
 11 2006 shall remain available until expended, but shall not
 12 be available for obligation until October 1, 2006: *Provided*
 13 *further*, That any funds provided under this heading used
 14 to implement E-Government Initiatives shall be subject to
 15 the procedures set forth in section 605 of this Act.

16 FEDERAL TRADE COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Federal Trade Com-
 19 mission, including uniforms or allowances therefor, as au-
 20 thorized by 5 U.S.C. 5901–5902; services as authorized
 21 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
 22 not to exceed \$2,000 for official reception and representa-
 23 tion expenses, \$211,000,000, to remain available until ex-
 24 pended: *Provided*, That not to exceed \$300,000 shall be
 25 available for use to contract with a person or persons for

1 collection services in accordance with the terms of 31
2 U.S.C. 3718: *Provided further*, That, notwithstanding any
3 other provision of law, not to exceed \$116,000,000 of off-
4 setting collections derived from fees collected for
5 premerger notification filings under the Hart-Scott-Ro-
6 dino Antitrust Improvements Act of 1976 (15 U.S.C.
7 18a), regardless of the year of collection, shall be retained
8 and used for necessary expenses in this appropriation:
9 *Provided further*, That \$23,000,000 in offsetting collec-
10 tions derived from fees sufficient to implement and enforce
11 the Telemarketing Sales Rule, promulgated under the
12 Telephone Consumer Fraud and Abuse Prevention Act
13 (15 U.S.C. 6101 et seq.), shall be credited to this account,
14 and be retained and used for necessary expenses in this
15 appropriation: *Provided further*, That the sum herein ap-
16 propriated from the general fund shall be reduced as such
17 offsetting collections are received during fiscal year 2006,
18 so as to result in a final fiscal year 2006 appropriation
19 from the general fund estimated at not more than
20 \$72,000,000: *Provided further*, That none of the funds
21 made available to the Federal Trade Commission may be
22 used to enforce subsection (e) of section 43 of the Federal
23 Deposit Insurance Act (12 U.S.C. 1831t) or section
24 151(b)(2) of the Federal Deposit Insurance Corporation
25 Improvement Act of 1991 (12 U.S.C. 1831t note).

1 HELP COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the HELP Commission,
4 \$1,000,000, to remain available until expended.

5 LEGAL SERVICES CORPORATION

6 PAYMENT TO THE LEGAL SERVICES CORPORATION

7 For payment to the Legal Services Corporation to
8 carry out the purposes of the Legal Services Corporation
9 Act of 1974, \$330,803,000, of which \$313,683,000 is for
10 basic field programs and required independent audits;
11 \$2,539,000 is for the Office of Inspector General, of which
12 such amounts as may be necessary may be used to conduct
13 additional audits of recipients; \$12,826,000 is for manage-
14 ment and administration; and \$1,755,000 is for client self-
15 help and information technology.

16 ADMINISTRATIVE PROVISION—LEGAL SERVICES
17 CORPORATION

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

1 and 1998 shall be deemed to refer instead to 2005 and
2 2006, respectively.

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 Public Law 92-522,
7 \$1,865,000.

8 ~~SECURITIES AND EXCHANGE COMMISSION~~

9 ~~SALARIES AND EXPENSES~~

10 For necessary expenses for the Securities and Ex-
11 change Commission, including services as authorized by
12 5 U.S.C. 3109, the rental of space (to include multiple
13 year leases) in the District of Columbia and elsewhere, and
14 not to exceed \$3,000 for official reception and representa-
15 tion expenses, \$888,117,000, to remain available until ex-
16 pended; of which not to exceed \$10,000 may be used to-
17 ward funding a permanent secretariat for the Inter-
18 national Organization of Securities Commissions; and of
19 which not to exceed \$100,000 shall be available for ex-
20 penses for consultations and meetings hosted by the Com-
21 mission with foreign governmental and other regulatory
22 officials; members of their delegations; appropriate rep-
23 resentatives and staff to exchange views concerning devel-
24 opments relating to securities matters; development and
25 implementation of cooperation agreements concerning se-

1 securities matters and provision of technical assistance for
2 the development of foreign securities markets; such ex-
3 penses to include necessary logistic and administrative ex-
4 penses and the expenses of Commission staff and foreign
5 invitees in attendance at such consultations and meetings
6 including: (1) such incidental expenses as meals taken in
7 the course of such attendance; (2) any travel and trans-
8 portation to or from such meetings; and (3) any other re-
9 lated lodging or subsistence: *Provided*, That fees and
10 charges authorized by sections 6(b) of the Securities Ex-
11 change Act of 1933 (15 U.S.C. 77f(b)), and 13(e), 14(g)
12 and 31 of the Securities Exchange Act of 1934 (15 U.S.C.
13 78m(e), 78n(g), and 78ee), shall be credited to this ac-
14 count as offsetting collections: *Provided further*, That not
15 to exceed \$863,117,000 of such offsetting collections shall
16 be available until expended for necessary expenses of this
17 account: *Provided further*, That \$25,000,000 shall be de-
18 rived from prior year unobligated balances from funds pre-
19 viously appropriated to the Securities and Exchange Com-
20 mission: *Provided further*, That the total amount appro-
21 priated under this heading from the general fund for fiscal
22 year 2006 shall be reduced as such offsetting fees are re-
23 ceived so as to result in a final total fiscal year 2006 ap-
24 propriation from the general fund estimated at not more
25 than \$0.

1 SMALL BUSINESS ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses, not otherwise provided for,
4 of the Small Business Administration as authorized by
5 Public Law 108-447, including hire of passenger motor
6 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
7 not to exceed \$3,500 for official reception and representa-
8 tion expenses, \$318,029,000 (reduced by \$13,441,000):
9 *Provided*, That the Administrator is authorized to charge
10 fees to cover the cost of publications developed by the
11 Small Business Administration, and certain loan servicing
12 activities: *Provided further*, That, notwithstanding 31
13 U.S.C. 3302, revenues received from all such activities
14 shall be credited to this account, to be available for ear-
15 rying out these purposes without further appropriations:
16 *Provided further*, That, of the funds made available under
17 this heading, \$1,000,000 shall be for the National Vet-
18 erans Business Development Corporation: *Provided fur-*
19 *ther*, That any funds provided under this heading used to
20 implement E-Government Initiatives shall be subject to
21 the procedures set forth in section 605 of this Act.

22 OFFICE OF INSPECTOR GENERAL

23 For necessary expenses of the Office of Inspector
24 General in carrying out the provisions of the Inspector
25 General Act of 1978, \$13,500,000.

1 SURETY BOND GUARANTEES REVOLVING FUND

2 For additional capital for the Surety Bond Guarant-
 3 tees Revolving Fund, authorized by the Small Business
 4 Investment Act, as amended, \$2,861,000, to remain avail-
 5 able until expended.

6 BUSINESS LOANS PROGRAM ACCOUNT

7 For the cost of direct loans, \$1,000,000, to remain
 8 available until expended: *Provided*, That such costs, in-
 9 cluding the cost of modifying such loans, shall be as de-
 10 fined in section 502 of the Congressional Budget Act of
 11 1974: *Provided further*, That subject to section 502 of the
 12 Congressional Budget Act of 1974, during fiscal year
 13 2006 commitments to guarantee loans under section 503
 14 of the Small Business Investment Act of 1958, shall not
 15 exceed \$6,000,000,000: *Provided further*, That during fis-
 16 cal year 2006 commitments for general business loans au-
 17 thorized under section 7(a) of the Small Business Act,
 18 shall not exceed \$16,500,000,000: *Provided further*, That
 19 during fiscal year 2006 commitments to guarantee loans
 20 for debentures under section 303(b) of the Small Business
 21 Investment Act of 1958, shall not exceed \$3,000,000,000:
 22 *Provided further*, That during fiscal year 2006 guarantees
 23 of trust certificates authorized by section 5(g) of the Small
 24 Business Act shall not exceed a principal amount of
 25 \$12,000,000,000.

1 In addition, for administrative expenses to carry out
 2 the direct and guaranteed loan programs, \$124,961,000
 3 (increased by \$79,132,000), which may be transferred to
 4 and merged with the appropriations for Salaries and Ex-
 5 penses.

6 DISASTER LOANS PROGRAM ACCOUNT

7 For the cost of direct loans authorized by section 7(b)
 8 of the Small Business Act, \$79,538,000, to remain avail-
 9 able until expended: *Provided*, That such costs, including
 10 the cost of modifying such loans, shall be as defined in
 11 section 502 of the Congressional Budget Act of 1974.

12 In addition, for administrative expenses to carry out
 13 the direct loan program authorized by section 7(b), of the
 14 Small Business Act, \$49,716,000, which may be trans-
 15 ferred to and merged with appropriations for Salaries and
 16 Expenses, of which \$900,000 is for the Office of Inspector
 17 General of the Small Business Administration for audits
 18 and reviews of disaster loans and the disaster loan pro-
 19 gram and shall be transferred to and merged with appro-
 20 priations for the Office of Inspector General, of which
 21 \$40,316,000 is for direct administrative expenses of loan
 22 making and servicing to carry out the direct loan program,
 23 to remain available until expended; and of which
 24 \$8,500,000 is for indirect administrative expenses: *Pro-*
 25 *vided*, That any amount in excess of \$8,500,000 to be
 26 transferred to and merged with appropriations for Salaries

1 and Expenses for indirect administrative expenses shall be
 2 treated as a reprogramming of funds under section 605
 3 of this Act and shall not be available for obligation or ex-
 4 penditure except in compliance with the procedures set
 5 forth in that section.

6 ADMINISTRATIVE PROVISION—SMALL BUSINESS

7 ADMINISTRATION

8 Not to exceed 5 percent of any appropriation made
 9 available for the current fiscal year for the Small Business
 10 Administration in this Act may be transferred between
 11 such appropriations; but no such appropriation shall be
 12 increased by more than 10 percent by any such transfers:
 13 *Provided*, That any transfer pursuant to this paragraph
 14 shall be treated as a reprogramming of funds under sec-
 15 tion 605 of this Act and shall not be available for obliga-
 16 tion or expenditure except in compliance with the proce-
 17 dures set forth in that section.

18 STATE JUSTICE INSTITUTE

19 SALARIES AND EXPENSES

20 For necessary expenses of the State Justice Institute,
 21 as authorized by the State Justice Institute Authorization
 22 Act of 1992 (Public Law 102-572), \$2,000,000: *Provided*,
 23 That not to exceed \$2,500 shall be available for official
 24 reception and representation expenses.

1 ~~UNITED STATES-CHINA ECONOMIC AND SECURITY~~
2 ~~REVIEW COMMISSION~~
3 ~~SALARIES AND EXPENSES~~

4 For necessary expenses of the United States-China
5 Economic and Security Review Commission, \$4,000,000,
6 including not more than \$5,000 for the purpose of official
7 representation, to remain available until expended.

8 ~~UNITED STATES INSTITUTE OF PEACE~~
9 ~~OPERATING EXPENSES~~

10 For necessary expenses of the United States Institute
11 of Peace as authorized in the United States Institute of
12 Peace Act, \$22,850,000, to remain available until ex-
13 pended.

14 ~~TITLE VI—GENERAL PROVISIONS~~

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

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

21 ~~SEC. 603.~~ The expenditure of any appropriation
22 under this Act for any consulting service through procure-
23 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
24 to those contracts where such expenditures are a matter
25 of public record and available for public inspection, except

1 where otherwise provided under existing law, or under ex-
2 isting Executive order issued pursuant to existing law.

3 SEC. 604. If any provision of this Act or the applica-
4 tion of such provision to any person or circumstances shall
5 be held invalid, the remainder of the Act and the applica-
6 tion of each provision to persons or circumstances other
7 than those as to which it is held invalid shall not be af-
8 fected thereby.

9 SEC. 605. (a) None of the funds provided under this
10 Act, or provided under previous appropriations Acts to the
11 agencies funded by this Act that remain available for obli-
12 gation or expenditure in fiscal year 2006, or provided from
13 any accounts in the Treasury of the United States derived
14 by the collection of fees available to the agencies funded
15 by this Act, shall be available for obligation or expenditure
16 through a reprogramming of funds that: (1) creates new
17 programs; (2) eliminates a program, project, or activity;
18 (3) increases funds or personnel by any means for any
19 project or activity for which funds have been denied or
20 restricted; (4) relocates an office or employees; (5) reorga-
21 nizes or renames offices; (6) reorganizes, programs or ac-
22 tivities; or (7) contracts out or privatizes any functions
23 or activities presently performed by Federal employees;
24 unless the Appropriations Committees of both Houses of

1 Congress are notified 15 days in advance of such re-
2 programming of funds.

3 (b) None of the funds provided under this Act, or
4 provided under previous appropriations Acts to the agen-
5 cies funded by this Act that remain available for obligation
6 or expenditure in fiscal year 2006, or provided from any
7 accounts in the Treasury of the United States derived by
8 the collection of fees available to the agencies funded by
9 this Act, shall be available for obligation or expenditure
10 for activities, programs, or projects through a reprogram-
11 ming of funds in excess of \$500,000 or 10 percent, which-
12 ever is less, that: (1) augments existing programs,
13 projects, or activities; (2) reduces by 10 percent funding
14 for any existing program, project, or activity, or numbers
15 of personnel by 10 percent as approved by Congress; or
16 (3) results from any general savings, including savings
17 from a reduction in personnel, which would result in a
18 change in existing programs, activities, or projects as ap-
19 proved by Congress; unless the Appropriations Commit-
20 tees of both Houses of Congress are notified 15 days in
21 advance of such reprogramming of funds.

22 SEC. 606. None of the funds made available in this
23 Act may be used to implement, administer, or enforce any
24 guidelines of the Equal Employment Opportunity Com-
25 mission covering harassment based on religion, when it is

1 made known to the Federal entity or official to which such
2 funds are made available that such guidelines do not differ
3 in any respect from the proposed guidelines published by
4 the Commission on October 1, 1993 (58 Fed. Reg.
5 51266).

6 SEC. 607. None of the funds made available by this
7 Act may be used for any United Nations undertaking
8 when it is made known to the Federal official having au-
9 thority to obligate or expend such funds that: (1) the
10 United Nations undertaking is a peacekeeping mission; (2)
11 such undertaking will involve United States Armed Forces
12 under the command or operational control of a foreign na-
13 tional; and (3) the President's military advisors have not
14 submitted to the President a recommendation that such
15 involvement is in the national security interests of the
16 United States and the President has not submitted to the
17 Congress such a recommendation.

18 SEC. 608. The Departments of Commerce, Justice,
19 and State, the National Science Foundation, the National
20 Aeronautics and Space Administration, the Federal Com-
21 munications Commission, the Securities and Exchange
22 Commission and the Small Business Administration shall
23 provide to the Committees on Appropriations of the Sen-
24 ate and of the House of Representatives a quarterly ac-
25 counting of the cumulative balances of any unobligated

1 funds that were received by such agency during any pre-
2 vious fiscal year.

3 ~~SEC. 609. (a) None of the funds appropriated or oth-~~
4 ~~erwise made available by this Act shall be expended for~~
5 ~~any purpose for which appropriations are prohibited by~~
6 ~~section 609 of the Departments of Commerce, Justice, and~~
7 ~~State, the Judiciary, and Related Agencies Appropriations~~
8 ~~Act, 1999.~~

9 ~~(b) The requirements in subparagraphs (A) and (B)~~
10 ~~of section 609 of that Act shall continue to apply during~~
11 ~~fiscal year 2006.~~

12 ~~SEC. 610. Any costs incurred by a department or~~
13 ~~agency funded under this Act resulting from personnel ac-~~
14 ~~tions taken in response to funding reductions included in~~
15 ~~this Act shall be absorbed within the total budgetary re-~~
16 ~~sources available to such department or agency: *Provided,*~~
17 ~~That the authority to transfer funds between appropria-~~
18 ~~tions accounts as may be necessary to carry out this sec-~~
19 ~~tion is provided in addition to authorities included else-~~
20 ~~where in this Act: *Provided further,* That use of funds to~~
21 ~~carry out this section shall be treated as a reprogramming~~
22 ~~of funds under section 605 of this Act and shall not be~~
23 ~~available for obligation or expenditure except in compli-~~
24 ~~ance with the procedures set forth in that section.~~

1 SEC. 611. None of the funds provided by this Act
2 shall be available to promote the sale or export of tobacco
3 or tobacco products, or to seek the reduction or removal
4 by any foreign country of restrictions on the marketing
5 of tobacco or tobacco products, except for restrictions
6 which are not applied equally to all tobacco or tobacco
7 products of the same type.

8 SEC. 612. (a) None of the funds appropriated or oth-
9 erwise made available by this Act shall be expended for
10 any purpose for which appropriations are prohibited by
11 section 616 of the Departments of Commerce, Justice, and
12 State, the Judiciary, and Related Agencies Appropriations
13 Act, 1999.

14 (b) The requirements in subsections (b) and (c) of
15 section 616 of that Act shall continue to apply during fis-
16 cal year 2006.

17 SEC. 613. None of the funds appropriated pursuant
18 to this Act or any other provision of law may be used for—

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

22 (2) any system to implement subsection 922(t)
23 of title 18, United States Code, that does not re-
24 quire and result in the destruction of any identifying
25 information submitted by or on behalf of any person

1 who has been determined not to be prohibited from
2 possessing or receiving a firearm no more than 24
3 hours after the system advises a Federal firearms li-
4 censee that possession or receipt of a firearm by the
5 prospective transferee would not violate subsection
6 (g) or (n) of section 922 of title 18, United States
7 Code, or State law.

8 SEC. 614. None of the funds made available in this
9 Act may be used to pay the salaries and expenses of per-
10 sonnel of the Department of Justice to obligate more than
11 \$625,000,000 during fiscal year 2006 from the Fund es-
12 tablished by section 1402 of chapter XIV of title II of
13 Public Law 98-473 (42 U.S.C. 10601).

14 SEC. 615. None of the funds made available to the
15 Department of Justice in this Act may be used to discrimi-
16 nate against or denigrate the religious or moral beliefs of
17 students who participate in programs for which financial
18 assistance is provided from those funds, or of the parents
19 or legal guardians of such students.

20 SEC. 616. None of the funds appropriated or other-
21 wise made available to the Department of State shall be
22 available for the purpose of granting either immigrant or
23 nonimmigrant visas, or both, consistent with the deter-
24 mination of the Secretary of State under section 243(d)
25 of the Immigration and Nationality Act, to citizens, sub-

1 jects, nationals, or residents of countries that the Sec-
2 retary of Homeland Security has determined deny or un-
3 reasonably delay accepting the return of citizens, subjects,
4 nationals, or residents under that section.

5 SEC. 617. 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 appropriation Act.

10 SEC. 618. The Departments of Commerce, Justice,
11 and State, the Securities and Exchange Commission and
12 the Small Business Administration shall, not later than
13 two months after the date of the enactment of this Act,
14 certify that telecommuting opportunities have increased
15 over levels certified to the Committees on Appropriations
16 for fiscal year 2005: *Provided*, That, of the total amounts
17 appropriated to the Departments of Commerce, Justice,
18 and State, the Securities and Exchange Commission and
19 the Small Business Administration, \$5,000,000 shall be
20 available to each only upon such certification: *Provided*
21 *further*, That each Department or agency shall provide
22 quarterly reports to the Committees on Appropriations on
23 the status of telecommuting programs, including the num-
24 ber and percentage of Federal employees eligible for, and
25 participating in, such programs: *Provided further*, That

1 each Department or agency shall maintain a “Telework
2 Coordinator” to be responsible for overseeing the imple-
3 mentation and operations of telecommuting programs; and
4 serve as a point of contact on such programs for the Com-
5 mittees on Appropriations.

6 SEC. 619. The National Aeronautics and Space Ad-
7 ministration and the National Science Foundation shall,
8 not later than two months after the date of the enactment
9 of this Act, certify that telecommuting opportunities are
10 made available to 100 percent of the eligible workforce:
11 *Provided*, That, of the total amounts appropriated to the
12 National Aeronautics and Space Administration and the
13 National Science Foundation, \$5,000,000 shall be avail-
14 able to each agency only upon such certification: *Provided*
15 *further*, That both agencies shall provide quarterly reports
16 to the Committees on Appropriations on the status of tele-
17 commuting programs, including the number of Federal
18 employees eligible for, and participating in, such pro-
19 grams: *Provided further*, That both agencies shall des-
20 ignate a “Telework Coordinator” to be responsible for
21 overseeing the implementation and operations of telecom-
22 muting programs; and serve as a point of contact on such
23 programs for the Committees on Appropriations.

24 SEC. 620. (a) Tracing studies conducted by the Bu-
25 reau of Alcohol, Tobacco, Firearms and Explosives are re-

1 leased without adequate disclaimers regarding the limita-
2 tions of the data.

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

8 (1) Firearm traces are designed to assist law
9 enforcement authorities in conducting investigations
10 by tracking the sale and possession of specific fire-
11 arms. Law enforcement agencies may request fire-
12 arms traces for any reason, and those reasons are
13 not necessarily reported to the Federal Government.
14 Not all firearms used in crime are traced and not all
15 firearms traced are used in crime.

16 (2) Firearms selected for tracing are not chosen
17 for purposes of determining which types, makes or
18 models of firearms are used for illicit purposes. The
19 firearms selected do not constitute a random sample
20 and should not be considered representative of the
21 larger universe of all firearms used by criminals, or
22 any subset of that universe. Firearms are normally
23 traced to the first retail seller, and sources reported
24 for firearms traced do not necessarily represent the

1 sources or methods by which firearms in general are
2 acquired for use in crime.

3 ~~SEC. 621. None of the funds made available in this~~
4 ~~Act may be used in violation of section 212(a)(10)(C) of~~
5 ~~the Immigration and Nationality Act.~~

6 ~~SEC. 622. None of the funds appropriated or other-~~
7 ~~wise made available under this Act may be used to issue~~
8 ~~patents on claims directed to or encompassing a human~~
9 ~~organism.~~

10 ~~SEC. 623. None of the funds made available in this~~
11 ~~Act may be used to pay expenses for any United States~~
12 ~~delegation to any specialized agency, body, or commission~~
13 ~~of the United Nations if such commission is chaired or~~
14 ~~presided over by a country, the government of which the~~
15 ~~Secretary of State has determined, for purposes of section~~
16 ~~6(j)(1) of the Export Administration Act of 1979 (50~~
17 ~~U.S.C. App. 2405(j)(1)); has provided support for acts of~~
18 ~~international terrorism.~~

19 ~~SEC. 624. (a) Except as provided in subsection (b),~~
20 ~~a project to construct a diplomatic facility of the United~~
21 ~~States may not include office space or other accommoda-~~
22 ~~tions for an employee of a Federal agency or department~~
23 ~~if the Secretary of State determines that such department~~
24 ~~or agency has not provided to the Department of State~~
25 ~~the full amount of funding required by subsection (c) of~~

1 section 604 of the Secure Embassy Construction and
2 Counterterrorism Act of 1999 (as enacted into law by sec-
3 tion ~~1000(a)(7)~~ of Public Law ~~106-113~~ and contained in
4 appendix G of that Act; ~~113 Stat. 1501A-453~~), as amend-
5 ed by section 629 of the Departments of Commerce, Jus-
6 tice, and State, the Judiciary, and Related Agencies Ap-
7 propriations Act, 2005.

8 (b) Notwithstanding the prohibition in subsection (a),
9 a project to construct a diplomatic facility of the United
10 States may include office space or other accommodations
11 for members of the Marine Corps.

12 ~~SEC. 625.~~ None of the funds made available in this
13 Act shall be used in any way whatsoever to support or
14 justify the use of torture by any official or contract em-
15 ployee of the United States Government.

16 ~~SEC. 626.~~ Of the amounts made available in this Act,
17 ~~\$393,616,321~~ from “Department of State”; ~~\$27,938,072~~
18 from “Department of Justice”; ~~\$14,107,754~~ from “De-
19 partment of Commerce”; ~~\$426,314~~ from “United States
20 Trade Representative”; ~~\$575,116~~ from “Broadcasting
21 Board of Governors”; ~~\$291,855~~ from “National Aero-
22 nautics and Space Administration”; and ~~\$79,754~~ from
23 “National Science Foundation” shall be available for the
24 purposes of implementing the Capital Security Cost Shar-
25 ing program.

1 SEC. 627. None of the funds made available in this
2 Act may be used in contravention of the provisions of sub-
3 sections (e) and (f) of section 301 of the United States
4 Leadership Against HIV/AIDS, Tuberculosis, and Malaria
5 Act of 2003 (Public Law 108–25; 22 U.S.C. 7631(e) and
6 (f)).

7 SEC. 628. None of the funds made available to NASA
8 in this Act may be used for voluntary separation incentive
9 payments as provided for in subchapter II of chapter 35
10 of title 5, United States Code, unless the Administrator
11 of NASA has first certified to Congress that such pay-
12 ments would not result in the loss of skills related to the
13 safety of the Space Shuttle or the International Space Sta-
14 tion or to the conduct of independent safety oversight in
15 the National Aeronautics and Space Administration.

16 SEC. 629. Notwithstanding 40 U.S.C. 524, 571, and
17 572, the Administrator of the National Aeronautics and
18 Space Administration may sell the National Aeronautics
19 and Space Administration-owned property on the Camp
20 Parks Military Reservation, Alameda County, California,
21 and credit the net proceeds of such sales as offsetting col-
22 lections to its Exploration, science and aeronautics ac-
23 count. Such funds shall be available until expended; to be
24 used to replace the facilities at Camp Parks that are still

1 required, to improve other National Aeronautics and
2 Space Administration-owned facilities, or both.

3 SEC. 630. (a) IN GENERAL.—The President of the
4 United States through his designee the Administrator of
5 the National Aeronautics and Space Administration and
6 in consultation with other Federal agencies shall develop
7 a national aeronautics policy to guide the aeronautics pro-
8 grams of the Administration through 2020.

9 (b) CONTENT.—At a minimum, the national aero-
10 nautics policy shall describe—

11 (1) the priority areas of research for aero-
12 nautics through fiscal year 2011;

13 (2) the basis on which and the process by which
14 priorities for ensuing fiscal years will be selected;

15 (3) the facilities and personnel needed to carry
16 out the program through fiscal year 2011; and

17 (4) the budget assumptions on which the na-
18 tional aeronautics policy is based.

19 (c) CONSIDERATIONS.—In developing the national
20 aeronautics policy, the Administrator shall consider the
21 following questions, which shall be discussed in the policy
22 statement—

23 (1) the extent to which NASA should focus on
24 long-term, high-risk research or more incremental
25 research or both and the expected impact on the

1 U.S. aircraft and airline industries of those deci-
2 sions;

3 (2) the extent to which NASA should address
4 military and commercial needs;

5 (3) how NASA will coordinate its aeronautics
6 program with other Federal agencies; and

7 (4) the extent to which NASA will fund univer-
8 sity research and the expected impact of that fund-
9 ing on the supply of U.S. workers for the aero-
10 nautics industry.

11 (d) CONSULTATION.—In developing the national aer-
12 onautics policy, the Administrator shall consult widely
13 with academic and industry experts and with other Fed-
14 eral agencies. The Administrator may enter into an ar-
15 rangement with the National Academy of Sciences to help
16 develop the national aeronautics policy.

17 (e) SCHEDULE.—The Administrator shall submit the
18 new national aeronautics policy to the House and Senate
19 Committees on Appropriations and to the House Com-
20 mittee on Science and the Senate Committee on Com-
21 merce, Science, and Transportation no later than the date
22 on which the President submits the proposed budget for
23 the Federal government for fiscal year 2007 to the Con-
24 gress. The Administrator shall make available to the Con-
25 gress any study done by a non-governmental entity that

1 was used in the development of the national aeronautics
2 policy.

3 ~~SEC. 631.~~ Any funds provided in this Act under “Na-
4 tional Science Foundation” used to implement E-Govern-
5 ment Initiatives shall be subject to the procedures set
6 forth in section 605 of this Act.

7 ~~SEC. 632.~~ (a) Notwithstanding any other provision
8 of law or treaty, none of the funds appropriated or other-
9 wise made available under this Act or any other Act may
10 be expended or obligated by a department, agency, or in-
11 strumentality of the United States to pay administrative
12 expenses or to compensate an officer or employee of the
13 United States in connection with requiring an export li-
14 cense for the export to Canada of components, parts, ac-
15 cessories or attachments for firearms listed in Category
16 I, section 121.1 of title 22, Code of Federal Regulations
17 (International Trafficking in Arms Regulations (ITAR),
18 part 121, as it existed on April 1, 2005) with a total value
19 not exceeding \$500 wholesale in any transaction, provided
20 that the conditions of subsection (b) of this section are
21 met by the exporting party for such articles.

22 ~~(b)~~ The foregoing exemption from obtaining an ex-
23 port license—

24 ~~(1)~~ does not exempt an exporter from filing any
25 Shipper’s Export Declaration or notification letter

1 required by law, or from being otherwise eligible
2 under the laws of the United States to possess, ship,
3 transport, or export the articles enumerated in sub-
4 section (a); and

5 (2) does not permit the export without a license
6 of—

7 (A) fully automatic firearms and compo-
8 nents and parts for such firearms, other than
9 for end use by the Federal Government, or a
10 Provincial or Municipal Government of Canada;
11 or

12 (B) barrels, cylinders, receivers (frames) or
13 complete breech mechanisms for any firearm
14 listed in Category I, other than for end use by
15 the Federal Government, or a Provincial or Mu-
16 nicipal Government of Canada; or

17 (C) articles for export from Canada to an-
18 other foreign destination.

19 (e) In accordance with this section, the District Di-
20 rectors of Customs and postmasters shall permit the per-
21 manent or temporary export without a license of any un-
22 classified articles specified in subsection (a) to Canada for
23 end use in Canada or return to the United States, or tem-
24 porary import of Canadian-origin items from Canada for

1 end use in the United States or return to Canada for a
2 Canadian citizen.

3 (d) The President may require export licenses under
4 this section on a temporary basis if the President deter-
5 mines, upon publication first in the Federal Register, that
6 the Government of Canada has implemented or main-
7 tained inadequate import controls for the articles specified
8 in subsection (a), such that a significant diversion of such
9 articles has and continues to take place for use in inter-
10 national terrorism or in the escalation of a conflict in an-
11 other nation. The President shall terminate the require-
12 ments of a license when reasons for the temporary require-
13 ments have ceased.

14 SEC. 633. Notwithstanding any other provision of
15 law, no department, agency, or instrumentality of the
16 United States receiving appropriated funds under this Act
17 or any other Act shall obligate or expend in any way such
18 funds to pay administrative expenses or the compensation
19 of any officer or employee of the United States to deny
20 any application submitted pursuant to 22 U.S.C.
21 2778(b)(1)(B) and qualified pursuant to 27 CFR Sec.
22 478.112 or .113, for a permit to import United States ori-
23 gin “curios or relics” firearms, parts, or ammunition.

1 ~~SEC. 634.~~ None of the funds made available in this
 2 Act may be used to include in any bilateral or multilateral
 3 trade agreement the text of—

4 (1) paragraph 2 of Article 16.7 of the United
 5 States-Singapore Free Trade Agreement;

6 (2) paragraph 4 of Article 17.9 of the United
 7 States-Australia Free Trade Agreement; or

8 (3) paragraph 4 of Article 15.9 of the United
 9 States-Morocco Free Trade Agreement.

10 ~~TITLE VII—RESCISSIONS~~

11 ~~DEPARTMENT OF JUSTICE~~

12 ~~LEGAL ACTIVITIES~~

13 ~~ASSETS FORFEITURE FUND~~

14 ~~(RESCISSION)~~

15 Of the unobligated balances available under this
 16 heading, ~~\$62,000,000~~ are rescinded.

17 ~~OFFICE OF JUSTICE PROGRAMS~~

18 ~~STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE~~

19 ~~(RESCISSION)~~

20 Of the unobligated balances available under this
 21 heading, ~~\$38,500,000~~ are rescinded.

22 ~~COMMUNITY ORIENTED POLICING SERVICES~~

23 ~~(RESCISSION)~~

24 Of the unobligated balances available under this
 25 heading, ~~\$86,500,000~~ are rescinded.

1 DEPARTMENT OF COMMERCE

2 EMERGENCY STEEL GUARANTEED LOAN PROGRAM

3 ACCOUNT

4 (RESCISSION)

5 Of the unobligated balances available under this
6 heading from prior year appropriations, \$35,000,000 are
7 rescinded.

8 RELATED AGENCIES

9 UNITED STATES-CANADA ALASKA RAIL COMMISSION

10 SALARIES AND EXPENSES

11 (RESCISSION)

12 Of the unobligated balances available under this
13 heading from prior year appropriations, \$2,000,000 are
14 rescinded.

15 TITLE VIII—ADDITIONAL GENERAL

16 PROVISIONS

17 SEC. 801. None of the funds made available in this
18 Act may be used by the United Nations to develop or pub-
19 lize any proposal concerning taxation or fees on any
20 United States person in order to raise revenue for the
21 United Nations or any of its specialized or affiliated agen-
22 cies. None of the funds made available in this Act may
23 be used by the United Nations to implement or impose
24 any such taxation or fee on any United States person.

25 SEC. 802. None of the funds made available by this
26 Act may be used by the National Aeronautics and Space

1 Administration to employ any individual under the title
2 “artist in residence”.

3 ~~SEC. 803. (a) For expenses necessary for enforcing~~
4 ~~subsections (a) and (b) of section 642 of the Illegal Immi-~~
5 ~~gration Reform and Immigrant Responsibility Act of 1996~~
6 ~~(8 U.S.C. 1373), \$1,000,000.~~

7 ~~(b) The amount otherwise provided in this Act for~~
8 ~~“DEPARTMENT OF JUSTICE—LEGAL ACTIVITIES—~~
9 ~~SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES”~~
10 ~~is hereby reduced by \$1,000,000.~~

11 ~~SEC. 804. None of the funds made available in this~~
12 ~~Act may be used to deny the production of safety reports~~
13 ~~regarding the NASA Space Shuttle program and the~~
14 ~~International Space Station.~~

15 ~~SEC. 805. None of the funds appropriated in this Act~~
16 ~~may be used to enforce the judgment of the United States~~
17 ~~District Court for the Southern District of Indiana in the~~
18 ~~case of Russelburg v. Gibson County, decided January 31,~~
19 ~~2005.~~

20 ~~SEC. 806. None of the funds made available in this~~
21 ~~Act may be used to make an application under section 501~~
22 ~~of the Foreign Intelligence Surveillance Act of 1978 (50~~
23 ~~U.S.C. 1861) for an order requiring the production of li-~~
24 ~~brary circulation records, library patron lists, book sales~~
25 ~~records, or book customer lists.~~

1 ~~SEC. 807.~~ None of the funds made available in this
 2 Act may be used in contravention of the following laws
 3 enacted or regulations promulgated to implement the
 4 United Nations Convention Against Torture and Other
 5 Cruel, Inhuman or Degrading Treatment or Punishment
 6 ~~(done at New York on December 10, 1984):~~

7 ~~(1) Section 2340A of title 18, United States~~
 8 ~~Code.~~

9 ~~(2) Section 2242 of the Foreign Affairs Reform~~
 10 ~~and Restructuring Act of 1998 (division G of Public~~
 11 ~~Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231~~
 12 ~~note) and any regulations prescribed thereto, includ-~~
 13 ~~ing regulations under part 208 of title 8, Code of~~
 14 ~~Federal Regulations, and part 95 of title 22, Code~~
 15 ~~of Federal Regulations.~~

16 ~~This Act may be cited as the “Science, State, Justice,~~
 17 ~~Commerce, and Related Agencies Appropriations Act,~~
 18 ~~2006”.~~

19 ~~*That the following sums are appropriated, out of any*~~
 20 ~~*money in the Treasury not otherwise appropriated, for the*~~
 21 ~~*fiscal year ending September 30, 2006, and for other pur-*~~
 22 ~~*poses, namely:*~~

1 *TITLE I—DEPARTMENT OF JUSTICE*2 *GENERAL ADMINISTRATION*3 *SALARIES AND EXPENSES*

4 *For expenses necessary for the administration of the*
5 *Department of Justice, \$116,936,000, of which not to exceed*
6 *\$3,317,000 is for the Facilities Program 2000, to remain*
7 *available until expended: Provided, That not to exceed 45*
8 *permanent positions and 46 full-time equivalent workyears*
9 *and \$11,821,000 shall be expended for the Department*
10 *Leadership Program exclusive of augmentation that oc-*
11 *curred in these offices in fiscal year 2005: Provided further,*
12 *That not to exceed 24 permanent positions, 19 full-time*
13 *equivalent workyears and \$2,980,000 shall be expended for*
14 *the Office of Legislative Affairs: Provided further, That not*
15 *to exceed 17 permanent positions, 22 full-time equivalent*
16 *workyears and \$2,470,000 shall be expended for the Office*
17 *of Public Affairs: Provided further, That the Offices of Leg-*
18 *islative Affairs and Public Affairs may utilize, on a non-*
19 *reimbursable basis details of career employees within the*
20 *ceilings provided for the Office of Legislative Affairs and*
21 *the Office of Public Affairs: Provided further, That not less*
22 *than \$500,000 shall be used to contract with an inde-*
23 *pendent party to carry out a privacy assessment.*

24 *JUSTICE INFORMATION SHARING TECHNOLOGY*

25 *For necessary expenses for information sharing tech-*
26 *nology, including planning, development, deployment and*

1 *Departmental direction, \$135,000,000, to remain available*
 2 *until expended: Provided, That, of the funds available*
 3 *\$10,000,000 is for the unified financial management system*
 4 *to be administered by the United Financial Management*
 5 *System Executive Council: Provided further, That of the*
 6 *funds provided, \$20,000,000 is unavailable for obligation*
 7 *until the Department Chief Information Officer submits the*
 8 *plan described in section 111 of this title.*

9 *NARROWBAND COMMUNICATIONS*

10 *For necessary expenses for the costs of conversion to*
 11 *narrowband communications, including the cost for oper-*
 12 *ations and maintenance of Land Mobile Radio legacy sys-*
 13 *tems, \$90,000,000, to remain available until September 30,*
 14 *2007: Provided, That the Attorney General shall transfer*
 15 *to the “Narrowband Communications” account all funds*
 16 *made available to the Department of Justice for the pur-*
 17 *chase of portable and mobile radios: Provided further, That*
 18 *any transfer made into or out of this account shall be sub-*
 19 *ject to section 505 of this Act.*

20 *ADMINISTRATIVE REVIEW AND APPEALS*

21 *For expenses necessary for the administration of par-*
 22 *don and clemency petitions and immigration-related activi-*
 23 *ties, \$216,286,000.*

24 *DETENTION TRUSTEE*

25 *For necessary expenses of the Federal Detention Trust-*
 26 *ee, \$1,222,000,000, to remain available until expended: Pro-*

1 vided, That the Trustee shall be responsible for managing
 2 the Justice Prisoner and Alien Transportation System and
 3 for overseeing housing related to such detention: Provided
 4 further, That any unobligated balances available in prior
 5 years from the funds appropriated under the heading “Fed-
 6 eral Prisoner Detention” shall be transferred to and merged
 7 with the appropriation under the heading “Detention
 8 Trustee” and shall be available until expended.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector Gen-
 11 eral, \$70,431,000, including not to exceed \$10,000 to meet
 12 unforeseen emergencies of a confidential character.

13 UNITED STATES PAROLE COMMISSION

14 SALARIES AND EXPENSES

15 For necessary expenses of the United States Parole
 16 Commission as authorized by law, \$11,000,000.

17 LEGAL ACTIVITIES

18 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

19 (INCLUDING TRANSFER OF FUNDS)

20 For expenses necessary for the legal activities of the
 21 Department of Justice, not otherwise provided for, includ-
 22 ing not to exceed \$20,000 for expenses of collecting evidence,
 23 to be expended under the direction of, and to be accounted
 24 for solely under the certificate of, the Attorney General; and
 25 rent of private or Government-owned space in the District
 26 of Columbia, \$648,245,000, of which not to exceed

1 \$10,000,000 for litigation support contracts shall remain
 2 available until expended: Provided, That of the total
 3 amount appropriated, not to exceed \$1,000 shall be avail-
 4 able to the United States National Central Bureau,
 5 INTERPOL, for official reception and representation ex-
 6 penses: Provided further, That notwithstanding any other
 7 provision of law, upon a determination by the Attorney
 8 General that emergent circumstances require additional
 9 funding for litigation activities of the Civil Division, the
 10 Attorney General may transfer such amounts to “Salaries
 11 and Expenses, General Legal Activities” from available ap-
 12 propriations for the current fiscal year for the Department
 13 of Justice, as may be necessary to respond to such cir-
 14 cumstances: Provided further, That any transfer pursuant
 15 to the previous proviso shall be treated as a reprogramming
 16 under section 505 of this Act and shall not be available for
 17 obligation or expenditure except in compliance with the
 18 procedures set forth in that section.

19 In addition, for reimbursement of expenses of the De-
 20 partment of Justice associated with processing cases under
 21 the National Childhood Vaccine Injury Act of 1986, not to
 22 exceed \$6,333,000, to be appropriated from the Vaccine In-
 23 jury Compensation Trust Fund.

24 SALARIES AND EXPENSES, ANTITRUST DIVISION

25 For expenses necessary for the enforcement of antitrust
 26 and kindred laws, \$144,451,000, to remain available until

1 *expended: Provided, That, notwithstanding any other provi-*
2 *sion of law, not to exceed \$116,000,000 of offsetting collec-*
3 *tions derived from fees collected for premerger notification*
4 *filings under the Hart-Scott-Rodino Antitrust Improve-*
5 *ments Act of 1976 (15 U.S.C. 18a), regardless of the year*
6 *of collection, shall be retained and used for necessary ex-*
7 *penses in this appropriation, and shall remain available*
8 *until expended: Provided further, That the sum herein ap-*
9 *propriated from the general fund shall be reduced as such*
10 *offsetting collections are received during fiscal year 2006,*
11 *so as to result in a final fiscal year 2006 appropriation*
12 *from the general fund estimated at not more than*
13 *\$28,451,000.*

14 *SALARIES AND EXPENSES, UNITED STATES ATTORNEYS*

15 *For necessary expenses of the Offices of the United*
16 *States Attorneys, including inter-governmental and cooper-*
17 *ative agreements, \$1,572,654,000; of which not to exceed*
18 *\$2,500,000 shall be available until September 30, 2007, for:*
19 *(1) training personnel in debt collection; (2) locating debt-*
20 *ors and their property; (3) paying the net costs of selling*
21 *property; and (4) tracking debts owed to the United States*
22 *Government: Provided, That of the total amount appro-*
23 *priated, not to exceed \$8,000 shall be available for official*
24 *reception and representation expenses: Provided further,*
25 *That not to exceed \$20,000,000 shall remain available until*
26 *expended: Provided further, That not to exceed \$2,500,000*

1 *for the operation of the National Advocacy Center shall re-*
2 *main available until expended: Provided further, That, in*
3 *addition to reimbursable full-time equivalent workyears*
4 *available to the Offices of the United States Attorneys, not*
5 *to exceed 10,465 positions and 10,451 full-time equivalent*
6 *workyears shall be supported from the funds appropriated*
7 *in this Act for the United States Attorneys: Provided fur-*
8 *ther, That of the funds made available under this heading,*
9 *\$1,500,000 shall only be available to continue “Operation*
10 *Streetsweeper”.*

11 *UNITED STATES TRUSTEE SYSTEM FUND*

12 *For necessary expenses of the United States Trustee*
13 *Program, as authorized, \$214,402,000, to remain available*
14 *until expended and to be derived from the United States*
15 *Trustee System Fund: Provided, That, notwithstanding any*
16 *other provision of law, deposits to the Fund shall be avail-*
17 *able in such amounts as may be necessary to pay refunds*
18 *due depositors: Provided further, That, notwithstanding*
19 *any other provision of law, \$214,402,000 of offsetting collec-*
20 *tions pursuant to 28 U.S.C. 589a(b) shall be retained and*
21 *used for necessary expenses in this appropriation and re-*
22 *main available until expended: Provided further, That the*
23 *sum herein appropriated from the Fund shall be reduced*
24 *as such offsetting collections are received during fiscal year*
25 *2006, so as to result in a final fiscal year 2006 appropria-*
26 *tion from the Fund estimated at \$0.*

1 *SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT*

2 *COMMISSION*

3 *For expenses necessary to carry out the activities of*
4 *the Foreign Claims Settlement Commission, including serv-*
5 *ices as authorized by 5 U.S.C. 3109, \$1,270,000.*

6 *UNITED STATES MARSHALS SERVICE*

7 *SALARIES AND EXPENSES*

8 *For necessary expenses of the United States Marshals*
9 *Service, \$764,199,000; of which not to exceed \$6,000 shall*
10 *be available for official reception and representation ex-*
11 *penses; of which \$4,000,000 for information technology sys-*
12 *tems shall remain available until expended; and of which*
13 *not less than \$13,130,000 shall be available for the costs*
14 *of courthouse security equipment, including furnishings, re-*
15 *locations, and telephone systems and cabling, and shall re-*
16 *main available until September 30, 2007: Provided, That*
17 *beginning in fiscal year 2007 and for each fiscal year there-*
18 *after, the Attorney General shall include in the budget jus-*
19 *tification materials that the Attorney General submits to*
20 *Congress in support of the Department of Justice budget*
21 *(as submitted with the budget of the President under section*
22 *1105(a) of title 31, 10 United States Code) an estimate for*
23 *each United States Marshals Service courthouse security*
24 *project and an estimate of the budgetary requirements for*
25 *each such project for each of the five subsequent fiscal years:*

1 *Provided further, That, in addition to reimbursable full-*
 2 *time equivalent workyears available to the United States*
 3 *Marshals Service, not to exceed 4,657 positions and 4,515*
 4 *full-time equivalent workyears shall be supported from the*
 5 *funds appropriated in this Act for the United States Mar-*
 6 *shals Service.*

7 CONSTRUCTION

8 *For construction in space controlled, occupied or uti-*
 9 *lized by the United States Marshals Service in United*
 10 *States courthouses and Federal buildings, \$12,000,000, to*
 11 *remain available until expended: Provided, That beginning*
 12 *in fiscal year 2007 and for each fiscal year thereafter, the*
 13 *Attorney General shall include in the budget justification*
 14 *materials that the Attorney General submits to Congress in*
 15 *support of the Department of Justice budget (as submitted*
 16 *with the budget of the President under section 1105(a) of*
 17 *title 31, 10 United States Code) an estimate for each con-*
 18 *struction project of United States Marshals Service in*
 19 *United States courthouses and Federal buildings and an*
 20 *estimate of the budgetary requirements for each such project*
 21 *for each of the five subsequent fiscal years.*

22 FEES AND EXPENSES OF WITNESSES

23 *For fees and expenses of witnesses, for expenses of con-*
 24 *tracts for the procurement and supervision of expert wit-*
 25 *nesses, for private counsel expenses, including advances,*
 26 *\$168,000,000, to remain available until expended: Pro-*

1 *vided, That not to exceed \$8,000,000 may be made available*
2 *for construction of buildings for protected witness safesites:*
3 *Provided further, That not to exceed \$1,000,000 may be*
4 *made available for the purchase and maintenance of ar-*
5 *mored vehicles for transportation of protected witnesses;*
6 *and of which not to exceed \$7,000,000 may be made avail-*
7 *able for the purchase, installation, and maintenance and*
8 *upgrade of secure telecommunications equipment and a se-*
9 *cure automated information network to store and retrieve*
10 *the identities and locations of protected witnesses.*

11 *SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE*

12 *For the necessary expenses of the Community Rela-*
13 *tions Service, \$9,659,000: Provided, That notwithstanding*
14 *any other provision of law, upon a determination by the*
15 *Attorney General that emergent circumstances require addi-*
16 *tional funding for conflict resolution and violence preven-*
17 *tion activities of the Community Relations Service, the At-*
18 *torney General may transfer such amounts to the Commu-*
19 *nity Relations Service, from available appropriations for*
20 *the current fiscal year for the Department of Justice, as*
21 *may be necessary to respond to such circumstances: Pro-*
22 *vided further, That any transfer pursuant to the previous*
23 *proviso shall be treated as a reprogramming under section*
24 *505 of this Act and shall not be available for obligation*
25 *or expenditure except in compliance with the procedures set*
26 *forth in that section.*

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(B), (F), and (G), \$21,468,000, to be derived from the Department of Justice Assets Forfeiture Fund.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, \$440,197,000, of which \$50,000,000 shall remain available until expended: Provided, That all funds appropriated under this heading shall be managed and executed by the Administrator of the Drug Enforcement Administration and all employees of the Executive Office for the Organized Crime and Drug Enforcement Task Forces shall report directly to said Administrator within 60 days of enactment of this Act: Provided further, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: Provided further, That of the funds provided under this heading, \$5,000,000

1 *may be expended for hiring officers in the Southwest United*
 2 *States dedicated to the investigation of manufacturers of*
 3 *fraudulent Federal identity documents, Federal travel docu-*
 4 *ments, or documents allowing access to Federal programs:*
 5 *Provided further, That any unobligated balances remaining*
 6 *available at the end of the fiscal year shall be available to*
 7 *the Administrator of the Drug Enforcement Administration*
 8 *for reallocation among participating organizations in suc-*
 9 *ceeding fiscal years, subject to the reprogramming proce-*
 10 *dures set forth in section 505 of this Act.*

11 *FEDERAL BUREAU OF INVESTIGATION*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the Federal Bureau of Inves-*
 14 *tigation for detection, investigation, and prosecution of*
 15 *crimes against the United States; including purchase for*
 16 *police-type use of not to exceed 3,868 passenger motor vehi-*
 17 *cles, of which 3,039 will be for replacement only; and not*
 18 *to exceed \$70,000 to meet unforeseen emergencies of a con-*
 19 *fidential character pursuant to 28 U.S.C. 530C,*
 20 *\$5,295,513,000; of which not to exceed \$150,000,000 shall*
 21 *remain available until expended; of which \$1,600,000,000*
 22 *shall be for counterterrorism investigations, foreign counter-*
 23 *intelligence, and other activities related to our national se-*
 24 *curity; of which \$152,546,000 shall be for national security*
 25 *infrastructure; of which not less than \$1,200,000 shall be*

1 *for the Federal Bureau of Investigation for processing of*
2 *background checks for petitions and applications pending*
3 *before U.S. Citizenship and Immigration Services; and of*
4 *which not to exceed \$20,000,000 is authorized to be made*
5 *available for making advances for expenses arising out of*
6 *contractual or reimbursable agreements with State and*
7 *local law enforcement agencies while engaged in cooperative*
8 *activities related to violent crime, terrorism, organized*
9 *crime, cybercrime, and drug investigations: Provided, That*
10 *not to exceed \$200,000 shall be available for official recep-*
11 *tion and representation expenses.*

12 CONSTRUCTION

13 *For necessary expenses to construct or acquire build-*
14 *ings and sites by purchase, or as otherwise authorized by*
15 *law (including equipment for such buildings); conversion*
16 *and extension of federally-owned buildings; and prelimi-*
17 *nary planning and design of projects; \$25,213,000, to re-*
18 *main available until expended: Provided, That \$15,108,000*
19 *shall be available for the planning, design, and construction*
20 *of a regional analytical training center in Redstone Arse-*
21 *nal: Provided further, That \$5,000,000 shall be available*
22 *for a chemical and biological evidence handling and storage*
23 *facility to be co-located with comparable facilities in exist-*
24 *ence for sample, handling and receipt of hazardous material*
25 *by the Department of the Army.*

1 *DRUG ENFORCEMENT ADMINISTRATION*2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the Drug Enforcement Ad-*
4 *ministration, including not to exceed \$70,000 to meet un-*
5 *foreseen emergencies of a confidential character pursuant*
6 *to 28 U.S.C. 530C; expenses for conducting drug education*
7 *and training programs, including travel and related ex-*
8 *penses for participants in such programs and the distribu-*
9 *tion of items of token value that promote the goals of such*
10 *programs; and purchase of not to exceed 1,043 passenger*
11 *motor vehicles, of which 937 will be for replacement only,*
12 *for police-type use, \$1,649,142,000; of which not to exceed*
13 *\$75,000,000 shall remain available until expended; and of*
14 *which not to exceed \$100,000 shall be available for official*
15 *reception and representation expenses: Provided, That, in*
16 *addition to reimbursable full-time equivalent workyears*
17 *available to the Drug Enforcement Administration, not to*
18 *exceed 8,371 positions and 8,270 full-time equivalent*
19 *workyears shall be supported from the funds appropriated*
20 *in this Act for the Drug Enforcement Administration.*

21 *BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND*22 *EXPLOSIVES*23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the Bureau of Alcohol, To-*
25 *bacco, Firearms and Explosives, including the purchase of*

1 *not to exceed 822 vehicles for police-type use, of which 650*
2 *shall be for replacement only; not to exceed \$40,000 for offi-*
3 *cial reception and representation expenses; for training of*
4 *State and local law enforcement agencies with or without*
5 *reimbursement, including training in connection with the*
6 *training and acquisition of canines for explosives and fire*
7 *accelerants detection; and for provision of laboratory assist-*
8 *ance to State and local law enforcement agencies, with or*
9 *without reimbursement, \$923,700,000, of which not to ex-*
10 *ceed \$1,000,000 shall be available for the payment of attor-*
11 *neys' fees as provided by 18 U.S.C. 924(d)(2); and of which*
12 *\$10,000,000 shall remain available until expended: Pro-*
13 *vided, That no funds appropriated herein shall be available*
14 *for salaries or administrative expenses in connection with*
15 *consolidating or centralizing, within the Department of*
16 *Justice, the records, or any portion thereof, of acquisition*
17 *and disposition of firearms maintained by Federal firearms*
18 *licensees: Provided further, That no funds appropriated*
19 *herein shall be used to pay administrative expenses or the*
20 *compensation of any officer or employee of the United*
21 *States to implement an amendment or amendments to 27*
22 *CFR 178.118 or to change the definition of "Curios or rel-*
23 *ics" in 27 CFR 178.11 or remove any item from ATF Pub-*
24 *lication 5300.11 as it existed on January 1, 1994: Provided*
25 *further, That none of the funds appropriated herein shall*

1 *be available to investigate or act upon applications for relief*
2 *from Federal firearms disabilities under 18 U.S.C. 925(c):*
3 *Provided further, That such funds shall be available to in-*
4 *vestigate and act upon applications filed by corporations*
5 *for relief from Federal firearms disabilities under section*
6 *925(c) of title 18, United States Code: Provided further,*
7 *That no funds made available by this or any other Act may*
8 *be used to transfer the functions, missions, or activities of*
9 *the Bureau of Alcohol, Tobacco, Firearms and Explosives*
10 *to other agencies or Departments in fiscal year 2006: Pro-*
11 *vided further, That no funds appropriated under this or*
12 *any other Act with respect to any fiscal year may be used*
13 *to disclose part or all of the contents of the Firearms Trace*
14 *System database maintained by the National Trace Center*
15 *of the Bureau of Alcohol, Tobacco, Firearms and Explosives*
16 *or any information required to be kept by licensees pursu-*
17 *ant to section 923(g) of title 18, United States Code, or re-*
18 *quired to be reported pursuant to paragraphs (3) and (7)*
19 *of such section 923(g), to anyone other than a Federal,*
20 *State, or local law enforcement agency or a prosecutor solely*
21 *in connection with and for use in a bona fide criminal in-*
22 *vestigation or prosecution and then only such information*
23 *as pertains to the geographic jurisdiction of the law enforce-*
24 *ment agency requesting the disclosure and not for use in*
25 *any civil action or proceeding other than an action or pro-*

1 *ceeding commenced by the Bureau of Alcohol, Tobacco, Fire-*
2 *arms and Explosives, or a review of such an action or pro-*
3 *ceeding, to enforce the provisions of chapter 44 of such title,*
4 *and all such data shall be immune from legal process and*
5 *shall not be subject to subpoena or other discovery in any*
6 *civil action in a State or Federal court or in any adminis-*
7 *trative proceeding other than a proceeding commenced by*
8 *the Bureau of Alcohol, Tobacco, Firearms and Explosives*
9 *to enforce the provisions of that chapter, or a review of such*
10 *an action or proceeding; except that this proviso shall not*
11 *be construed to prevent the disclosure of statistical informa-*
12 *tion concerning total production, importation, and expor-*
13 *tation by each licensed importer (as defined in section*
14 *921(a)(9) of such title) and licensed manufacturer (as de-*
15 *fined in section 921(a)(10) of such title): Provided further,*
16 *That no funds made available by this or any other Act shall*
17 *be expended to promulgate or implement any rule requiring*
18 *a physical inventory of any business licensed under section*
19 *923 of title 18, United States Code: Provided further, That*
20 *no funds under this Act may be used to electronically re-*
21 *trieve information gathered pursuant to 18 U.S.C.*
22 *923(g)(4) by name or any personal identification code: Pro-*
23 *vided further, That no funds authorized or made available*
24 *under this or any other Act may be used to deny any appli-*
25 *cation for a license under section 923 of title 18, United*

1 *States Code, or renewal of such a license due to a lack of*
2 *business activity, provided that the applicant is otherwise*
3 *eligible to receive such a license, and is eligible to report*
4 *business income or to claim an income tax deduction for*
5 *business expenses under the Internal Revenue Code of 1986:*
6 *Provided further, That of the amount provided under this*
7 *heading, \$5,000,000, to remain available until expended,*
8 *shall be for the expenses necessary for site selection, architec-*
9 *tural design, site preparation and the development of a total*
10 *cost estimate for the construction of a permanent site for*
11 *the National Center for Explosives Training and Research:*
12 *Provided further, That any funds remaining shall be ap-*
13 *plied to the construction of the Center: Provided further,*
14 *That the Director of the ATF, when considering site selec-*
15 *tion shall consider a site collocated with other law enforce-*
16 *ment and Federal government entities that provide similar*
17 *training and research.*

18 *FEDERAL PRISON SYSTEM*

19 *SALARIES AND EXPENSES*

20 *For expenses necessary of the Federal Prison System*
21 *for the administration, operation, and maintenance of Fed-*
22 *eral penal and correctional institutions, including purchase*
23 *(not to exceed 768, of which 701 are for replacement only)*
24 *and hire of law enforcement and passenger motor vehicles,*
25 *and for the provision of technical assistance and advice on*

1 corrections related issues to foreign governments,
2 \$4,889,649,000: *Provided, That the Attorney General may*
3 *transfer to the Health Resources and Services Administra-*
4 *tion such amounts as may be necessary for direct expendi-*
5 *tures by that Administration for medical relief for inmates*
6 *of Federal penal and correctional institutions: Provided*
7 *further, That the Director of the Federal Prison System,*
8 *where necessary, may enter into contracts with a fiscal*
9 *agent/fiscal intermediary claims processor to determine the*
10 *amounts payable to persons who, on behalf of the Federal*
11 *Prison System, furnish health services to individuals com-*
12 *mitted to the custody of the Federal Prison System: Pro-*
13 *vided further, That not to exceed \$6,000 shall be available*
14 *for official reception and representation expenses: Provided*
15 *further, That not to exceed \$85,017,000 shall remain avail-*
16 *able for prison activations until September 30, 2007: Pro-*
17 *vided further, That, of the amounts provided for Contract*
18 *Confinement, not to exceed \$20,000,000 shall remain avail-*
19 *able until expended to make payments in advance for*
20 *grants, contracts and reimbursable agreements, and other*
21 *expenses authorized by section 501(c) of the Refugee Edu-*
22 *cation Assistance Act of 1980, for the care and security in*
23 *the United States of Cuban and Haitian entrants: Provided*
24 *further, That the Director of the Federal Prison System*
25 *may accept donated property and services relating to the*

1 *operation of the prison card program from a not-for-profit*
2 *entity which has operated such program in the past not-*
3 *withstanding the fact that such not-for-profit entity fur-*
4 *nishes services under contracts to the Federal Prison System*
5 *relating to the operation of pre-release services, halfway*
6 *houses or other custodial facilities.*

7 *BUILDINGS AND FACILITIES*

8 *For planning, acquisition of sites and construction of*
9 *new facilities; purchase and acquisition of facilities and re-*
10 *modeling, and equipping of such facilities for penal and*
11 *correctional use, including all necessary expenses incident*
12 *thereto, by contract or force account; and constructing, re-*
13 *modeling, and equipping necessary buildings and facilities*
14 *at existing penal and correctional institutions, including*
15 *all necessary expenses incident thereto, by contract or force*
16 *account, \$222,112,000, to remain available until expended,*
17 *of which not to exceed \$14,000,000 shall be available to con-*
18 *struct areas for inmate work programs, and of which*
19 *\$5,000,000 should be for site planning and development of*
20 *a Federal Correctional Institution in the Mid-Atlantic re-*
21 *gion: Provided, That labor of United States prisoners may*
22 *be used for work performed under this appropriation.*

23 *FEDERAL PRISON INDUSTRIES, INCORPORATED*

24 *The Federal Prison Industries, Incorporated, is hereby*
25 *authorized to make such expenditures, within the limits of*
26 *funds and borrowing authority available, and in accord*

1 *with the law, and to make such contracts and commitments,*
2 *without regard to fiscal year limitations as provided by sec-*
3 *tion 9104 of title 31, United States Code, as may be nec-*
4 *essary in carrying out the program set forth in the budget*
5 *for the current fiscal year for such corporation, including*
6 *purchase (not to exceed five for replacement only) and hire*
7 *of passenger motor vehicles.*

8 *LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL*
9 *PRISON INDUSTRIES, INCORPORATED*

10 *Not to exceed \$3,365,000 of the funds of the corporation*
11 *shall be available for its administrative expenses, and for*
12 *services as authorized by 5 U.S.C. 3109, to be computed*
13 *on an accrual basis to be determined in accordance with*
14 *the corporation's current prescribed accounting system, and*
15 *such amounts shall be exclusive of depreciation, payment*
16 *of claims, and expenditures which such accounting system*
17 *requires to be capitalized or charged to cost of commodities*
18 *acquired or produced, including selling and shipping ex-*
19 *penses, and expenses in connection with acquisition, con-*
20 *struction, operation, maintenance, improvement, protec-*
21 *tion, or disposition of facilities and other property belong-*
22 *ing to the corporation or in which it has an interest.*

1 OFFICE ON VIOLENCE AGAINST WOMEN
2 VIOLENCE AGAINST WOMEN PREVENTION AND
3 PROSECUTION PROGRAMS

4 *For grants, contracts, cooperative agreements, and*
5 *other assistance for the prevention and prosecution of vio-*
6 *lence against women as authorized by the Omnibus Crime*
7 *Control and Safe Streets Act of 1968 (“the 1968 Act”); the*
8 *Violent Crime Control and Law Enforcement Act of 1994*
9 *(Public Law 103–322) (“the 1994 Act”); the Prosecutorial*
10 *Remedies and Other Tools to End the Exploitation of Chil-*
11 *dren Today Act of 2003 (Public Law 108–21); the Juvenile*
12 *Justice and Delinquency Prevention Act of 1974 (“the 1974*
13 *Act”); and the Victims of Trafficking and Violence Protec-*
14 *tion Act of 2000 (Public Law 106–386); \$371,997,000, to*
15 *remain available until expended: Provided, That except as*
16 *otherwise provided by law, not to exceed three percent of*
17 *funds made available under this heading may be used for*
18 *expenses related to evaluation, training and technical as-*
19 *sistance: Provided further, That of the amounts provided—*
20 *(1) \$187,308,000 for grants to combat violence*
21 *against women as authorized by part T of the 1968*
22 *Act, of which:*
23 *(A) \$5,200,000 shall be for the National In-*
24 *stitute of Justice for research and evaluation of*
25 *violence against women;*

1 (B) \$10,000,000 shall be for the Office of
2 *Juvenile Justice and Delinquency Prevention for*
3 *the Safe Start Program, as authorized by the Ju-*
4 *venile Justice and Delinquency Act of 1974 Act;*
5 *and*

6 (C) \$15,000,000 shall be for transitional
7 *housing assistance grants for victims of domestic*
8 *violence, stalking or sexual assault as authorized*
9 *by Public Law 108–21;*

10 (2) \$62,660,000 for grants to encourage arrest
11 *policies as authorized by part U of the 1968 Act;*

12 (3) \$39,166,000 for rural domestic violence and
13 *child abuse enforcement assistance grants, as author-*
14 *ized by section 40295(a) of the 1994 Act;*

15 (4) \$9,054,000 to reduce violent crimes against
16 *women on campus, as authorized by section 1108(a)*
17 *of Public Law 106–386;*

18 (5) \$39,220,000 for legal assistance for victims,
19 *as authorized by section 1201(c) of Public Law 106–*
20 *386;*

21 (6) \$4,540,000 for enhancing protection for older
22 *and disabled women from domestic violence and sex-*
23 *ual assault, as authorized by section 40802 of the*
24 *1994 Act;*

1 (7) \$13,894,000 for the safe havens for children
 2 pilot program, as authorized by section 1301(a) of
 3 Public Law 106–386;

4 (8) \$7,155,000 for education and training to end
 5 violence against and abuse of women with disabilities,
 6 as authorized by section 1402(a) of Public Law 106–
 7 386;

8 (9) \$2,000,000 for the Rape Abuse and Incest
 9 National Network (RAINN);

10 (10) \$1,000,000 for nonprofit, nongovernmental
 11 statewide coalitions serving sexual assault victims;
 12 and

13 (11) \$6,000,000 to be allocated, in consultation
 14 with the Department of Health and Human Services,
 15 to nonprofit, nongovernmental statewide domestic vio-
 16 lence coalitions serving domestic violence programs.

17 OFFICE OF JUSTICE PROGRAMS

18 JUSTICE ASSISTANCE

19 For grants, contracts, cooperative agreements, and
 20 other assistance authorized by title I of the Omnibus Crime
 21 Control and Safe Streets Act of 1968, as amended, the Miss-
 22 ing Children’s Assistance Act, as amended, including sala-
 23 ries and expenses in connection therewith, the Victims of
 24 Child Abuse Act of 1990 (“the 1990 Act”), the Prosecutorial
 25 Remedies and Other Tools to end the Exploitation of Chil-

1 *dren Today Act of 2003 (Public Law 108–21), and with*
 2 *the Victims of Crime Act of 1984, as amended,*
 3 *\$221,000,000, to remain available until expended: Pro-*
 4 *vided, That of the amount provided—*

5 (1) \$4,958,000 for training programs as author-
 6 ized by section 40152 of the 1994 Act, and for related
 7 local demonstration projects;

8 (2) \$986,000 for grants for televised testimony,
 9 as authorized by Part N of the 1968 Act;

10 (3) \$2,962,000 for grants to improve the stalking
 11 and domestic violence databases, as authorized by sec-
 12 tion 40602(a) of the 1994 Act;

13 (4) \$5,287,000 for child abuse training programs
 14 for judicial personnel and practitioners, as authorized
 15 by section 222 of the 1990 Act;

16 (5) \$11,846,000 for the court-appointed special
 17 advocate program, as authorized by section 217 of the
 18 1990 Act.

19 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

20 *For grants, contracts, cooperative agreements, and*
 21 *other assistance authorized by the Violent Crime Control*
 22 *and Law Enforcement Act of 1994 (Public Law 103–322)*
 23 *(“the 1994 Act”); the Omnibus Crime Control and Safe*
 24 *Streets Act of 1968 (“the 1968 Act”); and the Victims of*
 25 *Trafficking and Violence Protection Act of 2000 (Public*
 26 *Law 106–386); and other programs; \$1,353,350,000 of*

1 *which in addition to amounts provided by the following*
 2 *table \$275,000,000 shall be available for Justice Assistance*
 3 *Grants to be offset by reducing appropriations in this title*
 4 *by a total of \$275,000,000 to come from activities as follows:*
 5 *\$43,000,000 from travel and transportation of persons;*
 6 *\$3,000,000 from transportation of things; \$27,000,000 from*
 7 *communications, utilities, and miscellaneous charges;*
 8 *\$6,000,000 from printing and reproduction; and*
 9 *\$196,000,000 from other services (including amounts for*
 10 *administrative costs which shall be transferred to and*
 11 *merged with the “Justice Assistance” account): Provided,*
 12 *That funding provided under this heading shall remain*
 13 *available until expended: Provided further, That funds pro-*
 14 *vided under this heading shall be distributed in the manner*
 15 *described in the following table:*

<i>Program</i>	<i>Amount</i>
<i>Justice Assistance Grants</i>	<i>\$530,000,000</i>
<i>Boys and Girls Clubs</i>	<i>\$85,000,000</i>
<i>National Institute of Justice</i>	<i>\$10,000,000</i>
<i>Indian Assistance Programs</i>	<i>\$15,000,000</i>
<i>State Criminal Alien Assistance Programs</i>	<i>\$170,000,000</i>
<i>SW Border Prosecutors</i>	<i>\$30,000,000</i>
<i>Byrne Grants (discretionary)</i>	<i>\$177,000,000</i>
<i>Drug Courts</i>	<i>\$25,000,000</i>
<i>Marketing Scams Against Senior Citizens</i>	<i>\$1,000,000</i>
<i>Missing Alzheimer’s Disease Patient Alert Program</i>	<i>\$850,000</i>
<i>Assistance for Victims of Trafficking</i>	<i>\$2,000,000</i>
<i>Prison Rape Prevention</i>	<i>\$1,500,000</i>
<i>State Prison Drug Treatment</i>	<i>\$15,000,000</i>
<i>National Criminal Intelligence Sharing Plan</i>	<i>\$6,000,000</i>
<i>Capital Litigation</i>	<i>\$1,000,000</i>
<i>Justice For All</i>	<i>\$4,000,000</i>
<i>State and Local Anti-Terrorism Training</i>	<i>\$5,000,000:</i>

16 *Provided further, That, if a unit of local government uses*
 17 *any of the funds made available under this title to increase*

1 *the number of law enforcement officers, the unit of local gov-*
2 *ernment will achieve a net gain in the number of law en-*
3 *forcement officers who perform nonadministrative public*
4 *safety service.*

5 *WEED AND SEED PROGRAM FUND*

6 *For necessary expenses, including salaries and related*
7 *expenses of the Executive Office for Weed and Seed, to im-*
8 *plement “Weed and Seed” program activities, \$50,280,000,*
9 *to remain available until September 30, 2007, for inter-*
10 *governmental agreements, including grants, cooperative*
11 *agreements, and contracts, with State and local law enforce-*
12 *ment agencies, non-profit organizations, and agencies of*
13 *local government engaged in the investigation and prosecu-*
14 *tion of violent crimes and drug offenses in “Weed and Seed”*
15 *designated communities, and for either reimbursements or*
16 *transfers to appropriation accounts of the Department of*
17 *Justice and other Federal agencies which shall be specified*
18 *by the Attorney General to execute the “Weed and Seed”*
19 *program strategy: Provided, That funds designated by Con-*
20 *gress through language for other Department of Justice ap-*
21 *propriation accounts for “Weed and Seed” program activi-*
22 *ties shall be managed and executed by the Attorney General*
23 *through the Executive Office for Weed and Seed: Provided*
24 *further, That the Attorney General may direct the use of*
25 *other Department of Justice funds and personnel in support*
26 *of “Weed and Seed” program activities only after the Attor-*

1 *ney General notifies the Committees on Appropriations of*
 2 *the House of Representatives and the Senate in accordance*
 3 *with section 505 of this Act: Provided further, That of the*
 4 *funds appropriated for the Executive Office for Weed and*
 5 *Seed, \$2,000,000 shall be directed for comprehensive com-*
 6 *munity development training and technical assistance.*

7 *COMMUNITY ORIENTED POLICING SERVICES*

8 *For activities authorized by the Violent Crime Control*
 9 *and Law Enforcement Act of 1994 (Public Law 103–322)*
 10 *(including administrative costs), \$534,987,000, of which*
 11 *\$19,900,000 shall be offset by reducing appropriations in*
 12 *this title for Department of Justice supplies and materials*
 13 *by a total of \$19,900,000, to remain available until ex-*
 14 *pendent: Provided, That funds that become available as a*
 15 *result of deobligations from prior year balances may not*
 16 *be obligated except in accordance with section 505 of this*
 17 *Act: Provided further, That of the funds under this heading,*
 18 *not to exceed \$2,575,000 shall be available for the Office*
 19 *of Justice Programs for reimbursable services associated*
 20 *with programs administered by the Community Oriented*
 21 *Policing Services Office: Provided further, That section*
 22 *1703(b) and (c) of the Omnibus Crime Control and Safe*
 23 *Streets Act of 1968 (“the 1968 Act”) shall not apply to non-*
 24 *hiring grants made pursuant to part Q of title I thereof*
 25 *(42 U.S.C. 3796dd et seq.): Provided further, That funds*

1 *provided under this heading shall be distributed in the*
 2 *manner described in the following table:*

<i>Program</i>	<i>Amount</i>
<i>Hiring</i>	<i>\$2,000,000</i>
<i>Training and Technical Assistance</i>	<i>\$14,000,000</i>
<i>Bullet Proof Vests</i>	<i>\$27,000,000</i>
<i>Tribal Law Enforcement</i>	<i>\$20,000,000</i>
<i>Methamphetamine Hot Spots</i>	<i>\$80,000,000</i>
<i>Police Corps</i>	<i>\$10,000,000</i>
<i>Law Enforce Technologies (projects)</i>	<i>\$137,000,000</i>
<i>Interoperable Communications</i>	<i>\$37,500,000</i>
<i>Criminal Records Upgrade</i>	<i>\$20,000,000</i>
<i>DNA Initiative</i>	<i>\$89,500,000</i>
<i>Coverdell Forensics Science Improvements</i>	<i>\$22,000,000</i>
<i>Crime Identification Technology</i>	<i>\$30,000,000</i>
<i>Offender Reentry</i>	<i>\$3,000,000</i>
<i>Safe Schools Initiative</i>	<i>\$5,000,000</i>
<i>Police Integrity</i>	<i>\$7,500,000</i>
<i>Management and Administration</i>	<i>\$30,487,000.</i>

3 *JUVENILE JUSTICE PROGRAMS*

4 *For grants, contracts, cooperative agreements, and*
 5 *other assistance authorized by the Juvenile Justice and De-*
 6 *linquency Prevention Act of 1974 (“the Act”) and other ju-*
 7 *venile justice programs, including salaries and expenses in*
 8 *connection therewith to be transferred to and merged with*
 9 *the appropriations for Justice Assistance, \$352,000,000 of*
 10 *which \$2,000,000 shall be for grants for methamphetamine*
 11 *prevention education programs in elementary and sec-*
 12 *ondary schools to be offset by a reduction of \$2,000,000 in*
 13 *the Drug Enforcement Agency salaries and expenses in this*
 14 *Act, to remain available until expended: Provided, That*
 15 *funds provided under this heading shall be distributed in*
 16 *the manner described in the following table:*

<i>Program</i>	<i>Amount</i>
<i>Part A, Concentration of Federal Efforts</i>	<i>\$1,000,000</i>
<i>Part B, Formula Grants</i>	<i>\$82,000,000</i>

<i>Program</i>	<i>Amount</i>
<i>Part C, Discretionary Grants</i>	<i>\$5,000,000</i>
<i>Part D, Research, Evaluation, TA and Training</i>	<i>\$8,000,000</i>
<i>Part E, Developing New Initiatives</i>	<i>\$75,000,000</i>
<i>Part G, Juvenile Mentoring Program (JUMP)</i>	<i>\$15,000,000</i>
<i>Title V, At Risk Children Programs</i>	<i>\$20,000,000</i>
<i>Title V, Tribal Youth</i>	<i>\$10,000,000</i>
<i>Title V, Gang Prevention</i>	<i>\$25,000,000</i>
<i>Title V, Prevention of Underage Drinking</i>	<i>\$25,000,000</i>
<i>Secure Our Schools Act</i>	<i>\$15,000,000</i>
<i>Project Childsafe</i>	<i>\$5,000,000</i>
<i>Juvenile Accountability Block Grants</i>	<i>\$49,000,000</i>
<i>Victims of Child Abuse Act</i>	<i>\$15,000,000.</i>

1 *PUBLIC SAFETY OFFICERS BENEFITS*

2 *To remain available until expended, for payments au-*
3 *thorized by part L of title I of the Omnibus Crime Control*
4 *and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended,*
5 *such sums as are necessary, as authorized by section 6093*
6 *of Public Law 100–690 (102 Stat. 4339–4340); and*
7 *\$4,884,000, to remain available until expended for pay-*
8 *ments as authorized by section 1201(b) of said Act; and*
9 *\$4,064,000 for educational assistance, as authorized by sec-*
10 *tion 1212 of the 1968 Act.*

11 *GENERAL PROVISIONS—DEPARTMENT OF JUSTICE*

12 *SEC. 101. In addition to amounts otherwise made*
13 *available in this title for official reception and representa-*
14 *tion expenses, a total of not to exceed \$60,000 from funds*
15 *appropriated to the Department of Justice in this title shall*
16 *be available to the Attorney General for official reception*
17 *and representation expenses.*

18 *SEC. 102. None of the funds appropriated by this title*
19 *shall be available to pay for an abortion, except where the*

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

5 *SEC. 103. None of the funds appropriated under this*
6 *title shall be used to require any person to perform, or fa-*
7 *cilitate in any way the performance of, any abortion.*

8 *SEC. 104. Nothing in the preceding section shall re-*
9 *move the obligation of the Director of the Bureau of Prisons*
10 *to provide escort services necessary for a female inmate to*
11 *receive such service outside the Federal facility: Provided,*
12 *That nothing in this section in any way diminishes the*
13 *effect of section 103 intended to address the philosophical*
14 *beliefs of individual employees of the Bureau of Prisons.*

15 *SEC. 105. Not to exceed 5 percent of any appropriation*
16 *made available for the current fiscal year for the Depart-*
17 *ment of Justice in this Act may be transferred between such*
18 *appropriations, but no such appropriation, except as other-*
19 *wise specifically provided, shall be increased by more than*
20 *10 percent by any such transfers: Provided, That any trans-*
21 *fer pursuant to this section shall be treated as a reprogram-*
22 *ming of funds under section 505 of this Act and shall not*
23 *be available for obligation except in compliance with the*
24 *procedures set forth in that section: Provided further, That*
25 *none of the funds appropriated to “Buildings and Facili-*

1 ties, *Federal Prison System*” in this or any other Act may
2 be transferred to “*Salaries and Expenses, Federal Prison*
3 *System*”, or any other Department of Justice account, un-
4 less the President certifies that such a transfer is necessary
5 to the national security interests of the United States, and
6 such authority shall not be delegated, and shall be subject
7 to section 505 of this Act.

8 *SEC. 106. The Attorney General is authorized to make*
9 *permanent the Personnel Management Demonstration*
10 *Project transferred to the Attorney General pursuant to sec-*
11 *tion 1115 of the Homeland Security Act of 2002, Public*
12 *Law 107–296 (6 U.S.C. 533) without limitation on the*
13 *number of employees or the positions covered.*

14 *SEC. 107. Notwithstanding any other provision of law,*
15 *Public Law 102–395 section 102(b) shall extend to the Bu-*
16 *reau of Alcohol, Tobacco, Firearms and Explosives in the*
17 *conduct of undercover investigative operations and shall*
18 *apply without fiscal year limitation with respect to any*
19 *undercover investigative operation initiated by the Bureau*
20 *of Alcohol, Tobacco, Firearms and Explosives that is nec-*
21 *essary for the detection and prosecution of crimes against*
22 *the United States.*

23 *SEC. 108. Funds appropriated by this Act for the Fed-*
24 *eral Prisons System shall be in the amounts and accounts*
25 *specified in the report accompanying this Act: Provided,*

1 *That within 30 days of enactment of this Act, the Bureau*
2 *of Prisons will submit a comprehensive financial plan for*
3 *the Federal Prison System to the Committees on Appropria-*
4 *tions: Provided further, That no funds appropriated for the*
5 *Federal Prison System in this or any other Appropriations*
6 *Act for the construction of new facilities may be rescinded,*
7 *cancelled, or used for any other purpose.*

8 *SEC. 109. None of the funds made available to the De-*
9 *partment of Justice in this Act may be used for the purpose*
10 *of transporting an individual who is a prisoner pursuant*
11 *to conviction for crime under State or Federal law and is*
12 *classified as a maximum or high security prisoner, other*
13 *than to a prison or other facility certified by the Federal*
14 *Bureau of Prisons as appropriately secure for housing such*
15 *a prisoner.*

16 *SEC. 110. (a) None of the funds appropriated by this*
17 *Act may be used by Federal prisons to purchase cable tele-*
18 *vision services, to rent or purchase videocassettes, video-*
19 *cassette recorders, or other audiovisual or electronic equip-*
20 *ment used primarily for recreational purposes.*

21 *(b) The preceding sentence does not preclude the rent-*
22 *ing, maintenance, or purchase of audiovisual or electronic*
23 *equipment for inmate training, religious, or educational*
24 *programs.*

1 *SEC. 111. Within the funds provided under “Justice*
2 *Information Sharing Technology”, the Attorney General*
3 *shall establish an investment review board, which the Dep-*
4 *uty Attorney General shall head: Provided, That within 90*
5 *days of enactment of this Act, the Department shall submit*
6 *a plan that outlines the governance structure and member-*
7 *ship of the board: Provided further, That the Department*
8 *shall submit to the Committee on Appropriations of the*
9 *Senate and the Committee on Appropriations of the House*
10 *of Representatives, within 90 days of enactment of this Act,*
11 *the project criteria that will trigger the board’s oversight,*
12 *to include a listing of all projects to be reviewed during*
13 *fiscal year 2006.*

14 *SEC. 112. Section 3151(b) of title 5, United States*
15 *Code, is amended by—*

- 16 *(1) striking paragraph (2)(A) and (B);*
17 *(2) in paragraph (1) by striking “(1)”;* and
18 *(3) redesignating subparagraphs (A) and (B) as*
19 *paragraphs (1) and (2), respectively.*

20 *SEC. 113. Within the funds provided for the Drug En-*
21 *forcement Agency, the Attorney General shall establish a*
22 *Methamphetamine Task Force within the Drug Enforce-*
23 *ment Agency which shall be responsible for improving and*
24 *targeting the Federal Government’s policies with respect to*
25 *the production and trafficking of methamphetamine: Pro-*

1 vided, That within 90 days of enactment of this Act, the
2 Drug Enforcement Agency shall submit a plan that outlines
3 the governance structure and membership of the task force:
4 Provided further, That within 120 days the Drug Enforce-
5 ment Agency shall establish the task force and submit to
6 the Committee on Appropriations of the Senate and the
7 Committee on Appropriations of the House of Representa-
8 tives the membership of the task force and powers estab-
9 lished for the task force.

10 SEC. 114. Section 7(d)(3)(A) of the Prison Rape
11 Elimination Act of 2003 (42 U.S.C. 15606) is amended by
12 striking “2 years” and inserting “3 years”.

13 SEC. 115. The Attorney General may waive the match-
14 ing requirement for the purchase of bulletproof vests of the
15 Bulletproof Vest Partnership Grant Act of 1998 for any law
16 enforcement agency that purchased defective Zylon-based
17 body armor with Federal funds pursuant to such Act be-
18 tween October 1, 1998, and September 30, 2005, and seeks
19 to replace that Zylon-based body armor, provided that the
20 law enforcement agency can present documentation to prove
21 the purchase of Zylon-based body armor with funds award-
22 ed to it under such Act.

23 This title may be cited as the “Department of Justice
24 Appropriations Act, 2006”.

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

7 *For necessary expenses of the Office of the United*
8 *States Trade Representative, including the hire of passenger*
9 *motor vehicles and the employment of experts and consult-*
10 *ants as authorized by 5 U.S.C. 3109, \$40,997,000, of which*
11 *\$1,000,000 shall remain available until expended: Provided,*
12 *That not to exceed \$124,000 shall be available for official*
13 *reception and representation expenses: Provided further,*
14 *That not less than \$2,000,000 provided under this heading*
15 *shall be for expenses authorized by 19 U.S.C. 2451 and*
16 *1677b(c): Provided further, That negotiations shall be con-*
17 *ducted within the World Trade Organization to recognize*
18 *the right of members to distribute monies collected from*
19 *antidumping and countervailing duties: Provided further,*
20 *That negotiations shall be conducted within the World*
21 *Trade Organization consistent with the negotiating objec-*
22 *tives contained in the Trade Act of 2002, Public Law 107–*
23 *210.*

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 5 U.S.C. 3109, and not to*
6 *exceed \$2,500 for official reception and representation ex-*
7 *penses, \$62,752,000, to remain available until expended.*

8 *DEPARTMENT OF COMMERCE*9 *INTERNATIONAL TRADE ADMINISTRATION*10 *OPERATIONS AND ADMINISTRATION*

11 *For necessary expenses for international trade activi-*
12 *ties of the Department of Commerce provided for by law,*
13 *and for engaging in trade promotional activities abroad,*
14 *including expenses of grants and cooperative agreements for*
15 *the purpose of promoting exports of United States firms,*
16 *without regard to 44 U.S.C. 3702 and 3703; full medical*
17 *coverage for dependent members of immediate families of*
18 *employees stationed overseas and employees temporarily*
19 *posted overseas; travel and transportation of employees of*
20 *the United States and Foreign Commercial Service between*
21 *two points abroad, without regard to 49 U.S.C. 40118; em-*
22 *ployment of Americans and aliens by contract for services;*
23 *rental of space abroad for periods not exceeding 10 years,*
24 *and expenses of alteration, repair, or improvement; pur-*
25 *chase or construction of temporary demountable exhibition*

1 structures for use abroad; payment of tort claims, in the
2 manner authorized in the first paragraph of 28 U.S.C. 2672
3 when such claims arise in foreign countries; not to exceed
4 \$327,000 for official representation expenses abroad; pur-
5 chase of passenger motor vehicles for official use abroad, not
6 to exceed \$45,000 per vehicle; obtaining insurance on offi-
7 cial motor vehicles; and rental of tie lines, \$404,625,000,
8 to remain available until expended, of which \$8,000,000 is
9 to be derived from fees to be retained and used by the Inter-
10 national Trade Administration, notwithstanding 31 U.S.C.
11 3302: Provided, That \$48,134,000 shall be for Manufac-
12 turing and Services; \$39,815,000 shall be for Market Access
13 and Compliance; \$64,134,000 shall be for the Import Ad-
14 ministration; \$231,722,000 shall be for Trade Promotion
15 and the United States and Foreign Commercial Service;
16 and \$25,820,000 shall be for Executive Direction and Ad-
17 ministration: Provided further, That negotiations shall be
18 conducted within the World Trade Organization to recog-
19 nize the right of members to distribute monies collected from
20 antidumping and countervailing duties: Provided further,
21 That the provisions of the first sentence of section 105(f)
22 and all of section 108(c) of the Mutual Educational and
23 Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and
24 2458(c)) shall apply in carrying out these activities without
25 regard to section 5412 of the Omnibus Trade and Competi-

1 *tiveness Act of 1988 (15 U.S.C. 4912); and that for the pur-*
2 *pose of this Act, contributions under the provisions of the*
3 *Mutual Educational and Cultural Exchange Act of 1961*
4 *shall include payment for assessments for services provided*
5 *as part of these activities: Provided further, That the Inter-*
6 *national Trade Administration shall be exempt from the re-*
7 *quirements of Circular A-25 (or any successor administra-*
8 *tive regulation or policy) issued by the Office of Manage-*
9 *ment and Budget: Provided further, That negotiations shall*
10 *be conducted within the World Trade Organization con-*
11 *sistent with the negotiating objectives contained in the*
12 *Trade Act of 2002, Public Law 107-210.*

13 *BUREAU OF INDUSTRY AND SECURITY*

14 *OPERATIONS AND ADMINISTRATION*

15 *For necessary expenses for export administration and*
16 *national security activities of the Department of Commerce,*
17 *including costs associated with the performance of export*
18 *administration field activities both domestically and*
19 *abroad; full medical coverage for dependent members of im-*
20 *mediate families of employees stationed overseas; employ-*
21 *ment of Americans and aliens by contract for services*
22 *abroad; payment of tort claims, in the manner authorized*
23 *in the first paragraph of 28 U.S.C. 2672 when such claims*
24 *arise in foreign countries; not to exceed \$15,000 for official*
25 *representation expenses abroad; awards of compensation to*

1 *informers under the Export Administration Act of 1979,*
2 *and as authorized by 22 U.S.C. 401(b); and purchase of*
3 *passenger motor vehicles for official use and motor vehicles*
4 *for law enforcement use with special requirement vehicles*
5 *eligible for purchase without regard to any price limitation*
6 *otherwise established by law, \$77,000,000, to remain avail-*
7 *able until expended, of which \$7,200,000 shall be for inspec-*
8 *tions and other activities related to national security: Pro-*
9 *vided, That the provisions of the first sentence of section*
10 *105(f) and all of section 108(c) of the Mutual Educational*
11 *and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and*
12 *2458(c)) shall apply in carrying out these activities: Pro-*
13 *vided further, That payments and contributions collected*
14 *and accepted for materials or services provided as part of*
15 *such activities may be retained for use in covering the cost*
16 *of such activities, and for providing information to the pub-*
17 *lic with respect to the export administration and national*
18 *security activities of the Department of Commerce and other*
19 *export control programs of the United States and other gov-*
20 *ernments.*

21 *ECONOMIC DEVELOPMENT ADMINISTRATION*

22 *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*

23 *For grants for economic development assistance as pro-*
24 *vided by the Public Works and Economic Development Act*
25 *of 1965, and for trade adjustment assistance, \$483,985,000,*

1 *to remain available until expended: Provided, That*
2 *\$200,000,000 shall be for assistance described in section*
3 *209(c)(2) of that Act (42 U.S.C. 3149(c)(2)) and is des-*
4 *ignated as an emergency requirement pursuant to section*
5 *402 of H. Con. Res. 95 (109th Congress).*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of administering the economic*
8 *development assistance programs as provided for by law,*
9 *\$40,939,000: Provided, That \$10,000,000 shall be for sala-*
10 *ries and expenses of carrying out section 209(c)(2) of the*
11 *Public Works and Economic Development Act of 1965 (42*
12 *U.S.C. 3149(c)(2)) and is designated as an emergency re-*
13 *quirement pursuant to section 402 of H. Con. Res. 95*
14 *(109th Congress): Provided further, That these funds may*
15 *be used to monitor projects approved pursuant to title I*
16 *of the Public Works Employment Act of 1976, title II of*
17 *the Trade Act of 1974, and the Community Emergency*
18 *Drought Relief Act of 1977.*

19 *MINORITY BUSINESS DEVELOPMENT AGENCY*

20 *MINORITY BUSINESS DEVELOPMENT*

21 *For necessary expenses of the Department of Commerce*
22 *in fostering, promoting, and developing minority business*
23 *enterprise, including expenses of grants, contracts, and*
24 *other agreements with public or private organizations,*
25 *\$30,727,000.*

1 *ECONOMIC AND INFORMATION INFRASTRUCTURE*2 *ECONOMIC AND STATISTICAL ANALYSIS*3 *SALARIES AND EXPENSES*

4 *For necessary expenses, as authorized by law, of eco-*
5 *nomic and statistical analysis programs of the Department*
6 *of Commerce, \$81,283,000, to remain available until Sep-*
7 *tember 30, 2006.*

8 *BUREAU OF THE CENSUS*9 *SALARIES AND EXPENSES*

10 *For expenses necessary for collecting, compiling, ana-*
11 *lyzing, preparing, and publishing statistics, provided for by*
12 *law, \$183,029,000.*

13 *PERIODIC CENSUSES AND PROGRAMS*

14 *For necessary expenses related to the 2010 decennial*
15 *census, \$390,000,000, to remain available until September*
16 *30, 2006.*

17 *In addition, for expenses to collect and publish statis-*
18 *tics for other periodic censuses and programs provided for*
19 *by law, \$154,356,000, to remain available until September*
20 *30, 2006.*

21 *NATIONAL TELECOMMUNICATIONS AND INFORMATION*22 *ADMINISTRATION*23 *SALARIES AND EXPENSES*

24 *For necessary expenses, as provided for by law, of the*
25 *National Telecommunications and Information Adminis-*
26 *tration (NTIA), \$20,255,000, to remain available until*

1 *September 30, 2007: Provided, That, notwithstanding 31*
2 *U.S.C. 1535(d), the Secretary of Commerce shall charge*
3 *Federal agencies for costs incurred in spectrum manage-*
4 *ment, analysis, and operations, and related services and*
5 *such fees shall be retained and used as offsetting collections*
6 *for costs of such spectrum services, to remain available until*
7 *expended: Provided further, That the Secretary of Com-*
8 *merce is authorized to retain and use as offsetting collec-*
9 *tions all funds transferred, or previously transferred, from*
10 *other Government agencies for all costs incurred in tele-*
11 *communications research, engineering, and related activi-*
12 *ties by the Institute for Telecommunication Sciences of*
13 *NTIA, in furtherance of its assigned functions under this*
14 *paragraph, and such funds received from other Government*
15 *agencies shall remain available until expended.*

16 *PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND*
17 *CONSTRUCTION*

18 *For the administration of grants authorized by section*
19 *392 of the Communications Act of 1934, \$22,000,000, to*
20 *remain available until expended as authorized by section*
21 *391 of the Act: Provided, That not to exceed \$2,000,000 shall*
22 *be available for program administration as authorized by*
23 *section 391 of the Act: Provided further, That, notwith-*
24 *standing the provisions of section 391 of the Act, the prior*
25 *year unobligated balances may be made available for grants*

1 *for projects for which applications have been submitted and*
 2 *approved during any fiscal year.*

3 *INFORMATION INFRASTRUCTURE GRANTS*

4 *For grants authorized by section 392 of the Commu-*
 5 *nications Act of 1934, \$15,000,000, to remain available*
 6 *until expended as authorized by section 391 of the Act: Pro-*
 7 *vided, That not to exceed \$3,000,000 shall be available for*
 8 *program administration and other support activities as au-*
 9 *thorized by section 391: Provided further, That, of the funds*
 10 *appropriated herein, not to exceed 5 percent may be avail-*
 11 *able for telecommunications research activities for projects*
 12 *related directly to the development of a national informa-*
 13 *tion infrastructure: Provided further, That, notwith-*
 14 *standing the requirements of sections 392(a) and 392(c) of*
 15 *the Act, these funds may be used for the planning and con-*
 16 *struction of telecommunications networks for the provision*
 17 *of educational, health care, or public information: Provided*
 18 *further, That, notwithstanding any other provision of law,*
 19 *no entity that receives telecommunications services at pref-*
 20 *erential rates under section 254(h) of the Act (47 U.S.C.*
 21 *254(h)) or receives assistance under the regional informa-*
 22 *tion sharing systems grant program of the Department of*
 23 *Justice under part M of title I of the Omnibus Crime Con-*
 24 *trol and Safe Streets Act of 1968 (42 U.S.C. 3796h) may*
 25 *use funds under a grant under this heading to cover any*

1 *costs of the entity that would otherwise be covered by such*
2 *preferential rates or such assistance, as the case may be.*

3 *UNITED STATES PATENT AND TRADEMARK OFFICE*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the United States Patent and*
6 *Trademark Office provided for by law, including defense*
7 *of suits instituted against the Under Secretary of Commerce*
8 *for Intellectual Property and Director of the United States*
9 *Patent and Trademark Office, \$1,703,300,000, to remain*
10 *available until expended: Provided, That the sum herein ap-*
11 *propriated from the general fund shall be reduced as offset-*
12 *ting collections assessed and collected pursuant to 15 U.S.C.*
13 *1113 and 35 U.S.C. 41 and 376 are received during fiscal*
14 *year 2006, so as to result in a fiscal year 2006 appropria-*
15 *tion from the general fund estimated at \$0: Provided fur-*
16 *ther, That during fiscal year 2006, should the total amount*
17 *of offsetting fee collections be less than \$1,703,300,000, this*
18 *amount shall be reduced accordingly: Provided further,*
19 *That from amounts provided herein, not to exceed \$1,000*
20 *shall be made available in fiscal year 2006 for official recep-*
21 *tion and representation expenses: Provided further, That of*
22 *amounts made available under this heading, \$500,000 is*
23 *only for the National Intellectual Property Law Enforce-*
24 *ment Coordinating Council: Provided further, That in fiscal*
25 *year 2006 and hereafter, from the amounts made available*

1 *for “Salaries and Expenses” for the United States Patent*
 2 *and Trademark Office (PTO), the amounts necessary to*
 3 *pay: (1) the difference between the percentage of basic pay*
 4 *contributed by the PTO and employees under section*
 5 *8334(a) of title 5, United States Code, and the normal cost*
 6 *percentage (as defined by section 8331(17) of that title) of*
 7 *basic pay, of employees subject to subchapter III of chapter*
 8 *83 of that title; and (2) the present value of the otherwise*
 9 *unfunded accruing costs, as determined by the Office of Per-*
 10 *sonnel Management, of post-retirement life insurance and*
 11 *postretirement health benefits coverage for all PTO employ-*
 12 *ees, shall be transferred to the Civil Service Retirement and*
 13 *Disability Fund, the Employees Life Insurance Fund, and*
 14 *the Employees Health Benefits Fund, as appropriate, and*
 15 *shall be available for the authorized purposes of those ac-*
 16 *counts.*

17 *OTHER*

18 *DEPARTMENTAL MANAGEMENT*

19 *SALARIES AND EXPENSES*

20 *For expenses necessary for the departmental manage-*
 21 *ment of the Department of Commerce and the Technology*
 22 *Administration provided for by law, including not to exceed*
 23 *\$5,000 for official entertainment, \$49,605,000: Provided,*
 24 *That not to exceed 9 full-time equivalents and \$1,181,000*

1 *shall be expended for the legislative affairs function of the*
2 *Department.*

3 *UNITED STATES TRAVEL AND TOURISM PROMOTION*

4 *For necessary expenses of the United States Travel and*
5 *Tourism Promotion Program, as authorized by section 210*
6 *of Public Law 108–7, for programs promoting travel to the*
7 *United States including grants, contracts, cooperative*
8 *agreements and related costs, \$5,000,000, to remain avail-*
9 *able until September 30, 2007.*

10 *OFFICE OF THE INSPECTOR GENERAL*

11 *For necessary expenses of the Office of Inspector Gen-*
12 *eral in carrying out the provisions of the Inspector General*
13 *Act of 1978 (5 U.S.C. App.), \$22,758,000.*

14 *GENERAL PROVISIONS, DEPARTMENT OF COMMERCE*

15 *SEC. 201. During the current fiscal year, applicable*
16 *appropriations and funds made available to the Depart-*
17 *ment of Commerce by this Act shall be available for the*
18 *activities specified in the Act of October 26, 1949 (15 U.S.C.*
19 *1514), to the extent and in the manner prescribed by the*
20 *Act, and, notwithstanding 31 U.S.C. 3324, may be used for*
21 *advanced payments not otherwise authorized only upon the*
22 *certification of officials designated by the Secretary of Com-*
23 *merce that such payments are in the public interest.*

24 *SEC. 202. During the current fiscal year, appropria-*
25 *tions made available to the Department of Commerce by*
26 *this Act for salaries and expenses shall be available for hire*

1 of passenger motor vehicles as authorized by 31 U.S.C. 1343
2 and 1344; services as authorized by 5 U.S.C. 3109; and uni-
3 forms or allowances therefore, as authorized by law (5
4 U.S.C. 5901–5902).

5 *SEC. 203. Any costs incurred by a department or agen-*
6 *cy funded under this title resulting from personnel actions*
7 *taken in response to funding reductions included in this*
8 *title or from actions taken for the care and protection of*
9 *loan collateral or grant property shall be absorbed within*
10 *the total budgetary resources available to such department*
11 *or agency: Provided, That the authority to transfer funds*
12 *between appropriations accounts as may be necessary to*
13 *carry out this section is provided in addition to authorities*
14 *included elsewhere in this Act: Provided further, That use*
15 *of funds to carry out this section shall be treated as a re-*
16 *programming of funds under section 505 of this Act and*
17 *shall not be available for obligation or expenditure except*
18 *in compliance with the procedures set forth in that section.*

19 *SEC. 204. Funds made available for salaries and ad-*
20 *ministrative expenses to administer the Emergency Steel*
21 *Loan Guarantee Program in section 211(b) of Public Law*
22 *108–199 shall remain available until expended: Provided,*
23 *That section 101(k) of the Emergency Steel Loan Guarantee*
24 *Act of 1999 (Public Law 106–51; 15 U.S.C. 1841 note) is*
25 *amended by striking “2005” and inserting “2007”.*

1 *SEC. 205. Not to exceed 5 percent of any appropriation*
2 *made available for the current fiscal year for the Depart-*
3 *ment of Commerce in this Act may be transferred between*
4 *such appropriations, but no such appropriation shall be in-*
5 *creased by more than 10 percent by any such transfers: Pro-*
6 *vided, That any transfer pursuant to this section shall be*
7 *treated as a reprogramming of funds under section 505 of*
8 *this Act and shall not be available for obligation or expendi-*
9 *ture except in compliance with the procedures set forth in*
10 *that section: Provided further, That the Secretary of Com-*
11 *merce shall notify the Committees on Appropriations at*
12 *least 15 days in advance of the acquisition or disposal of*
13 *any capital asset (including land, structures, and equip-*
14 *ment) not specifically provided for in this or any Depart-*
15 *ments of Commerce, Justice, and State, the Judiciary, and*
16 *Related Agencies Appropriations Act: Provided further,*
17 *That for the National Oceanic and Atmospheric Adminis-*
18 *tration this section shall provide for transfers among appro-*
19 *priations made only to the National Oceanic and Atmos-*
20 *pheric Administration and such appropriations may not*
21 *be transferred and reprogrammed to other Department of*
22 *Commerce bureaus and appropriation accounts.*

23 *SEC. 206. Notwithstanding any other provision of this*
24 *Act, no funds appropriated under this Act shall be used to*

1 register, issue, transfer, or enforce any trademark of the
 2 phrase “Last Best Place”.

3 SEC. 207. TECHNOLOGY AND OPPORTUNITIES PRO-
 4 GRAM. (a) Of the total amount appropriated in this Act
 5 for the Technology and Opportunities Program, that
 6 amount shall be increased by \$5,000,000, which shall be
 7 made available for the grants authorized under title I of
 8 the *ENHANCE 911 Act of 2004* (Public Law 108–494; 118
 9 Stat. 3986).

10 (b) Amounts appropriated under this Act for the De-
 11 partmental Management of the Department of Commerce
 12 are reduced by \$5,000,000.

13 This title may be cited as the “Department of Com-
 14 merce and Related Agencies Appropriations Act, 2006”.

15 TITLE III—SCIENCE

16 DEPARTMENT OF COMMERCE

17 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

18 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

19 For necessary expenses of the National Institute of
 20 Standards and Technology, \$399,869,000, to remain avail-
 21 able until expended, of which not to exceed \$3,000,000 may
 22 be transferred to the “Working Capital Fund”: Provided,
 23 That from amounts provided herein, not to exceed \$5,000
 24 shall be made available in fiscal year 2006 for official recep-
 25 tion and representation expenses.

1 *INDUSTRIAL TECHNOLOGY SERVICES*

2 *For necessary expenses of the Hollings Manufacturing*
3 *Extension Partnership of the National Institute of Stand-*
4 *ards and Technology, \$106,000,000, to remain available*
5 *until expended.*

6 *In addition, for necessary expenses of the Advanced*
7 *Technology Program of the National Institute of Standards*
8 *and Technology, \$140,000,000, to remain available until*
9 *expended, of which \$60,000,000 shall be expended for the*
10 *award of new grants before September 30, 2006.*

11 *CONSTRUCTION OF RESEARCH FACILITIES*

12 *For construction of new research facilities, including*
13 *architectural and engineering design, and for renovation*
14 *and maintenance of existing facilities, not otherwise pro-*
15 *vided for the National Institute of Standards and Tech-*
16 *nology, as authorized by 15 U.S.C. 278c–278e,*
17 *\$198,631,000, to remain available until expended: Pro-*
18 *vided, That beginning in fiscal year 2007 and for each fis-*
19 *cal year thereafter, the Secretary of Commerce shall include*
20 *in the budget justification materials that the Secretary sub-*
21 *mits to Congress in support of the Department of Commerce*
22 *budget (as submitted with the budget of the President under*
23 *section 1105(a) of title 31, 10 United States Code) an esti-*
24 *mate for each National Institute of Standards and Tech-*
25 *nology construction project having a total multiyear pro-*
26 *gram cost of more than \$5,000,000 and simultaneously the*

1 *budget justification materials shall include an estimate of*
2 *the budgetary requirements for each such project for each*
3 *of the five subsequent fiscal years.*

4 *NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION*
5 *OPERATIONS, RESEARCH, AND FACILITIES*
6 *(INCLUDING TRANSFERS OF FUNDS)*

7 *For necessary expenses of activities authorized by law*
8 *for the National Oceanic and Atmospheric Administration,*
9 *including maintenance, operation, and hire of aircraft and*
10 *vessels; grants, contracts, or other payments to nonprofit*
11 *organizations for the purposes of conducting activities pur-*
12 *suant to cooperative agreements; relocation of facilities,*
13 *\$3,199,983,000, to remain available until September 30,*
14 *2007, except for funds provided for cooperative enforcement*
15 *which shall remain available until September 30, 2008:*
16 *Provided, That in addition, \$3,000,000 shall be derived by*
17 *transfer from the fund entitled “Coastal Zone Management”*
18 *and in addition \$62,000,000 shall be derived by transfer*
19 *from the fund entitled “Promote and Develop Fishery Prod-*
20 *ucts and Research Pertaining to American Fisheries”: Pro-*
21 *vided further, That fees and donations received for the man-*
22 *agement of the national marine sanctuaries may be re-*
23 *tained and used for the salaries and expenses associated*
24 *with those activities, notwithstanding 31 U.S.C. 3302: Pro-*
25 *vided further, That grants to States pursuant to sections*
26 *306 and 306A of the Coastal Zone Management Act of 1972,*

1 as amended, shall not exceed \$2,000,000, unless funds pro-
2 vided for “Coastal Zone Management Grants” exceed funds
3 provided in the previous fiscal year: Provided further, That
4 if funds provided for “Coastal Zone Management Grants”
5 exceed funds provided in the previous fiscal year, then no
6 State shall receive more than 5 percent or less than 1 per-
7 cent of the additional funds: Provided further, That, of the
8 \$3,264,983,000 provided for in direct obligations under this
9 heading, \$610,462,000 shall be for the National Ocean Serv-
10 ice, \$763,783,000 shall be for the National Marine Fisheries
11 Service, \$470,109,000 shall be for Oceanic and Atmospheric
12 Research, \$772,762,000 shall be for the National Weather
13 Service, \$180,412,000 shall be for the National Environ-
14 mental Satellite, Data, and Information Service, and
15 \$402,455,000 shall be for Program Support: Provided fur-
16 ther, That payments of funds made available under this
17 heading to the Department of Commerce Working Capital
18 Fund including Department of Commerce General Counsel
19 legal services shall not exceed \$40,693,000: Provided further,
20 That the personnel management demonstration project es-
21 tablished at the National Oceanic and Atmospheric Admin-
22 istration pursuant to 5 U.S.C. 4703 may be expanded by
23 3,500 full-time positions to include up to 6,925 full time
24 positions and may be extended indefinitely: Provided fur-
25 ther, That none of the funds in this Act may be used for

1 *the National Oceanic and Atmospheric Administration to*
2 *implement the Department of Commerce's E-Government*
3 *initiatives: Provided further, That, notwithstanding any*
4 *other provision of law, the authorities provided to National*
5 *Aeronautics and Space Administration pursuant to 42*
6 *U.S.C. 2473 shall be available to the National Oceanic and*
7 *Atmospheric Administration in the furtherance of its oce-*
8 *anic, atmospheric and space mission and programs: Pro-*
9 *vided further, That the obligated balance of such sums shall*
10 *remain available through September 30, 2012 for liqui-*
11 *dating obligations made in fiscal years 2004 and 2005.*

12 *In addition, for necessary retired pay expenses under*
13 *the Retired Serviceman's Family Protection and Survivor*
14 *Benefits Plan, and for payments for medical care of retired*
15 *personnel and their dependents under the Dependents Med-*
16 *ical Care Act (10 U.S.C. ch. 55), such sums as may be nec-*
17 *essary.*

18 *PROCUREMENT, ACQUISITION AND CONSTRUCTION*

19 *For procurement, acquisition and construction of cap-*
20 *ital assets, including alteration and modification costs, of*
21 *the National Oceanic and Atmospheric Administration,*
22 *\$1,195,017,000, to remain available until September 30,*
23 *2008, except funds provided for construction of facilities*
24 *which shall remain available until expended: Provided,*
25 *That funds provided under this heading for the National*
26 *Polar-orbiting Operational Environmental Satellite System*

1 *shall only be made available on a dollar for dollar matching*
2 *basis with funds provided for the same purpose by the De-*
3 *partment of Defense: Provided further, That except to the*
4 *extent expressly prohibited by any other law, the Depart-*
5 *ment of Defense may delegate procurement functions related*
6 *to the National Polar-orbiting Operational Environmental*
7 *Satellite System to officials of the Department of Commerce*
8 *pursuant to section 2311 of title 10, United States Code:*
9 *Provided further, That beginning in fiscal year 2006 and*
10 *for each fiscal year thereafter, the Secretary of Commerce*
11 *shall include in the budget justification materials that the*
12 *Secretary submits to Congress in support of the Department*
13 *of Commerce budget (as submitted with the budget of the*
14 *President under section 1105(a) of title 31, 10 United*
15 *States Code) an estimate for each National Oceanic and*
16 *Atmospheric Administration procurement, acquisition and*
17 *construction program having a total multiyear program*
18 *cost of more than \$5,000,000 and an estimate of the budg-*
19 *etary requirements for each such program for each of the*
20 *five subsequent fiscal years.*

21 *PACIFIC COASTAL SALMON RECOVERY*

22 *For necessary expenses associated with the restoration*
23 *of Pacific salmon populations, \$90,000,000 to remain*
24 *available under September 30, 2007.*

1 COASTAL ZONE MANAGEMENT FUND

2 *Of amounts collected pursuant to section 308 of the*
3 *Coastal Zone Management Act of 1972 (16 U.S.C. 1456a),*
4 *not to exceed \$3,000,000 shall be transferred to the “Oper-*
5 *ations, Research and Facilities” account to offset the costs*
6 *of implementing such Act.*

7 FISHERIES FINANCE PROGRAM ACCOUNT

8 *For the costs of direct loans, \$287,000, as authorized*
9 *by the Merchant Marine Act of 1936: Provided, That such*
10 *costs, including the cost of modifying such loans, shall be*
11 *as defined in the Federal Credit Reform Act of 1990: Pro-*
12 *vided further, That these funds are only available to sub-*
13 *sidize gross obligations for the principal amount of direct*
14 *loans not to exceed \$5,000,000 for Individual Fishing Quota*
15 *loans, and not to exceed \$59,000,000 for traditional direct*
16 *loans, of which \$19,000,000 may be used for direct loans*
17 *to the United States menhaden fishery: Provided further,*
18 *That none of the funds made available under this heading*
19 *may be used for direct loans for any new fishing vessel that*
20 *will increase the harvesting capacity in any United States*
21 *fishery.*

22 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

23 SCIENCE, AERONAUTICS, AND EXPLORATION

24 (INCLUDING TRANSFERS OF FUNDS)

25 *For necessary expenses, not otherwise provided for, in*
26 *the conduct and support of science, aeronautics and explo-*

1 *ration research and development activities, including re-*
2 *search, development, operations, support and services;*
3 *maintenance; construction of facilities including repair, re-*
4 *habilitation, revitalization, and modification of facilities,*
5 *construction of new facilities and additions to existing fa-*
6 *cilities, facility planning and design, and restoration, and*
7 *acquisition or condemnation of real property, as authorized*
8 *by law; environmental compliance and restoration; space*
9 *flight, spacecraft control and communications activities in-*
10 *cluding operations, production, and services; program man-*
11 *agement; personnel and related costs, including uniforms*
12 *or allowances therefor, as authorized by 5 U.S.C. 5901–*
13 *5902; travel expenses; purchase and hire of passenger motor*
14 *vehicles; not to exceed \$35,000 for official reception and rep-*
15 *resentation expenses; and purchase, lease, charter, mainte-*
16 *nance and operation of mission and administrative air-*
17 *craft, \$9,761,000,000, to remain available until September*
18 *30, 2007, of which amounts as determined by the Adminis-*
19 *trator for salaries and benefits; training, travel and*
20 *awards; facility and related costs; information technology*
21 *services; science, engineering, fabricating and testing serv-*
22 *ices; and other administrative services may be transferred*
23 *to “Exploration Capabilities” in accordance with section*
24 *312(b) of the National Aeronautics and Space Act of 1958,*
25 *as amended by Public Law 106–377: Provided, That within*

1 *the amounts provided under this heading, \$250,000,000*
 2 *shall be for a Hubble servicing mission, \$371,600,000 for*
 3 *the Webb Space Telescope to be launched no later than 2013,*
 4 *\$1,120,100,000 shall be for Constellation systems, and*
 5 *\$132,930,000 shall be for other related exploration, science,*
 6 *and aeronautics activities.*

7 *EXPLORATION CAPABILITIES*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For necessary expenses, not otherwise provided for, in*
 10 *the conduct and support of exploration capabilities research*
 11 *and development activities, including research, develop-*
 12 *ment, operations, support and services; maintenance; con-*
 13 *struction of facilities including repair, rehabilitation, revi-*
 14 *talization and modification of facilities, construction of new*
 15 *facilities and additions to existing facilities, facility plan-*
 16 *ning and design, and acquisition or condemnation of real*
 17 *property, as authorized by law; environmental compliance*
 18 *and restoration; space flight, spacecraft control and commu-*
 19 *nications activities including operations, production, and*
 20 *services; program management; personnel and related costs,*
 21 *including uniforms or allowances therefor, as authorized by*
 22 *5 U.S.C. 5901–5902; travel expenses; purchase and hire of*
 23 *passenger motor vehicles; not to exceed \$35,000 for official*
 24 *reception and representation expenses; and purchase, lease,*
 25 *charter, maintenance and operation of mission and admin-*
 26 *istrative aircraft, \$6,603,000,000, to remain available until*

1 *September 30, 2007, of which amounts as determined by*
2 *the Administrator for salaries and benefits; training, travel*
3 *and awards; facility and related costs; information tech-*
4 *nology services; science, engineering, fabricating and testing*
5 *services; and other administrative services may be trans-*
6 *ferred to “Science, Aeronautics, and Exploration” in ac-*
7 *cordance with section 312(b) of the National Aeronautics*
8 *and Space Act of 1958, as amended by Public Law 106–*
9 *377.*

10 *OFFICE OF INSPECTOR GENERAL*

11 *For necessary expenses of the Office of Inspector Gen-*
12 *eral in carrying out the Inspector General Act of 1978, as*
13 *amended, \$32,400,000, to remain available until September*
14 *30, 2007.*

15 *ADMINISTRATIVE PROVISIONS*

16 *Notwithstanding the limitation on the availability of*
17 *funds appropriated for “Science, aeronautics, and explo-*
18 *ration”, or “Exploration capabilities” by this appropria-*
19 *tions Act, when any activity has been initiated by the in-*
20 *currence of obligations for construction of facilities or envi-*
21 *ronmental compliance and restoration activities as author-*
22 *ized by law, such amount available for such activity shall*
23 *remain available until expended. This provision does not*
24 *apply to the amounts appropriated for minor institutional*
25 *revitalization and construction of facilities, and institu-*
26 *tional facility planning and design.*

1 *Notwithstanding the limitation on the availability of*
 2 *funds appropriated for “Science, Aeronautics, and Explo-*
 3 *ration”, or “Exploration capabilities” by this appropria-*
 4 *tions Act, the amounts appropriated for construction of fa-*
 5 *cilities shall remain available until September 30, 2008.*

6 *Funds for announced prizes otherwise authorized shall*
 7 *remain available, without fiscal year limitation, until the*
 8 *prize is claimed or the offer is withdrawn. Funding shall*
 9 *not be made available for Centennial Challenges unless au-*
 10 *thorized.*

11 *The unexpired balances of prior appropriations to Na-*
 12 *tional Aeronautics and Space Administration for activities*
 13 *for which funds are provided under this Act may be trans-*
 14 *ferred to the new account established for the appropriation*
 15 *that provides such activity under this Act. Balances so*
 16 *transferred may be merged with funds in the newly estab-*
 17 *lished account and thereafter may be accounted for as one*
 18 *fund under the same terms and conditions.*

19 *NATIONAL SCIENCE FOUNDATION*

20 *RESEARCH AND RELATED ACTIVITIES*

21 *For necessary expenses in carrying out the National*
 22 *Science Foundation Act of 1950, as amended (42 U.S.C.*
 23 *1861–1875), and the Act to establish a National Medal of*
 24 *Science (42 U.S.C. 1880–1881); services as authorized by*
 25 *5 U.S.C. 3109; maintenance and operation of aircraft and*

1 purchase of flight services for research support; acquisition
2 of aircraft; and authorized travel; \$4,345,213,000, of which
3 at least \$386,930,000 shall remain available until expended
4 for Polar research and operations support, of which up to
5 \$58,000,000 shall be used for the procurement of polar ice
6 breaking services from the U.S. Coast Guard, and that in
7 the event that the U.S. Coast Guard is unable to provide
8 said ice breaking services, then the National Science Foun-
9 dation shall procure such services from alternative sources,
10 and for reimbursement to other Federal agencies for oper-
11 ational and science support and logistical and other related
12 activities for the United States Antarctic program; the bal-
13 ance to remain available until September 30, 2006: Pro-
14 vided, That receipts for scientific support services and ma-
15 terials furnished by the National Research Centers and
16 other National Science Foundation supported research fa-
17 cilities may be credited to this appropriation: Provided fur-
18 ther, That to the extent that the amount appropriated is
19 less than the total amount authorized to be appropriated
20 for included program activities, all amounts, including
21 floors and ceilings, specified in the authorizing Act for those
22 program activities or their subactivities shall be reduced
23 proportionally.

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 pursuant*
6 *to the National Science Foundation Act of 1950, as amend-*
7 *ed, including authorized travel, \$193,350,000, to remain*
8 *available until expended.*

9 *EDUCATION AND HUMAN RESOURCES*

10 *For necessary expenses in carrying out science and en-*
11 *gineering education and human resources programs and ac-*
12 *tivities pursuant to the National Science Foundation Act*
13 *of 1950, as amended (42 U.S.C. 1861–1875), including*
14 *services as authorized by 5 U.S.C. 3109, authorized travel,*
15 *and rental of conference rooms in the District of Columbia,*
16 *\$747,000,000, to remain available until September 30,*
17 *2006: Provided, That to the extent that the amount of this*
18 *appropriation is less than the total amount authorized to*
19 *be appropriated for included program activities, all*
20 *amounts, including floors and ceilings, specified in the au-*
21 *thorizing Act for those program activities or their subactivi-*
22 *ties shall be reduced proportionally.*

23 *SALARIES AND EXPENSES*

24 *For salaries and expenses necessary in carrying out*
25 *the National Science Foundation Act of 1950, as amended*
26 *(42 U.S.C. 1861–1875); services authorized by 5 U.S.C.*

1 3109; hire of passenger motor vehicles; not to exceed \$9,000
 2 for official reception and representation expenses; uniforms
 3 or allowances therefor, as authorized by 5 U.S.C. 5901–
 4 5902; rental of conference rooms in the District of Colum-
 5 bia; and reimbursement of the General Services Adminis-
 6 tration for security guard services; \$229,896,000: *Provided,*
 7 *That contracts may be entered into under “Salaries and*
 8 *expenses” in fiscal year 2006 for maintenance and oper-*
 9 *ation of facilities, and for other services, to be provided dur-*
 10 *ing the next fiscal year.*

11 *OFFICE OF THE NATIONAL SCIENCE BOARD*

12 *For necessary expenses (including payment of salaries,*
 13 *authorized travel, hire of passenger motor vehicles, the rent-*
 14 *al of conference rooms in the District of Columbia, and the*
 15 *employment of experts and consultants under section 3109*
 16 *of title 5, United States Code) involved in carrying out sec-*
 17 *tion 4 of the National Science Foundation Act of 1950 (42*
 18 *U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et*
 19 *seq.), \$4,000,000: Provided, That not more than \$9,000*
 20 *shall be available for official reception and representation*
 21 *expenses.*

22 *OFFICE OF INSPECTOR GENERAL*

23 *For necessary expenses of the Office of Inspector Gen-*
 24 *eral as authorized by the Inspector General Act of 1978,*
 25 *as amended, \$11,500,000, to remain available until Sep-*
 26 *tember 30, 2006.*

1 *EXECUTIVE OFFICE OF THE PRESIDENT*

2 *OFFICE OF SCIENCE AND TECHNOLOGY POLICY*

3 *For necessary expenses of the Office of Science and*
4 *Technology Policy, in carrying out the purposes of the Na-*
5 *tional Science and Technology Policy, Organization, and*
6 *Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of*
7 *passenger motor vehicles, and services as authorized by 5*
8 *U.S.C. 3109, not to exceed \$2,500 for official reception and*
9 *representation expenses, and rental of conference rooms in*
10 *the District of Columbia, \$5,564,000.*

11 *GENERAL PROVISIONS—SCIENCE*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *SEC. 301. Notwithstanding any other provision of law,*
14 *of the amounts made available elsewhere in this title to the*
15 *“National Institute of Standards and Technology, Con-*
16 *struction of Research Facilities”, \$8,000,000 is for a cooper-*
17 *ative agreement with the Medical University of South Caro-*
18 *lina; \$20,000,000 is for the National Formulation Science*
19 *Laboratory at the University of Southern Mississippi;*
20 *\$20,000,000 is for the University of Mississippi Research*
21 *Park; \$5,000,000 is for the Alabama State University*
22 *Science and Education Building; \$8,000,000 is for Tusca-*
23 *loosa, Alabama, revitalization; \$20,000,000 is for the Bio-*
24 *medical Research Center at the University of Alabama at*
25 *Birmingham; and \$30,000,000 is for the University of Ala-*

1 bama for the design and construction of the Science and
2 Engineering Center.

3 SEC. 302. Of the amount available from the fund enti-
4 tled “Promote and Develop Fishery Products and Research
5 Pertaining to American Fisheries”, \$10,000,000 shall be
6 provided to the Alaska Fisheries Marketing Board,
7 \$5,000,000 shall be available to the Southern Shrimp Alli-
8 ance for its “Wild American Shrimp Marketing Program”.

9 SEC. 303. Of the amounts made available under the
10 heading “Procurement, Acquisition and Construction, Na-
11 tional Oceanic and Atmospheric Administration”,
12 \$12,000,000 shall be transferred to the National Aeronautics
13 and Space Administration for the planning, design, and
14 construction of Building 3203, and for the planning and
15 design of Buildings 3205 and 3216.

16 SEC. 304. Notwithstanding any other provision of this
17 Act, of the amounts made available in this title under the
18 heading “NATIONAL OCEANIC AND ATMOSPHERIC ADMINIS-
19 TRATION” and under the subheading “OPERATIONS, RE-
20 SEARCH, AND FACILITIES”, not less than \$5,800,000 shall
21 be made available for the National Hurricane Center and
22 that such amount may be used to employ individuals in
23 43 full-time equivalent positions at the National Hurricane
24 Center.

1 *SEC. 305. Of the amounts made available under the*
2 *heading “NATIONAL OCEANIC AND ATMOSPHERIC ADMINIS-*
3 *TRATION” and the subheading “OPERATIONS, RESEARCH,*
4 *AND FACILITIES”, sufficient funds may be provided to im-*
5 *plement the Harmful Algal Bloom and Hypoxia Amend-*
6 *ments Act of 2004 (title I of Public Law 108–456; 16 U.S.C.*
7 *1451 note).*

8 *SEC. 306. It is the sense of Congress that the U.S.*
9 *Coral Reef Task Force should join with its Federal and*
10 *State partners to provide an appropriate level of financial*
11 *and technical support to make the 11th International Coral*
12 *Reef Symposium a successful event.*

13 *SEC. 307. Of the amounts appropriated or otherwise*
14 *made available by this title under the heading “NATIONAL*
15 *AERONAUTICS AND SPACE ADMINISTRATION”, \$859,300,000*
16 *shall be available for aeronautics research and development*
17 *programs of the National Aeronautics and Space Adminis-*
18 *tration. Of the amount available under this section in excess*
19 *of \$852,300,000, not more than 50 percent of such excess*
20 *amount may be derived from any particular account of the*
21 *National Aeronautics and Space Administration.*

22 *This title may be cited as the “Science Appropriations*
23 *Act, 2006”.*

1 *TITLE IV—RELATED AGENCIES*2 *COMMISSION ON CIVIL RIGHTS*3 *SALARIES AND EXPENSES*

4 *For necessary expenses of the Commission on Civil*
5 *Rights, including hire of passenger motor vehicles,*
6 *\$9,000,000: Provided, That not to exceed \$50,000 may be*
7 *used to employ consultants: Provided further, That none of*
8 *the funds appropriated in this paragraph shall be used to*
9 *employ in excess of four full-time individuals under Sched-*
10 *ule C of the Excepted Service exclusive of one special assist-*
11 *ant for each Commissioner: Provided further, That none of*
12 *the funds appropriated in this paragraph shall be used to*
13 *reimburse Commissioners for more than 75 billable days,*
14 *with the exception of the chairperson, who is permitted 125*
15 *billable days.*

16 *EQUAL EMPLOYMENT OPPORTUNITY COMMISSION*17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the Equal Employment Op-*
19 *portunity Commission as authorized by title VII of the*
20 *Civil Rights Act of 1964 (29 U.S.C. 206(d) and 621–634),*
21 *the Americans with Disabilities Act of 1990, and the Civil*
22 *Rights Act of 1991, including services as authorized by 5*
23 *U.S.C. 3109; hire of passenger motor vehicles as authorized*
24 *by 31 U.S.C. 1343(b); non-monetary awards to private citi-*
25 *zens; and not to exceed \$33,000,000 for payments to State*

1 *and local enforcement agencies for services to the Commis-*
2 *sion pursuant to title VII of the Civil Rights Act of 1964,*
3 *sections 6 and 14 of the Age Discrimination in Employ-*
4 *ment Act, the Americans with Disabilities Act of 1990, and*
5 *the Civil Rights Act of 1991, \$331,228,000: Provided, That*
6 *the Commission is authorized to make available for official*
7 *reception and representation expenses not to exceed \$2,500*
8 *from available funds: Provided further, That the Commis-*
9 *sion may take no action to implement any workforce repo-*
10 *sitioning, restructuring, or reorganization until such time*
11 *as the Committees on Appropriations have been notified of*
12 *such proposals, in accordance with the reprogramming pro-*
13 *visions of section 505 of this Act.*

14 *FEDERAL COMMUNICATIONS COMMISSION*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses of the Federal Communications*
17 *Commission, as authorized by law, including uniforms and*
18 *allowances therefor, as authorized by 5 U.S.C. 5901–5902;*
19 *not to exceed \$9,900,000 for land and structure; not to ex-*
20 *ceed \$500,000 for improvement and care of grounds and*
21 *repair to buildings; not to exceed \$4,000 for official recep-*
22 *tion and representation expenses; purchase and hire of*
23 *motor vehicles; special counsel fees; and services as author-*
24 *ized by 5 U.S.C. 3109, \$297,370,000: Provided, That*
25 *\$296,370,000 of offsetting collections shall be assessed and*

1 collected pursuant to section 9 of title I of the Communica-
2 tions Act of 1934, shall be retained and used for necessary
3 expenses in this appropriation, and shall remain available
4 until expended: Provided further, That the sum herein ap-
5 propriated shall be reduced as such offsetting collections are
6 received during fiscal year 2006 so as to result in a final
7 fiscal year 2006 appropriation estimated at \$1,000,000:
8 Provided further, That any offsetting collections received in
9 excess of \$296,370,000 in fiscal year 2006 shall remain
10 available until expended, but shall not be available for obli-
11 gation until October 1, 2006: Provided further, That not-
12 withstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use
13 of a competitive bidding system that may be retained and
14 made available for obligation shall not exceed \$85,000,000
15 for fiscal year 2006.

16 *FEDERAL TRADE COMMISSION*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the Federal Trade Commis-*
19 *sion, including uniforms or allowances therefor, as author-*
20 *ized by 5 U.S.C. 5901–5902; services as authorized by 5*
21 *U.S.C. 3109; hire of passenger motor vehicles; and not to*
22 *exceed \$2,000 for official reception and representation ex-*
23 *penses, \$211,000,000, to remain available until expended:*
24 *Provided, That not to exceed \$300,000 shall be available*
25 *for use to contract with a person or persons for collection*

1 *services in accordance with the terms of 31 U.S.C. 3718:*
2 *Provided further, That, notwithstanding any other provi-*
3 *sion of law, not to exceed \$116,000,000 of offsetting collec-*
4 *tions derived from fees collected for premerger notification*
5 *filings under the Hart-Scott-Rodino Antitrust Improve-*
6 *ments Act of 1976 (15 U.S.C. 18a), regardless of the year*
7 *of collection, shall be retained and used for necessary ex-*
8 *penses in this appropriation: Provided further, That, not-*
9 *withstanding any other provision of law, \$23,000,000 in*
10 *offsetting collections derived from fees sufficient to imple-*
11 *ment and enforce the Telemarketing Sales Rule, promul-*
12 *gated under the Telephone Consumer Fraud and Abuse Pre-*
13 *vention Act (15 U.S.C. 6101 et seq.), shall be credited to*
14 *this account, and be retained and used for necessary ex-*
15 *penses in this appropriation: Provided further, That the*
16 *sum herein appropriated from the general fund shall be re-*
17 *duced as such offsetting collections are received during fiscal*
18 *year 2006, so as to result in a final fiscal year 2006 appro-*
19 *priation from the general fund estimated at not more than*
20 *\$72,000,000: Provided further, That none of the funds made*
21 *available to the Federal Trade Commission may be used*
22 *to enforce subsection (e) of section 43 of the Federal Deposit*
23 *Insurance Act (12 U.S.C. 1831t) or section 151(b)(2) of the*
24 *Federal Deposit Insurance Corporation Improvement Act*
25 *of 1991 (12 U.S.C. 1831t note): Provided further, That here-*

1 *after no funds appropriated in this or any other Act shall*
 2 *be expended to remove the Federal Trade Commission from*
 3 *its headquarters building, the Federal Trade Commission*
 4 *Building, located at 600 Pennsylvania Avenue, Northwest,*
 5 *Washington, DC; to render such building appropriate for*
 6 *occupation by another Federal agency or other organization*
 7 *or division thereof; or to locate any such agency, organiza-*
 8 *tion, or division in said building.*

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, \$358,527,000, of which \$346,251,000 is for*
 14 *basic field programs and required independent audits (of*
 15 *which \$8,000,000 is for basic field programs providing legal*
 16 *assistance to victims of Hurricane Katrina).*

17 *Notwithstanding any other provisions in the Act, the*
 18 *sums appropriated for the Department of Justice are re-*
 19 *duced by \$37,000,000. This reduction is to be taken by the*
 20 *Attorney General from accounts receiving an increase in*
 21 *travel and transportation of persons as specified in the*
 22 *President's Fiscal Year 2006 Budget Submittal to Congress*
 23 *pursuant to 31 U.S.C. section 1105 and which are in excess*
 24 *of the fiscal year 2005 level; \$2,600,000 is for the Office*
 25 *of Inspector General, of which such amounts as may be nec-*

1 *essary may be used to conduct additional audits of recipi-*
 2 *ents; \$13,900,000 is for management and administration;*
 3 *\$3,400,000 is for client self-help and information tech-*
 4 *nology; and \$2,849,000 is for grants to offset losses due to*
 5 *census adjustments.*

6 *ADMINISTRATIVE PROVISION—LEGAL SERVICES*

7 *CORPORATION*

8 *None of the funds appropriated in this Act to the Legal*
 9 *Services Corporation shall be expended for any purpose pro-*
 10 *hibited or limited by, or contrary to any of the provisions*
 11 *of, sections 501, 502, 503, 504, 505, and 506 of Public Law*
 12 *105–119, and all funds appropriated in this Act to the*
 13 *Legal Services Corporation shall be subject to the same*
 14 *terms and conditions set forth in such sections, except that*
 15 *all references in sections 502 and 503 to 1997 and 1998*
 16 *shall be deemed to refer instead to 2005 and 2006, respec-*
 17 *tively, and except that section 501(a)(1) of Public Law 104–*
 18 *134 (110 Stat. 1321–51, et seq.) shall not apply to the use*
 19 *of the \$1,775,000 to address loss of funding due to Census-*
 20 *based reallocations.*

21 *MARINE MAMMAL COMMISSION*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses of the Marine Mammal Com-*
 24 *mission as authorized by title II of Public Law 92–522,*
 25 *\$2,000,000.*

7 SECURITIES AND EXCHANGE COMMISSION

9 *For necessary expenses for the Securities and Exchange*
10 *Commission, including services as authorized by 5 U.S.C.*
11 *3109, the rental of space (to include multiple year leases)*
12 *in the District of Columbia and elsewhere, and not to exceed*
13 *\$3,000 for official reception and representation expenses,*
14 *\$888,117,000; of which not to exceed \$13,000 may be used*
15 *toward funding a permanent secretariat for the Inter-*
16 *national Organization of Securities Commissions; and of*
17 *which not to exceed \$100,000 shall be available for expenses*
18 *for consultations and meetings hosted by the Commission*
19 *with foreign governmental and other regulatory officials,*
20 *members of their delegations, appropriate representatives*
21 *and staff to exchange views concerning developments relat-*
22 *ing to securities matters, development and implementation*
23 *of cooperation agreements concerning securities matters and*
24 *provision of technical assistance for the development of for-*
25 *foreign securities markets, such expenses to include necessary*

1 *logistic and administrative expenses and the expenses of*
 2 *Commission staff and foreign invitees in attendance at such*
 3 *consultations and meetings including: (1) such incidental*
 4 *expenses as meals taken in the course of such attendance;*
 5 *(2) any travel and transportation to or from such meetings;*
 6 *and (3) any other related lodging or subsistence: Provided,*
 7 *That fees and charges authorized by sections 6(b) of the Se-*
 8 *curities Exchange Act of 1933 (15 U.S.C. 77f(b)), and 13(e),*
 9 *14(g) and 31 of the Securities Exchange Act of 1934 (15*
 10 *U.S.C. 78m(e), 78n(g), and 78ee), shall be credited to this*
 11 *account as offsetting collections: Provided further, That not*
 12 *to exceed \$863,117,000 of such offsetting collections shall be*
 13 *available until expended for necessary expenses of this ac-*
 14 *count: Provided further, That \$25,000,000 shall be derived*
 15 *from prior year unobligated balances from funds previously*
 16 *appropriated to the Securities and Exchange Commission:*
 17 *Provided further, That the total amount appropriated*
 18 *under this heading from the general fund for fiscal year*
 19 *2006 shall be reduced as such offsetting fees are received*
 20 *so as to result in a final total fiscal year 2006 appropria-*
 21 *tion from the general fund estimated at not more than \$0.*

22 *SMALL BUSINESS ADMINISTRATION*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses, not otherwise provided for, of*
 25 *the Small Business Administration as authorized by Public*

1 *Law 106–554, including hire of passenger motor vehicles*
2 *as authorized by 31 U.S.C. 1343 and 1344, and not to ex-*
3 *ceed \$3,500 for official reception and representation ex-*
4 *penses, \$336,084,000: Provided, That the Administrator is*
5 *authorized to charge fees to cover the cost of publications*
6 *developed by the Small Business Administration, and cer-*
7 *tain loan servicing activities: Provided further, That, not-*
8 *withstanding 31 U.S.C. 3302, revenues received from all*
9 *such activities shall be credited to this account, to be avail-*
10 *able for carrying out these purposes without further appro-*
11 *priations: Provided further, That \$89,000,000 shall be*
12 *available to fund grants for performance in fiscal year 2006*
13 *or fiscal year 2007 as authorized: Provided further, That*
14 *the Small Business Administration is authorized to award*
15 *grants under the Women’s Business Center Sustainability*
16 *Pilot Program established by section 4(a) of Public Law*
17 *106–165 (15 U.S.C. 656(l)): Provided further, That, of the*
18 *amounts provided for Women’s Business Centers, not less*
19 *than 48 percent shall be available to continue Women’s*
20 *Business Centers in sustainability status.*

21 *OFFICE OF INSPECTOR GENERAL*

22 *For necessary expenses of the Office of Inspector Gen-*
23 *eral in carrying out the provisions of the Inspector General*
24 *Act of 1978, \$14,500,000.*

1 *SURETY BOND GUARANTEES REVOLVING FUND*

2 *For additional capital for the Surety Bond Guarantees*
3 *Revolving Fund, authorized by the Small Business Invest-*
4 *ment Act, as amended, \$3,000,000, to remain available*
5 *until expended.*

6 *BUSINESS LOANS PROGRAM ACCOUNT*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For the cost of guaranteed loans, \$2,000,000, as au-*
9 *thorized by 15 U.S.C. 631 note, to remain available until*
10 *September 30, 2006: Provided, That such costs, including*
11 *the cost of modifying such loans, shall be as defined in sec-*
12 *tion 502 of the Congressional Budget Act of 1974: Provided*
13 *further, That subject to section 502 of the Congressional*
14 *Budget Act of 1974, during fiscal year 2006 commitments*
15 *to guarantee loans under section 503 of the Small Business*
16 *Investment Act of 1958, shall not exceed the levels estab-*
17 *lished under 20(e)(1)(B)(ii) of the Small Business Act: Pro-*
18 *vided further, That during fiscal year 2006 commitments*
19 *for general business loans authorized under section 7(a) of*
20 *the Small Business Act, shall not exceed the levels estab-*
21 *lished under 20(e)(1)(B)(i) of the Small Business Act: Pro-*
22 *vided further, That during fiscal year 2006 commitments*
23 *to guarantee loans for debentures and participating securi-*
24 *ties under section 303(b) of the Small Business Investment*
25 *Act of 1958, shall not exceed the levels established by section*
26 *20(i)(1)(C) of the Small Business Act.*

1 *In addition, for administrative expenses to carry out*
2 *the direct and guaranteed loan programs, \$126,653,000,*
3 *which may be transferred to and merged with the appro-*
4 *priations for Salaries and Expenses.*

5 *DISASTER LOANS PROGRAM ACCOUNT*

6 *For the cost of direct loans authorized by section 7(b)*
7 *of the Small Business Act, \$83,335,000, to remain available*
8 *until expended: Provided, That such costs, including the*
9 *cost of modifying such loans, shall be as defined in section*
10 *502 of the Congressional Budget Act of 1974.*

11 *In addition, for administrative expenses to carry out*
12 *the direct loan program, \$56,000,000, which may be trans-*
13 *ferred to and merged with appropriations for Salaries and*
14 *Expenses, of which \$1,500,000 is for the Office of Inspector*
15 *General of the Small Business Administration for audits*
16 *and reviews of disaster loans and the disaster loan program*
17 *and shall be transferred to and merged with appropriations*
18 *for the Office of Inspector General; of which \$46,100,000*
19 *is for direct administrative expenses of loan making and*
20 *servicing to carry out the direct loan program; and of which*
21 *\$9,000,000 is for indirect administrative expenses and may*
22 *be transferred to and merged with funds in the Salaries*
23 *and Expenses appropriations account: Provided, That any*
24 *amount to be transferred to and merged with appropria-*
25 *tions for Salaries and Expenses for any purpose shall be*
26 *treated as a reprogramming of funds under section 505 of*

1 *this Act and shall not be available for obligation or expendi-*
 2 *ture except in compliance with the procedures set forth in*
 3 *that section.*

4 *ADMINISTRATIVE PROVISION—SMALL BUSINESS*

5 *ADMINISTRATION*

6 *Not to exceed 5 percent of any appropriation made*
 7 *available for the current fiscal year for the Small Business*
 8 *Administration in this Act may be transferred between such*
 9 *appropriations, but no such appropriation shall be in-*
 10 *creased by more than 10 percent by any such transfers: Pro-*
 11 *vided, That any transfer pursuant to this paragraph shall*
 12 *be 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 forth*
 15 *in that section.*

16 *STATE JUSTICE INSTITUTE*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the State Justice Institute,*
 19 *as authorized by the State Justice Institute Authorization*
 20 *Act of 1992 (Public Law 102–572), \$5,000,000: Provided,*
 21 *That not to exceed \$2,500 shall be available for official re-*
 22 *ception and representation expenses.*

23 *TITLE V—GENERAL PROVISIONS*

24 *SEC. 501. The Departments of Commerce and Justice,*
 25 *the National Aeronautics and Space Administration, the*
 26 *Federal Communications Commission, the Securities and*

1 *Exchange Commission, and the Small Business Adminis-*
2 *tration shall provide to the Committees on Appropriations*
3 *of the Senate and of the House of Representatives a quar-*
4 *terly accounting of the cumulative balances of any unobli-*
5 *gated funds that were made available to any such agency*
6 *in any previous appropriations Act.*

7 *SEC. 502. No part of any appropriation contained in*
8 *this Act shall remain available for obligation beyond the*
9 *current fiscal year unless expressly so provided herein.*

10 *SEC. 503. The expenditure of any appropriation under*
11 *this Act for any consulting service through procurement*
12 *contract, pursuant to 5 U.S.C. 3109, shall be limited to*
13 *those contracts where such expenditures are a matter of pub-*
14 *lic record and available for public inspection, except where*
15 *otherwise provided under existing law, or under existing*
16 *Executive order issued pursuant to existing law.*

17 *SEC. 504. If any provision of this Act or the applica-*
18 *tion of such provision to any person or circumstances shall*
19 *be held invalid, the remainder of the Act and the applica-*
20 *tion of each provision to persons or circumstances other*
21 *than those as to which it is held invalid shall not be affected*
22 *thereby.*

23 *SEC. 505. (a) None of the funds provided under this*
24 *Act, or provided under previous appropriations Acts to the*
25 *agencies funded by this Act that remain available for obli-*

1 gation or expenditure in fiscal year 2006, or provided from
2 any accounts in the Treasury of the United States derived
3 by the collection of fees available to the agencies funded by
4 this Act, shall be available for obligation or expenditure
5 through a reprogramming of funds that: (1) creates new
6 programs; (2) eliminates a program, project, or activity;
7 (3) increases funds or personnel by any means for any
8 project or activity for which funds have been denied or re-
9 stricted; (4) relocates an office or employees; (5) reorganizes
10 or renames offices; (6) reorganizes programs or activities;
11 or (7) contracts out or privatizes any functions or activities
12 presently performed by Federal employees; unless the Ap-
13 propriations Committees of both Houses of Congress are no-
14 tified 15 days in advance of such reprogramming of funds.

15 (b) None of the funds provided under this Act, or pro-
16 vided under previous appropriations Acts to the agencies
17 funded by this Act that remain available for obligation or
18 expenditure in fiscal year 2006, or provided from any ac-
19 counts in the Treasury of the United States derived by the
20 collection of fees available to the agencies funded by this
21 Act, shall be available for obligation or expenditure for ac-
22 tivities, programs, or projects through a reprogramming of
23 funds in excess of \$1,000,000 or 10 percent, whichever is
24 less, that: (1) augments existing programs, projects (includ-
25 ing construction projects), or activities; (2) reduces by 10

1 percent funding for any existing program, project, or activ-
2 ity, or numbers of personnel by 10 percent as approved by
3 Congress; or (3) results from any general savings from a
4 reduction in personnel which would result in a change in
5 existing programs, activities, or projects as approved by
6 Congress; unless the Appropriations Committees of both
7 Houses of Congress are notified 15 days in advance of such
8 reprogramming of funds: Provided, That transfers may not
9 be made from “Buildings and Facilities, Federal Prison
10 System” to any other Department of Justice account.

11 *SEC. 506. Hereafter, none of the funds made available*
12 *in this Act or any other Act may be used for the construc-*
13 *tion, repair (other than emergency repair), overhaul, con-*
14 *version, or modernization of vessels for the National Oce-*
15 *anic and Atmospheric Administration in shipyards located*
16 *outside of the United States.*

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

1 *gibility procedures described in sections 9.400 through*
2 *9.409 of title 48, Code of Federal Regulations.*

3 *SEC. 508. None of the funds appropriated or otherwise*
4 *made available by this Act or any other Act may be used*
5 *to implement, enforce, or otherwise abide by the Memo-*
6 *randum of Agreement signed by the Federal Trade Commis-*
7 *sion and the Antitrust Division of the Department of Jus-*
8 *tice on March 5, 2002.*

9 *SEC. 509. Section 704 of the Public Works and Eco-*
10 *nomie Development Act of 1965 (42 U.S.C. 3234) shall not*
11 *apply to any funds made available by this Act or an*
12 *amendment made by this Act.*

13 *SEC. 510. Any costs incurred by a department or agen-*
14 *cy funded under this Act resulting from personnel actions*
15 *taken in response to funding reductions included in this*
16 *Act shall be absorbed within the total budgetary resources*
17 *available to such department or agency: Provided, That the*
18 *authority to transfer funds between appropriations ac-*
19 *counts as may be necessary to carry out this section is pro-*
20 *vided in addition to authorities included elsewhere in this*
21 *Act: Provided further, That use of funds to carry out this*
22 *section shall be treated as a reprogramming of funds under*
23 *section 505 of this Act and shall not be available for obliga-*
24 *tion or expenditure except in compliance with the proce-*
25 *dures set forth in that section.*

1 *SEC. 511. Of the funds appropriated in this Act under*
2 *the heading “Office of Justice Programs—State and Local*
3 *Law Enforcement Assistance”, not more than 90 percent*
4 *of the amount to be awarded to an entity under the Local*
5 *Law Enforcement Block Grant shall be made available to*
6 *such an entity when it is made known to the Federal official*
7 *having authority to obligate or expend such funds that the*
8 *entity that employs a public safety officer (as such term*
9 *is defined in section 1204 of title I of the Omnibus Crime*
10 *Control and Safe Streets Act of 1968) does not provide such*
11 *a public safety officer who retires or is separated from serv-*
12 *ice due to injury suffered as the direct and proximate result*
13 *of a personal injury sustained in the line of duty while re-*
14 *sponding to an emergency situation or a hot pursuit (as*
15 *such terms are defined by State law) with the same or better*
16 *level of health insurance benefits at the time of retirement*
17 *or separation as they received while on duty.*

18 *SEC. 512. None of the funds provided by this Act shall*
19 *be available to promote the sale or export of tobacco or to-*
20 *bacco products, or to seek the reduction or removal by any*
21 *foreign country of restrictions on the marketing of tobacco*
22 *or tobacco products, except for restrictions which are not*
23 *applied equally to all tobacco or tobacco products of the*
24 *same type.*

1 *SEC. 513. Notwithstanding any other provision of law,*
2 *amounts deposited or available in the Fund established*
3 *under 42 U.S.C. 10601 in any fiscal year in excess of*
4 *\$625,000,000 shall not be available for obligation until the*
5 *following fiscal year.*

6 *SEC. 514. Of the amounts made available under the*
7 *heading “Small Business Administration, Salaries and Ex-*
8 *penses”, \$50,000,000 shall be available for programs de-*
9 *scribed in the statement accompanying this Act.*

10 *SEC. 515. None of the funds appropriated pursuant*
11 *to this Act or any other provision of law may be used for—*

12 *(1) the implementation of any tax or fee in con-*
13 *nection with the implementation of subsection 922(t)*
14 *of title 18, United States Code; and*

15 *(2) any system to implement subsection 922(t) of*
16 *title 18, United States Code, that does not require and*
17 *result in the destruction of any identifying informa-*
18 *tion submitted by or on behalf of any person who has*
19 *been determined not to be prohibited from possessing*
20 *or receiving a firearm no more than 24 hours after*
21 *the system advises a Federal firearms licensee that*
22 *possession or receipt of a firearm by the prospective*
23 *transferee would not violate subsection (g) or (n) of*
24 *section 922 of title 18, United States Code, or State*
25 *law.*

1 *SEC. 516. All disaster loans issued in Alaska or North*
2 *Dakota shall be administered by the Small Business Ad-*
3 *ministration and shall not be sold during fiscal year 2006.*

4 *SEC. 517. None of the funds made available in this*
5 *Act may be transferred to any department, agency, or in-*
6 *strumentality of the United States Government, except pur-*
7 *suant to a transfer made by, or transfer authority provided*
8 *in, this Act or any other appropriations Act.*

9 *SEC. 518. The Secretary of Commerce shall represent*
10 *the United States Government in negotiating and moni-*
11 *toring international agreements regarding fisheries, marine*
12 *mammals, or sea turtles: Provided, That the Secretary of*
13 *Commerce shall be responsible for the development and*
14 *interdepartmental coordination of the policies of the United*
15 *States with respect to the international negotiations and*
16 *agreements referred to in this section.*

17 *SEC. 519. Any funds provided in this Act used to im-*
18 *plement E-Government Initiatives shall be subject to the*
19 *procedures set forth in section 505 of this Act.*

20 *SEC. 520. UNIVERSAL SERVICE SUPPORT. None of the*
21 *funds appropriated by this Act may be used by the Federal*
22 *Communications Commission to modify, amend, or change*
23 *its rules or regulations for universal service support pay-*
24 *ments to implement the February 27, 2004 recommenda-*
25 *tions of the Federal-State Joint Board on Universal Service*

1 *regarding single connection or primary line restrictions on*
2 *universal service support payments.*

3 *SEC. 521. (a) Tracing studies conducted by the Bureau*
4 *of Alcohol, Tobacco, Firearms and Explosives are released*
5 *without adequate disclaimers regarding the limitations of*
6 *the data.*

7 *(b) The Bureau of Alcohol, Tobacco, Firearms and Ex-*
8 *plosives shall include in all such data releases, language*
9 *similar to the following that would make clear that trace*
10 *data cannot be used to draw broad conclusions about fire-*
11 *arms-related crime:*

12 *(1) Firearm traces are designed to assist law en-*
13 *forcement authorities in conducting investigations by*
14 *tracking the sale and possession of specific firearms.*
15 *Law enforcement agencies may request firearms traces*
16 *for any reason, and those reasons are not necessarily*
17 *reported to the Federal Government. Not all firearms*
18 *used in crime are traced and not all firearms traced*
19 *are used in crime.*

20 *(2) Firearms selected for tracing are not chosen*
21 *for purposes of determining which types, makes or*
22 *models of firearms are used for illicit purposes. The*
23 *firearms selected do not constitute a random sample*
24 *and should not be considered representative of the*
25 *larger universe of all firearms used by criminals, or*

1 *any subset of that universe. Firearms are normally*
 2 *traced to the first retail seller, and sources reported*
 3 *for firearms traced do not necessarily represent the*
 4 *sources or methods by which firearms in general are*
 5 *acquired for use in crime.*

6 *SEC. 522. (a) For the period beginning on October 1,*
 7 *2005, and ending on April 1, 2006, none of the funds made*
 8 *available by this or any other Act may be used to pay the*
 9 *salaries or expenses of any employee of any agency or office*
 10 *to implement any change to part 302, 303, 306, or 318 of*
 11 *title 13, Code of Federal Regulations (as in effect on Decem-*
 12 *ber 14, 1999), pursuant to the interim final rule published*
 13 *August 11, 2005 (70 Fed. Reg. 47002; relating to the imple-*
 14 *mentation of, and regulatory revision under, the Economic*
 15 *Development Reauthorization Act (Public Law 108–373;*
 16 *118 Stat. 1756)).*

17 *(b) Notwithstanding the interim final rule described*
 18 *in subsection (a), the public comment period with respect*
 19 *to parts 302, 303, 306, and 318 of title 13, Code of Federal*
 20 *Regulations, shall be not less than 30 days.*

21 *SEC. 523. SENSE OF THE SENATE.—(a) FINDINGS.—*
 22 *The Senate finds the following:*

23 *(1) In a time of national catastrophe, it is the*
 24 *responsibility of Congress and the Executive Branch*

1 to take quick and decisive action to help those in
2 need.

3 (2) *The size, scope, and complexity of Hurricane*
4 *Katrina are unprecedented, and the emergency re-*
5 *sponse and long-term recovery efforts will be extensive*
6 *and require significant resources.*

7 (3) *It is the responsibility of Congress and the*
8 *Executive Branch to ensure the financial stability of*
9 *the nation by being good stewards of Americans'*
10 *hard-earned tax dollars.*

11 (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*
12 *ate that any funding directive contained in this Act, or its*
13 *accompanying report, that is not specifically authorized in*
14 *any Federal law as of the date of enactment of this section,*
15 *or Act or resolution passed by the Senate during the 1st*
16 *Session of the 109th Congress prior to such date, or pro-*
17 *posed in pursuance to an estimate submitted in accordance*
18 *with law, that is for the benefit of an identifiable program,*
19 *project, activity, entity, or jurisdiction and is not directly*
20 *related to the impact of Hurricane Katrina, may be redi-*
21 *rected to recovery efforts if the appropriate head of an agen-*
22 *cy or department determines, after consultation with appro-*
23 *priate Congressional Committees, that the funding directive*
24 *is not of national significance or is not in the public inter-*
25 *est.*

1 *SEC. 524. (a) It is the sense of Congress that all au-*
2 *thorities with jurisdiction, including the Federal Bureau of*
3 *Investigation and other entities within the Department of*
4 *Justice, should—*

5 *(1) expeditiously investigate unsolved civil rights*
6 *murders, due to the amount of time that has passed*
7 *since the murders and the age of potential witnesses;*
8 *and*

9 *(2) provide all the resources necessary to ensure*
10 *timely and thorough investigations in the cases in-*
11 *volved.*

12 *(b) In this section:*

13 *(1) The term “Chief” means the Chief of the Sec-*
14 *tion.*

15 *(2) The term “criminal civil rights statutes”*
16 *means—*

17 *(A) section 241 of title 18, United States*
18 *Code (relating to conspiracy against rights);*

19 *(B) section 242 of title 18, United States*
20 *Code (relating to deprivation of rights under*
21 *color of law);*

22 *(C) section 245 of title 18, United States*
23 *Code (relating to federally protected activities);*

1 (D) sections 1581 and 1584 of title 18,
2 United States Code (relating to involuntary ser-
3 vitude and peonage);

4 (E) section 901 of the Fair Housing Act (42
5 U.S.C. 3631); and

6 (F) any other Federal law that—

7 (i) was in effect on or before December
8 31, 1969; and

9 (ii) the Criminal Section of the Civil
10 Rights Division of the Department of Jus-
11 tice enforced, prior to the date of enactment
12 of this Act.

13 (3) The term “Section” (except when used as
14 part of the term “Criminal Section”) means the Un-
15 solved Crimes Section established under subsection
16 (c).

17 (c)(1) There is established in the Civil Rights Division
18 of the Department of Justice an Unsolved Crimes Section.
19 The Section shall be headed by a Chief of the Section.

20 (2)(A) Notwithstanding any other provision of Federal
21 law, the Chief shall be responsible for investigating and
22 prosecuting violations of criminal civil rights statutes, in
23 each case in which a complaint alleges that such a viola-
24 tion—

1 (i) occurred not later than December 31, 1969;
2 and

3 (ii) resulted in a death.

4 (B) After investigating a complaint under subpara-
5 graph (A), if the Chief determines that an alleged practice
6 that is a violation of a criminal civil rights statute occurred
7 in a State, or political subdivision of a State, that has a
8 State or local law prohibiting the practice alleged and es-
9 tablishing or authorizing a State or local official to grant
10 or seek relief from such practice or to institute criminal
11 proceedings with respect to the practice on receiving notice
12 of the practice, the Chief shall consult with the State or
13 local official regarding the appropriate venue for the case
14 involved.

15 (C) After investigating a complaint under subpara-
16 graph (A), the Chief shall refer the complaint to the Crimi-
17 nal Section of the Civil Rights Division, if the Chief deter-
18 mines that the subject of the complaint has violated a crimi-
19 nal civil rights statute in the case involved but the violation
20 does not meet the requirements of clause (i) or (ii) of sub-
21 paragraph (A).

22 (3)(A) The Chief shall annually conduct a study of the
23 cases under the jurisdiction of the Chief and, in conducting
24 the study, shall determine the cases—

1 (i) for which the Chief has sufficient evidence to
2 prosecute violations of criminal civil rights statutes;
3 and

4 (ii) for which the Chief has insufficient evidence
5 to prosecute those violations.

6 (B) Not later than September 30 of 2006 and of each
7 subsequent year, the Chief shall prepare and submit to Con-
8 gress a report containing the results of the study conducted
9 under subparagraph (A), including a description of the
10 cases described in subparagraph (A)(ii).

11 (4)(A) There is authorized to be appropriated to carry
12 out this subsection \$5,000,000 for fiscal year 2006 and each
13 subsequent fiscal year.

14 (B) Any funds appropriated under this paragraph
15 shall consist of additional appropriations for the activities
16 described in this subsection, rather than funds made avail-
17 able through reductions in the appropriations authorized
18 for other enforcement activities of the Department of Jus-
19 tice.

20 SEC. 525. Of the funds appropriated to the Federal
21 Trade Commission by this Act, not less than \$1,000,000
22 shall be used by the Commission to conduct an immediate
23 investigation into nationwide gasoline prices in the after-
24 math of Hurricane Katrina; Provided, That the investiga-
25 tion shall include (1) any evidence of price-gouging by com-

1 panies with total United States wholesale sales of gasoline
2 and petroleum distillates for calendar 2004 in excess of
3 \$500,000,000 and by any retail distributor of gasoline and
4 petroleum distillates against which multiple formal com-
5 plaints (that identify the location of a particular retail dis-
6 tributor and provide contact information for the complain-
7 ant) of price-gouging were filed in August or September,
8 2005, with a Federal or State consumer protection agency,
9 (2) a comparison of, and an explanation of the reasons for
10 changes in, profit levels of such companies during the 12-
11 month period ending on August 31, 2005, and their profit
12 levels for the month of September, 2005, including informa-
13 tion for particular companies on a basis that does not per-
14 mit the identification of any company to which the infor-
15 mation relates, (3) a summary of tax expenditures (as de-
16 fined in section 3(3) of the Congressional Budget and Im-
17 poundment Control Act of 1974 (2 U.S.C. 622(3)) for such
18 companies, (4) the effects of increased gasoline prices and
19 gasoline price-gouging on economic activity in the United
20 States, and (5) the overall cost of increased gasoline prices
21 and gasoline price-gouging to the economy, including the
22 impact on consumers' purchasing power in both declared
23 State and National disaster areas and elsewhere; Provided
24 further, That, in conducting its investigation, the Commis-
25 sion shall treat as evidence of price-gouging any finding

1 *that the average price of gasoline available for sale to the*
2 *public in September, 2005, or thereafter in a market area*
3 *located in an area designated as a State or National dis-*
4 *aster area because of Hurricane Katrina, or in any other*
5 *area where price-gouging complaints have been filed because*
6 *of Hurricane Katrina with a Federal or State consumer*
7 *protection agency, exceeded the average price of such gaso-*
8 *line in that area for the month of August, 2005, unless the*
9 *Commission finds substantial evidence that the increase is*
10 *substantially attributable to additional costs in connection*
11 *with the production, transportation, delivery, and sale of*
12 *gasoline in that area or to national or international market*
13 *trends; Provided further, That in any areas of markets in*
14 *which the Commission determines price increases are due*
15 *to factors other than the additional costs, it shall also notify*
16 *the appropriate State agency of its findings; Provided fur-*
17 *ther, That the Commission shall provide information on the*
18 *progress of the investigation to the Senate and House Ap-*
19 *propriations Committees, the Senate Committee on Com-*
20 *merce, Science, and Transportation, and the House of Rep-*
21 *resentatives Committee on Energy and Commerce every 30*
22 *days after the date of enactment of this Act, shall provide*
23 *those Committees a written interim report 90 days after*
24 *such date, and shall transmit a final report to those Com-*
25 *mittees, together with its findings and recommendations, no*

1 *later than 180 days after the date of enactment of this Act;*
 2 *Provided further, That the Commission shall transmit rec-*
 3 *ommendations, based on its findings, to the Congress for*
 4 *any legislation necessary to protect consumers from gasoline*
 5 *price-gouging in both State and National disaster areas*
 6 *and elsewhere; Provided further, That chapter 35 of title*
 7 *44, United States Code, does not apply to the collection of*
 8 *information for the investigation required by this section;*
 9 *Provided further, That if, during the investigation, the*
 10 *Commission obtains evidence that a person may have vio-*
 11 *lated a criminal law, the Commission may transmit that*
 12 *evidence to appropriate Federal or State authorities; and*
 13 *Provided further, That nothing in this section affects any*
 14 *other authority of the Commission to disclose information.*

15 *HURRICANE KATRINA ASSISTANCE VOUCHERS*

16 *SEC. 526. HURRICANE KATRINA EMERGENCY ASSIST-*
 17 *ANCE VOUCHERS.—(a) SHORT TITLE.—This section may*
 18 *be cited as the “Helping to House the Victims of Hurricane*
 19 *Katrina Act of 2005”.*

20 *(b) HURRICANE KATRINA EMERGENCY ASSISTANCE*
 21 *VOUCHERS.—Section 8(o) of the United States Housing Act*
 22 *of 1937 (42 U.S.C. 1437f(o)) is amended by adding at the*
 23 *end the following:*

24 *“(20) HURRICANE KATRINA EMERGENCY ASSIST-*
 25 *ANCE VOUCHERS.—*

1 “(A) *IN GENERAL.*—During the 6-month pe-
2 riod beginning on the date of enactment of the
3 *Helping to House the Victims of Hurricane*
4 *Katrina Act of 2005*, the Secretary shall provide
5 temporary rental assistance to any individual or
6 family, if—

7 “(i) the individual or family resides,
8 or resided on August 29, 2005, in any area
9 that is subject to a declaration by the Presi-
10 dent of a major disaster or emergency under
11 the *Robert T. Stafford Disaster Relief and*
12 *Emergency Assistance Act (42 U.S.C. 5121*
13 *et seq.)* in connection with *Hurricane*
14 *Katrina*; and

15 “(ii) the residence of the individual or
16 family became uninhabitable or inaccessible
17 as result of that major disaster or emer-
18 gency.

19 “(B) *REGULATIONS.*—Not later than 30
20 days after the date of enactment of the *Helping*
21 *to House the Victims of Hurricane Katrina Act*
22 *of 2005*, the Secretary shall issue final rules to
23 establish the procedures applicable to the
24 issuance of assistance under subparagraph (A).

1 “(C) NOTICE.—*The Secretary, in consulta-*
2 *tion with the Director of the Federal Emergency*
3 *Management Agency and such other agencies as*
4 *the Secretary determines appropriate, shall es-*
5 *tablish procedures for providing notice of the*
6 *availability of assistance under this paragraph*
7 *to individuals or families that may be eligible*
8 *for such assistance.*

9 “(D) AUTHORITY TO CONTRACT WITH PHA’S
10 *AND OTHERS.—The Secretary may contract with*
11 *any State or local government agency or public*
12 *housing agency, or in consultation with any*
13 *State or local government agency, with any other*
14 *entity, to ensure that assistance payments under*
15 *this paragraph are provided in an efficient and*
16 *expeditious manner.*

17 “(E) WAIVER OF ELIGIBILITY REQUIRE-
18 *MENTS.—In providing assistance under this*
19 *paragraph, the Secretary shall waive the require-*
20 *ments under—*

21 “(i) *paragraph (2), relating to tenant*
22 *contributions towards rent, except that any*
23 *such waiver shall expire on an individual’s*
24 *return to work;*

1 “(ii) paragraph (4), relating to the eli-
2 gibility of individuals to receive assistance;

3 “(iii) subsection (k) and paragraph (5)
4 of this subsection, relating to verification of
5 income;

6 “(iv) paragraph (7)(A), relating to the
7 requirement that leases shall be for a term
8 of 1 year;

9 “(v) paragraph (8), relating to initial
10 inspection of housing units by a public
11 housing agency; and

12 “(vi) subsection (r)(1)(B), relating to
13 restrictions on portability.

14 “(F) *USE OF FUNDS.*—Notwithstanding any
15 other provision of law, funds available for assist-
16 ance under this paragraph—

17 “(i) shall be made available by the Sec-
18 retary to individuals to cover the cost of—

19 “(I) rent;

20 “(II) security and utility deposits;

21 “(III) relocation expenses, includ-
22 ing expenses incurred in relocating
23 back to the major disaster area when
24 such relocation is permitted; and

1 “(IV) *such additional expenses as*
2 *the Secretary determines necessary;*
3 *and*

4 “(ii) *shall be used by the Secretary—*

5 “(I) *for payments to public hous-*
6 *ing agencies, State or local government*
7 *agencies, or other voucher administra-*
8 *tors for vouchers used to assist individ-*
9 *uals or families affected by the major*
10 *disaster or emergency described in this*
11 *paragraph up to their authorized level*
12 *of vouchers, if any such vouchers are*
13 *not otherwise funded; and*

14 “(II) *to provide operating sub-*
15 *sidies to public housing agencies for*
16 *public housing units provided to indi-*
17 *viduals or families affected by the*
18 *major disaster or emergency described*
19 *in this paragraph, if such a subsidy*
20 *was not previously provided for those*
21 *units.*

22 “(G) *PAYMENT STANDARD.—For purposes*
23 *of this paragraph, the payment standard for*
24 *each size of dwelling unit in a market area may*
25 *not exceed 150 percent, or higher if the Secretary*

1 *approves of such increase, of the fair market*
 2 *rental established under subsection (c) for the*
 3 *same size dwelling unit in the same market area,*
 4 *and shall be not less than 90 percent of that fair*
 5 *market rental.*

6 *“(H) NONDISCRIMINATION.—In selecting in-*
 7 *dividuals or families for tenancy, a landlord or*
 8 *owner may not exclude or penalize an individual*
 9 *or family solely because any portion of the rental*
 10 *payment of that individual or family is provided*
 11 *under this paragraph.*

12 *“(I) TERMINATION OF ASSISTANCE.—Assist-*
 13 *ance provided under this paragraph shall—*

14 *“(i) terminate 6 months after the date*
 15 *on which such assistance was received; and*

16 *“(ii) extend for an additional 6*
 17 *months unless at that time the Secretary*
 18 *makes a determination that assistance*
 19 *under this paragraph is no longer needed.*

20 *“(21) ASSISTANCE FOR CURRENT VOUCHER RE-*
 21 *CIPIENTS AFFECTED BY HURRICANE KATRINA.—*

22 *“(A) IN GENERAL.—The Secretary shall*
 23 *waive any of the requirements described in*
 24 *clauses (i) through (vi) of paragraph (20)(E) for*

1 *any individual or family receiving assistance*
2 *under this section on August 29, 2005, if—*

3 “(i) *the individual or family resides,*
4 *or resided on August 29, 2005, in any area*
5 *that is subject to a declaration by the Presi-*
6 *dent of a major disaster or emergency under*
7 *the Robert T. Stafford Disaster Relief and*
8 *Emergency Assistance Act (42 U.S.C. 5121*
9 *et seq.) in connection with Hurricane*
10 *Katrina; and*

11 “(ii) *the residence of the individual or*
12 *family became uninhabitable or inaccessible*
13 *as result of that major disaster or emer-*
14 *gency.*

15 “(B) *ADDITIONAL USES OF FUNDS.—Not-*
16 *withstanding any other provision of law, the*
17 *Secretary shall provide, as the Secretary deter-*
18 *mines appropriate, supplemental assistance to*
19 *an individual or family receiving assistance*
20 *under this section on August 29, 2005, and meet-*
21 *ing the requirements described in subparagraph*
22 *(A), to assist the individual or family with the*
23 *additional costs of relocating to new housing, in-*
24 *cluding to cover—*

1 “(i) the additional cost of rent and
2 utilities;

3 “(ii) security and utility deposits;

4 “(iii) relocation expenses, including ex-
5 penses incurred in relocating back to the
6 major disaster area when such relocation is
7 permitted; and

8 “(iv) such additional expenses as the
9 Secretary determines necessary.

10 “(C) *PAYMENT STANDARD.*—For purposes of
11 this paragraph, the payment standard for each
12 size of dwelling unit in a market area may not
13 exceed 150 percent, or higher if the Secretary ap-
14 proves of such increase, of the fair market rental
15 established under subsection (c) for the same size
16 dwelling unit in the same market area, and shall
17 be not less than 90 percent of that fair market
18 rental.

19 “(D) *NONDISCRIMINATION.*—A landlord or
20 owner may not exclude or penalize an individual
21 or family solely because that individual or fam-
22 ily is eligible for any waivers or benefits pro-
23 vided under this paragraph.

1 “(E) *TERMINATION OF AUTHORITY.*—The
 2 *authority of the Secretary to provide assistance*
 3 *under this paragraph shall—*

4 “(i) *apply during the 6-month period*
 5 *beginning on the date of enactment of the*
 6 *Helping to House the Victims of Hurricane*
 7 *Katrina Act of 2005; and*

8 “(ii) *extend for an additional 6*
 9 *months after that period, unless if at that*
 10 *time the Secretary makes a determination*
 11 *that assistance under this paragraph is no*
 12 *longer needed.*

13 “(22) *AUTHORITY OF THE SECRETARY TO DI-*
 14 *RECTLY ADMINISTER VOUCHERS WHEN PHA’S ARE UN-*
 15 *ABLE TO DO SO.*—*If the Secretary determines that a*
 16 *public housing agency is unable to implement the*
 17 *provisions of this subsection due to the effects of Hur-*
 18 *ricane Katrina, the Secretary may—*

19 “(A) *directly administer any voucher pro-*
 20 *gram described in paragraphs (1) through (20);*
 21 *and*

22 “(B) *perform the functions assigned to a*
 23 *public housing agency by this subsection.”.*

24 “(c) *REPORT ON INVENTORY OF AVAILABILITY OF TEM-*
 25 *PORARY HOUSING.*—*Not later than 10 days after the date*

1 *of enactment of this Act, the Secretary of Defense, the Ad-*
 2 *ministrator of the General Services Administration, the*
 3 *Secretary of Agriculture, and such other agency heads as*
 4 *the Secretary determines appropriate, shall compile and re-*
 5 *port to the Secretary an inventory of Federal civilian and*
 6 *defense facilities that can be used—*

7 (1) *to provide emergency housing; or*

8 (2) *as locations for the construction or deploy-*
 9 *ment of temporary housing units.*

10 (d) *APPROPRIATION OF FUNDING.—*

11 (1) *IN GENERAL.—There are authorized to be ap-*
 12 *propriated and are appropriated \$3,500,000,000 to*
 13 *provide assistance under this Act.*

14 (2) *EMERGENCY DESIGNATION.—The amount ap-*
 15 *propriated under paragraph (1) is designated as an*
 16 *emergency requirement pursuant to section 402 of H.*
 17 *Con. Res. 95 (109th Congress).*

18 *TRADE REMEDY LAWS*

19 *SEC. 527. None of the funds appropriated or otherwise*
 20 *made available by this Act may be used in a manner that*
 21 *is inconsistent with the principle negotiating objective of*
 22 *the United States with respect to trade remedy laws to pre-*
 23 *serve the ability of the United States—*

24 “(1) *to enforce vigorously its trade laws, includ-*
 25 *ing the antidumping, countervailing duty, and safe-*
 26 *guard laws;*

1 “(2) to avoid agreements that—

2 “(A) lessen the effectiveness of domestic and
3 international disciplines on unfair trade, espe-
4 cially dumping and subsidies; or

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

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

15 *WAIVER OF LICENSING AND CERTIFICATION REQUIREMENTS*

16 *SEC. 528. WAIVER OF LICENSING AND CERTIFICATION*

17 *REQUIREMENTS APPLICABLE TO CERTAIN HEALTH PRO-*

18 *FESSIONALS.—(a) IN GENERAL.—Notwithstanding any*

19 *other provision of law, an eligible health professional may*

20 *provide health-related services under the medicare, med-*

21 *icaid, or SCHIP program under title XVIII, XIX, or XXI*

22 *of the Social Security Act (42 U.S.C. 1395 et seq., 1396*

23 *et seq., and 1397 et seq.) and under Indian Health Service*

24 *programs, regardless of the licensing or certification laws*

25 *of the State in which such services are being provided, dur-*

26 *ing the 90-day period that begins on the date on which eligi-*

1 bility is determined by the State licensing board of the State
 2 in which such professional will provide health-related serv-
 3 ices under this subsection.

4 (b) *ELIGIBLE HEALTH PROFESSIONAL.*—To be eligible
 5 to provide health-related services in a State during the pe-
 6 riod referred to in subsection (a) without State licensure
 7 or certification, a health professional shall—

8 (1) be a physician, nurse, dentist, pharmacist,
 9 mental health professional, or allied health profession,
 10 or any other professional determined appropriate by
 11 the Secretary of Health and Human Services;

12 (2) have a valid license from, or be certified in,
 13 at least one of the States affected by Hurricane
 14 Katrina, as described in subsection (d), and not be af-
 15 firmatively barred from practicing in that State;

16 (3) have been evacuated from Louisiana or Mis-
 17 sissippi as a result of Hurricane Katrina; and

18 (4) have applied, prior to March 31, 2006, for a
 19 license or certification in the State in which such pro-
 20 fessional will provide the health-related services under
 21 subsection (a) without State licensure or certification.

22 (c) *EVIDENCE OF LICENSURE.*—

23 (1) *IN GENERAL.*—A State may develop a proc-
 24 ess to verify the licensing credentials of a health pro-
 25 fessional to which this section applies if the profes-

1 sional has no official evidence of licensure in his or
2 her possession.

3 (2) *FRAUD.*—An individual who wilfully pro-
4 vides any false or misleading information to a Fed-
5 eral, State, or local official for purposes of being cov-
6 ered under the provisions of this section shall, in ad-
7 dition to any State penalties that may apply, be sub-
8 ject to a fine, as determined appropriate by the Attor-
9 ney General in accordance with title 18, United
10 States Code.

11 (d) *STATES DESCRIBED.*—The States described in this
12 subsection are Louisiana and Mississippi.

13 (e) *LIMITATION.*—A health professional may only elect
14 to utilize the provisions of this section for a single 90-day
15 period.

16 (f) *RULE OF CONSTRUCTION.*—Nothing in this section
17 shall be construed as altering or affecting any procedures
18 adopted by State health professional licensing or certifi-
19 cation boards relating to waivers of licensing and certifi-
20 cation requirements for health professionals affected by
21 Hurricane Katrina.

22 (g) *DEFINITION.*—In this section, the term “health-re-
23 lated services”, as such term is applied to health profes-
24 sional under this section, means services provided by a
25 health professional that are consistent with the scope of

1 *practice of the professional in the State in which such pro-*
 2 *fessional is seeking licensure or certification.*

3 *DISASTER RELIEF*

4 *SEC. 529. SMALL BUSINESS, HOMEOWNERS, AND*
 5 *RENTERS DISASTER RELIEF.—(a) DISASTER LOANS.—*
 6 *Section 7(b) of the Small Business Act (15 U.S.C. 636(b))*
 7 *is amended by inserting immediately after paragraph (3)*
 8 *the following:*

9 *“(4) DISASTER LOANS AFTER HURRICANE*
 10 *KATRINA.—*

11 *“(A) ADDITIONAL LOAN AUTHORITY.—*

12 *“(i) LOANS TO SMALL BUSINESSES.—*

13 *In addition to any other loan authorized by*
 14 *this subsection, the Administrator may*
 15 *make such loans under this subsection (ei-*
 16 *ther directly or in cooperation with banks*
 17 *or other lending institutions through agree-*
 18 *ments to participate on an immediate or*
 19 *deferred basis) as the Administrator deter-*
 20 *mines appropriate to a small business con-*
 21 *cern or small agricultural cooperative that*
 22 *demonstrates a direct adverse economic im-*
 23 *pact caused by Hurricane Katrina, based*
 24 *on such criteria as the Administrator may*
 25 *set by rule, regulation, or order.*

1 “(ii) *LOANS TO NONPROFITS.*—*In ad-*
2 *dition to any other loan authorized by this*
3 *subsection, the Administrator may make*
4 *such loans under this subsection (either di-*
5 *rectly or in cooperation with banks or other*
6 *lending institutions through agreements to*
7 *participate on an immediate or deferred*
8 *basis) as the Administrator determines ap-*
9 *propriate to a non-profit organization for*
10 *purposes of repairing damage caused by*
11 *Hurricane Katrina or performing other*
12 *hurricane relief services in a damaged area.*

13 “(B) *INCREASED LOAN CAPS.*—

14 “(i) *AGGREGATE LOAN AMOUNTS.*—*Ex-*
15 *cept as provided in clause (ii), the aggregate*
16 *loan amount outstanding and committed to*
17 *a qualified borrower in a damaged area*
18 *under this paragraph may not exceed*
19 *\$10,000,000.*

20 “(ii) *WAIVER AUTHORITY.*—*The Ad-*
21 *ministrator may, at the discretion of the*
22 *Administrator, waive the aggregate loan*
23 *amount established under clause (i).*

24 “(C) *DEFERMENT OF DISASTER LOAN PAY-*
25 *MENTS.*—

1 “(i) *IN GENERAL.*—Notwithstanding
2 any other provision of law, payments of
3 principal and interest on a loan to a quali-
4 fied borrower located in a damaged area
5 made under this subsection before, on, or
6 after the date of enactment of this para-
7 graph shall be deferred, and no interest
8 shall accrue with respect to such loan, dur-
9 ing the time period described in clause (ii).

10 “(ii) *TIME PERIOD.*—The time period
11 for purposes of clause (i) shall be 1 year
12 from the later of the date of enactment of
13 this paragraph or the date of issuance of a
14 loan described in clause (i), but may be ex-
15 tended to 2 years from such date, at the dis-
16 cretion of the Administrator.

17 “(iii) *RESUMPTION OF PAYMENTS.*—At
18 the end of the time period described in
19 clause (ii), the payment of periodic install-
20 ments of principal and interest shall be re-
21 quired with respect to such loan, in the
22 same manner and subject to the same terms
23 and conditions as would otherwise be appli-
24 cable to any other loan made under this
25 subsection.

1 “(D) *DEFINITIONS.*—*In this paragraph, the*
 2 *following definitions shall apply:*

3 “(i) *DAMAGED AREA.*—*The term ‘dam-*
 4 *aged area’ means an area which the Presi-*
 5 *dent has designated as a disaster area as a*
 6 *result of Hurricane Katrina of August*
 7 *2005.*

8 “(ii) *QUALIFIED BORROWER.*—*The*
 9 *term ‘qualified borrower’ means a small*
 10 *business concern or non-profit organiza-*
 11 *tion—*

12 “(I) *located in a damaged area;*

13 *or*

14 “(II) *located in a State contig-*
 15 *uous to a damaged area that is using,*
 16 *or intends to use, a loan made under*
 17 *this subsection for purposes of rebuild-*
 18 *ing or conducting operations in a*
 19 *damaged area.”.*

20 “(b) *DEVELOPMENT COMPANY DEBENTURES.*—*Section*
 21 *503 of the Small Business Investment Act of 1958 (15*
 22 *U.S.C. 697) is amended by adding at the end the following:*

23 “(j) *DEBENTURES AFTER HURRICANE KATRINA.*—

24 “(1) *AUTHORITY.*—

1 “(A) *IN GENERAL.*—*In addition to any*
2 *other guarantee authorized by this section, the*
3 *Administrator may guarantee the timely pay-*
4 *ment of all principal and interest as scheduled*
5 *on any debenture issued for purposes of rebuild-*
6 *ing or resuming operations in a damaged area,*
7 *as the Administrator determines appropriate.*

8 “(B) *TERMS.*—*The Administrator shall es-*
9 *tablish a fee for a guarantee issued under sub-*
10 *paragraph (A) that is lower than that for other*
11 *guarantees under this section.*

12 “(2) *EXISTING GUARANTEES.*—

13 “(A) *IN GENERAL.*—*Notwithstanding any*
14 *other provision of law, the Administrator may*
15 *temporarily defer payments of principal and in-*
16 *terest on a guarantee made under this section be-*
17 *fore the date of enactment of this subsection to a*
18 *small business concern in a damaged area, in*
19 *any case in which the payments are owed to the*
20 *Administration.*

21 “(B) *PAYMENTS TO OTHER PARTIES.*—*Not-*
22 *withstanding any other provision of law, the Ad-*
23 *ministrator may temporarily make payments of*
24 *principal and interest on a loan made under*
25 *this section before the date of enactment of this*

subsection to a small business concern in a damaged area, in any case in which the payments are owed to a person other than the Administration.

“(C) *TERMINATION OF AUTHORITY.*—The authority to defer, or make, payments under this paragraph shall terminate 1 year after the date of enactment of this subsection.

“(3) *DEFINITIONS.*—In this subsection, the following definitions shall apply:

“(A) *DAMAGED AREA.*—The term ‘damaged area’ means an area which the President has designated as a disaster area as a result of Hurricane Katrina of August 2005.

“(B) *QUALIFIED BORROWER.*—The term ‘qualified borrower’ means a small business concern—

“(i) located in a damaged area; or

“(ii) that demonstrates a direct adverse economic impact caused by Hurricane Katrina, based on such criteria as the Administrator may set by rule, regulation, or order.”.

(c) *SMALL BUSINESS EMERGENCY RELIEF.*—

(1) *DEFINITIONS.*—As used in this subsection—

1 (A) the term “small business concern” has
 2 the same meaning as in section 3 of the Small
 3 Business Act; and

4 (B) the terms “Administration” and “Ad-
 5 ministrator” mean the Small Business Adminis-
 6 tration and the Administrator thereof, respec-
 7 tively.

8 (2) BUSINESS LOAN PROGRAMS.—Section 20(e)
 9 of the Small Business Act (15 U.S.C. 631 note) is
 10 amended—

11 (A) by striking “\$25,050,000,000” and in-
 12 serting “\$30,550,000,000”; and

13 (B) in paragraph (1)(B)—

14 (i) by striking “\$17,000,000,000” and
 15 inserting “\$20,000,000,000”;

16 (ii) by striking “\$7,500,000,000” and
 17 inserting “\$10,000,000,000”; and

18 (C) by striking “25,050,000,000” and in-
 19 serting “30,550,000,000”.

20 (3) GRANTS TO STATES DAMAGED BY HURRICANE
 21 KATRINA.—There is authorized to be appropriated,
 22 and there is appropriated, to the Department of Com-
 23 merce \$400,000,000 to provide, through appropriate
 24 government agencies in Louisiana, Alabama, Mis-
 25 sissippi, Texas, and Florida, to provide bridge grants

1 *and loans to small business concerns located in the*
2 *area which the President has designated as a disaster*
3 *area as a result of Hurricane Katrina, to assist in*
4 *covering costs of such concerns until they are able to*
5 *obtain loans through Administration assistance pro-*
6 *grams or other sources.*

7 (4) *DISASTER LOAN ADDITIONAL AMOUNTS.—In*
8 *addition to any other amounts otherwise appro-*
9 *propriated for such purpose, there is authorized to be ap-*
10 *propriated, and there is appropriated, to the Admin-*
11 *istration \$86,000,000, to make loans under section*
12 *7(b) of the Small Business Act.*

13 (5) *OTHER DISASTER LOANS FOLLOWING HURRI-*
14 *CANE KATRINA.—*

15 (A) *IN GENERAL.—Paragraph (4) of section*
16 *7(b) of the Small Business Act (15 U.S.C.*
17 *636(b)), as added by this Act, is amended by*
18 *adding at the end the following:*

19 “(E) *REFINANCING DISASTER LOANS AFTER*
20 *HURRICANE KATRINA.—*

21 “(i) *IN GENERAL.—Any loan made*
22 *under this subsection that was outstanding*
23 *as to principal or interest on August 24,*
24 *2005, may be refinanced by a small busi-*
25 *ness concern that is located in an area des-*

1 *ignated by the President as a disaster area*
2 *as a result of Hurricane Katrina of 2005*
3 *(in this paragraph referred to as the ‘dis-*
4 *aster area’), and the refinanced amount*
5 *shall be considered to be part of the new*
6 *loan for purposes of this subparagraph.*

7 “(ii) *NO EFFECT ON ELIGIBILITY.*—A
8 *refinancing under clause (i) by a small*
9 *business concern shall be in addition to any*
10 *other loan eligibility for that small business*
11 *concern under this Act.*

12 “(F) *REFINANCING BUSINESS DEBT.*—

13 “(i) *IN GENERAL.*—Any business debt
14 *of a small business concern that was out-*
15 *standing as to principal or interest on Au-*
16 *gust 24, 2005, may be refinanced by the*
17 *small business concern if it is located in the*
18 *disaster area. With respect to a refinancing*
19 *under this clause, payments of principal*
20 *shall be deferred, and interest may accrue,*
21 *during the 1-year period following the date*
22 *of refinancing, and the refinanced amount*
23 *shall be considered to be part of a new loan*
24 *for purposes of this subparagraph.*

1 “(ii) *RESUMPTION OF PAYMENTS.*—At
2 *the end of the 1-year period described in*
3 *clause (i), the payment of periodic install-*
4 *ments of principal and interest shall be re-*
5 *quired with respect to such loan, in the*
6 *same manner and subject to the same terms*
7 *and conditions as would otherwise be appli-*
8 *cable to any other loan made under this*
9 *subsection.*

10 “(G) *TERMS.*—A loan under subparagraph
11 *(E) or (F) shall be made at the same interest*
12 *rate as economic injury loans under paragraph*
13 *(2).*

14 “(H) *EXTENDED APPLICATION PERIOD.*—
15 *Notwithstanding any other provision of law, the*
16 *Administrator shall accept applications for as-*
17 *sistance under paragraphs (1) and (4) until one*
18 *year after the date on which the President des-*
19 *ignated the area as a disaster area as a result*
20 *of Hurricane Katrina.*

21 “(I) *NO SALE.*—No loan under this sub-
22 *section made as a result of Hurricane Katrina*
23 *may be sold.”.*

24 “(B) *CLERICAL AMENDMENTS.*—Section 7(b)
25 *of the Small Business Act (15 U.S.C. 636(b)) is*

1 *amended in the undesignated matter at the*
2 *end—*

3 *(i) by striking “, (2), and (4)” and in-*
4 *serting “and (2)”; and*

5 *(ii) by striking “, (2), or (4)” and in-*
6 *serting “(2)”.*

7 *(d) ENTREPRENEURIAL DEVELOPMENT.—In addition*
8 *to any other amounts authorized for any fiscal year, there*
9 *are authorized to be appropriated, and there is appro-*
10 *priated, to the Administration, to remain available until*
11 *expended, for fiscal year 2006—*

12 *(1) \$21,000,000, to be used for activities of small*
13 *business development centers pursuant to section 21 of*
14 *the Small Business Act, \$15,000,000 of which shall be*
15 *non-matching funds and used to aid and assist small*
16 *business concerns affected by Hurricane Katrina;*

17 *(2) \$2,000,000, to be used for the SCORE pro-*
18 *gram authorized by section 8(b)(1) of the Small Busi-*
19 *ness Act, for the activities described in section*
20 *8(b)(1)(B)(ii) of that Act, \$1,000,000 of which shall*
21 *be used to aid and assist small business concerns af-*
22 *ected by Hurricane Katrina;*

23 *(3) \$4,500,000, to be used for activities of wom-*
24 *en’s business centers authorized by section 29(b) of the*
25 *Small Business Act and for recipients of a grant*

1 *under section 29(l) of that Act, \$2,500,000 of which*
 2 *shall be non-matching funds used to aid and assist*
 3 *small business concerns affected by Hurricane*
 4 *Katrina, which may also be made available to a*
 5 *women’s business center whose 5-year project ended in*
 6 *fiscal year 2004;*

7 *(4) \$1,250,000, to be used for activities of the of-*
 8 *fice of veteran’s business development pursuant to sec-*
 9 *tion 32 of the Small Business Act, \$750,000 of which*
 10 *shall be used to aid and assist small business concerns*
 11 *affected by Hurricane Katrina; and*

12 *(5) \$5,000,000, to be used for activities of the*
 13 *microloan program authorized by clauses (ii) and*
 14 *(iii) of section 7(m)(1)(G) of the Small Business Act*
 15 *to aid and assist small business concerns adversely af-*
 16 *ected by Hurricane Katrina.*

17 *(e) SMALL BUSINESS DEVELOPMENT CENTERS.—Sec-*
 18 *tion 21(a)(4) of the Small Business Act (15 U.S.C.*
 19 *648(a)(4)) is amended by adding at the end the following:*

20 *“(D) FISCAL YEARS 2005 AND 2006.—For fis-*
 21 *cal years 2005 and 2006, the Administrator has*
 22 *the authority to waive the maximum amount of*
 23 *\$100,000 for grants under paragraph (C)(viii)*
 24 *for small business development centers assisting*

1 *small business concerns adversely affected by*
2 *Hurricane Katrina.”.*

3 (f) *HUBZONES.*—Section 3(p)(1) of the *Small Busi-*
4 *ness Act (15 U.S.C. 632(p)(1)) is amended—*

5 *(1) in subparagraph (D), by striking “or”;*

6 *(2) in subparagraph (E), by striking the period*
7 *and inserting “; or”; and*

8 *(3) by adding at the end the following:*

9 *“(F) the Hurricane Katrina disaster area,*
10 *as designated by the Administrator.”.*

11 (g) *OUTREACH PROGRAMS.*—

12 (1) *IN GENERAL.*—*Not later than 90 days after*
13 *the date of enactment of this Act, the Administrator*
14 *of the Small Business Administration shall establish*
15 *a contracting outreach and technical assistance pro-*
16 *gram for small business concerns which have had a*
17 *primary place of business in, or other significant*
18 *presence in the Hurricane Katrina disaster area at*
19 *any time following the 60 days prior to the designa-*
20 *tion of such area by the Administrator.*

21 (2) *ADMINISTRATOR ACTION.*—*The Adminis-*
22 *trator may fulfill the requirement of paragraph (1)*
23 *by acting through—*

24 (A) *the Small Business Administration;*

1 (B) the Federal agency small business offi-
2 cials designated under Section 15(k)(1) of the
3 Small Business Act (15 U.S.C. 644(k)(1)); and

4 (C) any Federal, State, or local government
5 entity, higher education institution, or private
6 nonprofit organization that the Administrator
7 may deem proper, upon conclusion of a memo-
8 randum of understanding or assistance agree-
9 ment, as appropriate, with the Administrator.

10 (h) *SMALL BUSINESS BONDING THRESHOLD.*—Not-
11 withstanding any other provision of law, for all procure-
12 ments related to Hurricane Katrina, the Administrator
13 may, upon such terms and conditions as it may prescribe,
14 guarantee and enter into commitments to guarantee any
15 surety against loss resulting from a breach of the terms of
16 a bid bond, payment bond, performance bond, or bonds an-
17 cillary thereto, by a principal on any total work order or
18 contract amount at the time of bond execution that does
19 not exceed \$10,000,000.

20 (i) *SUPPLEMENTAL EMERGENCY LOANS.*—

21 (1) *IN GENERAL.*—Section 7(a) of the Small
22 Business Act (15 U.S.C. 636(a)) is amended by add-
23 ing at the end the following:

24 “(32) *SUPPLEMENTAL EMERGENCY LOANS AFTER*
25 *HURRICANE KATRINA.*—

1 “(A) *LOAN AUTHORITY.*—*In addition to*
2 *any other loan authorized by this subsection, the*
3 *Administrator shall make such loans under this*
4 *subsection (either directly or in cooperation with*
5 *banks or other lending institutions through*
6 *agreements to participate on an immediate or*
7 *deferred basis) as the Administrator determines*
8 *appropriate to a small business concern ad-*
9 *versely affected by Hurricane Katrina, subject to*
10 *subparagraph (B).*

11 “(B) *OVERSIGHT PROTECTIONS.*—*In mak-*
12 *ing any loan under subparagraph (A)—*

13 “(i) *the borrower shall be made aware*
14 *that such loans are for those adversely af-*
15 *ected by Hurricane Katrina; and*

16 “(ii) *for loans made in cooperation*
17 *with a bank or other lending institution—*

18 “(I) *lenders shall document for the*
19 *Administrator how the borrower was*
20 *adversely affected by Hurricane*
21 *Katrina, whether directly, or indi-*
22 *rectly; and*

23 “(II) *not later than 6 months*
24 *after the date of enactment of this*
25 *paragraph, and every 6 months there-*

1 *after until the date that is 18 months*
2 *after the date of enactment of this*
3 *paragraph, the Comptroller General*
4 *shall make a report regarding such*
5 *loans to the Committee on Small Busi-*
6 *ness and Entrepreneurship of the Sen-*
7 *ate and the Committee on Small Busi-*
8 *ness of the House of Representatives,*
9 *including verification that such loans*
10 *are being used for purposes authorized*
11 *by this paragraph.*

12 “(C) *FEES.*—

13 “(i) *IN GENERAL.*—Notwithstanding
14 *any other provision of law, the Adminis-*
15 *trator shall, in lieu of the fee established*
16 *under paragraph (23)(A), collect an annual*
17 *fee of 0.25 percent of the outstanding bal-*
18 *ance of deferred participation loans made*
19 *under this subsection to qualified borrowers*
20 *for a period of 1 year after the date of en-*
21 *actment of this paragraph.*

22 “(ii) *GUARANTEE FEES.*—Notwith-
23 *standing any other provision of law, the*
24 *guarantee fee under paragraph (18)(A) for*
25 *a period of 1 year after the date of enact-*

1 *ment of this subparagraph shall be as fol-*
2 *lows:*

3 “(I) *A guarantee fee equal to 1*
4 *percent of the deferred participation*
5 *share of a total loan amount that is*
6 *not more than \$150,000.*

7 “(II) *A guarantee fee equal to 2.5*
8 *percent of the deferred participation*
9 *share of a total loan amount that is*
10 *more than \$150,000, but not more than*
11 *\$700,000.*

12 “(III) *A guarantee fee equal to 3.5*
13 *percent of the deferred participation*
14 *share of a total loan amount that is*
15 *more than \$700,000.”.*

16 (2) *APPROPRIATION.—There is authorized to be*
17 *appropriated, and there is appropriated, \$75,000,000*
18 *to carry out the amendment made by paragraph (1).*

19 (j) *SMALL BUSINESS PARTICIPATION.—In order to fa-*
20 *cilitate the maximum practicable participation of small*
21 *business concerns in activities related to relief and recovery*
22 *from Hurricane Katrina, the Administrator and the head*
23 *of any Federal agency making procurements related to the*
24 *aftermath of Hurricane Katrina, shall set a goal, to be met*
25 *within a reasonable time, of awarding to small business*

1 *concerns not less than 30 percent of amounts expended for*
 2 *prime contracts and not less than 40 percent of amounts*
 3 *expended for subcontracts on procurements such agency re-*
 4 *lated to the aftermath of Hurricane Katrina.*

5 *(k) ENERGY EMERGENCY RELIEF.—*

6 *(1) SMALL BUSINESS AND FARM ENERGY EMER-*
 7 *GENCY DISASTER LOAN PROGRAM.—*

8 *(A) SMALL BUSINESS DISASTER LOAN AU-*
 9 *THORITY.—Section 7(b) of the Small Business*
 10 *Act (15 U.S.C. 636(b)) is amended by inserting*
 11 *after paragraph (4), as added by this Act, the*
 12 *following:*

13 *“(5)(A) For purposes of this paragraph—*

14 *“(i) the term ‘base price index’ means the*
 15 *moving average of the closing unit price on the*
 16 *New York Mercantile Exchange for heating oil,*
 17 *natural gas, gasoline, or propane for the 10*
 18 *days, in each of the most recent 2 preceding*
 19 *years, which correspond to the trading days de-*
 20 *scribed in clause (ii);*

21 *“(ii) the term ‘current price index’ means*
 22 *the moving average of the closing unit price on*
 23 *the New York Mercantile Exchange, for the 10*
 24 *most recent trading days, for contracts to pur-*
 25 *chase heating oil, natural gas, gasoline, or pro-*

1 pane during the subsequent calendar month,
2 commonly known as the ‘front month’;

3 “(iii) the term ‘significant increase’
4 means—

5 “(I) with respect to the price of heating
6 oil, natural gas, gasoline, or propane, any
7 time the current price index exceeds the base
8 price index by not less than 40 percent; and

9 “(II) with respect to the price of ker-
10 osene, any increase which the Adminis-
11 trator, in consultation with the Secretary of
12 Energy, determines to be significant; and

13 “(iv) a small business concern engaged in
14 the heating oil business is eligible for a loan, if
15 the small business concern sells not more than
16 10,000,000 gallons of heating oil per year.

17 “(B) The Administration may make such loans,
18 either directly or in cooperation with banks or other
19 lending institutions through agreements to participate
20 on an immediate or deferred basis, to assist a small
21 business concern that has suffered or that is likely to
22 suffer substantial economic injury on or after Janu-
23 ary 1, 2005, as the result of a significant increase in
24 the price of heating oil, natural gas, gasoline, pro-

1 *pane, or kerosene occurring on or after January 1,*
2 *2005.*

3 “(C) *Any loan or guarantee extended pursuant*
4 *to this paragraph shall be made at the same interest*
5 *rate as economic injury loans under paragraph (2).*

6 “(D) *No loan may be made under this para-*
7 *graph, either directly or in cooperation with banks or*
8 *other lending institutions through agreements to par-*
9 *ticipate on an immediate or deferred basis, if the*
10 *total amount outstanding and committed to the bor-*
11 *rower under this subsection would exceed \$1,500,000,*
12 *unless such borrower constitutes a major source of em-*
13 *ployment in its surrounding area, as determined by*
14 *the Administration, in which case the Administra-*
15 *tion, in its discretion, may waive the \$1,500,000 lim-*
16 *itation.*

17 “(E) *For purposes of assistance under this para-*
18 *graph—*

19 “(i) *a declaration of a disaster area based*
20 *on conditions specified in this paragraph shall*
21 *be required, and shall be made by the President*
22 *or the Administrator; or*

23 “(ii) *if no declaration has been made pursu-*
24 *ant to clause (i), the Governor of a State in*
25 *which a significant increase in the price of heat-*

1 ing oil, natural gas, gasoline, propane, or ker-
 2 osene has occurred may certify to the Adminis-
 3 tration that small business concerns have suf-
 4 fered economic injury as a result of such increase
 5 and are in need of financial assistance which is
 6 not otherwise available on reasonable terms in
 7 that State, and upon receipt of such certifi-
 8 cation, the Administration may make such loans
 9 as would have been available under this para-
 10 graph if a disaster declaration had been issued.

11 “(F) Notwithstanding any other provision of
 12 law, loans made under this paragraph may be used
 13 by a small business concern described in subpara-
 14 graph (B) to convert from the use of heating oil, nat-
 15 ural gas, gasoline, propane, or kerosene to a renew-
 16 able or alternative energy source, including agri-
 17 culture and urban waste, geothermal energy, cogen-
 18 eration, solar energy, wind energy, or fuel cells.”.

19 (B) CONFORMING AMENDMENTS.—Section
 20 3(k) of the Small Business Act (15 U.S.C.
 21 632(k)) is amended—

22 (i) by inserting “, significant increase
 23 in the price of heating oil, natural gas, gas-
 24 oline, propane, or kerosene” after “civil dis-
 25 orders”; and

1 (ii) by inserting “other” before “eco-
2 nomic”.

3 (C) *REPORT.*—Not later than 12 months
4 after the date on which the Administrator of the
5 Small Business Administration issues guidelines
6 under paragraph (3)(A), and annually there-
7 after, the Administrator shall submit to the Com-
8 mittee on Small Business and Entrepreneurship
9 of the Senate and the Committee on Small Busi-
10 ness of the House of Representatives, a report on
11 the effectiveness of the assistance made available
12 under section 7(b)(5) of the Small Business Act,
13 as added by this subsection, including—

14 (i) the number of small business con-
15 cerns that applied for a loan under that sec-
16 tion 7(b)(5) and the number of those that
17 received such loans;

18 (ii) the dollar value of those loans;

19 (iii) the States in which the small
20 business concerns that received such loans
21 are located;

22 (iv) the type of energy that caused the
23 significant increase in the cost for the par-
24 ticipating small business concerns; and

1 (v) recommendations for ways to im-
 2 prove the assistance provided under that
 3 section 7(b)(5), if any.

4 (D) *EFFECTIVE DATE.*—The amendments
 5 made by this paragraph shall apply during the
 6 4-year period beginning on the earlier of the date
 7 on which guidelines are published by the Admin-
 8 istrator of the Small Business Administration
 9 under paragraph (3), or 30 days after the date
 10 of enactment of this Act, with respect to assist-
 11 ance under section 7(b)(5) of the Small Business
 12 Act, as added by this paragraph.

13 (2) *FARM ENERGY EMERGENCY RELIEF.*—

14 (A) *IN GENERAL.*—Section 321(a) of the
 15 Consolidated Farm and Rural Development Act
 16 (7 U.S.C. 1961(a)) is amended—

17 (i) in the first sentence—

18 (I) by striking “operations have”
 19 and inserting “operations (i) have”;
 20 and

21 (II) by inserting before “: Pro-
 22 vided,” the following: “, or (ii)(I) are
 23 owned or operated by such an appli-
 24 cant that is also a small business con-
 25 cern (as defined in section 3 of the

1 *Small Business Act (15 U.S.C. 632)),*
2 *and (II) have suffered or are likely to*
3 *suffer substantial economic injury on*
4 *or after January 1, 2005, as the result*
5 *of a significant increase in energy costs*
6 *or input costs from energy sources oc-*
7 *curring on or after January 1, 2005,*
8 *in connection with an energy emer-*
9 *gency declared by the President or the*
10 *Secretary”;*

11 *(ii) in the third sentence, by inserting*
12 *before the period at the end the following:*
13 *“or by an energy emergency declared by the*
14 *President or the Secretary”; and*

15 *(iii) in the fourth sentence—*

16 *(I) by inserting “or energy emer-*
17 *gency” after “natural disaster” each*
18 *place that term appears; and*

19 *(II) by inserting “or declaration”*
20 *after “emergency designation”.*

21 *(B) FUNDING.—Funds available on the date*
22 *of enactment of this Act for emergency loans*
23 *under subtitle C of the Consolidated Farm and*
24 *Rural Development Act (7 U.S.C. 1961 et seq.)*
25 *shall be available to carry out the amendments*

1 *made by subparagraph (A) to meet the needs re-*
2 *sulting from natural disasters.*

3 (C) *REPORT.*—*Not later than 12 months*
4 *after the date on which the Secretary of Agri-*
5 *culture issues guidelines under paragraph*
6 *(3)(A), and annually thereafter, the Secretary*
7 *shall submit to the Committee on Small Business*
8 *and Entrepreneurship and the Committee on Ag-*
9 *riculture, Nutrition, and Forestry of the Senate*
10 *and to the Committee on Small Business and the*
11 *Committee on Agriculture of the House of Rep-*
12 *resentatives, a report that—*

13 (i) *describes the effectiveness of the as-*
14 *sistance made available under section*
15 *321(a) of the Consolidated Farm and Rural*
16 *Development Act (7 U.S.C. 1961(a)), as*
17 *amended by this section; and*

18 (ii) *contains recommendations for*
19 *ways to improve the assistance provided*
20 *under such section 321(a).*

21 (D) *EFFECTIVE DATE.*—*The amendments*
22 *made by this paragraph shall apply during the*
23 *4-year period beginning on the earlier of the date*
24 *on which guidelines are published by the Sec-*
25 *retary of Agriculture under paragraph (3), or 30*

1 *days after the date of enactment of this Act, with*
2 *respect to assistance under section 321(a) of the*
3 *Consolidated Farm and Rural Development Act*
4 *(7 U.S.C. 1961(a)), as amended by this para-*
5 *graph.*

6 (3) *GUIDELINES AND RULEMAKING.—*

7 (A) *GUIDELINES.—Not later than 30 days*
8 *after the date of enactment of this Act, the Ad-*
9 *ministrator of the Small Business Administra-*
10 *tion and the Secretary of Agriculture shall each*
11 *issue guidelines to carry out paragraphs (1) and*
12 *(2), respectively, and the amendments made*
13 *thereby, which guidelines shall become effective*
14 *on the date of their issuance.*

15 (B) *RULEMAKING.—Not later than 30 days*
16 *after the date of enactment of this Act, the Ad-*
17 *ministrator of the Small Business Administra-*
18 *tion, after consultation with the Secretary of En-*
19 *ergy, shall promulgate regulations specifying the*
20 *method for determining a significant increase in*
21 *the price of kerosene under section*
22 *7(b)(5)(A)(iii)(II) of the Small Business Act, as*
23 *added by this Act.*

24 (l) *BUDGETARY TREATMENT OF LOANS AND*

25 *FINANCINGS.—*

1 (1) *IN GENERAL.*—Assistance made available
 2 under any loan made or approved by the Administra-
 3 tion under this section, subsections (a) or (b) of sec-
 4 tion 7 of the Small Business Act (15 U.S.C. 636(a)),
 5 as amended by this section, except for subsection
 6 7(a)(23)(C), or financings made under title V of the
 7 Small Business Investment Act of 1958 (15 U.S.C.
 8 695 *et seq.*), as amended by this section, on and after
 9 the date of enactment of this Act, shall be treated as
 10 separate programs of the Small Business Administra-
 11 tion for purposes of the Federal Credit Reform Act of
 12 1990 only.

13 (2) *USE OF FUNDS.*—Assistance under this sec-
 14 tion and the amendments made by this section shall
 15 be available effective only to the extent that funds are
 16 made available under appropriations Acts, which
 17 funds shall be utilized to offset the cost (as such term
 18 is defined in section 502 of the Federal Credit Reform
 19 Act of 1990) of such assistance.

20 (m) *EMERGENCY SPENDING.*—Appropriations under
 21 this section are designated as emergency spending, as pro-
 22 vided under section 402 of H. Con. Res. 95 (109th Con-
 23 gress).

24 ANTIDEFICIENCY ACT

25 SEC. 530. *EXTENSION OF UNIVERSAL SERVICE FUND*
 26 *EXEMPTION FROM THE ANTIDEFICIENCY ACT.*

6 *SEC. 531. SMALL BUSINESS FEES.*

10 “(C) *LOWERING OF FEES.*—

13 “(I) the Administrator may re-
14 duce fees paid by small business bor-
15 rowers and lenders under clauses (i)
16 through (iv) of paragraph (18)(A) and
17 subparagraph (A) of this paragraph;
18 and

24 “(ii) DETERMINATIONS.—A reduction
25 in fees under clause (i) shall occur in any
26 case in which the fees paid by all small

1 *business borrowers and by lenders for guar-*
 2 *antees under this subsection, or the sum of*
 3 *such fees plus any amount appropriated to*
 4 *carry out this subsection, as applicable, is*
 5 *more than the amount necessary to equal*
 6 *the cost to the Administration of making*
 7 *such guarantees.”*

8 *SEC. 532. None of the funds made available in this*
 9 *Act may be used to include in any new bilateral or multi-*
 10 *lateral trade agreement the text of—*

11 *(1) paragraph 2 of article 16.7 of the United*
 12 *States-Singapore Free Trade Agreement;*

13 *(2) paragraph 4 of article 17.9 of the United*
 14 *States-Australia Free Trade Agreement; or*

15 *(3) paragraph 4 of article 15.9 of the United*
 16 *States-Morocco Free Trade Agreement.*

17 *TITLE VI—RESCISSIONS*

18 *DEPARTMENT OF JUSTICE*

19 *GENERAL ADMINISTRATION*

20 *COUNTERTERRORISM FUND*

21 *(RESCISSION)*

22 *Of the unobligated balances available under this head-*
 23 *ing, \$11,000,000 are rescinded.*

1 *LEGAL ACTIVITIES*

2 *ASSETS FORFEITURE FUND*

3 *(RESCISSION)*

4 *Of the unobligated balances available under this head-*
 5 *ing, \$82,000,000 are rescinded.*

6 *FEDERAL BUREAU OF INVESTIGATION*

7 *SALARIES AND EXPENSES*

8 *(RESCISSION)*

9 *Of the unobligated balances available under this head-*
 10 *ing, \$103,502,000 are rescinded; of which \$30,000,000 shall*
 11 *be from funding for J. Edgar Hoover Federal Bureau of*
 12 *Investigation Building tours; and of which \$73,502,000*
 13 *shall be from funding for the Federal Bureau of Investiga-*
 14 *tion's failed computer modernization program.*

15 ***TITLE VII—***

16 ***METHAMPHETAMINES***

17 ***SECTION 701. SHORT TITLE.***

18 *This title may be cited as the “Combat Meth Act of*
 19 *2005”.*

20 ***Subtitle A—Amendments to***
 21 ***Controlled Substances Act***

22 ***SEC. 710. PSEUDOEPHEDRINE AND EPHEDRINE AMEND-***
 23 ***MENTS TO CONTROLLED SUBSTANCES ACT.***

24 *(a) ADDITION OF PSEUDOEPHEDRINE AND EPHED-*
 25 *RINE TO SCHEDULE V.—The matter under schedule V in*

1 *section 202(c) of the Controlled Substances Act (21 U.S.C.*
2 *812(c)) is amended by adding at the end the following:*

3 “(6) *Any detectable quantity of pseudoephedrine*
4 *or ephedrine, their salts or optical isomers, or salts of*
5 *optical isomers.*”.

6 (b) *PRESCRIPTIONS.*—*Section 309(c) of the Controlled*
7 *Substances Act (21 U.S.C. 829(c)) is amended—*

8 (1) *by striking “No controlled substance” and in-*
9 *serting the following:*

10 “(1) *IN GENERAL.*—*No controlled substance*”;
11 *and*

12 (2) *by adding at the end the following:*

13 “(2) *RETAIL DISTRIBUTORS AND PHARMACIES.*—
14 *If a controlled substance described in paragraph (6)*
15 *of schedule V is dispensed or sold at retail by a retail*
16 *distributor or a pharmacy, the retail distributor or*
17 *pharmacy shall ensure the following:*

18 “(A) *QUALIFICATIONS OF DISPENSER.*—*The*
19 *substance shall be dispensed or sold at retail only*
20 *by practitioner, pharmacist, or an individual*
21 *under the supervision of a pharmacist as per-*
22 *mitted by the State.*

23 “(B) *REQUIREMENTS FOR PURCHASER.*—
24 *Any person purchasing, receiving, or otherwise*

1 *acquiring any such substance shall, prior to tak-*
2 *ing possession—*

3 *“(i) provide an approved Federal or*
4 *State-issued photo identification or an al-*
5 *ternative form of identification authorized*
6 *by the Attorney General; and*

7 *“(ii) sign or make an entry in a writ-*
8 *ten or electronic log that conforms with the*
9 *regulations under paragraph (4) docu-*
10 *menting—*

11 *“(I) the date of the transaction;*

12 *“(II) the name of the person; and*

13 *“(III) the name and the amount*
14 *of the controlled substance described in*
15 *paragraph (6) of schedule V purchased,*
16 *received, or otherwise acquired.*

17 *“(C) LIMITATION ON AMOUNT OF PUR-*
18 *CHASE.—No person shall purchase, receive, or*
19 *otherwise acquire more than 7.5 grams of a con-*
20 *trolled substance described in paragraph (6) of*
21 *schedule V within any 30-day period.*

22 *“(3) EXEMPTIONS.—*

23 *“(A) IN GENERAL.—The Attorney General,*
24 *by rule, may exempt a product from paragraph*
25 *(6) of schedule V if the Attorney General deter-*

1 *mines that the product cannot be used in the ille-*
2 *gal manufacture of methamphetamine or any*
3 *other controlled dangerous substance.*

4 “(B) *DIFFERENT FORMULATION.*—

5 “(i) *IN GENERAL.*—*The Attorney Gen-*
6 *eral, upon the application of a manufac-*
7 *turer of a drug product, may exempt a*
8 *product from paragraph (6) of schedule V if*
9 *the Attorney General determines that the*
10 *product has been formulated in such a way*
11 *as to effectively prevent the conversion of the*
12 *active ingredient into methamphetamine.*

13 “(ii) *SENSE OF CONGRESS.*—*It is the*
14 *sense of Congress that the Secretary of*
15 *Health and Human Services should con-*
16 *sider a product under clause (i) to be sub-*
17 *ject to the performance goals established by*
18 *the Commissioner of Food and Drugs for*
19 *priority drugs.*

20 “(C) *SPECIAL EXCEPTIONS.*—*The Attorney*
21 *General, by rule, may authorize the sale of a*
22 *controlled substance described in paragraph (6)*
23 *of schedule V by persons other than a practi-*
24 *tioner, and at a location other than a pharmacy*
25 *if—*

1 “(i) the Attorney General—

2 “(I) determines that the retail fa-
3 cility is located within a commercial
4 service airport, and sells the substance
5 packaged in liquid and liquid filled
6 gelcaps only, each single sales package
7 containing not more than 360 mg, per
8 person, in a 24 hour period; or

9 “(II) has issued an alternate place
10 of sale license to the retail location and
11 has issued an alternate dispenser li-
12 cense to the person authorized to make
13 the sale under subsections (i) and (j) of
14 section 303, respectively;

15 “(ii) the person dispensing the con-
16 trolled substance described in paragraph (6)
17 of schedule V follows the procedures set forth
18 in this Act; and

19 “(iii) the person authorized under sec-
20 tion 303(i) dispensing the controlled sub-
21 stance described in paragraph (6) of sched-
22 ule V provides notification, in writing, of
23 the intention to dispense such substance
24 pursuant to a special exception under this
25 subparagraph to each State and local law

1 *enforcement authority with jurisdiction to*
2 *investigate crimes involving controlled sub-*
3 *stances at such location.*

4 “(D) *PRESCRIPTIONS.*—*The limit described*
5 *in paragraph (2)(C) shall not apply to any*
6 *quantity of such substance dispensed under a*
7 *valid prescription.*

8 “(4) *REGULATIONS.*—

9 “(A) *RULES FOR LOGS.*—

10 “(i) *IN GENERAL.*—*The Attorney Gen-*
11 *eral shall promulgate rules and regula-*
12 *tions—*

13 “(I) *prescribing the content and*
14 *format of the log required in para-*
15 *graph (2)(B)(ii);*

16 “(II) *establishing the manner in*
17 *which the information in the log re-*
18 *quired in paragraph (2)(B)(ii) shall be*
19 *reported to law enforcement authori-*
20 *ties; and*

21 “(III) *prohibiting accessing,*
22 *using, or sharing the information in*
23 *the log for any purpose other than to*
24 *ensure compliance with this Act or to*

1 *facilitate a product recall necessary to*
2 *protect public health and safety.*

3 “(ii) *MISREPRESENTATION WARN-*
4 *ING.—The rules and regulations under*
5 *clause (i) shall require that the log explain*
6 *the potential consequences of false state-*
7 *ments or misrepresentations, including re-*
8 *quiring that the following statement is*
9 *prominently presented: ‘NOTE: PENALTY*
10 *FOR MISREPRESENTATION – Any mis-*
11 *representation (by omission or concealment,*
12 *or by misleading, false, or partial answers*
13 *may result in prosecution pursuant to sec-*
14 *tion 1001 of title 18, United States Code,*
15 *which makes it a criminal offense, punish-*
16 *able by a maximum of 5 years imprison-*
17 *ment, \$10,000 fine, or both, knowingly and*
18 *willfully to make a false statement or rep-*
19 *resentation to any Department or Agency of*
20 *the United States as to any matter within*
21 *the jurisdiction of any Department or Agen-*
22 *cy of the United States.’*

23 “(B) *ALTERNATE IDENTIFICATION.—The*
24 *Attorney General shall promulgate rules and reg-*
25 *ulations authorizing the acceptance of an alter-*

1 nate form of identification under paragraph
2 (2)(B)(i) to be used electronically.

3 “(5) *GOOD FAITH PROTECTION.*—A retailer who
4 in good faith releases information maintained under
5 this subsection for purposes of compliance with this
6 Act to a law enforcement or regulatory authority es-
7 tablished pursuant to Federal or State law is immune
8 from civil liability unless the release constitutes gross
9 negligence or intentional, wanton, or willful mis-
10 conduct.”.

11 (c) *ALTERNATE PLACE OF SALES AND DISPENSERS.*—
12 Section 303 of the Controlled Substances Act (21 U.S.C.
13 823) is amended by adding at the end the following:

14 “(i) *ALTERNATE PLACE OF SALES LICENSES.*—

15 “(1) *IN GENERAL.*—The Attorney General shall
16 register an applicant to dispense a controlled sub-
17 stance described in paragraph (6) of schedule V at a
18 location other than a pharmacy if the Attorney Gen-
19 eral determines that such registration is consistent
20 with the public interest.

21 “(2) *CONSIDERATIONS.*—In determining the pub-
22 lic interest, the Attorney General shall consider—

23 “(A) the applicant’s maintenance of effec-
24 tive controls against diversion of the controlled
25 substance described in paragraph (6) of schedule

1 *V into other than legitimate channels equivalent*
 2 *to that of a pharmacy;*

3 “(B) *the applicant’s compliance with appli-*
 4 *cable State and local law, including holding a*
 5 *valid license issued by an appropriate State au-*
 6 *thority evidencing compliance with subpara-*
 7 *graph (A);*

8 “(C) *the applicant’s prior conviction record*
 9 *under Federal and State laws; and*

10 “(D) *such other factors as may be relevant*
 11 *to and consistent with the public health and safe-*
 12 *ty, including accessibility to rural consumers.*

13 “(3) *STATE LICENSES.—If an applicant under*
 14 *paragraph (1) does not have a valid State license as*
 15 *described in paragraph (2)(B), the Attorney General*
 16 *shall not register the applicant for a license under*
 17 *this subsection.*

18 “(j) *ALTERNATE DISPENSER LICENSES.—*

19 “(1) *IN GENERAL.—The Attorney General shall*
 20 *register an applicant, other than a practitioner, to*
 21 *dispense a controlled substance described in para-*
 22 *graph (6) of schedule V at a location other than a*
 23 *pharmacy if the Attorney General determines that*
 24 *such registration is consistent with the public interest.*

1 “(2) *CONSIDERATIONS.*—*In determining the pub-*
2 *lic interest, the Attorney General shall consider—*

3 “(A) *the applicant’s compliance with appli-*
4 *cable State and local law, including holding a li-*
5 *cence issued by an appropriate State authority*
6 *evidencing a degree of suitability to dispense the*
7 *controlled substance described in paragraph (6)*
8 *of schedule V equivalent to that of a practitioner;*

9 “(B) *the applicant’s prior conviction record*
10 *under Federal and State laws; and*

11 “(C) *such other factors as may be relevant*
12 *to and consistent with the public health and safe-*
13 *ty, including accessibility to rural consumers.*

14 “(3) *STATE LICENSES.*—*If an applicant under*
15 *paragraph (1) does not have a valid State license as*
16 *described in paragraph (2)(B), the Attorney General*
17 *shall not register the applicant for a license under*
18 *this subsection.”.*

19 (d) *THEFT PREVENTION.*—*Notwithstanding para-*
20 *graph (6) of schedule V of section 202 of the Controlled Sub-*
21 *stances Act (21 U.S.C. 812), as added by subsection (a),*
22 *persons registered with the Drug Enforcement Administra-*
23 *tion to manufacture or distribute controlled substances shall*
24 *maintain adequate security and provide effective controls*
25 *and procedures to guard against theft and diversion, but*

1 *shall not otherwise be required to meet the meet the storage,*
 2 *reporting, recordkeeping, or physical security control re-*
 3 *quirements (such as a cage or vault) for controlled sub-*
 4 *stances in schedule V containing pseudoephedrine or ephed-*
 5 *rine.*

6 (e) *STATE PENALTIES AND PEDIATRIC PRODUCTS.—*

7 *Nothing in this Act shall be construed to—*

8 (1) *prevent a State or political subdivision of a*
 9 *State from adopting and enforcing penalties that are*
 10 *different from, in addition to, or otherwise not iden-*
 11 *tical with, the penalties that apply under the Con-*
 12 *trolled Substances Act (28 U.S.C. 801 et seq.); or*

13 (2) *prevent a State or political subdivision of a*
 14 *State from permitting the sale of pediatric products*
 15 *containing pseudoephedrine or ephedrine, their salts*
 16 *or optical isomers, or salts of optical isomers where*
 17 *the pediatric product—*

18 (A) *is primarily intended for administra-*
 19 *tion, according to label instructions, to children*
 20 *under 12 years of age and either—*

21 (i) *in solid dosage form, individual*
 22 *dosage units do not exceed 15 milligrams of*
 23 *ephedrine or pseudoephedrine; or*

24 (ii) *in liquid form, recommended dos-*
 25 *age units, according to label instructions, do*

1 *not exceed 15 milligrams of ephedrine or*
2 *pseudoephedrine per 5 milliliters of liquid*
3 *product; or*

4 *(B) is in liquid form—*

5 *(i) primarily intended for administra-*
6 *tion to children under 2 years of age;*

7 *(ii) the recommended dosage of which*
8 *does not exceed 2 milliliters; and*

9 *(iii) the total package content is not*
10 *more than 1 fluid ounce.*

11 *(f) EFFECTIVE DATES.—*

12 *(1) ONLY ACTIVE INGREDIENT.—This section and*
13 *the amendments made by this section shall take effect*
14 *with regard to any substance in which ephedrine or*
15 *pseudoephedrine is the only active ingredient 90 days*
16 *after the date of enactment of this Act.*

17 *(2) OTHER PRODUCTS.—This section and the*
18 *amendments made by this section shall take effect*
19 *with regard to any substance other than a substance*
20 *described in paragraph (1) on January 1, 2007.*

21 **SEC. 711. EMPLOYER SCREENING OF EMPLOYEES WORKING**
22 **WITH CONTROLLED SUBSTANCES.**

23 *Part C of the Controlled Substances Act (21 U.S.C.*
24 *821 et seq.) is amended by adding at the end the following:*

1 “APPLICANTS AND EMPLOYEES

2 “SEC. 311. *Persons registered with the Drug Enforce-*
3 *ment Administration to manufacture, deliver, distribute, or*
4 *dispense controlled substances shall take reasonable steps to*
5 *guard against hiring persons who may, as a result of their*
6 *employment, have access to and become involved in the theft*
7 *and diversion of controlled substances, including, notwith-*
8 *standing State law, asking applicants for employment*
9 *whether they have been convicted of any crime involving*
10 *or related to controlled substances.”.*

11 ***Subtitle B—Education, Prevention,***
12 ***and Treatment***

13 ***SEC. 721. GRANTS FOR SERVICES FOR CHILDREN OF SUB-***
14 ***STANCE ABUSERS.***

15 *Section 519 of the Public Health Service Act (42*
16 *U.S.C. 290bb–25) is amended—*

17 *(1) in subsection (b), by inserting after para-*
18 *graph (8) the following:*

19 “*(9) Development of drug endangered children*
20 *rapid response teams that will intervene on behalf of*
21 *children exposed to methamphetamine as a result of*
22 *residing or being present in a home-based clandestine*
23 *drug laboratory.”; and*

24 *(2) in subsection (o)—*

1 (A) by striking “For the purpose” and in-
 2 serting the following:

3 “(1) *IN GENERAL.—For the purpose*”; and

4 (B) by adding at the end the following:

5 “(2) *DRUG ENDANGERED CHILDREN RAPID RE-*
 6 *SPONSE TEAMS.—There are authorized to be appro-*
 7 *priated \$2,500,000 for each of the fiscal years 2006*
 8 *and 2007 to carry out the provisions of subsection*
 9 *(b)(9).”.*

10 **SEC. 722. LOCAL GRANTS FOR TREATMENT OF METH-**
 11 **AMPHETAMINE ABUSE AND RELATED CONDI-**
 12 **TIONS.**

13 Subpart 1 of part B of title V of the Public Health
 14 Service Act (42 U.S.C. 290bb et seq.) is amended—

15 (1) by redesignating section 514 that relates to
 16 methamphetamine and appears after section 514A as
 17 section 514B;

18 (2) in section 514B, as redesignated—

19 (A) by amending subsection (a)(1) to read
 20 as follows:

21 “(1) *GRANTS AUTHORIZED.—The Secretary may*
 22 *award grants to States, political subdivisions of*
 23 *States, American Indian Tribes, and private, non-*
 24 *profit entities to provide treatment for methamphet-*
 25 *amine abuse.”;*

1 (B) by amending subsection (b) to read as
2 follows:

3 “(b) *PRIORITY FOR HIGH NEED STATES.*—In award-
4 ing grants under subsection (a), the Secretary shall give
5 priority to entities that will serve rural or urban areas ex-
6 periencing an increase in methamphetamine abuse in
7 States with addiction rates in excess of the national rate.”;
8 and

9 (C) in subsection (d)(1), by striking “2000”
10 and all that follows and inserting “2005 and
11 such sums as may be necessary for each of fiscal
12 years 2006 through 2009”; and

13 (3) by inserting after section 514B, as redesign-
14 nated, the following:

15 **“SEC. 514C. METHAMPHETAMINE RESEARCH, TRAINING,**
16 **AND TECHNICAL ASSISTANCE CENTER.**

17 “(a) *PROGRAM AUTHORIZED.*—The Secretary, acting
18 through the Administrator, and in consultation with the
19 Director of the National Institutes of Health, shall award
20 grants to, or enter into contracts with, public or private,
21 nonprofit entities to establish a research, training, and tech-
22 nical assistance center to carry out the activities described
23 in subsection (d).

24 “(b) *APPLICATION.*—A public or private, nonprofit en-
25 tity seeking a grant or contract under subsection (a) shall

1 *submit an application to the Secretary at such time, in*
2 *such manner, and containing such information as the Sec-*
3 *retary may require.*

4 “(c) *CONDITION.—In awarding grants or entering into*
5 *contracts under subsection (a), the Secretary shall ensure*
6 *that not less than 1 of the centers will focus on methamphet-*
7 *amine abuse in rural areas.*

8 “(d) *AUTHORIZED ACTIVITIES.—Each center estab-*
9 *lished under this section shall—*

10 “(1) *engage in research and evaluation of the ef-*
11 *fectiveness of treatment modalities for the treatment of*
12 *methamphetamine abuse;*

13 “(2) *disseminate information to public and pri-*
14 *vate entities on effective treatments for methamphet-*
15 *amine abuse;*

16 “(3) *provide direct technical assistance to States,*
17 *political subdivisions of States, and private entities*
18 *on how to improve the treatment of methamphetamine*
19 *abuse; and*

20 “(4) *provide training on the effects of meth-*
21 *amphetamine use and on effective ways of treating*
22 *methamphetamine abuse to substance abuse treatment*
23 *professionals and community leaders.*

1 “(e) *REPORTS.*—Each grantee or contractor under this
 2 section shall annually submit a report to the Administrator
 3 that contains—

4 “(1) a description of the previous year’s activi-
 5 ties of the center established under this section;

6 “(2) effective treatment modalities undertaken by
 7 the center; and

8 “(3) evidence to demonstrate that such treatment
 9 modalities were successful.

10 “(f) *AUTHORIZATION OF APPROPRIATIONS.*—There are
 11 authorized to be appropriated to carry out this section
 12 \$3,000,000 for fiscal year 2006 and such sums as may be
 13 necessary for each of fiscal years 2007 and 2008.”.

14 **SEC. 723. METHAMPHETAMINE PRECURSOR MONITORING**
 15 **GRANTS.**

16 (a) *GRANTS AUTHORIZED.*—The Attorney General,
 17 acting through the Bureau of Justice Assistance, may
 18 award grants to States to establish methamphetamine pre-
 19 cursor monitoring programs.

20 (b) *PURPOSE.*—The purpose of the grant program es-
 21 tablished under this section is to—

22 (1) prevent the sale of methamphetamine precu-
 23 sors, such as pseudoephedrine and ephedrine, to indi-
 24 viduals in quantities so large that the only reasonable

1 *purpose of the purchase would be to manufacture*
2 *methamphetamine;*

3 *(2) educate businesses that legally sell meth-*
4 *amphetamine precursors of the need to balance the le-*
5 *gitimate need for lawful access to medication with the*
6 *risk that those substances may be used to manufacture*
7 *methamphetamine; and*

8 *(3) recalibrate existing prescription drug moni-*
9 *toring programs designed to track the sale of con-*
10 *trolled substances to also track the sale of*
11 *pseudoephedrine or ephedrine in any amount greater*
12 *than 6 grams.*

13 *(c) USE OF GRANT FUNDS.—Grant funds awarded to*
14 *States under this section may be used to—*

15 *(1) implement a methamphetamine precursor*
16 *monitoring program, including hiring personnel and*
17 *purchasing computer hardware and software designed*
18 *to monitor methamphetamine precursor purchases;*

19 *(2) expand existing methamphetamine precursor*
20 *or prescription drug monitoring programs to accom-*
21 *plish the purposes described in subsection (b);*

22 *(3) pay for training and technical assistance for*
23 *law enforcement personnel and employees of busi-*
24 *nesses that lawfully sell substances, which may be*
25 *used as methamphetamine precursors;*

1 (4) *improve information sharing between adja-*
2 *cent States through enhanced connectivity; or*

3 (5) *make grants to subdivisions of the State to*
4 *implement methamphetamine precursor monitoring*
5 *programs.*

6 (d) *APPLICATION.—Any State seeking a grant under*
7 *this section shall submit an application to the Attorney*
8 *General at such time, in such manner, and containing such*
9 *information as the Attorney General may require.*

10 (e) *AUTHORIZATION OF APPROPRIATIONS.—There are*
11 *authorized to be appropriated \$5,000,000 for each of the*
12 *fiscal years 2006 and 2007 to carry out the provisions of*
13 *this section.*

14 **SEC. 724. AUTHORIZATION OF APPROPRIATIONS RELATING**
15 **TO COPS GRANTS.**

16 (a) *IN GENERAL.—In addition to any other funds au-*
17 *thorized to be appropriated for fiscal year 2006 for grants*
18 *under part Q of title I of the Omnibus Crime Control and*
19 *Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.), com-*
20 *monly known as the COPS program, there are authorized*
21 *to be appropriated \$15,000,000 for such purpose to provide*
22 *training to State and local prosecutors and law enforcement*
23 *agents for the investigation and prosecution of methamphet-*
24 *amine offenses.*

1 (b) *RURAL SET-ASIDE*.—Of amounts made available
 2 under subsection (a), \$3,000,000 shall be available only for
 3 prosecutors and law enforcement agents for rural commu-
 4 nities.

5 **SEC. 725. EXPANSION OF METHAMPHETAMINE HOT SPOTS**
 6 **PROGRAM TO INCLUDE PERSONNEL AND**
 7 **EQUIPMENT FOR ENFORCEMENT, PROSECU-**
 8 **TION, AND CLEANUP.**

9 Section 1701(d) of the Omnibus Crime Control and
 10 Safe Streets Act of 1968 (42 U.S.C. 3796dd(d)) is amend-
 11 ed—

12 (1) in paragraph (11) by striking “and” at the
 13 end;

14 (2) in paragraph (12) by striking the period at
 15 the end and inserting “; and”; and

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

17 “(13) hire personnel and purchase equipment to
 18 assist in the enforcement and prosecution of meth-
 19 amphetamine offenses and the cleanup of meth-
 20 amphetamine-affected areas.”.

21 **SEC. 726. SPECIAL UNITED STATES ATTORNEYS’ PROGRAM.**

22 (a) *IN GENERAL*.—The Attorney General shall allocate
 23 any amounts appropriated pursuant to the authorization
 24 under subsection (c) for the hiring and training of special
 25 assistant United States attorneys.

1 (b) *USE OF FUNDS.*—*The funds allocated under sub-*
2 *section (a) shall be used to—*

3 (1) *train local prosecutors in techniques used to*
4 *prosecute methamphetamine cases, including the pres-*
5 *entation of evidence related to the manufacture of*
6 *methamphetamine;*

7 (2) *train local prosecutors in Federal and State*
8 *laws involving methamphetamine manufacture or dis-*
9 *tribution;*

10 (3) *cross-designate local prosecutors as special*
11 *assistant United States attorneys; and*

12 (4) *hire additional local prosecutors who—*

13 (A) *with the approval of the United States*
14 *attorney, shall be cross-designated to prosecute*
15 *both Federal and State methamphetamine cases;*

16 (B) *shall be assigned a caseload, whether in*
17 *State court or Federal court, that gives the high-*
18 *est priority to cases in which—*

19 (i) *charges related to methamphet-*
20 *amine manufacture or distribution are sub-*
21 *mitted by law enforcement for consider-*
22 *ation; and*

23 (ii) *the defendant has been previously*
24 *convicted of a crime related to methamphet-*
25 *amine manufacture or distribution.*

Amend the title so as to read: “An Act making appropriations for the Departments of Commerce and Justice, Science, and related agencies, for the fiscal year ending September 30, 2006, and for other purposes.”.

Attest: **JEFF TRANDAH**,
Clerk.

Attest: EMILY J. REYNOLDS,
Secretary.