

Union Calendar No. 324

112TH CONGRESS
2^D SESSION

H. R. 5326

[Report No. 112-463]

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

IN THE HOUSE OF REPRESENTATIVES

MAY 2, 2012

Mr. WOLF, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
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, 2013, and for other pur-
6 poses, namely:

7 TITLE I

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
15 for the purpose of promoting exports of United States
16 firms, without regard to sections 3702 and 3703 of title
17 44, United States Code; full medical coverage for depend-
18 ent members of immediate families of employees stationed
19 overseas and employees temporarily posted overseas; travel
20 and transportation of employees of the International
21 Trade Administration between two points abroad, without
22 regard to section 40118 of title 49, United States Code;
23 employment of citizens of the United States and aliens by
24 contract for services; rental of space abroad for periods
25 not exceeding 10 years, and expenses of alteration, repair,

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

1 BUREAU OF INDUSTRY AND SECURITY
2 OPERATIONS AND ADMINISTRATION

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

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

10 ECONOMIC DEVELOPMENT ADMINISTRATION

11 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

12 For grants for economic development assistance as
13 provided by the Public Works and Economic Development
14 Act of 1965, for trade adjustment assistance, for the cost
15 of loan guarantees authorized by section 26 of the Steven-
16 son-Wydler Technology Innovation Act of 1980 (15 U.S.C.
17 3721), and for grants, \$182,000,000, to remain available
18 until expended; of which \$5,000,000 shall be for projects
19 to facilitate the relocation, to the United States, of a
20 source of employment located outside the United States;
21 and of which up to \$5,000,000 shall be for loan guaran-
22 tees under section 26: *Provided*, That the costs for loan
23 guarantees, including the cost of modifying such loans,
24 shall be as defined in section 502 of the Congressional
25 Budget Act of 1974: *Provided further*, That these funds

1 for loan guarantees under such section 26 are available
2 to subsidize total loan principal, any part of which is to
3 be guaranteed, not to exceed \$70,000,000.

4 SALARIES AND EXPENSES

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

12 MINORITY BUSINESS DEVELOPMENT AGENCY

13 MINORITY BUSINESS DEVELOPMENT

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

19 ECONOMIC AND STATISTICAL ANALYSIS

20 SALARIES AND EXPENSES

21 For necessary expenses, as authorized by law, of eco-
22 nomic and statistical analysis programs of the Department
23 of Commerce, \$96,000,000, to remain available until Sep-
24 tember 30, 2014.

1 BUREAU OF THE CENSUS
2 SALARIES AND EXPENSES

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

8 PERIODIC CENSUSES AND PROGRAMS

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

15 NATIONAL TELECOMMUNICATIONS AND INFORMATION
16 ADMINISTRATION

17 SALARIES AND EXPENSES

18 For necessary expenses, as provided for by law, of
19 the National Telecommunications and Information Ad-
20 ministration (NTIA), \$45,568,000, to remain available
21 until September 30, 2014: *Provided*, That, notwith-
22 standing 31 U.S.C. 1535(d), the Secretary of Commerce
23 shall charge Federal agencies for costs incurred in spec-
24 trum management, analysis, operations, and related serv-
25 ices, and such fees shall be retained and used as offsetting

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

12 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
13 AND CONSTRUCTION

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

18 U.S. PATENT AND TRADEMARK OFFICE
19 SALARIES AND EXPENSES
20 (INCLUDING TRANSFERS OF FUNDS)

21 For necessary expenses of the United States Patent
22 and Trademark Office (USPTO) provided for by law, in-
23 cluding defense of suits instituted against the Under Sec-
24 retary of Commerce for Intellectual Property and Director
25 of the USPTO, \$2,933,241,000 to remain available until

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

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

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

8 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
9 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

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

16 INDUSTRIAL TECHNOLOGY SERVICES

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

23 CONSTRUCTION OF RESEARCH FACILITIES

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

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

17 NATIONAL OCEANIC AND ATMOSPHERIC

18 ADMINISTRATION

19 OPERATIONS, RESEARCH, AND FACILITIES

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses of activities authorized by law
22 for the National Oceanic and Atmospheric Administration,
23 including maintenance, operation, and hire of aircraft and
24 vessels; grants, contracts, or other payments to nonprofit
25 organizations for the purposes of conducting activities

1 pursuant to cooperative agreements; and relocation of fa-
2 cilities, \$2,968,371,000, to remain available until Sep-
3 tember 30, 2014, except that funds provided for coopera-
4 tive enforcement shall remain available until September
5 30, 2015: *Provided*, That fees and donations received by
6 the National Ocean Service for the management of na-
7 tional marine sanctuaries may be retained and used for
8 the salaries and expenses associated with those activities,
9 notwithstanding section 3302 of title 31, United States
10 Code: *Provided further*, That in addition, \$119,064,000
11 shall be derived by transfer from the fund entitled “Pro-
12 mote and Develop Fishery Products and Research Per-
13 taining to American Fisheries”: *Provided further*, That of
14 the \$3,102,435,000 provided for in direct obligations
15 under this heading, \$2,968,371,000 is appropriated from
16 the general fund, \$119,064,000 is provided by transfer,
17 and \$15,000,000 is derived from recoveries of prior year
18 obligations: *Provided further*, That the total amount avail-
19 able for National Oceanic and Atmospheric Administra-
20 tion corporate services administrative support costs shall
21 not exceed \$207,013,000: *Provided further*, That any devi-
22 ation from the amounts designated for specific activities
23 in the statement accompanying this Act, or any use of
24 deobligated balances of funds provided under this heading

1 in previous years, shall be subject to the procedures set
2 forth in section 505 of this Act.

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

9 PROCUREMENT, ACQUISITION AND CONSTRUCTION

10 For procurement, acquisition and construction of
11 capital assets, including alteration and modification costs,
12 of the National Oceanic and Atmospheric Administration,
13 \$1,931,948,000, to remain available until September 30,
14 2015, except that funds provided for construction of facili-
15 ties shall remain available until expended: *Provided*, That
16 of the \$1,946,948,000 provided for in direct obligations
17 under this heading, \$1,931,948,000 is appropriated from
18 the general fund and \$15,000,000 is provided from recov-
19 eries of prior year obligations: *Provided further*, That any
20 deviation from the amounts designated for specific activi-
21 ties in the statement accompanying this Act, or any use
22 of deobligated balances of funds provided under this head-
23 ing in previous years, shall be subject to the procedures
24 set forth in section 505 of this Act: *Provided further*, That
25 the Secretary of Commerce shall include in budget jus-

1 tification materials that the Secretary submits to Congress
2 in support of the Department of Commerce budget (as
3 submitted with the budget of the President under section
4 1105(a) of title 31, United States Code) an estimate for
5 each National Oceanic and Atmospheric Administration
6 procurement, acquisition or construction project having a
7 total of more than \$5,000,000 and simultaneously the
8 budget justification shall include an estimate of the budg-
9 etary requirements for each such project for each of the
10 5 subsequent fiscal years.

11 PACIFIC COASTAL SALMON RECOVERY

12 For necessary expenses associated with the restora-
13 tion of Pacific salmon populations, \$65,000,000, to re-
14 main available until September 30, 2014: *Provided*, That,
15 of the funds provided herein, the Secretary of Commerce
16 may issue grants to the States of Washington, Oregon,
17 Idaho, Nevada, California, and Alaska, and to the Feder-
18 ally recognized tribes of the Columbia River and Pacific
19 Coast (including Alaska), for projects necessary for con-
20 servation of salmon and steelhead populations that are
21 listed as threatened or endangered, or that are identified
22 by a State as at-risk to be so listed, for maintaining popu-
23 lations necessary for exercise of tribal treaty fishing rights
24 or native subsistence fishing, or for conservation of Pacific
25 coastal salmon and steelhead habitat, based on guidelines

1 to be developed by the Secretary of Commerce: *Provided*
2 *further*, That all funds shall be allocated based on sci-
3 entific and other merit principles and shall not be available
4 for marketing activities: *Provided further*, That funds dis-
5 bursed to States shall be subject to a matching require-
6 ment of funds or documented in-kind contributions of at
7 least 33 percent of the Federal funds.

8 FISHERMEN'S CONTINGENCY FUND

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

13 FISHERIES FINANCE PROGRAM ACCOUNT

14 Subject to section 502 of the Congressional Budget
15 Act of 1974, during fiscal year 2013, obligations of direct
16 loans may not exceed \$24,000,000 for Individual Fishing
17 Quota loans and not to exceed \$59,000,000 for traditional
18 direct loans as authorized by the Merchant Marine Act
19 of 1936: *Provided*, That none of the funds made available
20 under this heading may be used for direct loans for any
21 new fishing vessel that will increase the harvesting capac-
22 ity in any United States fishery.

1 DEPARTMENTAL MANAGEMENT

2 SALARIES AND EXPENSES

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

11 OFFICE OF INSPECTOR GENERAL

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

15 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

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

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

24 SEC. 104. Any costs incurred by a department or
25 agency funded under this title resulting from personnel

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

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

17 (1) by striking “paragraph (2)” and inserting
18 “subsection (e)(2)”; and

19 (2) by striking “this subsection” and inserting
20 “subsection (e)”.

21 (b) The requirements set forth by section 105 of the
22 Commerce, Justice, Science, and Related Agencies Appro-
23 priations Act, 2012 (Public Law 112–55), as amended by
24 subsection (a) of this section, are hereby adopted by ref-
25 erence.

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

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

23 SEC. 108. The Administrator of the National Oceanic
24 and Atmospheric Administration is authorized to use, with
25 their consent, with reimbursement and subject to the lim-

1 its of available appropriations, the land, services, equip-
2 ment, personnel, and facilities of any department, agency,
3 or instrumentality of the United States, or of any State,
4 local government, Indian tribal government, Territory, or
5 possession, or of any political subdivision thereof, or of
6 any foreign government or international organization, for
7 purposes related to carrying out the responsibilities of any
8 statute administered by the National Oceanic and Atmos-
9 pheric Administration.

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

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

18 TITLE II

19 DEPARTMENT OF JUSTICE

20 GENERAL ADMINISTRATION

21 SALARIES AND EXPENSES

22 For expenses necessary for the administration of the
23 Department of Justice, \$110,322,000, of which not to ex-
24 ceed \$4,000,000 for security and construction of Depart-

1 ment of Justice facilities shall remain available until ex-
2 pended.

3 JUSTICE INFORMATION SHARING TECHNOLOGY

4 For necessary expenses for information sharing tech-
5 nology, including planning, development, deployment and
6 departmental direction, \$33,426,000, to remain available
7 until expended.

8 ADMINISTRATIVE REVIEW AND APPEALS

9 (INCLUDING TRANSFER OF FUNDS)

10 For expenses necessary for the administration of par-
11 don and clemency petitions and immigration-related activi-
12 ties, \$313,438,000, of which \$4,000,000 shall be derived
13 by transfer from the Executive Office for Immigration Re-
14 view fees deposited in the “Immigration Examinations
15 Fee” account.

16 OFFICE OF INSPECTOR GENERAL

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

20 UNITED STATES PAROLE COMMISSION

21 SALARIES AND EXPENSES

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

1 LEGAL ACTIVITIES

2 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

3 For expenses necessary for the legal activities of the
4 Department of Justice, not otherwise provided for, includ-
5 ing not to exceed \$20,000 for expenses of collecting evi-
6 dence, to be expended under the direction of, and to be
7 accounted for solely under the certificate of, the Attorney
8 General; and rent of private or Government-owned space
9 in the District of Columbia, \$863,367,000, of which not
10 to exceed \$10,000,000 for litigation support contracts
11 shall remain available until expended: *Provided*, That of
12 the total amount appropriated, not to exceed \$9,000 shall
13 be available to INTERPOL Washington for official recep-
14 tion and representation expenses: *Provided further*, That
15 notwithstanding section 205 of this Act, upon a deter-
16 mination by the Attorney General that emergent cir-
17 cumstances require additional funding for litigation activi-
18 ties of the Civil Division, the Attorney General may trans-
19 fer such amounts to “Salaries and Expenses, General
20 Legal Activities” from available appropriations for the
21 current fiscal year for the Department of Justice, as may
22 be necessary to respond to such circumstances: *Provided*
23 *further*, That any transfer pursuant to the previous pro-
24 viso shall be treated as a reprogramming under section
25 505 of this Act and shall not be available for obligation

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

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

16 SALARIES AND EXPENSES, ANTITRUST DIVISION

17 For expenses necessary for the enforcement of anti-
18 trust and kindred laws, \$159,587,000, to remain available
19 until expended: *Provided*, That notwithstanding any other
20 provision of law, fees collected for premerger notification
21 filings under the Hart-Scott-Rodino Antitrust Improve-
22 ments Act of 1976 (15 U.S.C. 18a), regardless of the year
23 of collection (and estimated to be \$115,000,000 in fiscal
24 year 2013), shall be retained and used for necessary ex-
25 penses in this appropriation, and shall remain available

1 until expended: *Provided further*, That the sum herein ap-
2 propriated from the general fund shall be reduced as such
3 offsetting collections are received during fiscal year 2013,
4 so as to result in a final fiscal year 2013 appropriation
5 from the general fund estimated at \$44,587,000.

6 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

7 For necessary expenses of the Offices of the United
8 States Attorneys, including inter-governmental and coop-
9 erative agreements, \$1,965,000,000: *Provided*, That of the
10 total amount appropriated, not to exceed \$7,200 shall be
11 available for official reception and representation ex-
12 penses: *Provided further*, That not to exceed \$25,000,000
13 shall remain available until expended: *Provided further*,
14 That each United States Attorney shall establish or par-
15 ticipate in a United States Attorney-led task force on
16 human trafficking.

17 UNITED STATES TRUSTEE SYSTEM FUND

18 For necessary expenses of the United States Trustee
19 Program, as authorized, \$223,258,000, to remain avail-
20 able until expended and to be derived from the United
21 States Trustee System Fund: *Provided*, That, notwith-
22 standing any other provision of law, deposits to the Fund
23 shall be available in such amounts as may be necessary
24 to pay refunds due depositors: *Provided further*, That, not-
25 withstanding any other provision of law, \$223,258,000 of

1 offsetting collections pursuant to section 589a(b) of title
2 28, United States Code, shall be retained and used for
3 necessary expenses in this appropriation and shall remain
4 available until expended: *Provided further*, That the sum
5 herein appropriated from the Fund shall be reduced as
6 such offsetting collections are received during fiscal year
7 2013, so as to result in a final fiscal year 2013 appropria-
8 tion from the Fund estimated at \$0.

9 SALARIES AND EXPENSES, FOREIGN CLAIMS

10 SETTLEMENT COMMISSION

11 For expenses necessary to carry out the activities of
12 the Foreign Claims Settlement Commission, including
13 services as authorized by section 3109 of title 5, United
14 States Code, \$2,000,000.

15 FEES AND EXPENSES OF WITNESSES

16 For fees and expenses of witnesses, for expenses of
17 contracts for the procurement and supervision of expert
18 witnesses, for private counsel expenses, including ad-
19 vances, and for expenses of foreign counsel, \$270,000,000,
20 to remain available until expended, of which not to exceed
21 \$10,000,000 is for construction of buildings for protected
22 witness safesites; not to exceed \$3,000,000 is for the pur-
23 chase and maintenance of armored and other vehicles for
24 witness security caravans; and not to exceed \$11,000,000
25 is for the purchase, installation, maintenance, and up-

1 grade of secure telecommunications equipment and a se-
2 cure automated information network to store and retrieve
3 the identities and locations of protected witnesses.

4 SALARIES AND EXPENSES, COMMUNITY RELATIONS
5 SERVICE

6 For necessary expenses of the Community Relations
7 Service, \$11,456,000: *Provided*, That notwithstanding sec-
8 tion 205 of this Act, upon a determination by the Attorney
9 General that emergent circumstances require additional
10 funding for conflict resolution and violence prevention ac-
11 tivities of the Community Relations Service, the Attorney
12 General may transfer such amounts to the Community Re-
13 lations Service, from available appropriations for the cur-
14 rent fiscal year for the Department of Justice, as may be
15 necessary to respond to such circumstances: *Provided fur-*
16 *ther*, That any transfer pursuant to the preceding proviso
17 shall be treated as a reprogramming under section 505
18 of this Act and shall not be available for obligation or ex-
19 penditure except in compliance with the procedures set
20 forth in that section.

21 ASSETS FORFEITURE FUND

22 For expenses authorized by subparagraphs (B), (F),
23 and (G) of section 524(e)(1) of title 28, United States
24 Code, \$20,948,000, to be derived from the Department
25 of Justice Assets Forfeiture Fund.

1 UNITED STATES MARSHALS SERVICE
2 SALARIES AND EXPENSES

3 For necessary expenses of the United States Mar-
4 shals Service, \$1,188,488,000, of which not to exceed
5 \$6,000 shall be available for official reception and rep-
6 resentation expenses, and not to exceed \$15,000,000 shall
7 remain available until expended.

8 CONSTRUCTION

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

13 FEDERAL PRISONER DETENTION
14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses related to United States pris-
16 oners in the custody of the United States Marshals Service
17 as authorized by section 4013 of title 18, United States
18 Code, \$1,647,383,000, to remain available until expended:
19 *Provided*, That not to exceed \$20,000,000 shall be consid-
20 ered “funds appropriated for State and local law enforce-
21 ment assistance” pursuant to section 4013(b) of title 18,
22 United States Code: *Provided further*, That the United
23 States Marshals Service shall be responsible for managing
24 the Justice Prisoner and Alien Transportation System:
25 *Provided further*, That any unobligated balances available

1 from funds appropriated under the heading “General Ad-
2 ministration, Detention Trustee” shall be transferred to
3 and merged with the appropriation under this heading.

4 NATIONAL SECURITY DIVISION

5 SALARIES AND EXPENSES

6 For expenses necessary to carry out the activities of
7 the National Security Division, \$90,039,000, of which not
8 to exceed \$5,000,000 for information technology systems
9 shall remain available until expended: *Provided*, That not-
10 withstanding section 205 of this Act, upon a determina-
11 tion by the Attorney General that emergent circumstances
12 require additional funding for the activities of the National
13 Security Division, the Attorney General may transfer such
14 amounts to this heading from available appropriations for
15 the current fiscal year for the Department of Justice, as
16 may be necessary to respond to such circumstances: *Pro-*
17 *vided further*, That any transfer pursuant to the preceding
18 proviso shall be treated as a reprogramming under section
19 505 of this Act and shall not be available for obligation
20 or expenditure except in compliance with the procedures
21 set forth in that section.

22 INTERAGENCY LAW ENFORCEMENT

23 INTERAGENCY CRIME AND DRUG ENFORCEMENT

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

1 most significant drug trafficking, and affiliated money
2 laundering organizations not otherwise provided for, to in-
3 clude inter-governmental agreements with State and local
4 law enforcement agencies engaged in the investigation and
5 prosecution of individuals involved in organized crime drug
6 trafficking, \$521,793,000, of which \$50,000,000 shall re-
7 main available until expended: *Provided*, That any
8 amounts obligated from appropriations under this heading
9 may be used under authorities available to the organiza-
10 tions reimbursed from this appropriation.

11 FEDERAL BUREAU OF INVESTIGATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Bureau of In-
14 vestigation for detection, investigation, and prosecution of
15 crimes against the United States, \$8,185,007,000, of
16 which not to exceed \$216,000,000 shall remain available
17 until expended: *Provided*, That not to exceed \$184,500
18 shall be available for official reception and representation
19 expenses.

20 CONSTRUCTION

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

1 owned buildings; preliminary planning and design of
2 projects; and operation and maintenance of secure work
3 environment facilities and secure networking capabilities;
4 \$80,982,000, to remain available until expended.

5 DRUG ENFORCEMENT ADMINISTRATION

6 SALARIES AND EXPENSES

7 For necessary expenses of the Drug Enforcement Ad-
8 ministration, including not to exceed \$70,000 to meet un-
9 foreseen emergencies of a confidential character pursuant
10 to section 530C of title 28, United States Code; and ex-
11 penses for conducting drug education and training pro-
12 grams, including travel and related expenses for partici-
13 pants in such programs and the distribution of items of
14 token value that promote the goals of such programs,
15 \$2,043,904,000; of which not to exceed \$75,000,000 shall
16 remain available until expended and not to exceed \$90,000
17 shall be available for official reception and representation
18 expenses.

19 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND

20 EXPLOSIVES

21 SALARIES AND EXPENSES

22 For necessary expenses of the Bureau of Alcohol, To-
23 bacco, Firearms and Explosives, for training of State and
24 local law enforcement agencies with or without reimburse-
25 ment, including training in connection with the training

1 and acquisition of canines for explosives and fire
2 accelerants detection; and for provision of laboratory as-
3 sistance to State and local law enforcement agencies, with
4 or without reimbursement, \$1,153,345,000, of which not
5 to exceed \$36,000 shall be for official reception and rep-
6 resentation expenses, not to exceed \$1,000,000 shall be
7 available for the payment of attorneys' fees as provided
8 by section 924(d)(2) of title 18, United States Code, and
9 not to exceed \$20,000,000 shall remain available until ex-
10 pended: *Provided*, That, in the current fiscal year and any
11 fiscal year thereafter, no funds appropriated under this
12 or any other Act shall be used to pay administrative ex-
13 penses or the compensation of any officer or employee of
14 the United States to implement an amendment or amend-
15 ments to section 478.118 of title 27, Code of Federal Reg-
16 ulations, or to change the definition of "Curios or relics"
17 in section 478.11 of title 27, Code of Federal Regulations,
18 or remove any item from ATF Publication 5300.11 as it
19 existed on January 1, 1994: *Provided further*, That none
20 of the funds appropriated herein shall be available to in-
21 vestigate or act upon applications for relief from Federal
22 firearms disabilities under section 925(c) of title 18,
23 United States Code: *Provided further*, That such funds
24 shall be available to investigate and act upon applications
25 filed by corporations for relief from Federal firearms dis-

1 abilities under section 925(e) of title 18, United States
2 Code: *Provided further*, That no funds made available by
3 this or any other Act may be used to transfer the func-
4 tions, missions, or activities of the Bureau of Alcohol, To-
5 bacco, Firearms and Explosives to other agencies or De-
6 partments: *Provided further*, That, in the current fiscal
7 year and any fiscal year thereafter, no funds made avail-
8 able by this or any other Act shall be expended to promul-
9 gate or implement any rule requiring a physical inventory
10 of any business licensed under section 923 of title 18,
11 United States Code: *Provided further*, That, in the current
12 fiscal year and any fiscal year thereafter, no funds author-
13 ized or made available under this or any other Act may
14 be used to deny any application for a license under section
15 923 of title 18, United States Code, or renewal of such
16 a license due to a lack of business activity, provided that
17 the applicant is otherwise eligible to receive such a license,
18 and is eligible to report business income or to claim an
19 income tax deduction for business expenses under the In-
20 ternal Revenue Code of 1986.

21 FEDERAL PRISON SYSTEM

22 SALARIES AND EXPENSES

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses of the Federal Prison System
25 for the administration, operation, and maintenance of

1 Federal penal and correctional institutions, and for the
2 provision of technical assistance and advice on corrections
3 related issues to foreign governments, \$6,820,217,000:
4 *Provided*, That the Attorney General may transfer to the
5 Health Resources and Services Administration such
6 amounts as may be necessary for direct expenditures by
7 that Administration for medical relief for inmates of Fed-
8 eral penal and correctional institutions: *Provided further*,
9 That the Director of the Federal Prison System, where
10 necessary, may enter into contracts with a fiscal agent or
11 fiscal intermediary claims processor to determine the
12 amounts payable to persons who, on behalf of the Federal
13 Prison System, furnish health services to individuals com-
14 mitted to the custody of the Federal Prison System: *Pro-*
15 *vided further*, That not to exceed \$5,400 shall be available
16 for official reception and representation expenses: *Pro-*
17 *vided further*, That not to exceed \$50,000,000 shall re-
18 main available for necessary operations until September
19 30, 2014: *Provided further*, That, of the amounts provided
20 for contract confinement, not to exceed \$20,000,000 shall
21 remain available until expended to make payments in ad-
22 vance for grants, contracts and reimbursable agreements,
23 and other expenses authorized by section 501(c) of the
24 Refugee Education Assistance Act of 1980 (8 U.S.C. 1522
25 note), for the care and security in the United States of

1 Cuban and Haitian entrants: *Provided further*, That the
2 Director of the Federal Prison System may accept donated
3 property and services relating to the operation of the pris-
4 on card program from a nonprofit entity which has oper-
5 ated such program in the past notwithstanding the fact
6 that such nonprofit entity furnishes services under con-
7 tracts to the Federal Prison System relating to the oper-
8 ation of pre-release services, halfway houses, or other cus-
9 todial facilities.

10 BUILDINGS AND FACILITIES

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

1 FEDERAL PRISON INDUSTRIES, INCORPORATED

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

12 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
13 PRISON INDUSTRIES, INCORPORATED

14 Not to exceed \$2,700,000 of the funds of the Federal
15 Prison Industries, Incorporated shall be available for its
16 administrative expenses, and for services as authorized by
17 section 3109 of title 5, United States Code, to be com-
18 puted on an accrual basis to be determined in accordance
19 with the corporation's current prescribed accounting sys-
20 tem, and such amounts shall be exclusive of depreciation,
21 payment of claims, and expenditures which such account-
22 ing system requires to be capitalized or charged to cost
23 of commodities acquired or produced, including selling and
24 shipping expenses, and expenses in connection with acqui-
25 sition, construction, operation, maintenance, improvement,

1 protection, or disposition of facilities and other property
2 belonging to the corporation or in which it has an interest.

3 STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

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 (42 U.S.C. 3711
11 et seq.) (“the 1968 Act”); the Violent Crime Control and
12 Law Enforcement Act of 1994 (Public Law 103–322)
13 (“the 1994 Act”); the Victims of Child Abuse Act of 1990
14 (Public Law 101–647) (“the 1990 Act”); the Prosecu-
15 torial Remedies and Other Tools to end the Exploitation
16 of Children Today Act of 2003 (Public Law 108–21); the
17 Juvenile Justice and Delinquency Prevention Act of 1974
18 (42 U.S.C. 5601 et seq.) (“the 1974 Act”); the Victims
19 of Trafficking and Violence Protection Act of 2000 (Public
20 Law 106–386) (“the 2000 Act”); and the Violence
21 Against Women and Department of Justice Reauthoriza-
22 tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);
23 and for related victims services, \$415,000,000, to remain
24 available until expended: *Provided*, That except as other-
25 wise provided by law, not to exceed 5 percent of funds

1 made available under this heading may be used for ex-
2 penses related to evaluation, training, and technical assist-
3 ance: *Provided further*, That of the amount provided—

4 (1) \$189,000,000 is for grants to combat vio-
5 lence against women, as authorized by part T of the
6 1968 Act;

7 (2) \$25,000,000 is for transitional housing as-
8 sistance grants for victims of domestic violence,
9 stalking or sexual assault as authorized by section
10 40299 of the 1994 Act;

11 (3) \$3,500,000 is for the National Institute of
12 Justice for research and evaluation of violence
13 against women and related issues addressed by
14 grant programs of the Office on Violence Against
15 Women, which shall be transferred to “Research,
16 Evaluation, and Statistics” for administration by the
17 Office of Justice Programs;

18 (4) \$10,000,000 is for a grant program to pro-
19 vide services to advocate for and respond to youth
20 victims of domestic violence, dating violence, sexual
21 assault, and stalking; assistance to children and
22 youth exposed to such violence; programs to engage
23 men and youth in preventing such violence; and as-
24 sistance to middle and high school students through
25 education and other services related to such violence:

1 *Provided*, That unobligated balances available for
2 the programs authorized by sections 41201, 41204,
3 41303 and 41305 of the 1994 Act shall be available
4 for this program: *Provided further*, That 10 percent
5 of the total amount available for this grant program
6 shall be available for grants under the program au-
7 thorized by section 2015 of the 1968 Act: *Provided*
8 *further*, That the definitions and grant conditions in
9 section 40002 of the 1994 Act shall apply to this
10 program;

11 (5) \$50,000,000 is for grants to encourage ar-
12 rest policies as authorized by part U of the 1968
13 Act;

14 (6) \$23,000,000 is for sexual assault victims
15 assistance, as authorized by section 41601 of the
16 1994 Act;

17 (7) \$36,500,000 is for rural domestic violence
18 and child abuse enforcement assistance grants, as
19 authorized by section 40295 of the 1994 Act;

20 (8) \$9,000,000 is for grants to reduce violent
21 crimes against women on campus, as authorized by
22 section 304 of the 2005 Act;

23 (9) \$41,000,000 is for legal assistance for vic-
24 tims, as authorized by section 1201 of the 2000 Act;

1 (10) \$4,250,000 is for enhanced training and
2 services to end violence against and abuse of women
3 in later life, as authorized by section 40802 of the
4 1994 Act;

5 (11) \$11,500,000 is for the safe havens for
6 children program, as authorized by section 1301 of
7 the 2000 Act;

8 (12) \$5,750,000 is for education and training
9 to end violence against and abuse of women with
10 disabilities, as authorized by section 1402 of the
11 2000 Act;

12 (13) \$4,500,000 is for the court training and
13 improvements program, as authorized by section
14 41002 of the 1994 Act;

15 (14) \$500,000 is for the National Resource
16 Center on Workplace Responses to assist victims of
17 domestic violence, as authorized by section 41501 of
18 the 1994 Act;

19 (15) \$1,000,000 is for analysis and research on
20 violence against Indian women, including as author-
21 ized by section 904 of the 2005 Act, which may be
22 transferred to “Research, Evaluation, and Statis-
23 tics” for administration by the Office of Justice Pro-
24 grams; and

1 (16) \$500,000 is for the Office on Violence
2 Against Women to establish a national clearinghouse
3 that provides training and technical assistance on
4 issues relating to sexual assault of American Indian
5 and Alaska Native women.

6 OFFICE OF JUSTICE PROGRAMS

7 RESEARCH, EVALUATION AND STATISTICS

8 For grants, contracts, cooperative agreements, and
9 other assistance authorized by title I of the Omnibus
10 Crime Control and Safe Streets Act of 1968 (“the 1968
11 Act”); the Juvenile Justice and Delinquency Prevention
12 Act of 1974 (“the 1974 Act”); the Missing Children’s As-
13 sistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial
14 Remedies and Other Tools to end the Exploitation of Chil-
15 dren Today Act of 2003 (Public Law 108–21); the Justice
16 for All Act of 2004 (Public Law 108–405); the Violence
17 Against Women and Department of Justice Reauthoriza-
18 tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);
19 the Victims of Child Abuse Act of 1990 (Public Law 101–
20 647); the Second Chance Act of 2007 (Public Law 110–
21 199); the Victims of Crime Act of 1984 (Public Law 98–
22 473); the Adam Walsh Child Protection and Safety Act
23 of 2006 (Public Law 109–248) (“the Adam Walsh Act”);
24 the PROTECT Our Children Act of 2008 (Public Law
25 110–401); subtitle D of title II of the Homeland Security

1 Act of 2002 (Public Law 107–296) (“the 2002 Act”); the
2 NICS Improvement Amendments Act of 2007 (Public
3 Law 110–180); and other programs; \$112,000,000, to re-
4 main available until expended, of which—

5 (1) \$45,000,000 is for criminal justice statistics
6 programs, and other activities, as authorized by part
7 C of title I of the 1968 Act;

8 (2) \$40,000,000 is for research, development,
9 and evaluation programs, and other activities as au-
10 thorized by part B of title I of the 1968 Act and
11 subtitle D of title II of the 2002 Act; and

12 (3) \$27,000,000 is for regional information
13 sharing activities, as authorized by part M of title I
14 of the 1968 Act.

15 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

16 For grants, contracts, cooperative agreements, and
17 other assistance authorized by the Violent Crime Control
18 and Law Enforcement Act of 1994 (Public Law 103–322)
19 (“the 1994 Act”); the Omnibus Crime Control and Safe
20 Streets Act of 1968 (“the 1968 Act”); the Justice for All
21 Act of 2004 (Public Law 108–405); the Victims of Child
22 Abuse Act of 1990 (Public Law 101–647) (“the 1990
23 Act”); the Trafficking Victims Protection Reauthorization
24 Act of 2005 (Public Law 109–164); the Violence Against
25 Women and Department of Justice Reauthorization Act

1 of 2005 (Public Law 109–162) (“the 2005 Act”); the
2 Adam Walsh Child Protection and Safety Act of 2006
3 (Public Law 109–248) (“the Adam Walsh Act”); the Vic-
4 tims of Trafficking and Violence Protection Act of 2000
5 (Public Law 106–386); the NICS Improvement Amend-
6 ments Act of 2007 (Public Law 110–180); subtitle D of
7 title II of the Homeland Security Act of 2002 (Public Law
8 107–296) (“the 2002 Act”); the Second Chance Act of
9 2007 (Public Law 110–199); the Prioritizing Resources
10 and Organization for Intellectual Property Act of 2008
11 (Public Law 110–403); the Victims of Crime Act of 1984
12 (Public Law 98–473); the Mentally Ill Offender Treat-
13 ment and Crime Reduction Reauthorization and Improve-
14 ment Act of 2008 (Public Law 110–416); and other pro-
15 grams, \$962,500,000, to remain available until expended
16 as follows—

17 (1) \$370,000,000 for the Edward Byrne Memo-
18 rial Justice Assistance Grant program as authorized
19 by subpart 1 of part E of title I of the 1968 Act
20 (except that section 1001(c), and the special rules
21 for Puerto Rico under section 505(g), of title I of
22 the 1968 Act shall not apply for purposes of this
23 Act), of which, notwithstanding such subpart 1,
24 \$5,000,000 is for a Preventing Violence Against
25 Law Enforcement Officer Resilience and Surviv-

1 ability Initiative (VALOR), and \$4,000,000 is for
2 use by the National Institute of Justice for research
3 targeted toward developing a better understanding
4 of the domestic radicalization phenomenon, and ad-
5 vancing evidence-based strategies for effective inter-
6 vention and prevention;

7 (2) \$165,000,000 for the State Criminal Alien
8 Assistance Program, as authorized by section
9 241(i)(5) of the Immigration and Nationality Act (8
10 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction
11 shall request compensation for any cost greater than
12 the actual cost for Federal immigration and other
13 detainees housed in State and local detention facili-
14 ties;

15 (3) \$20,000,000 for competitive grants to im-
16 prove the functioning of the criminal justice system,
17 to prevent or combat juvenile delinquency, and to as-
18 sist victims of crime (other than compensation);

19 (4) \$13,500,000 for victim services programs
20 for victims of trafficking, as authorized by section
21 107(b)(2) of Public Law 106–386 and for programs
22 authorized under Public Law 109–164;

23 (5) \$41,000,000 for drug courts, as authorized
24 by section 1001(a)(25)(A) of title I of the 1968 Act;

1 (6) \$4,000,000 for a veterans treatment courts
2 program;

3 (7) \$9,000,000 for mental health courts and
4 adult and juvenile collaboration program grants, as
5 authorized by parts V and HH of title I of the 1968
6 Act, and the Mentally Ill Offender Treatment and
7 Crime Reduction Reauthorization and Improvement
8 Act of 2008 (Public Law 110–416);

9 (8) \$15,000,000 for grants for Residential Sub-
10 stance Abuse Treatment for State Prisoners, as au-
11 thORIZED by part S of title I of the 1968 Act;

12 (9) \$1,000,000 for the Capital Litigation Im-
13 provement Grant Program, as authorized by section
14 426 of Public Law 108–405, and for grants for
15 wrongful conviction review;

16 (10) \$7,000,000 for economic, high technology
17 and Internet crime prevention grants, including as
18 authorized by section 401 of Public Law 110–403;

19 (11) \$20,000,000 for implementation of the
20 Adam Walsh Act and related activities;

21 (12) \$20,000,000 for the matching grant pro-
22 gram for law enforcement armor vests, as authorized
23 by section 2501 of title I of the 1968 Act;

24 (13) \$1,000,000 for the National Sex Offender
25 Public Website;

1 (14) \$12,000,000 for grants to assist State and
2 tribal governments and related activities, as author-
3 ized by the NICS Improvement Amendments Act of
4 2007 (Public Law 110–180);

5 (15) \$6,000,000 for the National Criminal His-
6 tory Improvement Program for grants to upgrade
7 criminal records;

8 (16) \$125,000,000 for DNA-related and foren-
9 sic programs and activities, of which—

10 (A) \$117,000,000 is for a DNA analysis
11 and capacity enhancement program and for
12 other local, State, and Federal forensic activi-
13 ties, including the purposes authorized under
14 section 2 of the DNA Analysis Backlog Elimini-
15 nation Act of 2000 (the Debbie Smith DNA
16 Backlog Grant Program);

17 (B) \$4,000,000 is for the purposes de-
18 scribed in the Kirk Bloodsworth Post-Convic-
19 tion DNA Testing Program (Public Law 108–
20 405, section 412); and

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

1 (17) \$4,500,000 for the court-appointed special
2 advocate program, as authorized by section 217 of
3 the 1990 Act;

4 (18) \$38,000,000 for assistance to Indian
5 tribes;

6 (19) \$1,000,000 for the purposes described in
7 the Missing Alzheimer’s Disease Patient Alert Pro-
8 gram (section 240001 of the 1994 Act);

9 (20) \$7,000,000 for a program to monitor pre-
10 scription drugs and scheduled listed chemical prod-
11 ucts;

12 (21) \$12,500,000 for prison rape prevention
13 and prosecution grants to States and units of local
14 government, and other programs, as authorized by
15 the Prison Rape Elimination Act of 2003 (Public
16 Law 108–79); and

17 (22) \$70,000,000 for offender reentry programs
18 and research, as authorized by the Second Chance
19 Act of 2007 (Public Law 110–199), of which
20 \$6,000,000 is for a program to improve State, local
21 and tribal probation supervision efforts and strate-
22 gies:

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

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

4 JUVENILE JUSTICE PROGRAMS

5 For grants, contracts, cooperative agreements, and
6 other assistance authorized by the Juvenile Justice and
7 Delinquency Prevention Act of 1974 (“the 1974 Act”); the
8 Omnibus Crime Control and Safe Streets Act of 1968
9 (“the 1968 Act”); the Violence Against Women and De-
10 partment of Justice Reauthorization Act of 2005 (Public
11 Law 109–162) (“the 2005 Act”); the Missing Children’s
12 Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial
13 Remedies and Other Tools to end the Exploitation of Chil-
14 dren Today Act of 2003 (Public Law 108–21); the Victims
15 of Child Abuse Act of 1990 (Public Law 101–647) (“the
16 1990 Act”); the Adam Walsh Child Protection and Safety
17 Act of 2006 (Public Law 109–248) (“the Adam Walsh
18 Act”); the PROTECT Our Children Act of 2008 (Public
19 Law 110–401); and other juvenile justice programs,
20 \$209,500,000, to remain available until expended as fol-
21 lows—

22 (1) \$33,000,000 for programs authorized by
23 section 221 of the 1974 Act, and for training and
24 technical assistance to assist small, nonprofit organi-
25 zations with the Federal grants process;

1 (2) \$90,000,000 for youth mentoring grants;

2 (3) \$18,000,000 for programs authorized by
3 the Victims of Child Abuse Act of 1990;

4 (4) \$67,000,000 for missing and exploited chil-
5 dren programs, including as authorized by sections
6 404(b) and 405(a) of the 1974 Act (except that sec-
7 tion 102(b)(4)(B) of the PROTECT Our Children
8 Act of 2008 (Public Law 110–401) shall not apply
9 for purposes of this Act); and

10 (5) \$1,500,000 for child abuse training pro-
11 grams for judicial personnel and practitioners, as
12 authorized by section 222 of the 1990 Act:

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

21 PUBLIC SAFETY OFFICER BENEFITS

22 For payments and expenses authorized under section
23 1001(a)(4) of title I of the Omnibus Crime Control and
24 Safe Streets Act of 1968, such sums as are necessary (in-
25 cluding amounts for administrative costs), to remain avail-

1 able until expended; and \$16,300,000 for payments au-
2 thorized by section 1201(b) of such Act and for edu-
3 cational assistance authorized by section 1218 of such Act,
4 to remain available until expended: *Provided*, That not-
5 withstanding section 205 of this Act, upon a determina-
6 tion by the Attorney General that emergent circumstances
7 require additional funding for such disability and edu-
8 cation payments, the Attorney General may transfer such
9 amounts to “Public Safety Officers Benefits” from avail-
10 able appropriations for the Department of Justice as may
11 be necessary to respond to such circumstances: *Provided*
12 *further*, That any transfer pursuant to the previous pro-
13 viso shall be treated as a reprogramming under section
14 505 of this Act and shall not be available for obligation
15 or expenditure except in compliance with the procedures
16 set forth in that section.

17 COMMUNITY ORIENTED POLICING SERVICES

18 COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

19 For activities authorized by the Violent Crime Con-
20 trol and Law Enforcement Act of 1994 (Public Law 103–
21 322); the Omnibus Crime Control and Safe Streets Act
22 of 1968 (“the 1968 Act”); and the Violence Against
23 Women and Department of Justice Reauthorization Act
24 of 2005 (Public Law 109–162) (“the 2005 Act”),
25 \$72,500,000, to remain available until expended: *Pro-*

1 *vided*, That any balances made available through prior
2 year deobligations shall only be available in accordance
3 with section 505 of this Act: *Provided further*, That of the
4 amount provided—

5 (1) \$12,500,000 is for anti-methamphetamine-
6 related activities, which shall be transferred to the
7 Drug Enforcement Administration upon enactment
8 of this Act;

9 (2) \$20,000,000 is for improving tribal law en-
10 forcement, including hiring, equipment, training, and
11 anti-methamphetamine activities; and

12 (3) \$40,000,000 is for grants under section
13 1701 of title I of the 1968 Act (42 U.S.C. 3796dd)
14 for the hiring and rehiring of additional career law
15 enforcement officers under part Q of such title not-
16 withstanding subsection (i) of such section: *Pro-*
17 *vided*, That, notwithstanding section 1704(c) of such
18 title (42 U.S.C. 3796dd–3(c)), funding for hiring or
19 rehiring a career law enforcement officer may not
20 exceed \$125,000 unless the Director of the Office of
21 Community Oriented Policing Services grants a
22 waiver from this limitation.

23 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

24 SEC. 201. In addition to amounts otherwise made
25 available in this title for official reception and representa-

1 tion expenses, a total of not to exceed \$50,000 from funds
2 appropriated to the Department of Justice in this title
3 shall be available to the Attorney General for official re-
4 ception and representation expenses.

5 SEC. 202. None of the funds appropriated by this
6 title shall be available to pay for an abortion, except where
7 the life of the mother would be endangered if the fetus
8 were carried to term, or in the case of rape: *Provided*,
9 That should this prohibition be declared unconstitutional
10 by a court of competent jurisdiction, this section shall be
11 null and void.

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

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

23 SEC. 205. Not to exceed 5 percent of any appropria-
24 tion made available for the current fiscal year for the De-
25 partment of Justice in this Act may be transferred be-

1 tween such appropriations, but no such appropriation, ex-
2 cept as otherwise specifically provided, shall be increased
3 by more than 10 percent by any such transfers: *Provided*,
4 That any transfer pursuant to this section shall be treated
5 as a reprogramming of funds under section 505 of this
6 Act and shall not be available for obligation except in com-
7 pliance with the procedures set forth in that section.

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

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

1 SEC. 208. 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. 209. (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) Subsection (a) does not preclude the rental, main-
15 tenance, or purchase of audiovisual or electronic equip-
16 ment for inmate training, religious, or educational pro-
17 grams.

18 SEC. 210. None of the funds made available under
19 this title shall be obligated or expended for any new or
20 enhanced information technology program having total es-
21 timated development costs in excess of \$100,000,000, un-
22 less the Deputy Attorney General and the investment re-
23 view board certify to the Committees on Appropriations
24 of the House of Representatives and the Senate that the
25 information technology program has appropriate program

1 management controls and contractor oversight mecha-
2 nisms in place, and that the program is compatible with
3 the enterprise architecture of the Department of Justice.

4 SEC. 211. The notification thresholds and procedures
5 set forth in section 505 of this Act shall apply to devi-
6 ations from the amounts designated for specific activities
7 in this Act and accompanying statement, and to any use
8 of deobligated balances of funds provided under this title
9 in previous years.

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

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

24 SEC. 214. At the discretion of the Attorney General,
25 and in addition to any amounts that otherwise may be

1 available (or authorized to be made available) by law, with
2 respect to funds appropriated by this title under the head-
3 ings “Research, Evaluation, and Statistics”, “State and
4 Local Law Enforcement Assistance”, and “Juvenile Jus-
5 tice Programs”—

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

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

21 SEC. 215. The Attorney General may, upon request
22 by a grantee and based upon a determination of fiscal
23 hardship, waive the requirements of sections 2976(g)(1),
24 2978(e)(1) and (2), and 2904 of title I of the Omnibus
25 Crime Control and Safe Streets Act of 1968 (42 U.S.C.

1 3797w(g)(1), 3797w-2(e)(1) and (2), 3797q-3) and sec-
2 tion 6(c)(3) of the Prison Rape Elimination Act of 2003
3 (42 U.S.C. 15605(e)(3)) with respect to funds appro-
4 priated in this or any other Act making appropriations
5 for fiscal years 2010 through 2013 for Adult and Juvenile
6 Offender State and Local Reentry Demonstration Projects
7 and for State, Tribal, and Local Reentry Courts author-
8 ized under part FF of title I of such Act of 1968, and
9 for the Prosecution Drug Treatment Alternatives to Pris-
10 on Program authorized under part CC of such Act of
11 1968, and Grants to Protect Inmates and Safeguard Com-
12 munities under such Act of 2003.

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

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

1 law enforcement personnel of the United States continu-
2 ously monitor or control the firearm at all times.

3 SEC. 218. None of the funds made available to the
4 Department of Justice in this Act may be used for the
5 purpose of implementing the requirement for public enti-
6 ties, places of public accommodation, and commercial fa-
7 cilities to provide a permanent means of accessible entry
8 to pools and spas under the revised regulations for titles
9 II and III of the Americans with Disabilities Act of 1990
10 (28 C.F.R. 35.101 et seq.; 36.101 et seq.).

11 SEC. 219. None of the funds made available by this
12 Act may be used to require a person licensed under section
13 923 of title 18, United States Code, to report information
14 to the Department of Justice regarding the sale of mul-
15 tiple rifles or shotguns to the same person.

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

18 TITLE III

19 SCIENCE

20 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

21 For necessary expenses of the Office of Science and
22 Technology Policy, in carrying out the purposes of the Na-
23 tional Science and Technology Policy, Organization, and
24 Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of
25 passenger motor vehicles, and services as authorized by

1 section 3109 of title 5, United States Code, not to exceed
2 \$2,250 for official reception and representation expenses,
3 and rental of conference rooms in the District of Colum-
4 bia, \$5,850,000.

5 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
6 SCIENCE

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

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

1 AERONAUTICS

2 For necessary expenses, not otherwise provided for,
3 in the conduct and support of aeronautics research and
4 development activities, including research, development,
5 operations, support, and services; maintenance and repair,
6 facility planning and design; space flight, spacecraft con-
7 trol, and communications activities; program manage-
8 ment; personnel and related costs, including uniforms or
9 allowances therefor, as authorized by sections 5901 and
10 5902 of title 5, United States Code; travel expenses; pur-
11 chase and hire of passenger motor vehicles; and purchase,
12 lease, charter, maintenance, and operation of mission and
13 administrative aircraft, \$569,900,000, to remain available
14 until September 30, 2014.

15 SPACE TECHNOLOGY

16 For necessary expenses, not otherwise provided for,
17 in the conduct and support of space research and tech-
18 nology development activities, including research, develop-
19 ment, operations, support, and services; maintenance and
20 repair, facility planning and design; space flight, space-
21 craft control, and communications activities; program
22 management; personnel and related costs, including uni-
23 forms or allowances therefor, as authorized by sections
24 5901 and 5902 of title 5, United States Code; travel ex-
25 penses; purchase and hire of passenger motor vehicles; and

1 purchase, lease, charter, maintenance, and operation of
2 mission and administrative aircraft, \$632,500,000, to re-
3 main available until September 30, 2014.

4 EXPLORATION

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

1 and \$402,800,000 shall be for exploration ground sys-
2 tems: *Provided further*, That funds made available for the
3 Orion Multi-Purpose Crew Vehicle and Space Launch Sys-
4 tem are in addition to funds provided for these programs
5 under the “Construction and Environmental Compliance
6 and Restoration” heading.

7
8 SPACE OPERATIONS

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

22
23 EDUCATION

23 For necessary expenses, not otherwise provided for,
24 in carrying out aerospace and aeronautical education re-
25 search and development activities, including research, de-

1 velopment, operations, support, and services; program
2 management; personnel and related costs, including uni-
3 forms or allowances therefor, as authorized by sections
4 5901 and 5902 of title 5, United States Code; travel ex-
5 penses; purchase and hire of passenger motor vehicles; and
6 purchase, lease, charter, maintenance, and operation of
7 mission and administrative aircraft, \$100,000,000, to re-
8 main available until September 30, 2014, of which
9 \$9,000,000 shall be for the Experimental Program to
10 Stimulate Competitive Research and \$24,000,000 shall be
11 for the National Space Grant College program.

12 CROSS AGENCY SUPPORT

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

1 administrative aircraft, \$2,843,500,000, to remain avail-
2 able until September 30, 2014.

3 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND
4 RESTORATION

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

1 of the National Aeronautics and Space Act of 1958 (51
2 U.S.C. 20145).

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General in carrying out the Inspector General Act of 1978,
6 \$38,000,000, of which \$500,000 shall remain available
7 until September 30, 2014.

8 ADMINISTRATIVE PROVISIONS

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

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

1 for obligation except in compliance with the procedures set
2 forth in that section.

3 Section 1105 of the National Aeronautics and Space
4 Administration Authorization Act of 2010 (42 U.S.C.
5 18431) is amended by striking “The Administrator may
6 not” and all that follows through “inefficiency.”.

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

20 Section 30102(e) of title 51, United States Code, is
21 amended—

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

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

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

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

6 NATIONAL SCIENCE FOUNDATION

7 RESEARCH AND RELATED ACTIVITIES

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

1 MAJOR RESEARCH EQUIPMENT AND FACILITIES

2 CONSTRUCTION

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

12 EDUCATION AND HUMAN RESOURCES

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

21 AGENCY OPERATIONS AND AWARD MANAGEMENT

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

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

12 OFFICE OF THE NATIONAL SCIENCE BOARD

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

23 OFFICE OF INSPECTOR GENERAL

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

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

3 ADMINISTRATIVE PROVISION

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

13 TITLE IV

14 RELATED AGENCIES

15 COMMISSION ON CIVIL RIGHTS

16 SALARIES AND EXPENSES

17 (INCLUDING TRANSFER OF FUNDS)

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

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

1 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Equal Employment
4 Opportunity Commission as authorized by title VII of the
5 Civil Rights Act of 1964, the Age Discrimination in Em-
6 ployment Act of 1967, the Equal Pay Act of 1963, the
7 Americans with Disabilities Act of 1990, the Civil Rights
8 Act of 1991, the Genetic Information Non-Discrimination
9 Act (GINA) of 2008 (Public Law 110–233), the ADA
10 Amendments Act of 2008 (Public Law 110–325), and the
11 Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–
12 2), including services as authorized by 5 U.S.C. 3109; hire
13 of passenger motor vehicles as authorized by 31 U.S.C.
14 1343(b); nonmonetary awards to private citizens; and up
15 to \$29,500,000 for payments to State and local enforce-
16 ment agencies for authorized services to the Commission,
17 \$366,568,000: *Provided*, That the Commission is author-
18 ized to make available for official reception and represen-
19 tation expenses not to exceed \$2,250 from available funds:
20 *Provided further*, That the Chair is authorized to accept
21 and use any gift or donation to carry out the work of the
22 Commission.

1 INTERNATIONAL TRADE COMMISSION

2 SALARIES AND EXPENSES

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

9 LEGAL SERVICES CORPORATION

10 PAYMENT TO THE LEGAL SERVICES CORPORATION

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

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

8 ADMINISTRATIVE PROVISIONS—LEGAL SERVICES
9 CORPORATION

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

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

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

3 MARINE MAMMAL COMMISSION

4 SALARIES AND EXPENSES

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

9 OFFICE OF THE UNITED STATES TRADE

10 REPRESENTATIVE

11 SALARIES AND EXPENSES

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

20 STATE JUSTICE INSTITUTE

21 SALARIES AND EXPENSES

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

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

6 TITLE V

7 GENERAL PROVISIONS

8 (INCLUDING RESCISSIONS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (RESCISSIONS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (2) is—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 and

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

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

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

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

1 commission in evaluating potential contractors
2 for that conference.

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

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

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

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

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

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

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

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

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

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

5 SPENDING REDUCTION ACCOUNT

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

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

Union Calendar No. 324

112TH CONGRESS
2^D SESSION

H. R. 5326

[Report No. 112-463]

A BILL

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

MAY 2, 2012

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed