

1 DIVISION B—COMMERCE, JUSTICE, SCIENCE,  
2 AND RELATED AGENCIES APPROPRIATIONS  
3 ACT, 2010

1 ~~The following sums are appropriated, out of any~~  
2 ~~money in the Treasury not otherwise appropriated, for the~~  
3 ~~fiscal year ending September 30, 2010, and for other pur-~~  
4 ~~poses, namely:~~

5 TITLE I

6 DEPARTMENT OF COMMERCE

7 INTERNATIONAL TRADE ADMINISTRATION

8 OPERATIONS AND ADMINISTRATION

9 For necessary expenses for international trade activi-  
10 ties of the Department of Commerce provided for by law,  
11 and for engaging in trade promotional activities abroad,  
12 including expenses of grants and cooperative agreements  
13 for the purpose of promoting exports of United States  
14 firms, without regard to 44 U.S.C. 3702 and 3703; full  
15 medical coverage for dependent members of immediate  
16 families of employees stationed overseas and employees  
17 temporarily posted overseas; travel and transportation of  
18 employees of the International Trade Administration be-  
19 tween two points abroad, without regard to 49 U.S.C.  
20 40118; employment of Americans and aliens by contract  
21 for services; rental of space abroad for periods not exceed-

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1 ing 10 years, and expenses of alteration, repair, or im-  
2 provement; purchase or construction of temporary de-  
3 mountable exhibition structures for use abroad; payment  
4 of tort claims, in the manner authorized in the first para-  
5 graph of 28 U.S.C. 2672 when such claims arise in foreign  
6 countries; not to exceed \$327,000 for official representa-  
7 tion expenses abroad; purchase of passenger motor vehi-  
8 cles for official use abroad, not to exceed \$45,000 per vehi-  
9 cle; obtaining insurance on official motor vehicles; and  
10 rental of tie lines, \$456,204,000, to remain available until  
11 September 30, 2011, of which \$9,439,000 is to be derived  
12 from fees to be retained and used by the International  
13 Trade Administration, notwithstanding 31 U.S.C. 3302:  
14 *Provided*, That not less than \$49,530,000 shall be for  
15 Manufacturing and Services; not less than \$43,212,000  
16 shall be for Market Access and Compliance; not less than  
17 \$68,290,000 shall be for the Import Administration; not  
18 less than \$258,438,000 shall be for the Trade Promotion  
19 and United States and Foreign Commercial Service; and  
20 not less than \$27,295,000 shall be for Executive Direction  
21 and Administration: *Provided further*, That not less than

1 \$7,000,000 shall be for the Office of China Compliance,  
2 and not less than \$4,400,000 shall be for the China Coun-  
3 tervailing Duty Group: *Provided further*, That the provi-  
4 sions of the first sentence of section 105(f) and all of sec-  
5 tion 108(e) of the Mutual Educational and Cultural Ex-  
6 change Act of 1961 (22 U.S.C. 2455(f) and 2458(e)) shall  
7 apply in carrying out these activities without regard to  
8 section 5412 of the Omnibus Trade and Competitiveness  
9 Act of 1988 (15 U.S.C. 4912); and that for the purpose  
10 of this Act, contributions under the provisions of the Mu-  
11 tual Educational and Cultural Exchange Act of 1961 shall  
12 include payment for assessments for services provided as  
13 part of these activities: *Provided further*, That negotiations  
14 shall be conducted within the World Trade Organization  
15 to recognize the right of members to distribute monies col-  
16 lected from antidumping and countervailing duties: *Pro-*  
17 *vided further*, That negotiations shall be conducted within  
18 the World Trade Organization consistent with the negoti-  
19 ating objectives contained in the Trade Act of 2002, Pub-  
20 lic Law 107-210: *Provided further*, That within the  
21 amounts appropriated, \$5,215,000 shall be used for the

1 projects, and in the amounts, specified in the explanatory  
2 statement accompanying this Act.

3 BUREAU OF INDUSTRY AND SECURITY

4 OPERATIONS AND ADMINISTRATION

5 For necessary expenses for export administration and  
6 national security activities of the Department of Com-  
7 merce, including costs associated with the performance of  
8 export administration field activities both domestically and  
9 abroad; full medical coverage for dependent members of  
10 immediate families of employees stationed overseas; em-  
11 ployment of Americans and aliens by contract for services  
12 abroad; payment of tort claims, in the manner authorized  
13 in the first paragraph of 28 U.S.C. 2672 when such claims  
14 arise in foreign countries; not to exceed \$15,000 for offi-  
15 cial representation expenses abroad; awards of compensa-  
16 tion to informers under the Export Administration Act of  
17 1979, and as authorized by 22 U.S.C. 401(b); and pur-  
18 chase of passenger motor vehicles for official use and  
19 motor vehicles for law enforcement use with special re-  
20 quirement vehicles eligible for purchase without regard to  
21 any price limitation otherwise established by law,

1 \$100,342,000, to remain available until expended, of  
2 which \$14,767,000 shall be for inspections and other ac-  
3 tivities related to national security: *Provided*, That the  
4 provisions of the first sentence of section 105(f) and all  
5 of section 108(c) of the Mutual Educational and Cultural  
6 Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c))  
7 shall apply in carrying out these activities: *Provided fur-*  
8 *ther*, That payments and contributions collected and ac-  
9 cepted for materials or services provided as part of such  
10 activities may be retained for use in covering the cost of  
11 such activities, and for providing information to the public  
12 with respect to the export administration and national se-  
13 curity activities of the Department of Commerce and other  
14 export control programs of the United States and other  
15 governments.

16 ECONOMIC DEVELOPMENT ADMINISTRATION

17 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

18 For grants for economic development assistance as  
19 provided by the Public Works and Economic Development  
20 Act of 1965, and for trade adjustment assistance,  
21 \$255,000,000, to remain available until expended.

1 SALARIES AND EXPENSES

2 For necessary expenses of administering the eco-  
3 nomic development assistance programs as provided for by  
4 law, \$38,000,000: *Provided*, That these funds may be used  
5 to monitor projects approved pursuant to title I of the  
6 Public Works Employment Act of 1976, title II of the  
7 Trade Act of 1974, and the Community Emergency  
8 Drought Relief Act of 1977.

9 MINORITY BUSINESS DEVELOPMENT AGENCY

10 MINORITY BUSINESS DEVELOPMENT

11 For necessary expenses of the Department of Com-  
12 merce in fostering, promoting, and developing minority  
13 business enterprise, including expenses of grants, con-  
14 tracts, and other agreements with public or private organi-  
15 zations, \$31,500,000: *Provided*, That within the amounts  
16 appropriated, \$1,100,000 shall be used for the projects,  
17 and in the amounts, specified in the explanatory statement  
18 accompanying this Act.

1                   ECONOMIC AND STATISTICAL ANALYSIS

2                               SALARIES AND EXPENSES

3           For necessary expenses, as authorized by law, of eco-  
4 nomic and statistical analysis programs of the Department  
5 of Commerce, \$97,255,000, to remain available until Sep-  
6 tember 30, 2011.

7                               BUREAU OF THE CENSUS

8                               SALARIES AND EXPENSES

9           For expenses necessary for collecting, compiling, ana-  
10 lyzing, preparing, and publishing statistics, provided for  
11 by law, \$259,024,000.

12                              PERIODIC CENSUSES AND PROGRAMS

13           For necessary expenses to collect and publish statis-  
14 tics for periodic censuses and programs provided for by  
15 law, \$7,065,707,000, of which \$100,000,000 shall be de-  
16 rived from available unobligated balances previously ap-  
17 propriated under this heading, to remain available until  
18 September 30, 2011: *Provided*, That none of the funds  
19 provided in this or any other Act for any fiscal year may  
20 be used for the collection of census data on race identifica-  
21 tion that does not include “some other race” as a category:

1 *Provided further*, That from amounts provided herein,  
2 funds may be used for additional promotion, outreach, and  
3 marketing activities.

4 NATIONAL TELECOMMUNICATIONS AND INFORMATION  
5 ADMINISTRATION  
6 SALARIES AND EXPENSES

7 For necessary expenses, as provided for by law, of  
8 the National Telecommunications and Information Ad-  
9 ministration (NTIA), \$19,999,000, to remain available  
10 until September 30, 2011: *Provided*, That, notwith-  
11 standing 31 U.S.C. 1535(d), the Secretary of Commerce  
12 shall charge Federal agencies for costs incurred in spec-  
13 trum management, analysis, operations, and related serv-  
14 ices, and such fees shall be retained and used as offsetting  
15 collections for costs of such spectrum services, to remain  
16 available until expended: *Provided further*, That the Sec-  
17 retary of Commerce is authorized to retain and use as off-  
18 setting collections all funds transferred, or previously  
19 transferred, from other Government agencies for all costs  
20 incurred in telecommunications research, engineering, and  
21 related activities by the Institute for Telecommunication

1 Sciences of NTIA, in furtherance of its assigned functions  
2 under this paragraph, and such funds received from other  
3 Government agencies shall remain available until ex-  
4 pended.

5 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING  
6 AND CONSTRUCTION

7 For the administration of grants, authorized by sec-  
8 tion 392 of the Communications Act of 1934,  
9 \$20,000,000, to remain available until expended as au-  
10 thorized by section 391 of the Act: *Provided*, That not to  
11 exceed \$2,000,000 shall be available for program adminis-  
12 tration as authorized by section 391 of the Act: *Provided*  
13 *further*, That, notwithstanding the provisions of section  
14 391 of the Act, the prior year unobligated balances may  
15 be made available for grants for projects for which appli-  
16 cations have been submitted and approved during any fis-  
17 cal year.

18 UNITED STATES PATENT AND TRADEMARK OFFICE  
19 SALARIES AND EXPENSES

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

1 cluding defense of suits instituted against the Under Sec-  
2 retary of Commerce for Intellectual Property and Director  
3 of the United States Patent and Trademark Office,  
4 \$1,887,000,000, to remain available until expended: *Pro-*  
5 *vided*, That the sum herein appropriated from the general  
6 fund shall be reduced as offsetting collections assessed and  
7 collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41  
8 and 376 are received during fiscal year 2010, so as to re-  
9 sult in a fiscal year 2010 appropriation from the general  
10 fund estimated at \$0: *Provided further*, That during fiscal  
11 year 2010, should the total amount of offsetting fee collec-  
12 tions be less than \$1,887,000,000, this amount shall be  
13 reduced accordingly: *Provided further*, That from amounts  
14 provided herein, not to exceed \$1,000 shall be made avail-  
15 able in fiscal year 2010 for official reception and represen-  
16 tation expenses: *Provided further*, That in fiscal year 2010  
17 from the amounts made available for “Salaries and Ex-  
18 penses” for the USPTO, the amounts necessary to pay:  
19 (1) the difference between the percentage of basic pay con-  
20 tributed by the USPTO and employees under section  
21 8334(a) of title 5, United States Code, and the normal

1 cost percentage (as defined by section 8331(17) of that  
2 title) of basic pay, of employees subject to subchapter III  
3 of chapter 83 of that title; and (2) the present value of  
4 the otherwise unfunded accruing costs, as determined by  
5 the Office of Personnel Management, of post-retirement  
6 life insurance and post-retirement health benefits coverage  
7 for all USPTO employees, shall be transferred to the Civil  
8 Service Retirement and Disability Fund, the Employees  
9 Life Insurance Fund, and the Employees Health Benefits  
10 Fund, as appropriate, and shall be available for the au-  
11 thorized purposes of those accounts: *Provided further,*  
12 That sections 801, 802, and 803 of division B, Public Law  
13 108-447 shall remain in effect during fiscal year 2010:  
14 *Provided further,* That the Director may, this year, reduce  
15 by regulation fees payable for documents in patent and  
16 trademark matters, in connection with the filing of docu-  
17 ments filed electronically in a form prescribed by the Di-  
18 rector: *Provided further,* That from the amounts provided  
19 herein, no less than \$4,000,000 shall be available only for  
20 the USPTO contribution in a cooperative or joint agree-  
21 ment or agreements with a non-profit organization or or-

1 ganizations, successfully audited within the previous year,  
2 and with previous experience in such programs, to conduct  
3 policy studies, including studies relating to activities of  
4 United Nations Specialized agencies and other inter-  
5 national organizations, as well as conferences and other  
6 development programs, in support of fair international  
7 protection of intellectual property rights.

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, \$515,000,000, 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 \$10,000 shall be for  
15 official reception and representation expenses: *Provided*  
16 *further*, That within the amounts appropriated,  
17 \$10,500,000 shall be used for the projects, and in the  
18 amounts, specified in the explanatory statement accom-  
19 panying this Act.

1                   INDUSTRIAL TECHNOLOGY SERVICES

2           For necessary expenses of the Hollings Manufac-  
3 turing Extension Partnership of the National Institute of  
4 Standards and Technology, \$124,700,000, to remain  
5 available until expended. In addition, for necessary ex-  
6 penses of the Technology Innovation Program of the Na-  
7 tional Institute of Standards and Technology,  
8 \$69,900,000, to remain available until expended.

9                   CONSTRUCTION OF RESEARCH FACILITIES

10          For construction of new research facilities, including  
11 architectural and engineering design, and for renovation  
12 and maintenance of existing facilities, not otherwise pro-  
13 vided for the National Institute of Standards and Tech-  
14 nology, as authorized by 15 U.S.C. 278c-278e,  
15 \$147,000,000, to remain available until expended, of  
16 which \$20,000,000 is for a competitive construction pro-  
17 gram for research science buildings: *Provided*, That within <sup>(grant</sup>  
18 the amounts appropriated, \$47,000,000 shall be used for  
19 the projects, and in the amounts, specified in the explana-  
20 tory statement accompanying this Act: *Provided further*,  
21 That the Secretary of Commerce shall include in the budg-

1 et justification materials that the Secretary submits to  
2 Congress in support of the Department of Commerce  
3 budget (as submitted with the budget of the President  
4 under section 1105(a) of title 31, United States Code) an  
5 estimate for each National Institute of Standards and  
6 Technology construction project having a total multi-year  
7 program cost of more than \$5,000,000 and simultaneously  
8 the budget justification materials shall include an estimate  
9 of the budgetary requirements for each such project for  
10 each of the five subsequent fiscal years.

11 NATIONAL OCEANIC AND ATMOSPHERIC  
12 ADMINISTRATION  
13 OPERATIONS, RESEARCH, AND FACILITIES  
14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses of activities authorized by law  
16 for the National Oceanic and Atmospheric Administration,  
17 including maintenance, operation, and hire of aircraft and  
18 vessels; grants, contracts, or other payments to nonprofit  
19 organizations for the purposes of conducting activities  
20 pursuant to cooperative agreements; and relocation of fa-  
21 cilities, \$3,305,178,000, to remain available until Sep-

1 tember 30, 2011, except for funds provided for cooperative  
2 enforcement, which shall remain available until September  
3 30, 2012: *Provided*, That fees and donations received by  
4 the National Ocean Service for the management of na-  
5 tional marine sanctuaries may be retained and used for  
6 the salaries and expenses associated with those activities,  
7 notwithstanding 31 U.S.C. 3302: *Provided further*, That  
8 in addition, \$3,000,000 shall be derived by transfer from  
9 the fund entitled “Coastal Zone Management” and in ad-  
10 dition \$104,600,000 shall be derived by transfer from the  
11 fund entitled “Promote and Develop Fishery Products and  
12 Research Pertaining to American Fisheries”: *Provided*  
13 *further*, That of the \$3,412,778,000 provided for in direct  
14 obligations under this heading \$3,305,178,000 is appro-  
15 priated from the general fund, and \$107,600,000 is pro-  
16 vided by transfer: *Provided further*, That the total amount  
17 available for the National Oceanic and Atmospheric Ad-  
18 ministration corporate services administrative support  
19 costs shall not exceed \$235,549,000: *Provided further*,  
20 That payments of funds made available under this heading  
21 to the Department of Commerce Working Capital Fund

1 including Department of Commerce General Counsel legal  
2 services shall not exceed \$41,944,000: *Provided further,*  
3 That within the amounts appropriated, \$99,295,000 shall  
4 be used for the projects, and in the amounts, specified in  
5 the explanatory statement accompanying this Act: *Pro-*  
6 *vided further,* That any deviation from the amounts des-  
7 igned for specific activities in the explanatory statement  
8 accompanying this Act, or any use of deobligated balances  
9 of funds provided under this heading in previous years,  
10 shall be subject to the procedures set forth in section 505  
11 of this Act: *Provided further,* That in allocating grants  
12 under sections 306 and 306A of the Coastal Zone Manage-  
13 ment Act of 1972, as amended, no coastal State shall re-  
14 ceive more than 5 percent or less than 1 percent of in-  
15 creased funds appropriated over the previous fiscal year.

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

1       PROCUREMENT, ACQUISITION AND CONSTRUCTION

2       For procurement, acquisition and construction of  
3 capital assets, including alteration and modification costs,  
4 of the National Oceanic and Atmospheric Administration,  
5 \$1,358,353,000, to remain available until September 30,  
6 2012, except funds provided for construction of facilities  
7 which shall remain available until expended: *Provided*,  
8 That of the \$1,360,353,000 provided for in direct obliga-  
9 tions under this heading, \$1,358,353,000 is appropriated  
10 from the general fund and \$2,000,000 is provided from  
11 recoveries of prior year obligations: *Provided further*, That  
12 except to the extent expressly prohibited by any other law,  
13 the Department of Defense may delegate procurement  
14 functions related to the National Polar-orbiting Oper-  
15 ational Environmental Satellite System to officials of the  
16 Department of Commerce pursuant to section 2311 of title  
17 10, United States Code: *Provided further*, That any devi-  
18 ation from the amounts designated for specific activities  
19 in the explanatory statement accompanying this Act, or  
20 any use of deobligated balances of funds provided under  
21 this heading in previous years, shall be subject to the pro-

1 cedures set forth in section 505 of this Act: *Provided fur-*  
2 *ther*, That the Secretary of Commerce shall include in  
3 budget justification materials that the Secretary submits  
4 to Congress in support of the Department of Commerce  
5 budget (as submitted with the budget of the President  
6 under section 1105(a) of title 31, United States Code) an  
7 estimate for each National Oceanic and Atmospheric Ad-  
8 ministration Procurement, Acquisition~~s~~ or Construction   
9 project having a total of more than \$5,000,000 and simul-  
10 taneously the budget justification shall include an estimate  
11 of the budgetary requirements for each such project for  
12 each of the five subsequent fiscal years: *Provided further*,  
13 That the Secretary of Commerce is authorized to enter  
14 into a lease, at no cost to the United States Government,  
15 with the Regents of the University of Alabama for a term  
16 of not less than 55 years, with two successive options each  
17 of 5 years, for land situated on the campus of University  
18 of Alabama in Tuscaloosa to house the Cooperative Insti-  
19 tute and Research Center for Southeast Weather and Hy-  
20 drology: *Provided further*, That within the amounts appro-  
21 priated, \$18,000,000 shall be used for the projects, and

1 in the amounts, specified in the explanatory statement ac-  
2 companying this Act.

3 PACIFIC COASTAL SALMON RECOVERY

4 For necessary expenses associated with the restora-  
5 tion of Pacific salmon populations, \$80,000,000, to re-  
6 main available until September 30, 2011: *Provided*, That  
7 of the funds provided herein the Secretary of Commerce  
8 may issue grants to the States of Washington, Oregon,  
9 Idaho, Nevada, California, and Alaska, and federally-rec- *cap*  
10 ognized tribes of the Columbia River and Pacific Coast  
11 for projects necessary for conservation of salmon and  
12 steelhead populations that are listed as threatened or en-  
13 dangered, or identified by a State as at-risk to be so-listed,  
14 for maintaining populations necessary for exercise of tribal  
15 treaty fishing rights or native subsistence fishing, or for  
16 conservation of Pacific coastal salmon and steelhead habi-  
17 tat, based on guidelines to be developed by the Secretary  
18 of Commerce: *Provided further*, That funds disbursed to  
19 States shall be subject to a matching requirement of funds  
20 or documented in-kind contributions of at least 33 percent  
21 of the Federal funds.

1                   COASTAL ZONE MANAGEMENT FUND  
2                   (INCLUDING TRANSFER OF FUNDS)

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

8                   FISHERIES FINANCE PROGRAM ACCOUNT

9           Subject to section 502 of the Congressional Budget  
10 Act of 1974, during fiscal year 2010, obligations of direct  
11 loans may not exceed \$16,000,000 for Individual Fishing  
12 Quota loans and not to exceed \$59,000,000 for traditional  
13 direct loans as authorized by the Merchant Marine Act  
14 of 1936: *Provided*, That none of the funds made available  
15 under this heading may be used for direct loans for any  
16 new fishing vessel that will increase the harvesting capac-  
17 ity in any United States fishery.

18                   DEPARTMENTAL MANAGEMENT  
19                   SALARIES AND EXPENSES

20           For expenses necessary for the departmental manage-  
21 ment of the Department of Commerce provided for by law,

1 including not to exceed \$5,000 for official reception and  
2 representation, \$58,000,000: *Provided*, That the Sec-  
3 retary, within 60 days of enactment of this Act, shall pro-  
4 vide a report to the Committees on Appropriations of the  
5 House and Senate that audits and evaluates all decision  
6 documents and expenditures by the Bureau of the Census  
7 as they relate to the 2010 Census: *Provided further*, That  
8 of the amounts provided to the Secretary within this ac-  
9 count, \$5,000,000 shall not become available for obliga-  
10 tion until the Secretary certifies to the Committees on Ap-  
11 propriations of the House and Senate that the Bureau of  
12 the Census has followed and met all standards and best  
13 practices, and all Office of Management and Budget  
14 guidelines related to information technology projects and  
15 contract management.

16 HERBERT C. HOOVER BUILDING RENOVATION AND  
17 MODERNIZATION

18 For expenses necessary, including blast windows, for  
19 the renovation and modernization of the Herbert C. Hoo-  
20 ver Building, \$22,500,000, to remain available until ex-  
21 pended.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector  
3 General in carrying out the provisions of the Inspector  
4 General Act of 1978 (5 U.S.C. App.), \$27,000,000.

5 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

6 ~~(INCLUDING TRANSFER OF FUNDS)~~

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

17 SEC. 102. During the current fiscal year, appropria-  
18 tions made available to the Department of Commerce by  
19 this Act for salaries and expenses shall be available for  
20 hire of passenger motor vehicles as authorized by 31  
21 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.

1 3109; and uniforms or allowances therefor, as authorized  
2 by law (5 U.S.C. 5901–5902).

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

1 and such appropriations may not be transferred and re-  
2 programmed to other Department of Commerce bureaus  
3 and appropriation accounts.

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

19       SEC. 105. The requirements set forth by section 112  
20 of division B of Public Law 110–161 are hereby adopted  
21 by reference.

1           SEC. 106. Notwithstanding any other law, the Sec-  
2 retary may furnish services (including but not limited to  
3 utilities, telecommunications, and security services) nec-  
4 essary to support the operation, maintenance, and im-  
5 provement 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  
13 1949, as amended, on a reimbursable or non-reimbursable  
14 basis. Amounts received as reimbursement for services  
15 provided under this section or the authority under which  
16 the use or occupancy of the space is authorized, up to  
17 \$200,000, shall be credited to the appropriation or fund  
18 which initially bears the costs of such services.

19           SEC. 107. With the consent of the President, the Sec-  
20 retary of Commerce shall represent the United States Gov-  
21 ernment in negotiating and monitoring international

1 agreements regarding fisheries, marine mammals, or sea  
2 turtles: *Provided*, That the Secretary of Commerce shall  
3 be responsible for the development and interdepartmental  
4 coordination of the policies of the United States with re-  
5 spect to the international negotiations and agreements re-  
6 ferred to in this section.

7       SEC. 108. Section 101(k) of the Emergency Steel  
8 Loan Guarantee Act of 1999 (15 U.S.C. 1841 note) is  
9 amended by striking “2009” and inserting “2011”.

10       SEC. 109. Nothing in this title shall be construed to  
11 prevent a grant recipient from deterring child pornog-  
12 raphy, copyright infringement, or any other unlawful ac-  
13 tivity over its networks.

14       SEC. 110. The Administration of the National Oce-  
15 anic and Atmospheric Administration is authorized to use,  
16 with their consent, with reimbursement and subject to the  
17 limits of available appropriations, the land, services, equip-  
18 ment, personnel, and facilities of any department, agency  
19 or instrumentality of the United States, or of any State,  
20 local government, Indian tribal government, Territory or  
21 possession, or of any political subdivision thereof, or of

1 any foreign government or international organization for  
2 purposes related to carrying out the responsibilities of any  
3 statute administered by the National Oceanic and Atmos-  
4 pheric Administration.

5 This title may be cited as the “Department of Com-  
6 merce Appropriations Act, 2010”.

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TITLE II  
DEPARTMENT OF JUSTICE  
GENERAL ADMINISTRATION  
SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$118,488,000, of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available until expended: *Provided*, That the Attorney General is authorized to transfer funds appropriated within General Administration to any office in this account: *Provided further*, That \$18,693,000 is for Department Leadership; \$8,101,000 is for Intergovernmental Relations/External Affairs; \$12,715,000 is for Executive Support/Professional Responsibility; and \$78,979,000 is for the Justice Management Division: *Provided further*, That any change in amounts specified in the preceding proviso greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations consistent with the terms of section 505 of this Act: *Provided further*,

1 That this transfer authority is in addition to transfers au-  
2 thorized under section 505 of this Act.

3 NATIONAL DRUG INTELLIGENCE CENTER

4 For necessary expenses of the National Drug Intel-  
5 ligence Center, \$44,023,000, of which \$2,000,000 shall be  
6 for reimbursement of Air Force personnel for the National  
7 Drug Intelligence Center to support the Department of  
8 Defense's counter-drug intelligence responsibilities: *Pro-*  
9 *vided*, That the National Drug Intelligence Center shall  
10 maintain the personnel and technical resources to provide  
11 timely support to law enforcement authorities and the in-  
12 telligence community by conducting document and com-  
13 puter exploitation of materials collected in Federal, State,  
14 and local law enforcement activity associated with counter-  
15 drug, counterterrorism, and national security investiga-  
16 tions and operations.

17 JUSTICE INFORMATION SHARING TECHNOLOGY

18 For necessary expenses for information sharing tech-  
19 nology, including planning, development, deployment and  
20 departmental direction, \$88,285,000, to remain available  
21 until expended.

1           TACTICAL LAW ENFORCEMENT WIRELESS  
2                           COMMUNICATIONS

3           For the costs of developing and implementing a na-  
4 tion-wide Integrated Wireless Network supporting Federal  
5 law enforcement communications, and for the costs of op-  
6 erations and maintenance of existing Land Mobile Radio  
7 legacy systems, \$206,143,000, to remain available until  
8 expended: *Provided*, That the Attorney General shall  
9 transfer to this account all funds made available to the  
10 Department of Justice for the purchase of portable and  
11 mobile radios: *Provided further*, That any transfer made  
12 under the preceding proviso shall be subject to section 505  
13 of this Act.

14                           ADMINISTRATIVE REVIEW AND APPEALS

15           For expenses necessary for the administration of par-  
16 don and clemency petitions and immigration-related activi-  
17 ties, \$300,685,000, of which \$4,000,000 shall be derived  
18 by transfer from the Executive Office for Immigration Re-  
19 view fees deposited in the “Immigration Examinations  
20 Fee” account.

1                                   DETENTION TRUSTEE

2           For necessary expenses of the Federal Detention  
3 Trustee, \$1,438,663,000, to remain available until ex-  
4 pended: *Provided*, That the Trustee shall be responsible  
5 for managing the Justice Prisoner and Alien Transpor-  
6 tation System: *Provided further*, That not to exceed  
7 \$5,000,000 shall be considered “funds appropriated for  
8 State and local law enforcement assistance” pursuant to  
9 18 U.S.C. 4013(b).

10                                   OFFICE OF INSPECTOR GENERAL

11           For necessary expenses of the Office of Inspector  
12 General, \$84,368,000, including not to exceed \$10,000 to  
13 meet unforeseen emergencies of a confidential character.

14                                   UNITED STATES PAROLE COMMISSION

15                                   SALARIES AND EXPENSES

16           For necessary expenses of the United States Parole  
17 Commission as authorized, \$12,859,000.

18                                   LEGAL ACTIVITIES

19                                   SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

20           For expenses necessary for the legal activities of the  
21 Department of Justice, not otherwise provided for, includ-

1 ing not to exceed \$20,000 for expenses of collecting evi-  
2 dence, to be expended under the direction of, and to be  
3 accounted for solely under the certificate of, the Attorney  
4 General; and rent of private or Government-owned space  
5 in the District of Columbia, \$875,097,000, of which not  
6 to exceed \$10,000,000 for litigation support contracts  
7 shall remain available until expended: *Provided*, That of  
8 the total amount appropriated, not to exceed \$10,000 shall  
9 be available to the United States National Central Bu-  
10 reau, INTERPOL, for official reception and representa-  
11 tion expenses: *Provided further*, That notwithstanding sec-  
12 tion 205 of this Act, upon a determination by the Attorney  
13 General that emergent circumstances require additional  
14 funding for litigation activities of the Civil Division, the  
15 Attorney General may transfer such amounts to “Salaries  
16 and Expenses, General Legal Activities” from available  
17 appropriations for the current fiscal year for the Depart-  
18 ment of Justice, as may be necessary to respond to such  
19 circumstances: *Provided further*, That any transfer pursu-  
20 ant to the previous proviso shall be treated as a re-  
21 programming under section 505 of this Act and shall not

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

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

16 SALARIES AND EXPENSES, ANTITRUST DIVISION

17 For expenses necessary for the enforcement of anti-  
18 trust and kindred laws, \$163,170,000, 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-

1 ments Act of 1976 (15 U.S.C. 18a), regardless of the year  
2 of collection (and estimated to be \$102,000,000 in fiscal  
3 year 2010), shall be retained and used for necessary ex-  
4 penses in this appropriation, and shall remain available  
5 until expended: *Provided further*, That the sum herein ap-  
6 propriated from the general fund shall be reduced as such  
7 offsetting collections are received during fiscal year 2010,  
8 so as to result in a final fiscal year 2010 appropriation  
9 from the general fund estimated at \$61,170,000.

10 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

11 For necessary expenses of the Offices of the United  
12 States Attorneys, including inter-governmental and coop-  
13 erative agreements, \$1,934,003,000: *Provided*, That of the  
14 total amount appropriated, not to exceed \$8,000 shall be  
15 available for official reception and representation ex-  
16 penses: *Provided further*, That not to exceed \$25,000,000  
17 shall remain available until expended: *Provided further*,  
18 That of the amount provided under this heading, not less  
19 than \$36,980,000 shall be used for salaries and expenses  
20 for assistant U.S. Attorneys to carry out section 704 of  
21 the Adam Walsh Child Protection and Safety Act of 2006

1 (Public Law 109–248) concerning the prosecution of of-  
2 fenses relating to the sexual exploitation of children: *Pro-*  
3 *vided further*, That of the amount provided under this  
4 heading, \$6,000,000 is for salaries and expenses for new  
5 assistant U.S. Attorneys to carry out additional prosecu-  
6 tions of serious crimes in Indian Country.

7 UNITED STATES TRUSTEE SYSTEM FUND

8 For necessary expenses of the United States Trustee  
9 Program, as authorized, \$219,250,000, to remain avail-  
10 able until expended and to be derived from the United  
11 States Trustee System Fund: *Provided*, That notwith-  
12 standing any other provision of law, deposits to the Fund  
13 shall be available in such amounts as may be necessary  
14 to pay refunds due depositors: *Provided further*, That, not-  
15 withstanding any other provision of law, \$210,000,000 of  
16 offsetting collections pursuant to 28 U.S.C. 589a(b) shall  
17 be retained and used for necessary expenses in this appro-  
18 priation and shall remain available until expended: *Pro-*  
19 *vided further*, That the sum herein appropriated from the  
20 Fund shall be reduced as such offsetting collections are  
21 received during fiscal year 2010, so as to result in a final

1 fiscal year 2010 appropriation from the Fund estimated  
2 at \$4,250,000.

3 SALARIES AND EXPENSES, FOREIGN CLAIMS

4 SETTLEMENT COMMISSION

5 For expenses necessary to carry out the activities of  
6 the Foreign Claims Settlement Commission, including  
7 services as authorized by section 3109 of title 5, United  
8 States Code, \$2,117,000.

9 FEES AND EXPENSES OF WITNESSES

10 For fees and expenses of witnesses, for expenses of  
11 contracts for the procurement and supervision of expert  
12 witnesses, for private counsel expenses, including ad-  
13 vances, and for expenses of foreign counsel, \$168,300,000,  
14 to remain available until expended: *Provided*, That not to  
15 exceed \$10,000,000 may be made available for construc-  
16 tion of buildings for protected witness safesites: *Provided*  
17 *further*, That not to exceed \$3,000,000 may be made avail-  
18 able for the purchase and maintenance of armored and  
19 other vehicles for witness security caravans: *Provided fur-*  
20 *ther*, That not to exceed \$11,000,000 may be made avail-  
21 able 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, \$11,479,000: *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.

1 ASSETS FORFEITURE FUND

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

5 UNITED STATES MARSHALS SERVICE

6 SALARIES AND EXPENSES

7 For necessary expenses of the United States Mar-  
8 shals Service, \$1,125,763,000; of which not to exceed  
9 \$30,000 shall be available for official reception and rep-  
10 resentation expenses; ~~of which not to exceed \$10,000,000~~ (and  
11 shall remain available until expended for information tech-  
12 nology systems.

13 CONSTRUCTION

14 For construction in space controlled, occupied or uti-  
15 lized by the United States Marshals Service for prisoner  
16 holding and related support, \$26,625,000, to remain avail-  
17 able until expended; of which not less than \$12,625,000  
18 shall be available for the costs of courthouse security  
19 equipment, including furnishings, relocations, and tele-  
20 phone systems and cabling.

1 NATIONAL SECURITY DIVISION  
2 SALARIES AND EXPENSES

3 For expenses necessary to carry out the activities of  
4 the National Security Division, \$87,938,000; of which not  
5 to exceed \$5,000,000 for information technology systems  
6 shall remain available until expended: *Provided*, That not-  
7 withstanding section 205 of this Act, upon a determina-  
8 tion by the Attorney General that emergent circumstances  
9 require additional funding for the activities of the National  
10 Security Division, the Attorney General may transfer such  
11 amounts to this heading from available appropriations for  
12 the current fiscal year for the Department of Justice, as  
13 may be necessary to respond to such circumstances: *Pro-*  
14 *vided further*, That any transfer pursuant to the preceding  
15 proviso shall be treated as a reprogramming under section  
16 505 of this Act and shall not be available for obligation  
17 or expenditure except in compliance with the procedures  
18 set forth in that section.

1 INTERAGENCY LAW ENFORCEMENT

2 INTERAGENCY CRIME AND DRUG ENFORCEMENT

3 For necessary expenses for the identification, inves-  
4 tigation, and prosecution of individuals associated with the  
5 most significant drug trafficking and affiliated money  
6 laundering organizations not otherwise provided for, to in-  
7 clude inter-governmental agreements with State and local  
8 law enforcement agencies engaged in the investigation and  
9 prosecution of individuals involved in organized crime drug  
10 trafficking, \$528,569,000, of which \$50,000,000 shall re-  
11 main available until expended: *Provided*, That any  
12 amounts obligated from appropriations under this heading  
13 may be used under authorities available to the organiza-  
14 tions reimbursed from this appropriation.

15 FEDERAL BUREAU OF INVESTIGATION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Federal Bureau of In-  
18 vestigation for detection, investigation, and prosecution of  
19 crimes against the United States, \$7,658,622,000, of  
20 which \$101,066,000 is designated as being for overseas  
21 deployments and other activities pursuant to sections

1 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Con-  
2 gress), the concurrent resolution on the budget for fiscal  
3 year 2010; and of which not to exceed \$150,000,000 shall  
4 remain available until expended: *Provided*, That not to ex-  
5 ceed \$205,000 shall be available for official reception and  
6 representation expenses: *Provided further*, That notwith-  
7 standing section 205 of this Act, the Director of the Fed-  
8 eral Bureau of Investigation, upon a determination that  
9 additional funding is necessary to carry out construction  
10 of the Biometrics Technology Center, may transfer from  
11 amounts available for "Salaries and Expenses" to  
12 amounts available for "Construction" up to \$30,000,000  
13 in fees collected to defray expenses for the automation of  
14 fingerprint identification and criminal justice information  
15 services and associated costs: *Provided further*, That any  
16 transfer made pursuant to the previous proviso shall be  
17 subject to section 505 of this Act.

18 CONSTRUCTION

19 For all necessary expenses, to include the cost of  
20 equipment, furniture, and information technology require-  
21 ments, related to construction or acquisition of buildings,

1 facilities and sites by purchase, or as otherwise authorized  
2 by law; conversion, modification and extension of federally  
3 owned buildings; and preliminary planning and design of  
4 projects; \$239,915,000, to remain available until ex-  
5 pended.

Cap

6 DRUG ENFORCEMENT ADMINISTRATION

7 SALARIES AND EXPENSES

8 For necessary expenses of the Drug Enforcement Ad-  
9 ministration, including not to exceed \$70,000 to meet un-  
10 foreseen emergencies of a confidential character pursuant  
11 to 28 U.S.C. 530C; and expenses for conducting drug edu-  
12 cation and training programs, including travel and related  
13 expenses for participants in such programs and the dis-  
14 tribution of items of token value that promote the goals  
15 of such programs, \$2,019,682,000; of which not to exceed  
16 \$75,000,000 shall remain available until expended; and of  
17 which not to exceed \$100,000 shall be available for official  
18 reception and representation expenses.

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

4           For necessary expenses of the Bureau of Alcohol, To-  
5 bacco, Firearms and Explosives, not to exceed \$40,000 for  
6 official reception and representation expenses; for training  
7 of State and local law enforcement agencies with or with-  
8 out reimbursement, including training in connection with  
9 the training and acquisition of canines for explosives and  
10 fire accelerants detection; and for provision of laboratory  
11 assistance to State and local law enforcement agencies,  
12 with or without reimbursement, \$1,114,772,000, of which  
13 not to exceed \$1,000,000 shall be available for the pay-  
14 ment of attorneys' fees as provided by section 924(d)(2)  
15 of title 18, United States Code; and of which not to exceed  
16 \$10,000,000 shall remain available until expended: *Pro-*  
17 *vided*, That no funds appropriated herein shall be available  
18 for salaries or administrative expenses in connection with  
19 consolidating or centralizing, within the Department of  
20 Justice, the records, or any portion thereof, of acquisition  
21 and disposition of firearms maintained by Federal fire-

1 arms licensees: *Provided further*, That no funds appro-  
2 priated herein shall be used to pay administrative expenses  
3 or the compensation of any officer or employee of the  
4 United States to implement an amendment or amend-  
5 ments to 27 CFR 478.118 or to change the definition of  
6 “Curios or relics” in 27 CFR 478.11 or remove any item  
7 from ATF Publication 5300.11 as it existed on January  
8 1, 1994: *Provided further*, That none of the funds appro-  
9 priated herein shall be available to investigate or act upon  
10 applications for relief from Federal firearms disabilities  
11 under 18 U.S.C. 925(c): *Provided further*, That such funds  
12 shall be available to investigate and act upon applications  
13 filed by corporations for relief from Federal firearms dis-  
14 abilities under section 925(c) of title 18, United States  
15 Code: *Provided further*, That no funds made available by  
16 this or any other Act may be used to transfer the func-  
17 tions, missions, or activities of the Bureau of Alcohol, To-  
18 bacco, Firearms and Explosives to other agencies or De-  
19 partments in fiscal year 2010: *Provided further*, That, be-  
20 ginning in fiscal year 2010 and thereafter, no funds ap-  
21 propriated under this or any other Act may be used to

1 disclose part or all of the contents of the Firearms Trace  
2 System database maintained by the National Trace Center  
3 of the Bureau of Alcohol, Tobacco, Firearms and Explo-  
4 sives or any information required to be kept by licensees  
5 pursuant to section 923(g) of title 18, United States Code,  
6 or required to be reported pursuant to paragraphs (3) and  
7 (7) of such section 923(g), except to: (1) a Federal, State,  
8 local, or tribal law enforcement agency, or a Federal,  
9 State, or local prosecutor; or (2) a foreign law enforcement  
10 agency solely in connection with or for use in a criminal  
11 investigation or prosecution; or (3) a Federal agency for  
12 a national security or intelligence purpose; unless such dis-  
13 closure of such data to any of the entities described in  
14 (1), (2) or (3) of this proviso would compromise the iden-  
15 tity of any undercover law enforcement officer or confiden-  
16 tial informant, or interfere with any case under investiga-  
17 tion; and no person or entity described in (1), (2) or (3)  
18 shall knowingly and publicly disclose such data; and all  
19 such data shall be immune from legal process, shall not  
20 be subject to subpoena or other discovery, shall be inad-  
21 missible in evidence, and shall not be used, relied on, or

1 disclosed in any manner, nor shall testimony or other evi-  
2 dence be permitted based on the data, in a civil action  
3 in any State (including the District of Columbia) or Fed-  
4 eral court or in an administrative proceeding other than  
5 a proceeding commenced by the Bureau of Alcohol, To-  
6 bacco, Firearms and Explosives to enforce the provisions  
7 of chapter 44 of such title, or a review of such an action  
8 or proceeding; except that this proviso shall not be con-  
9 strued to prevent: (A) the disclosure of statistical informa-  
10 tion concerning total production, importation, and expor-  
11 tation by each licensed importer (as defined in section  
12 921(a)(9) of such title) and licensed manufacturer (as de-  
13 fined in section 921(a)(10) of such title); (B) the sharing  
14 or exchange of such information among and between Fed-  
15 eral, State, local, or foreign law enforcement agencies,  
16 Federal, State, or local prosecutors, and Federal national  
17 security, intelligence, or counterterrorism officials; or (C)  
18 the publication of annual statistical reports on products  
19 regulated by the Bureau of Alcohol, Tobacco, Firearms  
20 and Explosives, including total production, importation,  
21 and exportation by each licensed importer (as so defined)

1 and licensed manufacturer (as so defined), or statistical  
2 aggregate data regarding firearms traffickers and traf-  
3 ficking channels, or firearms misuse, felons, and traf-  
4 ficking investigations: *Provided further*, That no funds  
5 made available by this or any other Act shall be expended  
6 to promulgate or implement any rule requiring a physical  
7 inventory of any business licensed under section 923 of  
8 title 18, United States Code: *Provided further*, That no  
9 funds under this Act may be used to electronically retrieve  
10 information gathered pursuant to 18 U.S.C. 923(g)(4) by  
11 name or any personal identification code: *Provided further*,  
12 That no funds authorized or made available under this or  
13 any other Act may be used to deny any application for  
14 a license under section 923 of title 18, United States Code,  
15 or renewal of such a license due to a lack of business activ-  
16 ity, provided that the applicant is otherwise eligible to re-  
17 ceive such a license, and is eligible to report business in-  
18 come or to claim an income tax deduction for business ex-  
19 penses under the Internal Revenue Code of 1986.

1 CONSTRUCTION

2 For necessary expenses to construct or acquire build-  
3 ings and sites by purchase, or as otherwise authorized by  
4 law (including equipment for such buildings); conversion  
5 and extension of federally-owned buildings; and prelimi-  
6 nary planning and design of projects; \$6,000,000, to re-  
7 main available until expended.

(cap)

8 FEDERAL PRISON SYSTEM

9 SALARIES AND EXPENSES

10 For necessary expenses of the Federal Prison System  
11 for the administration, operation, and maintenance of  
12 Federal penal and correctional institutions, including pur-  
13 chase (not to exceed 831, of which 743 are for replacement  
14 only) and hire of law enforcement and passenger motor  
15 vehicles, and for the provision of technical assistance and  
16 advice on corrections related issues to foreign govern-  
17 ments, \$6,086,231,000: *Provided*, That the Attorney Gen-  
18 eral may transfer to the Health Resources and Services  
19 Administration such amounts as may be necessary for di-  
20 rect expenditures by that Administration for medical relief  
21 for inmates of Federal penal and correctional institutions:

1 *Provided further*, That the Director of the Federal Prison  
2 System, where necessary, may enter into contracts with  
3 a fiscal agent or fiscal intermediary claims processor to  
4 determine the amounts payable to persons who, on behalf  
5 of the Federal Prison System, furnish health services to  
6 individuals committed to the custody of the Federal Prison  
7 System: *Provided further*, That not to exceed \$6,000 shall  
8 be available for official reception and representation ex-  
9 penses: *Provided further*, That not to exceed \$50,000,000  
10 shall remain available for necessary operations until Sep-  
11 tember 30, 2011: *Provided further*, That, of the amounts  
12 provided for contract confinement, not to exceed  
13 \$20,000,000 shall remain available until expended to  
14 make payments in advance for grants, contracts and reim-  
15 bursable agreements, and other expenses authorized by  
16 section 501(c) of the Refugee Education Assistance Act  
17 of 1980 (8 U.S.C. 1522 note), for the care and security  
18 in the United States of Cuban and Haitian entrants: *Pro-*  
19 *vided further*, That the Director of the Federal Prison Sys-  
20 tem may accept donated property and services relating to  
21 the operation of the prison card program from a not-for-

1 profit entity which has operated such program in the past  
2 notwithstanding the fact that such not-for-profit entity  
3 furnishes services under contracts to the Federal Prison  
4 System relating to the operation of pre-release services,  
5 halfway houses, or other custodial facilities.

6 BUILDINGS AND FACILITIES

7 For planning, acquisition of sites and construction of  
8 new facilities; purchase and acquisition of facilities and re-  
9 modeling, and equipping of such facilities for penal and  
10 correctional use, including all necessary expenses incident  
11 thereto, by contract or force account; and constructing,  
12 remodeling, and equipping necessary buildings and facili-  
13 ties at existing penal and correctional institutions, includ-  
14 ing all necessary expenses incident thereto, by contract or  
15 force account, \$99,155,000, to remain available until ex-  
16 pended, of which not less than \$73,769,000 shall be avail-  
17 able only for modernization, maintenance and repair, and  
18 of which not to exceed \$14,000,000 shall be available to  
19 construct areas for inmate work programs: *Provided*, That  
20 labor of United States prisoners may be used for work  
21 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-

1 ing system requires to be capitalized or charged to cost  
2 of commodities acquired or produced, including selling and  
3 shipping expenses, and expenses in connection with acqui-  
4 sition, construction, operation, maintenance, improvement,  
5 protection, or disposition of facilities and other property  
6 belonging to the corporation or in which it has an interest.

7 STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

8 OFFICE ON VIOLENCE AGAINST WOMEN

9 VIOLENCE AGAINST WOMEN PREVENTION AND

10 PROSECUTION PROGRAMS

11 (INCLUDING TRANSFER OF FUNDS)

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

1 Juvenile Justice and Delinquency Prevention Act of 1974  
2 (42 U.S.C. 5601 et seq.) (“the 1974 Act”); the Victims  
3 of Trafficking and Violence Protection Act of 2000 (Public  
4 Law 106–386) (“the 2000 Act”); and the Violence  
5 Against Women and Department of Justice Reauthoriza-  
6 tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);  
7 and for related victims services, \$418,500,000, to remain  
8 available until expended: *Provided*, That except as other-  
9 wise provided by law, not to exceed 3 percent of funds  
10 made available under this heading may be used for ex-  
11 penses related to evaluation, training, and technical assist-  
12 ance: *Provided further*, That of the amount provided  
13 (which shall be by transfer for programs administered by  
14 the Office of Justice Programs)—

15 (1) \$210,000,000 for grants to combat violence  
16 against women, as authorized by part T of the 1968  
17 Act, of which—

18 (A) \$18,000,000 shall be for transitional  
19 housing assistance grants for victims of domes-  
20 tic violence, stalking or sexual assault as au-  
21 thorized by section 40299 of the 1994 Act; and

1           (B) \$3,000,000 shall be for the National  
2           Institute of Justice for research and evaluation  
3           of violence against women and related issues  
4           addressed by grant programs of the Office on  
5           Violence Against Women;

6           (2) \$60,000,000 for grants to encourage arrest  
7           policies as authorized by part U of the 1968 Act;

8           (3) \$15,000,000 for sexual assault victims as-  
9           sistance, as authorized by section 41601 of the 1994  
10          Act;

11          (4) \$41,000,000 for rural domestic violence and  
12          child abuse enforcement assistance grants, as au-  
13          thorized by section 40295 of the 1994 Act;

14          (5) \$9,500,000 for grants to reduce violent  
15          crimes against women on campus, as authorized by  
16          section 304 of the 2005 Act;

17          (6) \$41,000,000 for legal assistance for victims,  
18          as authorized by section 1201 of the 2000 Act;

19          (7) \$4,250,000 for enhanced training and serv-  
20          ices to end violence against and abuse of women in

1 later life, as authorized by section 40802 of the  
2 1994 Act;

3 (8) \$14,000,000 for the safe havens for chil-  
4 dren program, as authorized by section 1301 of the  
5 2000 Act;

6 (9) \$6,750,000 for education and training to  
7 end violence against and abuse of women with dis-  
8 abilities, as authorized by section 1402 of the 2000  
9 Act;

10 (10) \$3,000,000 for an engaging men and  
11 youth in prevention program, as authorized by sec-  
12 tion 41305 of the 1994 Act;

13 (11) \$1,000,000 for tracking of violence against  
14 Indian women, as authorized by section 905 of the  
15 2005 Act and consistent with title I of the Adam  
16 Walsh Child Protection and Safety Act of 2006;

17 (12) \$3,500,000 for services to advocate and  
18 respond to youth, as authorized by section 41201 of  
19 the 1994 Act;

1           (13) \$3,000,000 for grants to assist children  
2           and youth exposed to violence, as authorized by sec-  
3           tion 41303 of the 1994 Act;

4           (14) \$3,000,000 for the court training and im-  
5           provements program, as authorized by section 41002  
6           of the 1994 Act;

7           (15) \$1,000,000 for the National Resource  
8           Center on Workplace Responses to assist victims of  
9           domestic violence, as authorized by section 41501 of  
10          the 1994 Act; and

11          (16) \$2,500,000 for the Supporting Teens  
12          through Education and Protection program, as au-  
13          thorized by section 41204 of the 1994 Act.

14                           OFFICE OF JUSTICE PROGRAMS

15                                   JUSTICE ASSISTANCE

16          For grants, contracts, cooperative agreements, and  
17          other assistance authorized by title I of the Omnibus  
18          Crime Control and Safe Streets Act of 1968 “the 1968  
19          Act”; the Juvenile Justice and Delinquency Prevention  
20          Act of 1974 “the 1974 Act”; the Missing Children’s As-  
21          sistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial

1 Remedies and Other Tools to end the Exploitation of Chil-  
2 dren Today Act of 2003 (Public Law 108–21); the Justice  
3 for All Act of 2004 (Public Law 108–405); the Violence  
4 Against Women and Department of Justice Reauthoriza-  
5 tion Act of 2005 (Public Law 109–162); the Victims of  
6 Child Abuse Act of 1990 (Public Law 101–647); the Sec-  
7 ond Chance Act of 2007 (Public Law 110–199); the Vic-  
8 tims of Crime Act of 1984 (Public Law 98–473); the  
9 Adam Walsh Child Protection and Safety Act of 2006  
10 (Public Law 109–248); the PROTECT Our Children Act  
11 of 2008 (Public Law 110–401); subtitle D of title II of  
12 the Homeland Security Act of 2002 (Public Law 107–  
13 296), which may include research and development; and  
14 other programs (including the Statewide Automated Vic-  
15 tim Notification Program); \$235,000,000, to remain avail-  
16 able until expended, of which—

17           (1) \$60,000,000 is for criminal justice statistics  
18           programs, and other activities, as authorized by part  
19           C of title I of the 1968 Act, of which \$41,000,000  
20           is for the National Crime Victimization Survey;

1           (2) \$48,000,000 is for research, development,  
2           and evaluation programs, and other activities as au-  
3           thorized by part B of title I of the 1968 Act;

4           (3) \$12,000,000 is for the Statewide Victim  
5           Notification System of the Bureau of Justice Assist-  
6           ance;

7           (4) \$45,000,000 is for the Regional Informa-  
8           tion Sharing System, as authorized by part M of  
9           title I of the 1968 Act; and

10          (5) \$70,000,000 is for missing and exploited  
11          children programs, including as authorized by sec-  
12          tions 404(b) and 405(a) of the 1974 Act.

13          STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

14          For grants, contracts, cooperative agreements, and  
15          other assistance authorized by the Violent Crime Control  
16          and Law Enforcement Act of 1994 (Public Law 103-322)  
17          (“the 1994 Act”); the Omnibus Crime Control and Safe  
18          Streets Act of 1968 (“the 1968 Act”); the Justice for All  
19          Act of 2004 (Public Law 108-405); the Victims of Child  
20          Abuse Act of 1990 (Public Law 101-647) (“the 1990  
21          Act”); the Trafficking Victims Protection Reauthorization

1 Act of 2005 (Public Law 109–164); the Violence Against  
2 Women and Department of Justice Reauthorization Act  
3 of 2005 (Public Law 109–162); the Adam Walsh Child  
4 Protection and Safety Act of 2006 (Public Law 109–248);  
5 and the Victims of Trafficking and Violence Protection  
6 Act of 2000 (Public Law 106–386); the Second Chance  
7 Act of 2007 (Public Law 110–199); the Prioritizing Re-  
8 sources and Organization for Intellectual Property Act of  
9 2008 (Public Law 110–403); and other programs;  
10 \$1,534,768,000, to remain available until expended as fol-  
11 lows—

12           (1) \$519,000,000 for the Edward Byrne Memo-  
13           rial Justice Assistance Grant program as authorized  
14           by subpart 1 of part E of title I of the 1968 Act,  
15           (except that section 1001(c), and the special rules  
16           for Puerto Rico under section 505(g), of the 1968  
17           Act, as amended, shall not apply for purposes of this  
18           Act), of which \$5,000,000 is for use by the National  
19           Institute of Justice in assisting units of local govern-  
20           ment to identify, select, develop, modernize, and pur-  
21           chase new technologies for use by law enforcement,

1       and \$3,000,000 is for a program to improve State  
2       and local law enforcement intelligence capabilities in-  
3       cluding antiterrorism training and training to ensure  
4       that constitutional rights, civil liberties, civil rights,  
5       and privacy interests are protected throughout the  
6       intelligence process;

7           (2) \$330,000,000 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));

11          (3) \$31,000,000 for the Southwest Border  
12      Prosecutor Initiative to reimburse State, county,  
13      parish, tribal, or municipal governments for costs as-  
14      sociated with the prosecution of criminal cases de-  
15      clined by local offices of the United States Attor-  
16      neys;

17          (4) \$185,268,000 for discretionary grants to  
18      improve the functioning of the criminal justice sys-  
19      tem, to prevent or combat juvenile delinquency, and  
20      to assist victims of crime (other than compensation),  
21      which shall be used for the projects, and in the

1 amounts, specified in the explanatory statement ac-  
2 companying this Act;

3 (5) \$40,000,000 for competitive grants to im-  
4 prove the functioning of the criminal justice system,  
5 to prevent or combat juvenile delinquency, and to as-  
6 sist victims of crime (other than compensation);

7 (6) \$2,000,000 for the purposes described in  
8 the Missing Alzheimer's Disease Patient Alert Pro-  
9 gram (section 240001 of the 1994 Act);

10 (7) \$12,500,000 for victim services programs  
11 for victims of trafficking, as authorized by section  
12 107(b)(2) of Public Law 106-386 and for programs  
13 authorized under Public Law 109-164;

14 (8) \$45,000,000 for Drug Courts, as authorized  
15 by section 1001(25)(A) of title I of the 1968 Act;

16 (9) \$7,000,000 for a program to monitor pre-  
17 scription drugs and scheduled listed chemical prod-  
18 ucts;

19 (10) \$15,000,000 for prison rape prevention  
20 and prosecution and other programs, as authorized

1 by the Prison Rape Elimination Act of 2003 (Public  
2 Law 108–79);

3 (11) \$30,000,000 for grants for Residential  
4 Substance Abuse Treatment for State Prisoners, as  
5 authorized by part S of title I of the 1968 Act;

6 (12) \$5,500,000 for the Capital Litigation Im-  
7 provement Grant Program, as authorized by section  
8 426 of Public Law 108–405, and for grants for  
9 wrongful conviction review;

10 (13) \$12,000,000 for mental health courts and  
11 adult and juvenile collaboration program grants, as  
12 authorized by parts V and HH of title I of the 1968  
13 Act, and the Mentally Ill Offender Treatment and  
14 Crime Reduction Reauthorization and Improvement  
15 Act of 2008 (Public Law 110–416);

16 (14) \$50,000,000 for assistance to Indian  
17 tribes, of which—

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

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

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

6           (D) \$3,000,000 shall be available for train-  
7           ing and technical assistance and civil and crimi-  
8           nal legal assistance as authorized by title I of  
9           Public Law 106-559;

10          (15) \$20,000,000 for economic, high technology  
11          and Internet crime prevention grants, including as  
12          authorized by section 401 of Public Law 110-403;

13          (16) \$15,000,000 for the court-appointed spe-  
14          cial advocate program, as authorized by section 217  
15          of the 1990 Act;

16          (17) \$2,500,000 for child abuse training pro-  
17          grams for judicial personnel and practitioners, as  
18          authorized by section 222 of the 1990 Act;

19          (18) \$3,000,000 for grants to improve the  
20          stalking and domestic violence database, as author-  
21          ized by section 40602 of the 1994 Act;

1           (19) \$1,000,000 for analysis and research on  
2 violence against Indian women, including as author-  
3 ized by section 904 of the 2005 Act;

4           (20) \$3,500,000 for training programs as au-  
5 thorized by section 40152 of the 1994 Act, and for  
6 related local demonstration projects;

7           (21) \$1,000,000 for grants for televised testi-  
8 mony, as authorized by part N of title I of the 1968  
9 Act;

10          (22) \$15,000,000 for programs to reduce gun  
11 crime and gang violence;

12          (23) \$20,000,000 for grants to assist State and  
13 tribal governments as authorized by the NICS Im-  
14 provement Amendment, Act of 2007 (Public Law (s  
15 110-180);

16          (24) \$11,500,000 for the National Criminal  
17 History Improvement program for grants to upgrade  
18 criminal records;

19          (25) \$100,000,000 for offender reentry pro-  
20 grams, as authorized by the Second Chance Act of  
21 2007 (Public Law 110-199), of which \$37,000,000

1 is for grants for adult and juvenile offender State  
2 and local reentry demonstration projects,  
3 \$15,000,000 is for grants for mentoring and transi-  
4 tional services, \$10,000,000 is for reentry courts,  
5 \$7,500,000 is for family-based substance abuse  
6 treatment, \$2,500,000 is for evaluation and im-  
7 provement of education at prisons, jails, and juvenile  
8 facilities, \$5,000,000 is for technology careers train-  
9 ing demonstration grants, \$13,000,000 is for of-  
10 fender reentry substance abuse and criminal justice  
11 collaboration, and \$10,000,000 is for prisoner re-  
12 entry research;

13 (26) \$10,000,000 for activities related to com-  
14 prehensive criminal justice reform and recidivism re-  
15 duction efforts by States;

16 (27) \$10,000,000 for implementation of a stu-  
17 dent loan repayment assistance program pursuant to  
18 section 952 of Public Law 110–315;

19 (28) \$3,000,000 for the Northern Border Pros-  
20 ecutor Initiative to reimburse State, county, parish,  
21 tribal, or municipal governments for the costs associ-

1       ated with the prosecution of criminal cases declined  
2       by local offices of the United States Attorneys; and  
3               (29) \$35,000,000 for Paul Coverdell Forensic  
4       Science Improvement Grants under part BB of title  
5       I of the 1968 Act:

6 *Provided*, That if a unit of local government uses any of  
7 the funds made available under this heading to increase  
8 the number of law enforcement officers, the unit of local  
9 government will achieve a net gain in the number of law  
10 enforcement officers who perform non-administrative pub-  
11 lic sector safety service.

12                               WEED AND SEED PROGRAM FUND

13       For necessary expenses, including salaries and re-  
14 lated expenses of the Office of Weed and Seed Strategies,  
15 \$20,000,000, to remain available until expended, as au-  
16 thorized by section 103 of title I of the Omnibus Crime  
17 Control and Safe Streets Act of 1968.

18                               JUVENILE JUSTICE PROGRAMS

19       For grants, contracts, cooperative agreements, and  
20 other assistance authorized by the Juvenile Justice and  
21 Delinquency Prevention Act of 1974 (“the 1974 Act”), the

1 Omnibus Crime Control and Safe Streets Act of 1968  
2 (“the 1968 Act”), the Violence Against Women and De-  
3 partment of Justice Reauthorization Act of 2005 (Public  
4 Law 109–162), the Missing Children’s Assistance Act (42  
5 U.S.C. 5771 et seq.); the Prosecutorial Remedies and  
6 Other Tools to end the Exploitation of Children Today Act  
7 of 2003 (Public Law 108–21); the Victims of Child Abuse  
8 Act of 1990 (Public Law 101–647); the Adam Walsh  
9 Child Protection and Safety Act of 2006 (Public Law  
10 109–248); the PROTECT Our Children Act of 2008  
11 (Public Law 110–401), and other juvenile justice pro-  
12 grams, \$423,595,000, to remain available until expended  
13 as follows—

14 (1) \$75,000,000 for programs authorized by  
15 section 221 of the 1974 Act, and for training and  
16 technical assistance to assist small, non-profit orga-  
17 nizations with the Federal grants process;

18 (2) \$91,095,000 for grants and projects, as au-  
19 thorized by sections 261 and 262 of the 1974 Act,  
20 which shall be used for the projects, and in the

1 amounts, specified in the explanatory statement ac-  
2 companying this Act;

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

4 (4) \$65,000,000 for delinquency prevention, as  
5 authorized by section 505 of the 1974 Act, of which,  
6 pursuant to sections 261 and 262 thereof—

7 (A) \$25,000,000 shall be for the Tribal  
8 Youth Program;

9 (B) \$10,000,000 shall be for a gang edu-  
10 cation initiative; and

11 (C) \$25,000,000 shall be for grants of  
12 \$360,000 to each State and \$4,840,000 shall be  
13 available for discretionary grants, for programs  
14 and activities to enforce State laws prohibiting  
15 the sale of alcoholic beverages to minors or the  
16 purchase or consumption of alcoholic beverages  
17 by minors, for prevention and reduction of con-  
18 sumption of alcoholic beverages by minors, and  
19 for technical assistance and training;

20 (5) \$22,500,000 for programs authorized by  
21 the Victims of Child Abuse Act of 1990;

1           (6) \$55,000,000 for the Juvenile Accountability  
2       Block Grants program as authorized by part R of  
3       title I of the 1968 Act and Guam shall be considered  
4       a State;

5           (7) \$10,000,000 for community-based violence  
6       prevention initiatives; and

7           (8) \$5,000,000 for the Safe Start Program, as  
8       authorized by the 1974 Act:

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

17                           PUBLIC SAFETY OFFICER BENEFITS

18       For payments and expenses authorized under section  
19     1001(a)(4) of title I of the Omnibus Crime Control and  
20     Safe Streets Act of 1968, such sums as are necessary (in-  
21     cluding amounts for administrative costs, which amounts

1 shall be paid to the “Salaries and Expenses” account), to  
2 remain available until expended; and \$9,100,000 for pay-  
3 ments authorized by section 1201(b) of such Act and for  
4 educational assistance authorized by section 1218 of such  
5 Act, to remain available until expended: *Provided*, That  
6 notwithstanding section 205 of this Act, upon a deter-  
7 mination by the Attorney General that emergent cir-  
8 cumstances require additional funding for such disability  
9 and education payments, the Attorney General may trans-  
10 fer such amounts to “Public Safety Officer Benefits” from  
11 available appropriations for the current fiscal year for the  
12 Department of Justice as may be necessary to respond  
13 to such circumstances: *Provided further*, That any transfer  
14 pursuant to the previous proviso shall be treated as a re-  
15 programming under section 505 of this Act and shall not  
16 be available for obligation or expenditure except in compli-  
17 ance with the procedures set forth in that section.

18           COMMUNITY ORIENTED POLICING SERVICES

19                           (INCLUDING TRANSFERS OF FUNDS)

20           For activities authorized by the Violent Crime Con-  
21 trol and Law Enforcement Act of 1994 (Public Law 103–

1 322); the Omnibus Crime Control and Safe Streets Act  
2 of 1968 (“the 1968 Act”); the Violence Against Women  
3 and Department of Justice Reauthorization Act of 2005  
4 (Public Law 109–162); subtitle D of title II of the Home-  
5 land Security Act of 2002 (Public Law 107–296), which  
6 may include research and development; and the USA PA-  
7 TRIOT Improvement and Reauthorization Act of 2005  
8 (Public Law 109–177); the NICS Improvement Amend-  
9 ments Act of 2007 (Public Law 110–180); the Adam  
10 Walsh Child Protection and Safety Act of 2006 (Public  
11 Law 109–248) (the “Adam Walsh Act”); and the Justice  
12 for All Act of 2004 (Public Law 108–405), \$791,608,000,  
13 to remain available until expended: *Provided*, That any  
14 balances made available through prior year deobligations  
15 shall only be available in accordance with section 505 of  
16 this Act. Of the amount provided (which shall be by trans-  
17 fer, for programs administered by the Office of Justice  
18 Programs)—

19           (1) \$30,000,000 for the matching grant pro-  
20           gram for law enforcement armor vests, as authorized  
21           by section 2501 of title I of the 1968 Act: *Provided*,

1 That \$1,500,000 is for related research, testing, and  
2 evaluation programs;

3 (2) \$40,385,000 for grants to entities described  
4 in section 1701 of title I of the 1968 Act, to address  
5 public safety and methamphetamine manufacturing,  
6 sale, and use in hot spots as authorized by section  
7 754 of Public Law 109–177, and for other anti-  
8 methamphetamine-related activities: *Provided*, That  
9 within the amounts appropriated \$25,385,000 shall  
10 be used for the projects, and in the amounts, speci-  
11 fied in the explanatory statement accompanying this  
12 Act: *Provided further*, That within the amounts ap-  
13 propriated \$10,000,000 shall be transferred to the  
14 Drug Enforcement Administration upon enactment  
15 of this Act: *Provided further*, That within the  
16 amounts appropriated \$5,000,000 is for anti-meth-  
17 amphetamine-related activities in Indian Country;

18 (3) \$170,223,000 for a law enforcement tech-  
19 nologies and interoperable communications program,  
20 and related law enforcement and public safety equip-  
21 ment: *Provided*, That within the amounts appro-

1        priated, \$168,723,000 shall be used for the projects,  
2        and in the amounts, specified in the explanatory  
3        statement accompanying this Act: *Provided further,*  
4        That of the amounts provided under this heading  
5        \$1,500,000 is transferred directly to the National  
6        Institute of Standards and Technology's Office of  
7        Law Enforcement Standards from the Community  
8        Oriented Policing Services Office for research, test-  
9        ing, and evaluation programs;

10        (4) \$161,000,000 for DNA related and forensic  
11        programs and activities, of which—

12                (A) \$151,000,000 is for a DNA analysis  
13                and capacity enhancement program and for  
14                other local, State, and Federal forensic activi-  
15                ties including the purposes of section 2 of the  
16                DNA Analysis Backlog Elimination Act of 2000  
17                (the Debbie Smith DNA Backlog Grant Pro-  
18                gram);

19                (B) \$5,000,000 is for the purposes de-  
20                scribed in the Kirk Bloodsworth Post-Convic-

1           tion DNA Testing Program (Public Law 108–  
2           405, section 412); and

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

6           (5) \$40,000,000 for improving tribal law en-  
7           forcement, including equipment and training;

8           (6) \$12,000,000 for community policing devel-  
9           opment activities;

10           (7) \$24,000,000 for a national grant program  
11           the purpose of which is to assist State and local law  
12           enforcement to locate, arrest and prosecute child  
13           sexual predators and exploiters, and to enforce sex  
14           offender registration laws described in section  
15           1701(b) of the 1968 Act, of which—

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

20                   (B) \$1,000,000 is for the National Sex Of-  
21           fender Public Registry;



1 available for authorized activities of the Office of Audit,  
2 Assessment, and Management: *Provided further*, That the  
3 total amount available for management and administra-  
4 tion of such programs shall not exceed \$213,388,000: *Pro-*  
5 *vided further*, That notwithstanding section 205 of this  
6 Act, upon a determination by the Attorney General that  
7 emergent circumstances require additional funding for  
8 management and administration of such programs, the  
9 Attorney General may transfer such amounts to “Salaries  
10 and Expenses” from available appropriations for the cur-  
11 rent fiscal year for the Department of Justice as may be  
12 necessary to respond to such circumstances: *Provided fur-*  
13 *ther*, That any transfer pursuant to the previous proviso  
14 shall be treated as a reprogramming under section 505  
15 of this Act and shall not be available for obligation or ex-  
16 penditure except in compliance with the procedures set  
17 forth in that section.

18 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

19 SEC. 201. In addition to amounts otherwise made  
20 available in this title for official reception and representa-  
21 tion expenses, a total of not to exceed \$75,000 from funds

1 appropriated to the Department of Justice in this title  
2 shall be available to the Attorney General for official re-  
3 ception and representation expenses.

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

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

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

1           SEC. 205. Not to exceed 5 percent of any appropria-  
2 tion made available for the current fiscal year for the De-  
3 partment of Justice in this Act may be transferred be-  
4 tween such appropriations, but no such appropriation, ex-  
5 cept as otherwise specifically provided, shall be increased  
6 by more than 10 percent by any such transfers: *Provided,*  
7 That any transfer pursuant to this section shall be treated  
8 as a reprogramming of funds under section 505 of this  
9 Act and shall not be available for obligation except in com-  
10 pliance with the procedures set forth in that section.

11           SEC. 206. The Attorney General is authorized to ex-  
12 tend through September 30, 2011, the Personnel Manage-  
13 ment Demonstration Project transferred to the Attorney  
14 General pursuant to section 1115 of the Homeland Secu-  
15 rity Act of 2002, Public Law 107–296 (6 U.S.C. 533)  
16 without limitation on the number of employees or the posi-  
17 tions covered.

18           SEC. 207. Notwithstanding any other provision of  
19 law, Public Law 102–395 section 102(b) shall extend to  
20 the Bureau of Alcohol, Tobacco, Firearms and Explosives  
21 in the conduct of undercover investigative operations and

1 shall apply without fiscal year limitation with respect to  
2 any undercover investigative operation by the Bureau of  
3 Alcohol, Tobacco, Firearms and Explosives that is nec-  
4 essary for the detection and prosecution of crimes against  
5 the United States.

6       SEC. 208. None of the funds made available to the  
7 Department of Justice in this Act may be used for the  
8 purpose of transporting an individual who is a prisoner  
9 pursuant to conviction for crime under State or Federal  
10 law and is classified as a maximum or high security pris-  
11 oner, other than to a prison or other facility certified by  
12 the Federal Bureau of Prisons as appropriately secure for  
13 housing such a prisoner.

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

19       (b) The preceding sentence does not preclude the  
20 renting, maintenance, or purchase of audiovisual or elec-

1 tronic equipment for inmate training, religious, or edu-  
2 cational programs.

3       SEC. 210. None of the funds made available under  
4 this title shall be obligated or expended for Sentinel, or  
5 for any other major new or enhanced information tech-  
6 nology program having total estimated development costs  
7 in excess of \$100,000,000, unless the Deputy Attorney  
8 General and the investment review board certify to the  
9 Committees on Appropriations that the information tech-  
10 nology program has appropriate program management  
11 and contractor oversight mechanisms in place, and that  
12 the program is compatible with the enterprise architecture  
13 of the Department of Justice.

14       SEC. 211. The notification thresholds and procedures  
15 set forth in section 505 of this Act shall apply to devi-  
16 ations from the amounts designated for specific activities  
17 in this Act and accompanying statement, and to any use  
18 of deobligated balances of funds provided under this title  
19 in previous years.

20       SEC. 212. None of the funds appropriated by this Act  
21 may be used to plan for, begin, continue, finish, process,

1 or approve a public-private competition under the Office  
2 of Management and Budget Circular A-76 or any suc-  
3 cessor administrative regulation, directive, or policy for  
4 work performed by employees of the Bureau of Prisons  
5 or of Federal Prison Industries, Incorporated.

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

12 SEC. 214. None of the funds appropriated in this or  
13 any other Act shall be obligated for the initiation of a fu-  
14 ture phase of the Federal Bureau of Investigation's Sen-  
15 tinel program until the Attorney General certifies to the  
16 Committees on Appropriations that existing phases cur-  
17 rently under contract for development or fielding have  
18 completed a majority of the work for that phase under  
19 the performance measurement baseline validated by the  
20 integrated baseline review conducted in 2008: *Provided,*  
21 That this restriction does not apply to planning and design

1 activities for future phases: *Provided further*, That the Bu-  
2 reau will notify the Committees on Appropriations of any  
3 significant changes to the baseline.

4 SEC. 215. In addition to any amounts that otherwise  
5 may be available (or authorized to be made available) by  
6 law, with respect to funds appropriated by this Act under  
7 the headings “Justice Assistance”, “State and Local Law  
8 Enforcement Assistance”, “Weed and Seed”, “Juvenile  
9 Justice Programs”, and “Community Oriented Policing  
10 Services”—

11 (1) Up to 3 percent of funds made available to  
12 the Office of Justice Programs for grants or reim-  
13 bursement may be used to provide training and tech-  
14 nical assistance; and

15 (2) Up to 1 percent of funds made available to  
16 such Office for formula grants under such headings  
17 may be used for research or statistical purposes by  
18 the National Institute of Justice or the Bureau of  
19 Justice Statistics, pursuant to, respectively, sections  
20 201 and 202, and sections 301 and 302 of title I of  
21 Public Law 90–351.

1           SEC. 216. The Attorney General may, upon request  
2 by a grantee and based upon a determination of fiscal  
3 hardship, waive the requirements of paragraph (1) of sec-  
4 tion 2976(g) of the Omnibus Crime Control and Safe  
5 Streets Act of 1968 (42 U.S.C. 3797w(g)(1)) with respect  
6 to funds appropriated in this or any other Act making ap-  
7 propriations for fiscal years 2009 and 2010 for Adult and  
8 Juvenile Offender State and Local Reentry Demonstration  
9 Projects authorized under part FF of such Act of 1968.

10          SEC. 217. Section 5759 of title 5, United States  
11 Code, is amended by striking subsection (e).

12          SEC. 218. (a) The Attorney General shall submit  
13 quarterly reports to the Inspector General of the Depart-  
14 ment of Justice regarding the costs and contracting proce-  
15 dures relating to each conference held by the Department  
16 of Justice during fiscal year 2010 for which the cost to  
17 the Government was more than \$20,000.

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

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

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

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

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

7           and

8                   (C) a discussion of the methodology used  
9 to determine which costs relate to that con-  
10 ference; and

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

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

15                   (B) a discussion of any cost comparison  
16 conducted by the Department of Justice in eval-  
17 uating potential contractors for that conference.

18          SEC. 219. (a) Subchapter IV of chapter 57 of title  
19 5, United States Code, is amended by adding at the end  
20 the following:

1 **“§ 5761. Foreign language proficiency pay awards for**  
2 **the Federal Bureau of Investigation**

3 “The Director of the Federal Bureau of Investigation  
4 may, under regulations prescribed by the Director, pay a  
5 cash award of up to 10 percent of basic pay to any Bureau  
6 employee who maintains proficiency in a language or lan-  
7 guages critical to the mission or who uses one or more  
8 foreign languages in the performance of official duties.”.

9 (b) The analysis for chapter 57 of title 5, United  
10 States Code, is amended by adding at the end the fol-  
11 lowing:

“5761. Foreign language proficiency pay awards for the Federal Bureau of In-  
vestigation.”

12 SEC. 220. For purposes of the allocation under sec-  
13 tion 505(d)(1) of title I of Public Law 90–351 (42 U.S.C.  
14 3755(d)(1)) for fiscal year 2010, the Attorney General is  
15 authorized to waive the application of section 505(e)(3)  
16 (42 U.S.C. 3755(e)(3)) to any non-reporting unit of local  
17 government that—

18 (1) was eligible to receive an allocation under  
19 section 505(d)(2)(B) (42 U.S.C. 3755(d)(2)(B));

1           (2) agrees to begin to report timely data on  
2           part I violent crimes of the Uniform Crime Reports  
3           to the Federal Bureau of Investigation by not later  
4           than the end of such fiscal year; and

5           (3) does so begin in accordance with such  
6           agreement.

7           This title may be cited as the “Department of Justice  
8           Appropriations Act, 2010”.

1 TITLE III

2 SCIENCE

3 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

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

12 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

13 SCIENCE

14 For necessary expenses, not otherwise provided for,  
15 in the conduct and support of science research and devel-  
16 opment activities, including research, development, oper-  
17 ations, support, and services; maintenance; space flight,  
18 spacecraft control, and communications activities; pro-  
19 gram management; personnel and related costs, including  
20 uniforms or allowances therefor, as authorized by 5 U.S.C.  
21 5901–5902; travel expenses; purchase and hire of pas-

1 senger motor vehicles; and purchase, lease, charter, main-  
2 tenance, and operation of mission and administrative air-  
3 craft, \$4,469,000,000, to remain available until Sep-  
4 tember 30, 2011.

5 AERONAUTICS

6 For necessary expenses, not otherwise provided for,  
7 in the conduct and support of aeronautics research and  
8 development activities, including research, development,  
9 operations, support, and services; maintenance; space  
10 flight, spacecraft control, and communications activities;  
11 program management; personnel and related costs, includ-  
12 ing uniforms or allowances therefor, as authorized by 5  
13 U.S.C. 5901–5902; travel expenses; purchase and hire of  
14 passenger motor vehicles; and purchase, lease, charter,  
15 maintenance, and operation of mission and administrative  
16 aircraft, \$501,000,000, to remain available until Sep-  
17 tember 30, 2011.

18 EXPLORATION

19 For necessary expenses, not otherwise provided for,  
20 in the conduct and support of exploration research and  
21 development activities, including research, development,

1 operations, support, and services; maintenance; space  
2 flight, spacecraft control, and communications activities;  
3 program management, personnel and related costs, includ-  
4 ing uniforms or allowances therefor, as authorized by 5  
5 U.S.C. 5901–5902; travel expenses; purchase and hire of  
6 passenger motor vehicles; and purchase, lease, charter,  
7 maintenance, and operation of mission and administrative  
8 aircraft, \$3,746,300,000, to remain available until Sep-  
9 tember 30, 2011: *Provided*, That notwithstanding section  
10 505 of this Act, none of the funds provided herein and  
11 from prior years that remain available for obligation dur-  
12 ing fiscal year 2010 shall be available for the termination  
13 or elimination of any program, project or activity of the  
14 architecture for the Constellation program nor shall such  
15 funds be available to create or initiate a new program,  
16 project or activity, unless such program termination,  
17 elimination, creation, or initiation is provided in subse-  
18 quent appropriations Acts.

19 SPACE OPERATIONS

20 For necessary expenses, not otherwise provided for,  
21 in the conduct and support of space operations research

1 and development activities, including research, develop-  
2 ment, operations, support and services; space flight, space-  
3 craft control and communications activities including oper-  
4 ations, production, and services; maintenance; program  
5 management; personnel and related costs, including uni-  
6 forms or allowances therefor, as authorized by 5 U.S.C.  
7 5901–5902; travel expenses; purchase and hire of pas-  
8 senger motor vehicles; and purchase, lease, charter, main-  
9 tenance and operation of mission and administrative air-  
10 craft, \$6,146,800,000, to remain available until Sep-  
11 tember 30, 2011: *Provided*, That of the amounts provided  
12 under this heading, not more than \$3,157,100,000 shall  
13 be for Space Shuttle operations, production, research, de-  
14 velopment, and support, not more than \$2,317,000,000  
15 shall be for International Space Station operations, pro-  
16 duction, research, development, and support, and not more  
17 than \$751,500,000 shall be for Space and Flight Support.

18 EDUCATION

19 For necessary expenses, not otherwise provided for,  
20 in carrying out aerospace and aeronautical education re-  
21 search and development activities, including research, de-

1 velopment, operations, support, and services; program  
2 management; personnel and related costs, uniforms or al-  
3 lowances therefor, as authorized by 5 U.S.C. 5901–5902;  
4 travel expenses; purchase and hire of passenger motor ve-  
5 hicles; and purchase, lease, charter, maintenance, and op-  
6 eration of mission and administrative aircraft,  
7 \$182,500,000, to remain available until September 30,  
8 2011.

9

CROSS AGENCY SUPPORT

10 For necessary expenses, not otherwise provided for,  
11 in the conduct and support of science, aeronautics, explo-  
12 ration, space operations and education research and devel-  
13 opment activities, including research, development, oper-  
14 ations, support, and services; maintenance; space flight,  
15 spacecraft control, and communications activities; pro-  
16 gram management; personnel and related costs, including  
17 uniforms or allowances therefor, as authorized by 5 U.S.C.  
18 5901–5902; travel expenses; purchase and hire of pas-  
19 senger motor vehicles; not to exceed \$70,000 for official  
20 reception and representation expenses; and purchase,  
21 lease, charter, maintenance, and operation of mission and

1 administrative aircraft, \$3,194,000,000: *Provided*, That  
2 not more than \$2,206,300,000 shall be available for center  
3 management and operations: *Provided further*, That not  
4 less than \$40,000,000 shall be available for independent  
5 verification and validation activities: *Provided further*,  
6 That within the amounts appropriated, \$63,000,000 shall  
7 be used for the projects, and in the amounts, specified in  
8 the explanatory statement accompanying this Act.

9 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND  
10 REMEDIATION

11 For necessary expenses for construction of facilities  
12 including repair, rehabilitation, revitalization, and modi-  
13 fication of facilities, construction of new facilities and ad-  
14 ditions to existing facilities, facility planning and design,  
15 and restoration, and acquisition or condemnation of real  
16 property, as authorized by law, and environmental compli-  
17 ance and restoration, \$448,300,000, to remain available  
18 until September 30, 2015: *Provided*, That within the  
19 funds provided, \$13,700,000 shall be available to support  
20 science research and development activities; \$90,800,000  
21 shall be available to support exploration research and de-

1 velopment activities; \$27,300,000 shall be available to  
2 support space operations research and development activi-  
3 ties; and \$316,500,000 shall be available for cross agency  
4 support activities: *Provided further*, That hereafter, not-  
5 withstanding section 315 of the National Aeronautics and  
6 Space Act of 1958 (42 U.S.C. 2459j), all proceeds from  
7 leases entered into under that section shall be deposited  
8 into this account and shall be available for a period of  
9 5 years, to the extent provided in annual appropriations  
10 Acts: *Provided further*, That such proceeds shall be avail-  
11 able for obligation for fiscal year 2010 in an amount not  
12 to exceed \$6,226,000: *Provided further*, That each annual  
13 budget request shall include an annual estimate of gross  
14 receipts and collections and proposed use of all funds col-  
15 lected pursuant to section 315 of the National Aeronautics  
16 and Space Act of 1958 (42 U.S.C. 2459j).

17 OFFICE OF INSPECTOR GENERAL

18 For necessary expenses of the Office of Inspector  
19 General in carrying out the Inspector General Act of 1978,  
20 \$36,400,000.

1 ADMINISTRATIVE PROVISIONS

2 Funds for announced prizes otherwise authorized  
3 shall remain available, without fiscal year limitation, until  
4 the prize is claimed or the offer is withdrawn.

5 Not to exceed 5 percent of any appropriation made  
6 available for the current fiscal year for the National Aero-  
7 nautics and Space Administration in this Act may be  
8 transferred between such appropriations, but no such ap-  
9 propriation, except as otherwise specifically provided, shall  
10 be increased by more than 10 percent by any such trans-  
11 fers. Any transfer pursuant to this provision shall be treat-  
12 ed as a reprogramming of funds under section 505 of this  
13 Act and shall not be available for obligation except in com-  
14 pliance with the procedures set forth in that section.

15 Notwithstanding any other provision of law, no funds  
16 shall be used to implement by Reduction in Force or other  
17 involuntary separations (except for cause) by the National  
18 Aeronautics and Space Administration prior to September  
19 30, 2010.

20 The unexpired balances of the Science, Aeronautics,  
21 and Exploration account, for activities for which funds are

1 provided under this Act, may be transferred to the new  
2 accounts established in this Act that provide such activity.  
3 Balances so transferred shall be merged with the funds  
4 in the newly established accounts, but shall be available  
5 under the same terms, conditions and period of time as  
6 previously appropriated.

7                   NATIONAL SCIENCE FOUNDATION  
8                   RESEARCH AND RELATED ACTIVITIES  
9                   (INCLUDING TRANSFER OF FUNDS)

10       For necessary expenses in carrying out the National  
11 Science Foundation Act of 1950, as amended (42 U.S.C.  
12 1861–1875), and the Act to establish a National Medal  
13 of Science (42 U.S.C. 1880–1881); services as authorized  
14 by 5 U.S.C. 3109; maintenance and operation of aircraft  
15 and purchase of flight services for research support; acqui-  
16 sition of aircraft; and authorized travel; \$5,617,920,000,  
17 to remain available until September 30, 2011, of which  
18 not to exceed \$570,000,000 shall remain available until  
19 expended for polar research and operations support, and  
20 for reimbursement to other Federal agencies for oper-  
21 ational and science support and logistical and other re-

1 lated activities for the United States Antarctic program:  
2 *Provided*, That from funds specified in the fiscal year  
3 2010 budget request for icebreaking services, \$54,000,000  
4 shall be transferred to the U.S. Coast Guard “Operating  
5 Expenses” within 60 days of enactment of this Act: *Pro-*  
6 *vided further*, That receipts for scientific support services  
7 and materials furnished by the National Research Centers  
8 and other National Science Foundation supported re-  
9 search facilities may be credited to this appropriation:  
10 *Provided further*, That not less than \$147,120,000 shall  
11 be available for activities authorized by section  
12 7002(c)(2)(A)(iv) of Public Law 110–69.

13 MAJOR RESEARCH EQUIPMENT AND FACILITIES

14 CONSTRUCTION

15 For necessary expenses for the acquisition, construc-  
16 tion, commissioning, and upgrading of major research  
17 equipment, facilities, and other such capital assets pursu-  
18 ant to the National Science Foundation Act of 1950, as  
19 amended (42 U.S.C. 1861–1875), including authorized  
20 travel, \$117,290,000, to remain available until expended:

1 *Provided*, That none of the funds may be used to reim-  
2 burse the Judgment fund.

Cap

3 EDUCATION AND HUMAN RESOURCES

4 For necessary expenses in carrying out science, math-  
5 ematics and engineering education and human resources  
6 programs and activities pursuant to the National Science  
7 Foundation Act of 1950, as amended (42 U.S.C. 1861-  
8 1875), including services as authorized by 5 U.S.C. 3109,  
9 authorized travel, and rental of conference rooms in the  
10 District of Columbia, \$872,760,000, to remain available  
11 until September 30, 2011: *Provided*, That not less than  
12 \$55,000,000 shall be available until expended for activities  
13 authorized by section 7030 of Public Law 110-69: *Pro-*  
14 *vided further*, That not less than \$32,000,000 shall be  
15 available until expended for the Historically Black Col-  
16 leges and Universities Undergraduate Program.

17 AGENCY OPERATIONS AND AWARD MANAGEMENT

18 For agency operations and award management nec-  
19 essary in carrying out the National Science Foundation  
20 Act of 1950, as amended (42 U.S.C. 1861-1875); services  
21 authorized by 5 U.S.C. 3109; hire of passenger motor ve-

1 hicles; not to exceed \$9,200 for official reception and rep-  
2 resentation expenses; uniforms or allowances therefor, as  
3 authorized by 5 U.S.C. 5901–5902; rental of conference  
4 rooms in the District of Columbia; and reimbursement of  
5 the Department of Homeland Security for security guard  
6 services; \$300,000,000: *Provided*, That contracts may be  
7 entered into under this heading in fiscal year 2010 for  
8 maintenance and operation of facilities, and for other serv-  
9 ices, to be provided during the next fiscal year.

10 OFFICE OF THE NATIONAL SCIENCE BOARD

11 For necessary expenses (including payment of sala-  
12 ries, authorized travel, hire of passenger motor vehicles,  
13 the rental of conference rooms in the District of Columbia,  
14 and the employment of experts and consultants under sec-  
15 tion 3109 of title 5, United States Code) involved in car-  
16 rying out section 4 of the National Science Foundation  
17 Act of 1950, as amended (42 U.S.C. 1863) and Public  
18 Law 86–209 (42 U.S.C. 1880 et seq.), \$4,540,000: *Pro-*  
19 *vided*, That not to exceed \$2,800 shall be available for offi-  
20 cial reception and representation expenses.

1                   OFFICE OF INSPECTOR GENERAL

2       For necessary expenses of the Office of Inspector  
3 General as authorized by the Inspector General Act of  
4 1978, as amended, \$14,000,000.

5       This title may be cited as the “Science Appropria-  
6 tions Act, 2010”.

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

5 For necessary expenses of the Commission on Civil  
6 Rights, including hire of passenger motor vehicles,  
7 \$9,400,000: *Provided*, That none of the funds appro-  
8 priated in this paragraph shall be used to employ in excess  
9 of four full-time individuals under Schedule C of the Ex-  
10 cepted Service exclusive of one special assistant for each  
11 Commissioner: *Provided further*, That none of the funds  
12 appropriated in this paragraph shall be used to reimburse  
13 Commissioners for more than 75 billable days, with the  
14 exception of the chairperson, who is permitted 125 billable  
15 days.

16 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
17 SALARIES AND EXPENSES

18 For necessary expenses of the Equal Employment  
19 Opportunity Commission as authorized by title VII of the  
20 Civil Rights Act of 1964, the Age Discrimination in Em-  
21 ployment Act of 1967, the Equal Pay Act of 1963, the

1 Americans with Disabilities Act of 1990, the Civil Rights  
2 Act of 1991, the Genetic Information Non-Discrimination  
3 Act (GINA) of 2008 (Public Law 110–233), the ADA  
4 Amendments Act of 2008 (Public Law 110–325), and the  
5 Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–  
6 2), including services as authorized by 5 U.S.C. 3109; hire  
7 of passenger motor vehicles as authorized by 31 U.S.C.  
8 1343(b); nonmonetary awards to private citizens; and not  
9 to exceed \$30,000,000 for payments to State and local en-  
10 forcement agencies for authorized services to the Commis-  
11 sion, \$367,303,000: *Provided*, That the Commission is au-  
12 thorized to make available for official reception and rep-  
13 resentation expenses not to exceed \$2,500 from available  
14 funds: *Provided further*, That the Commission may take  
15 no action to implement any workforce repositioning, re-  
16 structuring, or reorganization until such time as the  
17 House and Senate Committees on Appropriations have  
18 been notified of such proposals, in accordance with the re-  
19 programming requirements of section 505 of this Act: *Pro-*  
20 *vided further*, That the Chair is authorized to accept and

1 use any gift or donation to carry out the work of the Com-  
2 mission.

3 INTERNATIONAL TRADE COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the International Trade  
6 Commission, including hire of passenger motor vehicles,  
7 and services as authorized by 5 U.S.C. 3109, and not to  
8 exceed \$2,500 for official reception and representation ex-  
9 penses, \$81,860,000, to remain available until expended.

10 LEGAL SERVICES CORPORATION

11 PAYMENT TO THE LEGAL SERVICES CORPORATION

12 For payment to the Legal Services Corporation to  
13 carry out the purposes of the Legal Services Corporation  
14 Act of 1974, \$420,000,000, of which \$394,400,000 is for  
15 basic field programs and required independent audits;  
16 \$4,200,000 is for the Office of Inspector General, of which  
17 such amounts as may be necessary may be used to conduct  
18 additional audits of recipients; \$17,000,000 is for manage-  
19 ment and grants oversight; \$3,400,000 is for client self-  
20 help and information technology; and \$1,000,000 is for  
21 loan repayment assistance: *Provided*, That the Legal Serv-

1 ices Corporation may continue to provide locality pay to  
2 officers and employees at a rate no greater than that pro-  
3 vided by the Federal Government to Washington, DC-  
4 based employees as authorized by 5 U.S.C. 5304, notwith-  
5 standing section 1005(d) of the Legal Services Corpora-  
6 tion Act, 42 U.S.C. 2996(d): *Provided further*, That the  
7 authorities provided in section 205 of this Act shall be  
8 applicable to the Legal Services Corporation.

9 ADMINISTRATIVE PROVISION—LEGAL SERVICES

10 CORPORATION

11 None of the funds appropriated in this Act to the  
12 Legal Services Corporation shall be expended for any pur-  
13 pose prohibited or limited by, or contrary to any of the  
14 provisions of, sections 501, 502, 503, 504, 505, and 506  
15 of Public Law 105–119, and all funds appropriated in this  
16 Act to the Legal Services Corporation shall be subject to  
17 the same terms and conditions set forth in such sections,  
18 except that all references in sections 502 and 503 to 1997  
19 and 1998 shall be deemed to refer instead to 2009 and  
20 2010, respectively.

105

1 MARINE MAMMAL COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Marine Mammal Com-  
4 mission as authorized by title II of Public Law 92-522,  
5 \$3,250,000.

6 OFFICE OF THE UNITED STATES TRADE

7 REPRESENTATIVE

8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of the United  
10 States Trade Representative, including the hire of pas-  
11 senger motor vehicles and the employment of experts and  
12 consultants as authorized by 5 U.S.C. 3109, \$47,826,000,  
13 of which \$1,000,000 shall remain available until expended:  
14 *Provided*, That not to exceed \$124,000 shall be available  
15 for official reception and representation expenses: *Pro-*  
16 *vided further*, That negotiations shall be conducted within  
17 the World Trade Organization to recognize the right of  
18 members to distribute monies collected from antidumping  
19 and countervailing duties: *Provided further*, That negotia-  
20 tions shall be conducted within the World Trade Organiza-

1 tion consistent with the negotiating objectives contained  
2 in the Trade Act of 2002, Public Law 107–210.

3 STATE JUSTICE INSTITUTE

4 SALARIES AND EXPENSES

5 For necessary expenses of the State Justice Institute,  
6 as authorized by the State Justice Institute Authorization  
7 Act of 1984 (42 U.S.C. 10701 et seq.) \$5,131,000, of  
8 which \$500,000 shall remain available until September 30,  
9 2011: *Provided*, That not to exceed \$2,500 shall be avail-  
10 able for official reception and representation expenses.

1

2

## TITLE V

3

### GENERAL PROVISIONS

4

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

7

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

10

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

17

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other

20

1 than those as to which it is held invalid shall not be af-  
2 fected thereby.

3 SEC. 505. (a) None of the funds provided under this  
4 Act, or provided under previous appropriations Acts to the  
5 agencies funded by this Act that remain available for obli-  
6 gation or expenditure in fiscal year 2010, or provided from  
7 any accounts in the Treasury of the United States derived  
8 by the collection of fees available to the agencies funded  
9 by this Act, shall be available for obligation or expenditure  
10 through the reprogramming of funds that—

11 (1) creates or initiates a new program, project  
12 or activity;

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

17 (3) increases funds or personnel by any means  
18 for any project or activity for which funds have been  
19 denied or restricted by this Act, unless the House  
20 and Senate Committees on Appropriations are noti-

1       fied 15 days in advance of such reprogramming of  
2       funds;

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

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

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

16          (7) proposes to use funds directed for a specific  
17      activity by either the House or Senate Committee on  
18      Appropriations for a different purpose, unless the  
19      House and Senate Committees on Appropriations  
20      are notified 15 days in advance of such reprogram-  
21      ming of funds;

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

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

16          (b) None of the funds in provided under this Act, or  
17          provided under previous appropriations Acts to the agen-  
18          cies funded by this Act that remain available for obligation  
19          or expenditure in fiscal year 2010, or provided from any  
20          accounts in the Treasury of the United States derived by  
21          the collection of fees available to the agencies funded by

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

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

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

1 in this Act, pursuant to the debarment, suspension, and  
2 ineligibility procedures described in sections 9.400 through  
3 9.409 of title 48, Code of Federal Regulations.

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

11 SEC. 509. Any costs incurred by a department or  
12 agency funded under this Act resulting from, or to pre-  
13 vent, personnel actions taken in response to funding re-  
14 ductions included in this Act shall be absorbed within the  
15 total budgetary resources available to such department or  
16 agency: *Provided*, That the authority to transfer funds be-  
17 tween appropriations accounts as may be necessary to  
18 carry out this section is provided in addition to authorities  
19 included elsewhere in this Act: *Provided further*, That use  
20 of funds to carry out this section shall be treated as a  
21 reprogramming of funds under section 505 of this Act and

1 shall not be available for obligation or expenditure except  
2 in compliance with the procedures set forth in that section.

3 SEC. 510. None of the funds provided by this Act  
4 shall be available to promote the sale or export of tobacco  
5 or tobacco products, or to seek the reduction or removal  
6 by any foreign country of restrictions on the marketing  
7 of tobacco or tobacco products, except for restrictions  
8 which are not applied equally to all tobacco or tobacco  
9 products of the same type.

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

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

15 (2) any system to implement subsection 922(t)  
16 of title 18, United States Code, that does not re-  
17 quire and result in the destruction of any identifying  
18 information submitted by or on behalf of any person  
19 who has been determined not to be prohibited from  
20 possessing or receiving a firearm no more than 24  
21 hours after the system advises a Federal firearms li-

1       censee that possession or receipt of a firearm by the  
2       prospective transferee would not violate subsection  
3       (g) or (n) of section 922 of title 18, United States  
4       Code, or State law.

5       SEC. 512. Notwithstanding any other provision of  
6       law, amounts deposited or available in the Fund estab-  
7       lished under 42 U.S.C. 10601 in any fiscal year in excess  
8       of \$705,000,000 shall not be available for obligation until  
9       the following fiscal year.

10       SEC. 513. None of the funds made available to the  
11       Department of Justice in this Act may be used to discrimi-  
12       nate against or denigrate the religious or moral beliefs of  
13       students who participate in programs for which financial  
14       assistance is provided from those funds, or of the parents  
15       or legal guardians of such students.

16       SEC. 514. None of the funds made available in this  
17       Act may be transferred to any department, agency, or in-  
18       strumentality of the United States Government, except  
19       pursuant to a transfer made by, or transfer authority pro-  
20       vided in, this Act or any other appropriations Act.

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

4       SEC. 516. (a) Tracing studies conducted by the Bu-  
5 reau of Alcohol, Tobacco, Firearms and Explosives are re-  
6 leased without adequate disclaimers regarding the limita-  
7 tions of the data.

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

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

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

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

1 quiet or conference held in connection with planning, train-  
2 ing, assessment, review, or other routine purposes related  
3 to a project funded by the grant or contract.

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

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

1       SEC. 518. None of the funds appropriated or other-  
2 wise made available under this Act may be used to issue  
3 patents on claims directed to or encompassing a human  
4 organism.

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

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

1 that the conditions of subsection (b) of this section are  
2 met by the exporting party for such articles.

3 (b) The foregoing exemption from obtaining an ex-  
4 port license—

5 (1) does not exempt an exporter from filing any  
6 Shipper's Export Declaration or notification letter  
7 required by law, or from being otherwise eligible  
8 under the laws of the United States to possess, ship,  
9 transport, or export the articles enumerated in sub-  
10 section (a); and

11 (2) does not permit the export without a license  
12 of—

13 (A) fully automatic firearms and compo-  
14 nents and parts for such firearms, other than  
15 for end use by the Federal Government, or a  
16 Provincial or Municipal Government of Canada;

17 (B) barrels, cylinders, receivers (frames) or  
18 complete breech mechanisms for any firearm  
19 listed in Category I, other than for end use by  
20 the Federal Government, or a Provincial or Mu-  
21 nicipal Government of Canada; or

1                   (C) articles for export from Canada to an-  
2                   other foreign destination.

3           (c) In accordance with this section, the District Di-  
4   rectors of Customs and postmasters shall permit the per-  
5   manent or temporary export without a license of any un-  
6   classified articles specified in subsection (a) to Canada for  
7   end use in Canada or return to the United States, or tem-  
8   porary import of Canadian-origin items from Canada for  
9   end use in the United States or return to Canada for a  
10 Canadian citizen.

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

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

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

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

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

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

20       SEC. 523. None of the funds made available in this  
21 Act may be used to authorize or issue a national security

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

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

1   ance or schedule milestones and the degree to which such  
2   changes have contributed to the increase in total program  
3   costs or procurement costs; new estimates of the total  
4   project or procurement costs; and a statement validating  
5   that the project's management structure is adequate to  
6   control total project or procurement costs.

7       SEC. 525. Funds appropriated by this Act, or made  
8   available by the transfer of funds in this Act, for intel-  
9   ligence or intelligence related activities are deemed to be  
10  specifically authorized by the Congress for purposes of sec-  
11  tion 504 of the National Security Act of 1947 (50 U.S.C.  
12  414) during fiscal year 2010 until the enactment of the  
13  Intelligence Authorization Act for fiscal year 2010.

14       SEC. 526. The Departments, agencies, and commis-  
15  sions funded under this Act, shall establish and maintain  
16  on the homepages of their Internet websites—

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

19           (2) a mechanism on the Offices of Inspectors  
20       General website by which individuals may anony-  
21       mously report cases of waste, fraud, or abuse with

1       respect to those Departments, agencies, and commis-  
2       sions.

3       SEC. 527. None of the funds appropriated or other-  
4       wise made available by this Act may be used to enter into  
5       a contract in an amount greater than \$5,000,000 or to  
6       award a grant in excess of such amount unless the pro-  
7       spective contractor or grantee certifies in writing to the  
8       agency awarding the contract or grant that, to the best  
9       of its knowledge and belief, the contractor or grantee has  
10      filed all Federal tax returns required during the three  
11      years preceding the certification, has not been convicted  
12      of a criminal offense under the Internal Revenue Code of  
13      1986, and has not, more than 90 days prior to certifi-  
14      cation, been notified of any unpaid Federal tax assessment  
15      for which the liability remains unsatisfied, unless the as-  
16      sessment is the subject of an installment agreement or  
17      offer in compromise that has been approved by the Inter-  
18      nal Revenue Service and is not in default, or the assess-  
19      ment is the subject of a non-frivolous administrative or  
20      judicial proceeding.

1           SEC. 528. None of the funds appropriated or other-  
2 wise made available in this Act may be used in a manner  
3 that is inconsistent with the principal negotiating objective  
4 of the United States with respect to trade remedy laws  
5 to preserve the ability of the United States—

6           (1) to enforce vigorously its trade laws, includ-  
7 ing antidumping, countervailing duty, and safeguard  
8 laws;

9           (2) to avoid agreements that—

10           (A) lessen the effectiveness of domestic  
11 and international disciplines on unfair trade, es-  
12 pecially dumping and subsidies; or

13           (B) lessen the effectiveness of domestic  
14 and international safeguard provisions, in order  
15 to ensure that United States workers, agricul-  
16 tural producers, and firms can compete fully on  
17 fair terms and enjoy the benefits of reciprocal  
18 trade concessions; and

19           (3) to address and remedy market distortions  
20 that lead to dumping and subsidization, including



1           (c) The rescissions contained in this section shall not  
2 apply to funds provided in this Act.

3           SEC. 530. None of the funds made available in this  
4 Act may be used to purchase first class or premium airline  
5 travel in contravention of sections 301–10.122 through  
6 301–10.124 of title 41 of the Code of Federal Regulations.

7           SEC. 531. None of the funds made available in this  
8 Act may be used to send or otherwise pay for the attend-  
9 ance of more than 50 employees from a Federal depart-  
10 ment or agency at any single conference occurring outside  
11 the United States.

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

1           (b) None of the funds made available in this or any  
2 other Act may be used to transfer an individual who is  
3 detained, as of June 24, 2009, at Naval Station, Guanta-  
4 namo Bay, Cuba, into the continental United States, Alas-  
5 ka, Hawaii, or the District of Columbia, into any of the  
6 United States territories of Guam, American Samoa (AS),  
7 the United States Virgin Islands (USVI), the Common-  
8 wealth of Puerto Rico and the Commonwealth of the  
9 Northern Mariana Islands (CNMI), for the purpose of de-  
10 tention, except as provided in subsection (c).

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

1 during legal proceedings, until 45 days after the plan de-  
2 scribed in subsection (d) is received.

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

8 (1) A determination of the risk that the indi-  
9 vidual might instigate an act of terrorism within the  
10 continental United States, Alaska, Hawaii, the Dis-  
11 trict of Columbia, or the United States territories if  
12 the individual were so transferred.

13 (2) A determination of the risk that the indi-  
14 vidual might advocate, coerce, or incite violent extre-  
15 mism, ideologically motivated criminal activity, or  
16 acts of terrorism, among inmate populations at in-  
17 carceration facilities within the continental United  
18 States, Alaska, Hawaii, the District of Columbia, or  
19 the United States territories if the individual were  
20 transferred to such a facility.

1           (3) The costs associated with transferring the  
2 individual in question.

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

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

7           (6) A copy of a notification to the Governor of  
8 the State to which the individual will be transferred,  
9 to the Mayor of the District of Columbia if the indi-  
10 vidual will be transferred to the District of Colum-  
11 bia, or to any United States territories with a certifi-  
12 cation by the Attorney General of the United States  
13 in classified form at least 14 days prior to such  
14 transfer (together with supporting documentation  
15 and justification) that the individual poses little or  
16 no security risk to the United States.

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

1 (e) None of the funds made available in this or any  
2 other Act may be used to transfer or release an individual  
3 detained at Naval Station, Guantanamo Bay, Cuba, as of  
4 June 24, 2009, to the country of such individual's nation-  
5 ality or last habitual residence or to any other country  
6 other than the United States or to a freely associated  
7 State, unless the President submits to the Congress, in  
8 classified form, at least 15 days prior to such transfer or  
9 release, the following information:

10 (1) The name of any individual to be trans-  
11 ferred or released and the country or the freely asso-  
12 ciated State to which such individual is to be trans-  
13 ferred or released.

14 (2) An assessment of any risk to the national  
15 security of the United States or its citizens, includ-  
16 ing members of the Armed Services of the United  
17 States, that is posed by such transfer or release and  
18 the actions taken to mitigate such risk.

19 (3) The terms of any agreement with the coun-  
20 try or the freely associated State for the acceptance

1 of such individual, including the amount of any fi-  
2 nancial assistance related to such agreement.

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

12 (g) In this section, the term “freely associated  
13 States” means the Federated States of Micronesia (FSM),  
14 the Republic of the Marshall Islands (RMI), and the Re-  
15 public of Palau.

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

1       SEC. 533. Section 504(a) of the Departments of  
2 Commerce, Justice, and State, the Judiciary, and Related  
3 Agencies Appropriations Act, 1996 (as contained in Public  
4 Law 104–134) is amended by striking paragraph (13).

5       SEC. 534. None of the funds made available under  
6 this Act may be distributed to the Association of Commu-  
7 nity Organizations for Reform Now (ACORN) or its sub-  
8 sidiaries.

9       SEC. 535. (a) The Comptroller General of the United  
10 States shall conduct a review and audit of Federal funds  
11 received by the Association of Community Organizations  
12 for Reform Now (referred to in this section as “ACORN”)  
13 or any subsidiary or affiliate of ACORN to determine—

14           (1) whether any Federal funds were misused  
15 and, if so, the total amount of Federal funds in-  
16 volved and how such funds were misused;

17           (2) what steps, if any, have been taken to re-  
18 cover any Federal funds that were misused;

19           (3) what steps should be taken to prevent the  
20 misuse of any Federal funds; and

1           (4) whether all necessary steps have been taken  
2           to prevent the misuse of any Federal funds.

3           (b) Not later than 180 days after the date of enact-  
4           ment of this Act, the Comptroller General shall submit  
5           to Congress a report on the results of the audit required  
6           under subsection (a), along with recommendations for  
7           Federal agency reforms.

8           SEC. 536. To the extent practicable, funds made  
9           available in this Act should be used to purchase light bulbs  
10          that are “Energy Star” qualified or have the “Federal En-  
11          ergy Management Program” designation.

12          SEC. 537. The Director of the Office of Management  
13          and Budget shall instruct any department, agency, or in-  
14          strumentality of the United States Government receiving  
15          funds appropriated under this Act to track undisbursed  
16          balances in expired grant accounts and include in its an-  
17          nual performance plan and performance and account-  
18          ability reports the following:

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

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

4           (3) Identification of undisbursed balances in ex-  
5           pired grant accounts that may be returned to the  
6           Treasury of the United States.

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

13          SEC. 538. None of the funds made available in this  
14          Act may be used to relocate the Bureau of the Census  
15          or employees from the Department of Commerce to the  
16          jurisdiction of the Executive Office of the President.

1       SEC. 539. Specific projects contained in the report  
2 of the Committee on Appropriations of the House of Rep-  
3 resentatives accompanying this Act (H. Rept. 111–149)  
4 that are considered congressional earmarks for purposes  
5 of clause 9 of rule XXI of the Rules of the House of Rep-  
6 resentatives, when intended to be awarded to a for-profit  
7 entity, shall be awarded under a full and open competition.

division

1 This Act may be cited as the "Commerce, Justice,  
2 Science, and Related Agencies Appropriations Act, 2010".

3 ~~And the Senate agree to the same.~~

~~Set  
Roman~~