

**Departments of Commerce, Justice, and State, the Judiciary, and
Related Agencies Appropriations Act, 2002 (Enrolled as Agreed to or
Passed by Both House and Senate)**

TITLE VI--GENERAL PROVISIONS

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

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

SEC. 603. 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.

SEC. 604. 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 than those as to which it is held invalid shall not be affected thereby.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2002, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2002, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by

this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS- It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT- In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA- If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a `Made in America' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 609. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds: (1)

that the United Nations undertaking is a peacekeeping mission; (2) that such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) that the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

SEC. 610. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subparagraphs (A) and (B) of section 609 of that Act shall continue to apply during fiscal year 2002.

SEC. 611. Hereafter, none of the funds appropriated or otherwise made available to the Bureau of Prisons shall be used to provide the following amenities or personal comforts in the Federal prison system-

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- (1) in-cell television viewing except for prisoners who are segregated from the general prison population for their own safety;
- (2) the viewing of R, X, and NC-17 rated movies, through whatever medium presented;
- (3) any instruction (live or through broadcasts) or training equipment for boxing, wrestling, judo, karate, or other martial art, or any bodybuilding or weightlifting equipment of any sort;
- (4) possession of in-cell coffee pots, hot plates or heating elements; or
- (5) the use or possession of any electric or electronic musical instrument.

SEC. 612. (a) The President shall submit as part of the fiscal year 2003 budget to Congress a proposal to restructure the Department of Justice to include a coordinator of Department of Justice activities relating to combating domestic terrorism, including State and local grant programs subject to the authority of the Attorney General, and who will serve as the Department of Justice representative at interagency meetings on combating terrorism below the Cabinet level.

(b) If the President does not submit a proposal as described in subsection (a), or if Congress fails to enact legislation establishing a new position described in subsection (a), by June 30, 2002, then effective on such date subsections (c) through (f) shall take effect.

(c)(1) Section 504 of title 28, United States Code, is amended by inserting after `General' the following: `and a Deputy Attorney General for Combating Domestic Terrorism'.

(2) the Section heading for section 504 of title 28, United States Code, is amended by striking `Attorney' and inserting `Attorneys'.

(d) The Deputy Attorney General for Combating Domestic Terrorism (appointed under section 504 of title 28, United States Code, as amended by subsection (c)) shall--

(1) serve as the principal adviser to the Attorney General for combating terrorism, counterterrorism, and antiterrorism policy;

(2) have responsibility for coordinating all functions within the Department of Justice relating to combating domestic terrorism including--

(A) policies, plans, and oversight, as they relate to combating terrorism, counterterrorism, and antiterrorism activities;

(B) State and local preparedness for terrorist events;

(C) security classifications and clearances within the Department of Justice;

(D) contingency operations within the Department of Justice; and

(E) critical infrastructure.

(3) coordinate--

(A) all inter-agency interface between the Department of Justice and other departments, agencies, and entities of the United States, including State and local organizations, engaged in combating terrorism, counterterrorism, and antiterrorism activities; and

(B) the implementation of the national strategy for combating terrorism by State and local entities with responsibilities for combating domestic terrorism; and

(4) recommend changes in the organization and management of the Department of Justice and State and local entities engaged in combating domestic terrorism to the Attorney General.

(e) There is appropriated, out of any money in the Treasury of the United States not otherwise appropriated, for necessary expenses of the Office of the Deputy Attorney General for Combating Domestic Terrorism of the Department of Justice, \$1,000,000, to remain available until expended.

(f) Effective September 30, 2002, there is transferred to the Deputy Attorney General for Combating Domestic Terrorism all authorities, liabilities, funding, personnel, equipment, and real property employed or used by, or associated with, the Office of Domestic Preparedness, the National Domestic Preparedness Office, the Executive Office of National Security, and such appropriate components of the Office of Intelligence Policy and Review as relate to combating terrorism, counterterrorism, and antiterrorism activities.

SEC. 613. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total

budgetary resources available to such department or agency:
Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further,* That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.