

General Provisions--Department of Commerce (taken from P.L. 108-447, FY 2005 Omnibus Appropriations Act) (contains congressional earmarks in section 211)

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

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefore, as authorized by law (5 U.S.C. 5901-5902).

SEC. 203. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to 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: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this or any other Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act.

SEC. 204. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property 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.

SEC. 211. Notwithstanding any other provision of law, of the amounts made available elsewhere in this title to the `National Institute of Standards and Technology, Construction of Research Facilities', \$20,000,000 is for a cooperative agreement with the Medical University of South Carolina; \$10,000,000 is for the Cancer Research Center in Hawaii; \$4,000,000 is for the Thayer School of Engineering, of which \$1,000,000 is for a biomass energy research project, \$2,000,000 is for a smart laser beam project, and \$1,000,000 is for research relating to biomaterials; \$1,000,000 is for civic education programs at the New Hampshire Institute of Politics; \$1,500,000 is for the Franklin Pierce Community Center; \$2,000,000 is for the Southern New Hampshire University School of Community Economic Development; and \$5,000,000 is for the Boston Museum of Science.