

SUMMARY OF GENERAL PROVISIONS
General Provisions—Department of Justice

Table 1 displays the Title II General Provisions for the Department of Justice to be contained in the FY 2024 President’s Budget. The FY 2024 language is compared below to the FY 2023 enacted budget. New language proposed for FY 2024 is italicized and underlined, and language proposed for deletion is bracketed.

Table 2 provides explanations related to select Title II General Provisions which are not continued in FY 2024.

Table 1
FY 2024 PROPOSED TITLE II GENERAL PROVISIONS

Section Number	New? Yes/No	Language
201	No	In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed \$50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.
202	No	None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest: Provided, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.
203	No	None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.
204	No	Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: Provided, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.
205	Amended ¹	Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: <i>Provided</i> , That any transfer pursuant to this section shall be treated as a reprogramming of funds under section [505] <u>504</u> of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.[: <i>Provided further</i> , That this section shall not apply to the following—] [(1) paragraph 1(Q) under the heading "State and Local Law Enforcement Assistance"; and] [(2) paragraph (7) under the heading "Community Oriented Policing Services Programs".]
206	No	None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.
207	No	(a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

¹ Strikes the proviso that limits the Attorney General’s discretion in managing the Department’s funds.

Section Number	New? Yes/No	Language
		(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.
[209] <u>208</u>	No	The notification thresholds and procedures set forth in section [505] <u>504</u> of this Act shall apply to deviations from the amounts designated for specific activities in this Act and in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), and to any use of deobligated balances of funds provided under this title in previous years.
[210] <u>209</u>	No	None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A-76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.
[211] <u>210</u>	Amended ²	<p>At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings "Research, Evaluation and Statistics", "State and Local Law Enforcement Assistance", and "Juvenile Justice Programs"—</p> <p>(1) up to 2 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and</p> <p>(2) up to [2] <u>3</u> percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation, or statistical purposes, without regard to the authorizations for such grant or reimbursement programs.</p> <p>[This section shall not apply to paragraph 1(Q) under the heading "State and Local Law Enforcement Assistance".]</p>
[212] <u>211</u>	Amended ³	<p>Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated in this or any other Act making appropriations for fiscal years [2020] <u>2021</u> through [2023] <u>2024</u> for the following programs, waive the following requirements:</p> <p>(1) For the adult and juvenile offender State and local reentry demonstration projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10631 et seq.), the requirements under section 2976(g)(1) of such part (34 U.S.C. 10631(g)(1)).</p> <p>(2) For grants to protect inmates and safeguard communities as authorized by section 6 of the Prison Rape Elimination Act of 2003 (34 U.S.C. 30305(c)(3)), the requirements of section 6(c)(3) of such Act.</p>
[214] <u>212</u>	No	Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12109(a)) shall not apply to amounts made available by this or any other Act
[215] <u>213</u>	No	None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901), may be used

2 Modifies the amount to be transferred to NIJ/BJA for research, evaluation or statistical purposes and strikes a provision that limits the Attorney General's discretion.

3 Updates the applicable time period.

Section Number	New? Yes/No	Language
		by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times
[216] <u>214</u>	No	Discretionary funds that are made available in this Act for the Office of Justice Programs may be used to participate in Performance Partnership Pilots authorized under such authorities as have been enacted for Performance Partnership Pilots in appropriations acts in prior fiscal years and the current fiscal year.
[217] <u>215</u>	No	None of the funds made available under this Act may be used to conduct, contract for, or otherwise support, live tissue training, unless the Attorney General issues a written, non-delegable determination that such training is medically necessary and cannot be replicated by alternatives.
<u>216</u>	Yes ⁴	<u><i>In this fiscal year, amounts credited to and made available in the Department of Justice Working Capital Fund as an offsetting collection pursuant to section 11013 of Public Law 107–273 shall be so credited and available as provided in that section.</i></u>
<u>217</u>	Yes ⁵	<u><i>The following provisions are repealed: (a) the first and fifth provisions included under the heading "Department of Justice Bureau of Alcohol, Tobacco, Firearms and Explosives Salaries and Expenses" in the Department of Justice Appropriations Act, 2013 (Title II, Division B, Public Law 113–6); and (b) the sixth proviso included under the heading "Department of Justice Bureau of Alcohol, Tobacco, Firearms and Explosives Salaries and Expenses" in each of the following Acts: the Department of Justice Appropriations Act, 2012 (Title II, Division B, Public Law 112–55); the Department of Justice Appropriations Act, 2010 (Title II, Division B, Public Law 111–117); the Department of Justice Appropriations Act, 2009 (Title II, Division B, Public Law 111–8); the Department of Justice Appropriations Act, 2008 (Title II, Division B, Public Law 110–161); the Department of Justice Appropriations Act, 2006 (Title I, Public Law 109–108); and the Department of Justice Appropriations Act, 2005 (Title I, Division B, Public Law 108–447).</i></u>
<u>218</u>	Yes ⁶	<u><i>Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (34 U.S.C. 20101) in any fiscal year in excess of \$1,200,000,000 shall not be available for obligation until the following fiscal year: Provided, That notwithstanding section 1402(d) of such Act, of the amounts available from the Fund for obligation: (1) \$10,000,000 shall be transferred to the Department of Justice Office of Inspector General and remain available until expended for oversight and auditing purposes associated with this section; and (2) up to 5 percent shall be available to the Office for Victims of Crime for grants, consistent with the requirements of the Victims of Crime Act, to Indian Tribes to improve services for victims of crime.</i></u>
(CANCELLATIONS)		

4 Section 218 of the Department of Justice Appropriations Act, 2020, restricted the Department's use of three percent funds. This proposed provision would return the Department to the three percent fund authorities and limitations that applied prior to fiscal year 2020.

5 Repeals several provisions that are now part of permanent law, all of which restrict ATF's ability to regulate firearms and/or federal firearm licensees and restrict the agency's use of trace data.

6 Moves this provision from Title V, where it was enacted in FY 2023. It establishes the Crime Victims Fund obligation limit for FY 2024; transfers \$10 million to the Office of the Inspector General for oversight and auditing and makes up to 5% available for grants to Indian tribes to improve services for victims of crime.

Section Number	New? Yes/No	Language
<u>219</u>	Yes ⁷	<u>Of the unobligated balances available from prior year appropriations to the Office of Justice Programs, \$100,000,000 are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</u>
<u>220</u>	Yes ⁸	<u>Of the unobligated balances available in the Working Capital Fund. \$82,572,000 are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</u>

Table 2
GENERAL PROVISIONS NOT CONTINUED IN FY 2024 – Title II

Section	Language Included in the Consolidated Appropriations Act, 2023(P.L. 117-328)	Explanation for Why General Provision is No Longer Necessary
[208]	[None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of \$100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.]	This language is no longer necessary due to the IT management controls included under the Federal IT Reform Act (FITARA) legislation, which provide for an inclusive governance process that enables effective planning, budgeting and execution for IT investments.
[211]	[Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.]	The provision impinges on the ability of the Attorney General to manage the Department of Justice resources and should be deleted.
[216]	[(a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2023, except up to \$12,000,000 may be obligated for implementation of a unified Department of Justice financial management system.	The provision impinges on the ability of the Attorney General to manage the Department of Justice resources and should be deleted.

7 The FY 2024 request proposes to move OJP cancellation language from Title V to Title II.

8 The FY 2024 request proposes to move WCF cancellation language from Title V to Title II.

Section	Language Included in the Consolidated Appropriations Act, 2023(P.L. 117-328)	Explanation for Why General Provision is No Longer Necessary
	<p>(b) Not to exceed \$30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2023, and any use, obligation, transfer, or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.</p> <p>(c) Not to exceed \$10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2023, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.]</p>	
[218]	[The Attorney General shall submit to the Committees on Appropriations of the House of Representatives and the Senate quarterly reports on the Crime Victims Fund, the Working Capital Fund, the Three Percent Fund, and the Asset Forfeiture Fund. Such quarterly reports shall contain at least the same level of information and detail for each Fund as was provided to the Committees on Appropriations of the House of Representatives and the Senate in fiscal year 2022.]	The Department will provide information as requested; this language does not need to be in legislation.
[219]	[Section 3201 of Public Law 101–647, as amended (28 U.S.C. 509 note), is hereby amended: (1) by striking "or the Immigration and Naturalization Service" and inserting "the Federal Prison System, the Bureau of Alcohol, Tobacco, Firearms and Explosives, or the United States Marshals Service"; and (2) by striking "\$25,000" and inserting "\$50,000".]	This language does not need to be repeated as this was enacted last fiscal year and is no longer needed.
[221]	<p>[(a) DESIGNATION.—The facilities of the Federal Bureau of Investigation at Redstone Arsenal, Alabama, shall be known and designated as the "Richard Shelby Center for Innovation and Advanced Training".</p> <p>(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facilities of the Federal Bureau of Investigation at Redstone Arsenal referred to in subsection (a) shall be deemed to be a reference to the "Richard Shelby Center for Innovation and Advanced Training".]</p>	This language does not need to be repeated as the name change occurred upon enactment in FY 2023.

General Provisions—Title V

Table 3 displays the Title V General Provisions applicable and relevant to the Department of Justice contained in the FY 2024 President’s Budget. The FY 2024 language is compared below to the FY 2023 enacted budget. New language proposed for FY 2024 is italicized and underlined, and language proposed for deletion is bracketed.

Table 3
FY 2024 PROPOSED TITLE V GENERAL PROVISIONS

Section Number	Language
[501]	<p>[No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.]</p> <p>EXPLANATION: This provision limits agency discretion in using funds.</p>
[505] <u>504</u>	<p>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 [2023] <u>2024</u>, 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 that: (1) creates or initiates a new program, project, or activity; (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 or renames offices, programs, or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects, or activities in excess of [\$500,000]<u>\$1,000,000</u> or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project, or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects, or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.</p> <p>EXPLANATION: The proposed change increases the reprogramming threshold.</p>
[509] <u>508</u>	<p>None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products[, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type].</p>
[510]	<p>[Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (34 U.S.C. 20101) in any fiscal year in excess of \$1,900,000,000 shall not be available for obligation until the following fiscal year: <i>Provided</i>, That notwithstanding section 1402(d) of such Act, of the amounts available from the Fund for obligation: (1) \$10,000,000 shall be transferred to the Department of Justice Office of Inspector General and remain available until expended for oversight and auditing purposes associated with this section; and (2) 5 percent shall be available to the Office for Victims of Crime for grants, consistent with the requirements of the Victims of Crime Act, to Indian Tribes to improve services for victims of crime.]</p> <p>EXPLANATION: This provision has been moved to Title II.</p>
[514]	<p>[(a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and</p>

Section Number	Language
	<p>Technology's (NIST) Federal Information Processing Standard Publication 199, "Standards for Security Categorization of Federal Information and Information Systems" unless the agency has—</p> <p>(1) reviewed the supply chain risk for the information systems against criteria developed by NIST and the Federal Bureau of Investigation (FBI) to inform acquisition decisions for high-impact and moderate-impact information systems within the Federal Government;</p> <p>(2) reviewed the supply chain risk from the presumptive awardee against available and relevant threat information provided by the FBI and other appropriate agencies; and</p> <p>(3) in consultation with the FBI or other appropriate Federal entity, conducted an assessment of any risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured, or assembled by one or more entities identified by the United States Government as posing a cyber threat, including but not limited to, those that may be owned, directed, or subsidized by the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or the Russian Federation.</p> <p>(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire a high-impact or moderate-impact information system reviewed and assessed under subsection (a) unless the head of the assessing entity described in subsection (a) has—</p> <p>(1) developed, in consultation with NIST, the FBI, and supply chain risk management experts, a mitigation strategy for any identified risks;</p> <p>(2) determined, in consultation with NIST and the FBI, that the acquisition of such system is in the national interest of the United States; and</p> <p>(3) reported that determination to the Committees on Appropriations of the House of Representatives and the Senate and the agency Inspector General.]</p> <p>EXPLANATION: This provision limits agency discretion in using funds.</p>
[521] <u>517</u>	<p>[(a) Of the unobligated balances in the "Nonrecurring Expenses Fund" established in section 111(a) of division B of Public Law 116–93, \$50,000,000 are hereby permanently rescinded not later than September 30, 2023.]</p> <p>[(b)] Of the unobligated balances from prior year appropriations available to the Department of Commerce under the heading "Economic Development Administration, Economic Development Assistance Programs", [,\$10,000,000]\$25,000,000 are hereby permanently rescinded, not later than September 30, [2023] <u>2024</u>.</p> <p>[(c) Of the unobligated balances from prior year appropriations available to the Department of Justice, the following funds are hereby permanently rescinded, not later than September 30, 2023, from the following accounts in the specified amounts—</p> <p>(1) "State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs", \$15,000,000;</p> <p>(2) "State and Local Law Enforcement Activities, Office of Justice Programs", \$75,000,000; and</p> <p>(3) "State and Local Law Enforcement Activities, Community Oriented Policing Services", \$15,000,000.]</p> <p>[(d) Of the unobligated balances available to the Department of Justice, the following funds are hereby permanently rescinded, not later than September 30, 2023, from the following accounts in the specified amounts—</p> <p>(1) "Working Capital Fund", \$705,768,000; and</p> <p>(2) "Legal Activities, Assets Forfeiture Fund", \$500,000,000.]</p> <p>[(e)] The [Departments] <i>Department</i> of Commerce [and Justice] shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, [2023] <u>2024</u>, specifying the amount of each rescission made pursuant to [subsections] <i>subsection (a)</i>[(, (b), (c) and(d)].</p> <p>[(f)] The [amounts] <i>amount</i> rescinded in [subsections] <i>subsection (a)</i>[(, (b), (c) and (d)] shall not be from amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to the concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.</p> <p>[(g) The amounts rescinded pursuant to subsections (c) and (d) shall not be from—</p>

Section Number	Language
	<p>(1) amounts provided under subparagraph (Q) of paragraph (1) under the heading "State and Local Law Enforcement Activities—Office of Justice Programs— State and Local Law Enforcement Assistance" in title II of division B of Public Law 117–103; or</p> <p>(2) amounts provided under paragraph (7) under the heading "State and Local Law Enforcement Activities—Community Oriented Policing Services—Community Oriented Policing Services Programs" in title II of division B of Public Law 117–103.]</p> <p>EXPLANATION: DOJ rescission proposals for FY 2024 are included under the appropriate components' appropriations language or in Title II.</p>
[523] <u>519</u>	<p>None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency, who are stationed in the United States, at any single conference occurring outside the United States unless—</p> <p>(1) such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States; [or]</p> <p>(2) such conference is a scientific conference and the department or agency head determines that such attendance is in the national interest and notifies the Committees on Appropriations of the House of Representatives and the Senate within at least 15 days of that determination and the basis for that determination[.];</p> <p><u>(3) the department or agency head determines that such attendance is in the national interest and notifies the Committees on Appropriations of the House of Representatives and the Senate within at least 10 days of that determination and basis for that determination; or</u></p> <p><u>(4) such conference pertains to diplomatic relations.</u></p> <p>EXPLANATION: This proposal adds limited exceptions to the restriction on conferences held outside the United States.</p>
<u>525</u>	<p><u>Section 514 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013 (division B of Public Law 113–6) is repealed.</u></p> <p>EXPLANATION: This proposal repeals a provision that requires ATF to caveat the release of data from tracing studies.</p>
[534]	<p>[(a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding \$500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.</p> <p>(b) The foregoing exemption from obtaining an export license—</p> <p>(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and</p> <p>(2) does not permit the export without a license of—</p> <p>(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;</p> <p>(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or</p> <p>(C) articles for export from Canada to another foreign destination.</p> <p>(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary</p>

Section Number	Language
	<p>import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.</p> <p>(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.]</p> <p>EXPLANATION: This provision has limited the ability of U.S. agencies to require certain export licenses on firearms and firearm parts exported to Canada; deletion would allow additional regulation of these parts to Canada.</p>
[535]	<p>[Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.]</p> <p>EXPLANATION: This provision restricts DOJ and ATF's ability to regulate the import of firearms defined as "curios or relics," and deletion is requested to allow ATF to better regulate these firearms.</p>
[536]	<p>[None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—</p> <p>(1) all other requirements of law with respect to the proposed importation are met; and</p> <p>(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.]</p> <p>EXPLANATION: This provision restricts DOJ and ATF's ability to regulate the import of firearms defined as shotguns, and deletion is requested to allow ATF to better regulate these firearms.</p>
[537]	<p>[None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.]</p> <p>EXPLANATION: This provision unnecessarily restricts the President's foreign policy power.</p>
[538]	<p>[None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—</p> <p>(1) is not a United States citizen or a member of the Armed Forces of the United States; and</p> <p>(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.]</p> <p>EXPLANATION: This provision limits the President's discretion regarding detainees at Guantanamo Bay Naval Base.</p>

Section Number	Language
[539]	<p>[(a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.</p> <p>(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.</p> <p>(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—</p> <p>(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and</p> <p>(2) is—</p> <p>(A) in the custody or under the effective control of the Department of Defense; or</p> <p>(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.]</p> <p>EXPLANATION: This provision limits the President’s discretion regarding the construction, acquisition, or modification of any facility for the detention or imprisonment of individuals in the custody or under the effective control of the Department of Defense.</p>
[541]535	<p>Funds made available to the Department of Commerce and [under the heading "<u>the</u> Department of Justice[—Federal Bureau of Investigation— Salaries and Expenses"] in this Act and any remaining unobligated balances of funds made available to the Department of Commerce and [under the heading "<u>the</u> Department of Justice[—Federal Bureau of Investigation—Salaries and Expenses"] in prior year Acts, other than amounts designated by the Congress as being for an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, shall be available to provide payments pursuant to section 901(i)(2) of title IX of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b(i)(2)): <i>Provided</i>, That payments made pursuant to the matter preceding this proviso may not exceed \$5,000,000 for the Department of Commerce and [\$5,000,000]<u>\$10,000,000</u> for the [Federal Bureau of Investigation] <u>Department of Justice</u>.</p> <p>EXPLANATION: The Havana Act, Public Law 117-46, permits payments by an agency head to an employee or former employee (or the employee’s dependent) who has suffered a qualifying injury to the brain, which may include an anomalous health incident. See 22 U.S.C. 2680b(i)(2). However, the Act specifies that payments “in a fiscal year may only be made using amounts appropriated in advance specifically for payments under such paragraph in such fiscal year.” 22 U.S.C. 2680b(i)(3). The FBI has received the authority to use already appropriated funds for Havana Act payments for its employees and dependents for the last two fiscal years. While the rest of the Department of Justice expects to have fewer potentially affected individuals than FBI, it nonetheless seeks authorization to make payments to employees (and/or their dependents) in other Department components (in addition to those in the FBI) if they qualify. Therefore, the Department requests a modification of the provision that was limited to the FBI so that funds are available for employees (and/or their dependents) in all Department components, including FBI.</p>