

GENERAL PROVISIONS - DEPARTMENT OF JUSTICE

The following sections are proposed for 2004. Sections 101 and 103 through 105 remain unchanged from the 2002 Appropriations Act (P.L. 107-77). Section 102, is updated to refer to the current Department of Justice Appropriations Authorization Act (P.L. 107-273). The new sections 106 and 107 were previously enacted as sections 107 and 108, respectively. The new section 108 continues in effect section 114 of the 2002 Appropriations Act (P.L. 107-77).

Section 101, states that a total of not to exceed \$55,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses in accordance with distributions, procedures, and regulations established by the Attorney General, is unchanged from the 2001 provision.

Section 102 states that the authorizations contained in the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107-273), shall remain in effect until the date of a subsequent Department of Justice Appropriations Authorization Act.

Section 103 states that 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.

Section 104 states that 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; and that should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

Section 105 states that 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; and that nothing in this section in any way diminishes the effect of section 103 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

Section 106 states that 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. Any transfers pursuant to this section must be treated as a reprogramming of funds under section 605 of this Act.

Section 107 continues section 114 of the Department's 2002 Appropriations Act, which states that notwithstanding any other provision of law, \$1,000,000 shall be available for technical assistance from the funds appropriated for part G of title II of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended. This allows \$1,000,000 from the mentoring program to be used for technical assistance.

Section 109. The old section 107 referring to the limitation on the Attorney General's reward authority, was inadvertently omitted from the General Provisions. However, the Administration will transmit an errata to the President's Budget with the following language.

“Section 109. Notwithstanding any other provision of law, not to exceed \$10,000,000 of the funds made available in this Act may be used to pay rewards in connection with acts of terrorism or espionage against the United States.”

The following section proposes a continuation of a 2002 provision for 2004.

Section 108 states that section 114 of Public Law 107-77 shall remain in effect during fiscal year 2004. This section states that the Attorney General can grant posthumous citizenship, as of September 10, 2001, to persons injured or killed in the terrorist attacks of September 11, 2001.