

SUMMARY OF GENERAL PROVISIONS
General Provisions—Department of Justice

Table 1 displays the Title I General Provisions for the Department of Justice contained in the FY 2008 President’s Budget. Table 2 displays those Title I General Provisions contained in the FY 2006 Department of Justice Appropriations Act that are proposed for deletion, along with an explanation for why they are no longer necessary.

Table 1
FY 2008 PROPOSED TITLE I GENERAL PROVISIONS

Section Number	New Yes/No	Description
101	No	A total of not to exceed \$60,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.
102	No	None of the funds appropriated under 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. Also, should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.
103	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.
104	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; and nothing in this section in any way diminishes the effect of the previous section intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.
105	No	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. (Proviso restricting transfers from “Buildings and Facilities, Federal Prison System,” is deleted.)
106	No	The Attorney General is authorized to extend through September 30, 2009, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002, Public Law 107-296. This demonstration project affects selected positions of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).
107	No	Notwithstanding any other provision of law, P.L. 102-395 section 102(b) shall extend to ATF in the conduct of undercover investigative operations and shall apply without fiscal year limitation.
108	No	None of the funds made available to the Department of Justice in this Act may be used to transport 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.
109	Yes	Amends Section 589a of title 28, United States Code, to allow fines collected by the U.S. Trustee Program under section 110(1)(4)(A) of title 11, United States Code, as offsetting collections so that the Program may have use of the funds for enforcement activities.
110	Yes	Amends Section 1930 of title 28, United States Code, to increase the quarterly fee imposed in each case filed pursuant to chapter 11 of title 11, United States Code. The fee would take effect for the quarter beginning January 1, 2008 or the date of enactment of the Appropriation Act, whichever is later.

111	Yes	Cancels \$87,500,000 of unobligated recoveries from the Office of Justice Programs.
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Table 2
FY 2006 TITLE I GENERAL PROVISIONS PROPOSED FOR DELETION

Section Number Included in FY 2006 Department of Justice Appropriations Act	Explanation for Why General Provision is No Longer Necessary
105	Last proviso is proposed for deletion because it unnecessarily limits the Attorney General's transfer authority.
109	Addresses the use of funds for audiovisual or electronic equipment for recreational purposes in federal prisons. It was included as a "Hereafter" provision in FY 2003 (section 621) and therefore does not need to be repeated.
110	Establishes an investment review board under the Deputy Attorney General. This board has been established.
111	Amends Section 3151(b) of title 5, United States Code. Does not need to be repeated.
112	Creates a Methamphetamine Task Force within the Drug Enforcement Administration. The task force has been created.
113	Amends the Prison Rape Elimination Act of 2003 (42 U.S.C. 15603(a)). Does not need to be repeated.
114	Waives the matching requirement for the purchase of bulletproof vests of the Bulletproof Vest Partnership Grant Act of 1998 for any law enforcement agency under certain conditions. Does not need to be repeated.

General Provisions—Title VI

Table 3 displays Title VI General Provisions for which changes are proposed that affect the Department of Justice. Table 4 displays Justice-related items in the General Provisions that are currently proposed for deletion.

Table 3
FY 2006 PROPOSED GENERAL PROVISIONS—Title VI

Section Number	New Yes/No	Description
Title VI, Sect. 605(b)	No	Changes the reprogramming threshold amount from \$750,000 or 10 percent, whichever is less, to \$1,000,000 or 10 percent, whichever is less. Also deletes renaming offices from the list of actions that trigger a Section 605 notification.

Table 4
 FY 2006 GENERAL PROVISIONS PROPOSED FOR DELETION—Title VI

Section Number Included in FY 2006 Appropriations Act for Science, the Departments of State, Justice, and Commerce, and related agencies	Explanation for Why General Provision is No Longer Necessary
608	Requires the Department of Justice to provide a quarterly accounting of cumulative unobligated balances. While this information will be provided as requested, the Department does not support this requirement as a General Provision.
609	Establishes an appropriation for Crime Victims Fund in the Justice title.
610	Addresses the use of funds to promote the sale or export of tobacco or tobacco products. This provision was included in a “hereafter” clause in the FY 2003 appropriation (section 614) and therefore was made permanent.
617	Addresses telecommuting, including maintaining a “Telework Coordinator.” These requirements have been fulfilled.
621	Addresses the need for disclaimers regarding information released about tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives. This provision is not necessary.
638	Rescinds an amount equal to 0.28 percent of the budget authority provided for FY 2006 for any discretionary account in this Act. This was a one-time rescission in FY 2006.