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104TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 104–196

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, FISCAL YEAR 1996

JULY 19, 1995.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. ROGERS, from the Committee on Appropriations, submitted the following

REPORT

together with

ADDITIONAL VIEWS

[To accompany H.R. 2076]

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SUMMARY OF ESTIMATES AND RECOMMENDATIONS

The budget estimates for the departments and agencies included in the accompanying bill are contained in the Budget of the United States for 1996 submitted on February 6, 1995 (H. Doc. 104–4), budget amendments submitted on February 22, 1995 (H. Doc. 104–39), May 2, 1995 (H. Doc. 104–63), June 29, 1995 (H. Doc. 104–88), and July 17, 1995 (H. Doc. 104–100), and in a letter of transmittal from the State Justice Institute (dated February 1, 1995). This organization has the authority to transmit its budget directly to Congress.

The Committee recommends a total of $23,098,491,000 in general purpose discretionary budget authority for the departments and agencies funded in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill for fiscal year 1996, and $3,981,987,000 in discretionary budget authority from the Violent Crime Reduction Trust Fund for the Department of Justice and the Judiciary. The Committee also recommends $505,651,000 for mandatory programs funded within this bill.

For general purpose discretionary programs, the Committee recommendation is $3,411,682,000 below the President's budget request and $722,214,000 below the amounts enacted to date for the current fiscal year. For Crime Trust Fund programs, the Committee recommendation is $28,213,000 below the President's budget request and $1,636,987,000 above the amounts provided in the current fiscal year.

The Committee recommendation is within the Committee's section 602(b) allocation for the departments and agencies funded within the accompanying bill. The section 602(b) allocations are $23,100,000,000 in budget authority and $24,422,000,000 in out-

lays for general purpose discretionary programs, and $4,022,000,000 in budget authority and $2,066,000,000 in outlays for the Violent Crime Reduction Trust Fund.

The Committee was faced with extremely difficult decisions in determining the funding levels for the various programs funded in this bill. The section 602(b) allocation for general purpose discretionary funding is more than $700,000,000 in budget authority and $1,100,000,000 in outlays below the fiscal year 1995 appropriation to date, while the President requested an increase of $2,689,468,000 in budget authority and $946,622,000 in outlays above the fiscal year 1995 appropriation. The Committee has made the difficult but necessary choices to recommend a bill that is within the Committee's section 602(b) allocation. In this regard, the Committee bill has prioritized by providing and even increasing funding to the highest priority programs, including law enforcement, and reducing and in a number of cases terminating low priority programs.

The following table provides a comparison of the new budget authority recommended in the accompanying bill with the amounts appropriated to date for fiscal year 1995, and with the budget request for fiscal year 1996:

[In millions of dollars]

	1995 enacted	1996 request	1996 recommended	1996 recommendation compared with	
				1995 enacted	1996 request
Discretionary	23,821	26,510	23,098	−723	−3,412
Violent Crime Reduction Trust Fund	2,345	4,010	3,982	+1,637	−28
Mandatory	493	506	506	+13	.....
Total	26,659	31,026	27,586	+927	−3,440

HIGHLIGHTS OF THE BILL

Major initiatives and highlights of the bill contained in the Committee recommendations follow:

DEPARTMENT OF JUSTICE

[In millions of dollars]

	1995 enacted	1996 request	1996 recommended	1996 recommendation compared with	
				1995 enacted	1996 request
Title I—Department of Justice:					
Discretionary	9,788	11,210	10,418	+629	−792
Violent Crime Reduction Trust Fund	2,345	3,964	3,940	+1,595	−24

—$2.0 billion for a new State and Local Law Enforcement Block Grant, that will reach over 39,000 State and local law enforcement agencies. Funding can be used for a variety of programs, including more police officers, crime prevention programs, drug courts and equipment and technology.

—$500 million for a new State prisons grant program, which provides incentives to States to ensure that violent criminals serve their time.

—Over $2.3 billion, an increase of $762 million, to seal our borders, remove illegal aliens from the country and reimburse States for the incarceration costs of criminal aliens. This includes a $378 million increase for the Immigration and Naturalization Service (INS) including 1,000 more border patrol agents on the front lines of the border and a total of over 3,000 more INS employees. The border crossing fee proposed in the budget is rejected.

—A $301 million increase for Federal law enforcement, including funding required to maintain the 750 new FBI and DEA agents added in 1995, and 1,100 new staff required to activate 10 new and expanded prisons scheduled to open in 1996.

—$227 million to enhance law enforcement response capabilities to major terrorism incidents in response to the July 17, 1995 antiterrorism budget amendment.

DEPARTMENT OF COMMERCE AND RELATED AGENCIES

[In millions of dollars]

	1995 enacted	1996 request	1996 recommended	1996 recommendation compared with	
				1995 enacted	1996 request
Title II—Department of Commerce and Related Agencies:					
Discretionary	4,167	4,731	3,452	−715	−1,279

—$3.45 billion for the Department of Commerce, a reduction of $1.3 billion below the request and $715 million below the fiscal year 1995 appropriation level, bringing the Department back to its basics, including trade promotion and basic research, while eliminating or reducing low priority programs.

—Provides a new structure under Title II of the bill that groups together the core functions that must be considered as decisions are made determining the future of Commerce Department programs: trade and infrastructure development; economic and information infrastructure; and science and technology.

THE JUDICIARY

[In millions of dollars]

	1995 enacted	1996 request	1996 recommended	1996 recommendation compared with	
				1995 enacted	1996 request
Title III—The Judiciary:					
Discretionary	2,651	3,041	2,740	+89	−301
Violent Crime Reduction Trust Fund	.....	31	42	+42	+11

—Over $2.7 billion for the discretionary programs of the Federal Judiciary, a 4.3 percent increase above the fiscal year 1995 appropriation level. This increase is consistent with the increases provided for Federal law enforcement agencies funded in this bill.

DEPARTMENT OF STATE, USIA AND ARMS CONTROL

[In millions of dollars]

	1995 enacted	1996 request	1996 recommended	1996 recommendation compared with	
				1995 enacted	1996 request
Title IV—Department of State and Related Agencies:					
Discretionary	5,530	5,454	5,034	−496	−420

—$5.0 billion for all programs funded by Department of State, United States Information Agency and the Arms Control and Disarmament Agency appropriations, a reduction of $496 million below fiscal year 1995 levels and $420 million below the request, conforming international spending to budget realities. All funding levels are at or below the House-passed authorization bill, H.R. 1561.

RELATED AGENCIES

[In millions of dollars]

	1995 enacted	1996 request	1996 recommended	1996 recommendation compared with	
				1995 enacted	1996 request
Title V—Related Agencies:					
Discretionary	1,898	2,207	1,455	−443	−752
Violent Crime Reduction Trust Fund	.....	15	.....	.....	−15

—$590 million for the Small Business Administration, a reduction of $40 million from the request and $333 million below the fiscal year 1995 level, preserving the core functions of assisting small businesses at less cost to the taxpayer.

—$278 million for the Legal Services Corporation, a reduction of $122,000,000, or 32%, below the fiscal 1995 level. The recommendation provides only for the basic program of individual legal assistance for the poor, while for the first time assuring that the use of Federal funds is not abused, by requiring such things as a competitive bidding process for grantees, timekeeping requirements and an independent auditing structure.

INFLATIONARY IMPACT STATEMENT

Clause 2(l)(4) of rule XI of the House of Representatives requires that each committee report accompanying a bill or resolution contain a statement as to whether enactment of the bill or resolution would have an inflationary impact on prices and costs in the operation of the national economy. In accordance with this requirement, it is the opinion of the Committee that enactment of this bill would not have an inflationary impact on prices and costs in the operation of the national economy.

The total amount recommended in the bill is $27,586,129,000 in new budget authority for the departments, agencies and commissions considered by the Committee. Considering the diversity of the programs funded in this bill, the Committee has concluded that there is no inflationary impact on prices and costs in the operation of the national economy.

COMPARISON WITH BUDGET RESOLUTION

Section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, requires that the report accompanying a bill providing new budget authority contain a statement detailing how the authority compares with the reports submitted under section 602(b) of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year. This information follows:

[In millions of dollars]

	Section 602(b) allocation	Recommended in this bill
Budget authority:		
Mandatory	532	505
Discretionary	23,100	23,098
Violent Crime Reduction Trust Fund	4,022	3,982
Total budget authority	27,654	27,585
Outlays:		
Mandatory	525	501
Discretionary	24,422	24,496
Violent Crime Reduction Trust Fund	2,066	2,005
Total outlays	27,013	27,002

Note.—The amount included in this bill as shown above does not include estimates of the effect of H.R. 1944. The Emergency Supplemental Appropriations and Rescissions Bill for FY 1995. The estimates were not included since H.R. 1944 had not received final Congressional approval at the time this report was filed. If H.R. 1944 is approved, the amount scored to this bill will change and the new amount will be within the 602(b) subdivision.

The bill provides no new spending authority as described in section 401(c)(2) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended.

FIVE-YEAR PROJECTION OF OUTLAYS

In accordance with section 308(a)(1)(C) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344) as amended, the following tables contain five-year projections of the outlays associated with the budget authority provided in the accompanying bill:

FISCAL YEAR 1996 OUTLAYS

[In millions of dollars]

Budget authority	$27,585
Outlays:	
1996	19,396
1997	4,717
1998	2,664
1999	688
2000 and future years	116

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(D) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, the new budget authority and outlays provided by the accompanying bill for financial assistance to State and local governments are as follows:

	Millions
FY 1996 new budget authority	$1,150
FY 1996 outlays resulting therefrom	209

PROGRAMS, PROJECTS, AND ACTIVITIES

During fiscal year 1996, for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177), as amended, the following information provides the definition of the term "program, project, and activity" for departments and agencies under the jurisdiction of Commerce, Justice, and State, the Judiciary, and Related Agencies Subcommittees of the House and Senate. The term "program, project, and activity" shall include the most specific level of budget items identified in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act of 1996, as passed the House and the House report accompanying said Act.

In implementing any Presidential order, departments and agencies shall apply the percentage reduction required for fiscal year 1996 pursuant to the provisions of Public Law 99–177 to each program, project, activity and subactivity specified in the budget justification documents submitted to the Committees on Appropriations of the House and Senate in support of the fiscal year 1996 budget estimates, as amended, for such departments and agencies, as modified by Congressional action. In addition, the departments and agencies, in implementing the Presidential order, shall apply the percentage reduction required for fiscal year 1996 to each grantee of such department or agency as applicable. In addition, the departments and agencies in implementing the Presidential order, shall not: (1) eliminate any program, project or activity; (2) reorder priorities or funds; or (3) initiate any program, project or activity that was not funded in the fiscal year 1996 Appropriations Act. However, for purposes of program execution, departments and agencies may propose reprogramming between programs, projects and activities pursuant to the provisions of the Committee's reprogramming procedures after they implement the reductions required under the Balanced Budget Act.

REPROGRAMMINGS, REORGANIZATIONS, AND RELOCATIONS

The House and Senate reports accompanying the appropriations bills for the Departments of Commerce, Justice, and State, the Judiciary, and the Related Agencies for several years have contained sections concerning the reprogramming of funds between programs or activities. This matter is addressed in section 605 of the General Provisions contained in the accompanying bill.

The Committee expects each department and agency to follow closely the reprogramming procedures listed below which are similar to provisions that applied in statute during fiscal year 1995:

The Committee desires and expects that the Chairman of the Subcommittee on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies will be notified by letter a minimum of 15 days prior to—

(1) Reprogramming of funds, whether permanent or temporary, in excess of $500,000 or 10 percent, whichever is less, between programs or activities. This provision is also applica-

ble in cases where several activities are involved with each receiving less than $500,000. In addition, the Committee desires to be notified of reprogramming actions which are less than these amounts if such actions would have the effect of committing the agency to significant funding requirements in future years.

(2) Increasing funds or personnel by any means for any project or activity for which funds have been denied or restricted.

(3) Creation of new programs, offices, agencies or commissions or substantial augmentation of existing programs, offices, agencies or commissions.

(4) Relocation of offices or employees.

(5) Reorganization of offices, programs, or activities.

In addition, the Committee desires and expects any department or agency funded in the accompanying bill which is planning to conduct a reduction-in-force to notify the Committee by letter 30 days in advance of the date of the proposed personnel action.

The Committee also expects that any items which are subject to interpretation will be reported.

The Committee is concerned that in some instances, the department or agencies funded within this Appropriations Act are not adhering to the Committee's reprogramming policy and procedures which are set forth in this report and in section 605 of the accompanying bill. The Committee expects each department and agency funded in the bill to follow these notification policies precisely and not reallocate resources or reorganize activities prior to submitting the required notifications to the Committee. The Committee has provided each of the departments, the Judiciary, the Small Business Administration, and the United States Information Agency with transfer authority, which is the same as the transfer authority provided in the fiscal year 1995 Appropriations Act. The Committee believes such authority, together with the traditional reprogramming policy, gives each department, the Judiciary, the Small Business Administration, and the United States Information Agency the needed discretion to respond to unanticipated circumstances and requirements which may arise throughout the fiscal year.

RELATIONSHIP WITH BUDGET AND COMPTROLLER'S OFFICES

Through the years, the Appropriations Committee has channeled most of its inquiries and requests for information and assistance through the budget offices or comptroller organizations of the various departments, agencies, commissions and the Judiciary. The Committee has often pointed out the natural affinity and relationship between these organizations and the Appropriations Committee which makes such a relationship imperative. The Committee reiterates its position that while it always reserves the right to call upon all organizations in the departments, agencies, commissions and the Judiciary for information and assistance, the primary liaison between the Committee and these entities must be through the budget offices and comptroller organizations.

The Committee appreciates all of the assistance received from each of the departments, agencies, commissions and the Judiciary

during this past year. The workload generated in the budget process is large and growing, and therefore, a positive, responsive relationship between the Committee and the budget and/or comptroller offices is absolutely essential to the appropriations process of the United States Government.

STAFFING AND OPERATIONS OUTSIDE OF THE U.S.

The Committee is concerned that there does not appear to be any systematic control over the size and growth of Federal department and agency presence outside of the U.S., raising the likelihood that resources are being misallocated. Total staffing abroad continues to grow, even as the staffing of traditional foreign affairs agencies has remained level or declined in recent years. The State Department is responsible for much of the central administrative costs of the presence of all agencies outside of the U.S. This leads to the situation where agencies other than the State Department can expand their international presence without having to consider the true cost.

Furthermore, as each agency deploys its own resources, the net result can be a staffing pattern and an agency presence in a particular country that does not match the overall U.S. interest in that country.

The lack of a system for determining overall allocation of resources and for allocating true cost among agencies for operations outside of the U.S. is especially troubling because of the cost implications—it costs two to three times as much to maintain an employee outside of the U.S. as it does within the U.S. It is clear that rationalizing and systematizing staffing and operations in foreign countries has the potential for large budgetary savings.

The Committee has addressed these issues throughout the report, particularly under the Department of State. But at the outset, the Committee wishes to make it clear that any expansion of staffing or presence overseas is to be brought to the attention of the Committee at the outset of the planning process, well in advance of the proposed use of any funds appropriated in this Act, or any prior or subsequent appropriations Acts, preferably through the annual budget submission, and as a last resort through the reprogramming process. The Committee is intent upon finding the proper way to assure control of the deployment of personnel and resources outside of the U.S.

TITLE I—DEPARTMENT OF JUSTICE

The Committee recommends $14,474,522,000 in new budget (obligational) authority in the accompanying bill for the Department of Justice for fiscal year 1996. This amount is $2,231,454,000 more than the appropriation for the current year, and is $816,517,000 below the budget request for fiscal year 1996. Of the total amount provided, $10,534,035,000 is derived from general purpose funds, which represents an increase of $635,967,000 over the current year. The remaining $3,940,487,000 is derived from the Violent Crime Reduction Trust Fund, which is an increase of $1,595,487,000 in spending from this Trust Fund over the current year.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends a total of $74,282,000 for General Administration for fiscal year 1996, reflecting the requested appropriation of $49,450,000 to a new account for the Administrative Review and Appeals function and $365,000 to the Criminal Division for the Executive Office of Asset Forfeiture. The total amount provided after these changes is $4,454,000 more than the current year appropriation.

This account funds the development of policy objectives and the overall management of the Department of Justice. The Committee recommendation includes funding at the current year level for these activities but eliminates funding of $1,546,000 for the Office of the Associate Attorney General as proposed in the House-passed Budget Resolution.

The Committee recommendation also includes a $5,000,000 base transfer from the Immigration and Naturalization Service (INS) to this account for additional Departmental management and financial oversight of INS. The Committee believes that "hands-on" assistance to the INS in the management of day to day activities and the implementation of significant hiring and expansion initiatives is most critical. Therefore, the Committee supports the base transfer of $5,000,000 to General Administration instead of to the Office of the Inspector General, as proposed in the budget request.

Counterterrorism Initiative.—The Committee recommendation includes $1,000,000 to support six additional positions, including three attorneys, for the Office of Intelligence Policy and Review (OIPR). This office is responsible for coordination, development, and implementation of Departmental policy on intelligence and national security matters. The additional resources will support greater oversight, direction and monitoring of Department of Justice counterterrorism and counterintelligence activities. The Committee understands that one of the most important and sensitive positions within the Department of Justice is held by the Counsel for Intelligence Policy within OIPR and expects that any individual holding this position have substantial experience in the areas of national security and intelligence.

The Committee also recommends bill language, similar to that included in previous fiscal years, making up to $3,317,000 of this appropriation available until expended for the Facilities Program 2000.

COUNTERTERRORISM FUND

The Committee recommends $26,898,000 for the Counterterrorism Fund which was established in the 1995 Supplemental Appropriation for Oklahoma City. This Fund is under the control and direction of the Attorney General, to: (1) cover the extraordinary and contingency costs that have occurred and are expected to occur as a result of the Oklahoma City bombing and (2) to cover costs related to any potential or actual future domestic or international terrorist act.

Of the amount provided, $1,500,000 is for payments to State and local law enforcement agencies for their assistance in emergency

situations. In addition, $2,500,000 is provided for payment of rewards in accordance with section 106 of this Act.

Because there may be necessary expenses that arise in such events that are not known at the present time, the Committee recommendation allows the Attorney General to make the determination on a case-by-case basis of the necessary expenses which may be covered by funds appropriated to this account. The Attorney General may also use these funds to engage in planning, and the executions of plans, related to upcoming significant events which offer the potential of being targeted.

The Attorney General is required to notify the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act, prior to the obligation of any funds from this account.

ADMINISTRATIVE REVIEW AND APPEALS

The Committee recommends the establishment of a new appropriation account for Administrative Review and Appeals and funding of $87,516,000 for fiscal year 1996, of which $47,780,000 is provided from the Violent Crime Reduction Trust Fund. These activities were previously carried out under the General Administration, Salaries and Expenses account. These activities include: (1) the Executive Office for Immigration Review (EOIR), which includes the Board of Immigration Appeals, Immigration Judges, and Administrative Law Judges who decide through administrative hearings whether to admit or exclude aliens seeking to enter the country, and whether to deport or adjust the status of aliens whose status has been challenged; and (2) the Office of the Pardon Attorney which receives, investigates and considers petitions for all forms of Executive clemency.

Immigration Reform Initiative.—The Committee recommendation includes $86,102,000 for the Executive Office for Immigration Review (EOIR), which represents an increase of $36,652,000 over the current year appropriation. This increase fully supports the request for 45 additional judges and 106 attorneys and support positions for the immigration reform initiative. Of the total amount provided for EOIR, $33,433,000 is for positions and expenses related to Expeditious Deportation for Denied Asylum and $14,347,000 is for Expanded Special Deportation Proceedings under the Violent Crime Reduction Trust Fund.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $30,484,000 for the Office of Inspector General for fiscal year 1996. This amount is $6,260,000 below the request, and equals the current year appropriation.

The Committee recommendation assumes that the Inspector General will continue to receive full reimbursement for services provided to the U.S. Trustees and the Environmental Protection Agency. However, the Committee did not include the requested base transfer of $5,000,000 from the Immigration and Naturalization Service (INS) to conduct audits of INS activities. Instead, this base transfer is provided to the General Administration account for additional management and financial oversight of INS. The Committee expects that to the extent audits are planned for non-appro-

priated accounts for the INS, subject to the reprogramming requirements of section 605 of this Act, the Inspector General may be reimbursed from these accounts. Approval of any reprogrammings will be based on a showing that these audits will be more strategic in assisting INS in the improvement of its overall operations.

The Committee also recommends bill language, similar to that included in previous fiscal years, which makes: (1) up to $10,000 of this appropriation available for emergencies of a confidential nature; and (2) funds available for the acquisition of motor vehicles.

U.S. PAROLE COMMISSION

SALARIES AND EXPENSES

The Committee recommends $5,446,000 for the Parole Commission for fiscal year 1996. This amount is $2,004,000 less than the current year appropriation, and is $1,335,000 below the request.

This Commission is an independent body within the Department of Justice which makes decisions regarding requests for parole and supervision of Federal prisoners. As a result of legislation that established sentencing guidelines, the Parole Commission is scheduled to terminate by November 1, 1997. Therefore, the Committee's recommendation assumes that the Commission's staff will be reduced by one-third from the current staffing level.

Phase Down of the Parole Commission.—The Committee understands that, after the sunset of the Parole Commission, there will still be casework that will require review. The Committee requests that the Parole Commission and the Judiciary conduct a joint study to assess the feasibility of transferring all remaining workload of the Commission to the Federal Judiciary by September 30, 1996 and report the findings of this study to the Committee by March 1, 1996.

LEGAL ACTIVITIES

GENERAL LEGAL ACTIVITIES

The Committee recommends a total of $409,520,000 for General Legal Activities for fiscal year 1996, of which $7,591,000 is provided from the Violent Crime Reduction Trust Fund. The total amount recommended is $11,914,000 less than the current year appropriation, and $35,131,000 less than the request.

This appropriation supports the Attorney General through the establishment of litigation policy, conduct of litigation, and various other legal responsibilities, through the Office of the Solicitor General, the Tax Division, the Criminal Division, the Civil Division, the Environmental and Natural Resources Division, the Office of Legal Counsel, the Civil Rights Division, INTERPOL—U.S. National Central Bureau, and the Office of Special Counsel for Immigration Related Unfair Employment Practices.

The Committee recommendation assumes funding at the 1995 level and includes a base transfer of $365,000 from the General Administration appropriation for the Executive Office for Assets Forfeiture to the Criminal Division. The recommendation includes increases of $5,000,000 for the Civil Rights Division for consolidation

of activities currently performed by the Community Relations Service with regard to Conflict Prevention and Resolution and $2,991,000 from the Violent Crime Reduction Trust Fund to sustain the full cost of Civil Division attorneys for the immigration reform initiative.

Counterterrorism Initiative.—The Committee recommends $2,207,000 for the Criminal Division to support 15 positions, including 10 attorneys, for expert assistance in the prosecution of the Oklahoma City bombing case and other alleged international and domestic terrorist investigations.

Transfer of Tax and Environment Attorneys.—The Committee recommendation includes an initiative to transfer the costs associated with 200 attorneys who conduct tax and environment litigation to the U.S. Attorneys Offices. The Committee understands that both the Tax Division and Environment and Natural Resources Division, as well as the U.S. Attorneys Offices, conduct litigation of this nature. The Committee further understands that memoranda of understanding are necessary to avoid overlap or jurisdictional issues with regard to these activities being performed by these offices and that extensive travel resources are required for Division attorneys to travel to U.S. Attorneys Offices to conduct this litigation. The Committee believes that it is more efficient and cost effective to conduct litigation activities of this nature at the U.S. Attorneys Offices. Thus, the Committee recommendation includes a decrease of $22,477,000 for the General Legal Activities and a corresponding increase for the U.S. Attorneys appropriation. The Committee expects that there will not be a decrease in litigation related to these activities as a result of this initiative, and that tax and environmental policy guidance will still be developed by the Tax and Environment and Natural Resources Divisions.

The Committee also recommends bill language, similar to that included in previous fiscal years, which: (1) allows up to $20,000 for expenses of collecting evidence; (2) makes up to $10,000,000 for litigation support contracts available until expended; (3) makes up to $22,618,000 for office automation systems available until expended; (4) makes up to $1,000 available to the U.S. National Central Bureau—INTERPOL for reception and representation expenses; and (5) allows acceptance of gifts for hosting the 1996 INTERPOL regional conference. In addition, new language is included to authorize General Legal Activities to carry out functions previously performed by the Community Relations Service.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

The Committee recommends a reimbursement of $4,028,000 for fiscal year 1996 from the Vaccine Injury Compensation Trust Fund to cover Justice Department expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986. This represents an increase of $1,528,000 over the current year appropriation to handle increased workload.

CIVIL LIBERTIES PUBLIC EDUCATION FUND

The Committee recommendation does not provide the additional $5,000,000 requested for educational activities pursuant to section 106(b) of the Civil Liberties Act of 1988. The current year appro-

priation provided $5,000,000 for expenses of a nine member Board of Directors to reprint the findings of the President's Commission on Wartime Relocation and Internment of Civilians and to sponsor exhibits, publications and oral histories about the internment experiences of Japanese-Americans. To date, only eight of the nine members have been named and all still require Senate confirmation. As a result, the entire $5,000,000 available in the current year is likely to carryover into 1996 and will be available for expenditure.

SALARIES AND EXPENSES, ANTITRUST DIVISION

The Committee recommendation assumes a total of $85,143,000 in budget (obligational) authority for the Antitrust Division for fiscal year 1996, freezing the appropriation at the amount provided in the current year. Of this amount, $48,262,000 will be derived from anticipated fee collections in fiscal year 1996, and $16,000,000 will be derived from unobligated fiscal year 1995 fee collections, resulting in a net direct appropriation of $20,881,000.

This Division acts on antitrust cases before the Supreme Court, represents the interests of the United States in cases brought under Federal antitrust laws, reviews decisions of regulatory commissions, and prepares and files *amicus* briefs.

The recommendation includes bill language for the Antitrust Division, similar to that included in previous fiscal years, which: (1) allows $48,262,000 in fees to be credited to this account; (2) reduces appropriated funds as fees are collected; and (3) makes fees in excess of $48,262,000 available until expended in fiscal year 1997. Language proposed in the budget is also included which adds the phrase "from the General Fund" to make it clear that the source of appropriated funding for the Division is the General Fund of the U.S. Treasury.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The Committee recommends a total of $911,556,000 for the U.S. Attorneys for fiscal year 1996, of which $14,731,000 is provided from the Violent Crime Reduction Trust Fund. The total amount provided is an increase of $60,732,000 above the current year appropriation and $27,638,000 below the request.

This appropriation supports the Executive Office for U.S. Attorneys and the 94 U.S. Attorneys Offices which serve as the principal litigators for the U.S. Government for criminal, civil and debt collection matters.

The Committee recommendation assumes requested adjustments to base and does not require the U.S. Attorneys to absorb the cost of the 1996 pay raise as proposed in the budget. The Committee understands that the absorption of this cost would have required a reduction of 45 attorneys and 44 support personnel.

The recommendation does not include the continuation of the Violent Crime Task Force Initiative provided in 1995. The Committee believes that the U.S. Attorneys demonstrated an inability to manage the timely dissemination of these funds. The Committee strongly supports the continuation of violent crime task forces but believes that these resources are better provided through grants administered by the Bureau of Justice Assistance in the Office of

Justice Programs. Significant funding increases for these types of activities for fiscal year 1996 are provided under the Office of Justice Programs, State and Local Law Enforcement Assistance from the Violent Crime Reduction Trust Fund.

Immigration and Violent Crime Initiatives.—The recommendation provides a total of $14,731,000 and 115 FTE from the Violent Crime Reduction Trust Fund, including an increase of 40 attorneys and 20 support personnel for activities related to both violent crime prosecution and the immigration reform initiative. Also included is $500,000 to implement a Federal victims' counselors program under the Violence Against Women Act.

Counterterrorism Initiative.—The Committee recommendation includes $16,288,000 for the U.S. Attorneys to support the Command Center established in Oklahoma City to handle the investigation and prosecution of those involved in the Oklahoma bombing and any other incident that may be related to this incident, and to enhance security at U.S. Attorneys Offices that occupy leased space. The Committee understands that continued operation of the Command Center will result in additional costs related to the travel of detailed attorneys and support staff, supplies, space, equipment rentals, and litigation expenses and has provided $6,288,000 to cover these costs.

In addition, $10,000,000 is provided for X-ray and scanning equipment and contract security officers at 109 U.S. Attorneys Offices currently occupying leased space. Bill language is included that allows $4,000,000 of these resources to remain available until expended for purchase of the security equipment.

Transfer of Tax and Environment Attorneys from General Legal Activities.—The Committee recommendation includes an initiative to transfer the costs associated with 200 attorneys who conduct tax and environment litigation from the Tax Division and the Environment and Natural Resources Division to the U.S. Attorneys Offices. The Committee believes that litigation of this nature should be primarily conducted in the U.S. Attorneys Offices for both cost efficiency and effectiveness and expects that the U.S. Attorneys will ensure that litigation in these areas continues at least at current levels. The Committee recommendation includes an increase of $25,000,000 for these attorney positions and expects that consideration be given first to employees of the Tax and Environment and Natural Resources Divisions due to their expertise in this type of casework. The Committee expects that tax and environmental policy guidance will still be developed by the Tax and Environment and Natural Resources Divisions.

Teamsters Election.—The Committee supports the ongoing efforts of the Department of Justice to rid the International Brotherhood of Teamsters of mob dominance. While the Committee agrees that it is in the best interest of the nation to have a mob-free union, it is most beneficial to the union itself. The Committee also agrees that the Department of Justice should not bear the full cost of the supervision of the upcoming elections which the Committee understands will amount to approximately $21,000,000. In the Conference Report accompanying the Department of Justice and Related Agencies Appropriations Act, 1995 (H. Rept. 103–708), the conferees agreed that for fiscal years 1996 and 1997, the cost for the

supervision of this election should be shared by the Justice Department, the Department of Labor and the International Brotherhood of Teamsters. As such, the Committee provides that up to $6,000,000 of the amounts available to the Department of Justice for fiscal year 1996 may be allocated for this purpose, subject to either the reprogramming authorities provided in Section 605 of this Act or the transfer authorities in Section 107 of this Act. It is further expected that the Department of Justice will provide to the Committee, by March 1, 1996, a proposed financing plan that has been developed with the Department of Labor and the International Brotherhood of Teamsters for the remaining expenses of the supervision of this election in fiscal years 1996 and 1997, which includes a projection of expenses that will be incurred by the International Brotherhood of Teamsters.

The Committee also recommends bill language, similar to that included in previous fiscal years, which: (1) makes up to $2,500,000 for debt collection purposes available until September 30, 1997; (2) makes up to $10,000,000 for automated litigation support contracts available until expended; and (3) makes available up to $8,000 to be used for official reception and representation expenses.

UNITED STATES TRUSTEE SYSTEM FUND

The Committee recommendation provides a total of $101,596,000 in budget (obligational) authority for the U.S. Trustees for fiscal year 1996. Of this amount, $44,191,000 will be derived from anticipated offsetting fee collections, resulting in a net direct appropriation of $57,405,000 from the U.S. Trustee System Fund. The Committee recommendation for fiscal year 1996 is $1,587,000 below the amount provided for the current fiscal year, and is $7,649,000 below the request.

The U.S. Trustee System provides administrative support to expeditiously move bankruptcy cases through the bankruptcy process and ensures accountability of private trustees appointed to administer bankruptcy estates and with regard to debtors. Public Law 99–554, the Bankruptcy Judges, U.S. Trustees, and Family Farmer Bankruptcy Act of 1986, established a U.S. Trustee System Fund in the U.S. Treasury, and provided for the collection of fees into the Fund to finance program operations.

Decline in Bankruptcy filings.—The recommendation assumes an overall decline in bankruptcy filings in 1996, as assumed in the budget, but reduces the amount of funding to correspond to this decline, which was not reflected in the budget request. The Committee understands that due to this decline, Chapter 11 filing fees which partially finance this program are anticipated to drop significantly. However, because cases with assets to administer often take two to three years, the pending caseload still in progress will require ongoing attention. The Committee recommendation includes an extension of the quarterly fee payments made under Chapter 11 to include the period after a reorganization plan has been confirmed by the Bankruptcy Court until the case has been dismissed (i.e., the post-confirmation period). Presently, quarterly fees are collected only until the plan of reorganization in the case is confirmed by the court. The additional fees will be deposited as offsetting collections to the United States Trustee System Fund and will provide

the resources necessary to ensure adequate post-confirmation oversight and supervision of Chapter 11 cases.

The recommendation also includes bill language which: (1) allows deposits to the U.S. Trustee System Fund to be used to pay refunds due depositors; (2) allows $44,191,000 in offsetting fee collections to be retained and used for necessary expenses in this appropriation; (3) reduces appropriated funds as such fees are collected; and (4) makes offsetting fee collections in excess of $44,191,000 available until expended in fiscal year 1997.

FOREIGN CLAIMS SETTLEMENT COMMISSION

The Committee recommends $830,000 for the Foreign Claims Settlement Commission for fiscal year 1996. This amount freezes the appropriation at current levels, which is $75,000 below the budget request. The Commission settles claims of American citizens arising out of nationalization, expropriation, or other takings of their properties and interests by foreign governments.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

The Committee recommends $443,973,000 for the United States Marshals Service for fiscal year 1996, of which $25,000,000 will be provided from the Violent Crime Reduction Trust Fund. This amount represents an increase of $47,191,000 above the current year appropriation, and $19,414,000 below the amount requested.

The primary mission of the 94 U.S. Marshals Offices is the protection of the Federal Judiciary, protection of witnesses, execution of warrants and court orders, and the custody and transportation of unsentenced prisoners.

Security at New and Expanded Courthouses.—The Committee recommendation provides for requested adjustments to base, including the cost of the 1996 pay raise. In addition, the recommendation provides for the following program changes from the Violent Crime Reduction Trust Fund to ensure the security of 31 new and expanded Federal courthouses scheduled to open in 1996:

+$18,209,000 and +137 Deputy U.S. Marshals and +30 support personnel to fully staff and operate Marshals Service activities in new courthouses scheduled to open in fiscal year 1996 (an additional $20,051,000 is included in the Federal Prison System, Buildings and Facilities account for 144 additional prisoner holding cells); and

+$6,791,000 for courthouse security and communications equipment;

Counterterrorism Initiative.—The Committee recommendation includes $10,000,000 for security personnel staff and equipment for the trial and prosecution of persons involved in the Oklahoma bombing and to correct security deficiencies at existing Federal courthouses.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows up to $6,000 to be used for official reception and representation expenses, and allows for the acquisition of motor vehicles for police-type use without regard to the general purchase price limitation.

U.S. Marshals Service Reorganization Plan.—The Committee has recently received a reorganization plan from the Department of

Justice for the U.S. Marshals Service. The Committee has a number of questions concerning the details of the plan, particularly regarding any proposed changes to the way in which U.S. Marshals are appointed. Therefore, the Committee expects that no action be taken by the Department of Justice to approve the plan, or by the Marshals Service to implement the plan, until the Committee has thoroughly reviewed and formally approved the proposal.

SUPPORT OF UNITED STATES PRISONERS

The Committee recommendation includes a direct appropriation of $250,331,000 for the Support of United States Prisoners account for fiscal year 1996 which, when combined with $40,000,000 in prior year unobligated balances, results in total funding availability of $290,331,000. This represents $5,000,000 below the request and $6,422,000 below the current year appropriation. Under this program, the U.S. Marshals contract with State and local jails and private facilities to house unsentenced Federal prisoners for short periods of time usually before and during trial and while awaiting transfer to Federal institutions after conviction.

The recommendation provides the full amount required for the current rate of expenditures from this account and does not provide for a projected increase in jail days or for an increase in rates in fiscal year 1996.

Review of current reimbursement practices for jail space.—The Committee is recommending a significant increase in resources from the Violent Crime Reduction Trust Fund to provide grants to States to build, expand, and operate space in correctional facilities. The Committee believes, in light of the significant level of resources being provided under this program, that the Department of Justice should reexamine its current practice and rates of reimbursement for bedspace it "rents" from State and local agencies for the short term housing of Federal prisoners. The Committee directs the Department to review the current reimbursement structure with the goal of ensuring space availability and reducing the cost to the Federal government and report the findings of this review to the Committee no later than March 1, 1996.

FEES AND EXPENSES OF WITNESSES

The Committee recommends $85,000,000 for Fees and Expenses of Witnesses for fiscal year 1996. This amount is the full budget estimate for this program, which is considered mandatory for budget scorekeeping purposes. This appropriation provides for fees and expenses of witnesses who appear on behalf of the Government in cases in which the United States is a party, including fact and expert witnesses, mental competency examinations, and witness/informant protection.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) up to $4,750,000 for protected witness safesites; (2) up to $1,000,000 for the purchase and maintenance of armored vehicles for prisoner transportation; and (3) up to $4,000,000 available for the purchase, installation and maintenance of a secure automated information system.

COMMUNITY RELATIONS SERVICE

The Committee recommends consolidation of activities and funding of the Community Relations Service (CRS) under the Civil Rights Division and the Immigration and Naturalization Service.

The Community Relations Service was established by Title X of the Civil Rights Act of 1964 to provide assistance to communities in resolving disagreements arising from discriminatory practices. The agency is also responsible for administering the program of assistance for Cuban and Haitian entrants. The transitional care of Mariel Cubans paroled from detention was funded from this account in previous years, but was transferred to the Federal Prison System, Salaries and Expenses appropriation in fiscal year 1995.

Transfer of functions to the Immigration and Naturalization Service.—The recommendation provides $10,057,000 as requested, to resettle Cuban and Haitians entering the United States. The Committee understands that the CRS resettlement program utilizes grants to national voluntary agencies to resettle Cubans and Haitians paroled by the INS from INS Service Processing Centers and the safe haven at Guantanamo Bay, Cuba. The Committee recommends that this funding be provided from the Immigration Examinations Fee account. Funding of $11,000,000 was provided for these activities from the Immigration Exams Fee account in fiscal year 1995 through a reimbursement agreement with CRS. The Committee understands that expenses of this nature are within the scope of the Immigration Exams Fee account.

Transfer of functions to the Civil Rights Division.—The Committee recommendation provides $5,000,000 for racial conflict prevention and resolution activities, but moves these activities under the direction of the Civil Rights Division. The Committee understands that the CRS has been effective in providing technical assistance and training to State and local communities and provides the resources to carry out these activities at the request of local parties.

ASSETS FORFEITURE FUND

The Committee recommends $35,000,000 for the Assets Forfeiture Fund for fiscal year 1996, which is $20,000,000 below both the amount requested and the current year appropriation. This account provides funds to supplement existing resources to cover additional investigative expenses of the FBI, DEA, INS and U.S. Marshals, such as awards for information, purchase of evidence, equipping of conveyances and investigative expenses leading to seizure. Funds for these activities are provided from receipts deposited in the Assets Forfeiture Fund resulting from the forfeiture of assets. Expenses related to the management and disposal of assets are also provided from the Assets Forfeiture Fund, by a permanent indefinite appropriation.

The Committee notes that any funds remaining in the Assets Forfeiture Fund, after payment of expenses for the disposal of assets and the appropriation mentioned above, are available to the Attorney General for a variety of law enforcement needs, including items for which the appropriation has been reduced.

Timeliness of the Disposal of Forfeited Assets.—The Committee understands that the U.S. Marshals Service has initiated various

actions to address problems with the timely disposal of forfeited property, such as contract management reviews at certain districts, revision of procurement policies and additional training to the seized asset management staff. The Committee also understands that the consolidation of asset management and disposition functions of the Departments of Justice and Treasury could address duplication and provide cost savings to the management and disposal process. The Committee expects the Department to review the feasibility of consolidating contracts with vendors that provide these services for both the U.S. Marshals and the Department of Treasury agencies. The Committee also expects the U.S. Marshals to continue to implement new practices that improve the timeliness of disposal of assets.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

The Committee recommends $2,655,000, the full amount requested and the same level as the current year appropriation, for the expenses of the Civil Division necessary to handle claims and litigation arising from the Radiation Exposure Compensation Act. This program was established to permit the payment of claims to individuals exposed to radiation as a result of atmospheric nuclear tests and uranium mining in accordance with the Radiation Exposure Compensation Act of 1990.

PAYMENT TO THE RADIATION EXPOSURE COMPENSATION FUND

The Committee recommendation includes an advance appropriation of $16,264,000 for fiscal year 1997 to make payments to approved claimants under the Radiation Exposure Compensation Act of 1990. The Committee understands that the request of $16,264,000 for 1996 is no longer required due to a projected balance in the Radiation Exposure Compensation Trust Fund that will be available for projected payments in 1996.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The Committee recommends $374,943,000 for Interagency Crime and Drug Enforcement for fiscal year 1996. This amount is $3,530,000 below the request, and is the same level of funding provided in the current year appropriation.

The Interagency Crime and Drug Enforcement program, through its 13 regional Task Forces, utilizes the combined resources and expertise of its 11 member Federal agencies, in cooperation with State and local investigators and prosecutors, to target and destroy major narcotics trafficking and money laundering organizations.

The Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for intergovernmental agreements; (2) makes $50,000,000 available until expended; (3) allows funds to be used under existing authorities available to participating organizations; and (4) allows the Attorney General to reallocate unobligated balances among participating organizations.

The recommendation provides funds to the following agencies:

REIMBURSEMENTS BY AGENCY

	FTE	Thousands
DEA	987	$99,020
FBI	1,073	108,883
INS	107	10,563
Marshals	13	1,172
Customs	318	28,133
BATF	96	10,270
IRS	423	37,147
Coast Guard	9	868
US Attorneys	895	75,287
Criminal Division	6	755
Tax Division	12	1,293
Administrative Office	13	1,552
Total	3,952	$374,943

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

The Committee recommends a total operating level of $2,381,021,000 for the Federal Bureau of Investigation (FBI) for fiscal year 1996, which includes $48,940,000 of resources available in 1996 from the supplemental appropriation provided in 1995 for expenses related to the Oklahoma City bombing, and $80,600,000 from the Violent Crime Reduction Trust Fund. This operating level is $149,226,000 above the appropriation for the current year and $104,090,000 below the budget request. The Committee assumes the availability of 22,395 direct-funded FTE for the FBI for fiscal year 1996, an increase of 997 FTE above fiscal year 1995 levels.

Counterterrorism Initiative.—The Committee recommendation includes $170,200,000 to enhance the FBI's investigative capabilities in responding to major terrorism incidents and activities. Of this amount, $98,400,000 is for construction and is included under a separate heading and $50,000,000 is provided for digital telephony. The remaining $21,800,000 is provided for the following:

+$9,900,000 to enable the FBI to modernize its forensic laboratory equipment;

+$2,600,000 for 75 forensic examiners, technicians, and support personnel;

+$2,900,000 to provide Emergency Response Teams with proper equipment and tools for the collection and processing of crime scene evidence;

+$1,400,000 for personnel to staff the FBI Command Center for better coordination of law enforcement agencies in emergency situations;

+$1,500,000 to upgrade the hostage/barricade database; and

+$3,500,000 to establish a gang/terrorist database for NCIC 2000.

Violent Crime Reduction Trust Fund resources.—The Committee recommendation provides for proposed adjustments to base, including the cost of the 1996 pay raise. Included in this amount is $27,737,000 from the Violent Crime Reduction Trust Fund for 630 FTE to fully sustain the restoration of positions that was provided

in the 1995 appropriation. In addition, resources from the Violent Crime Reduction Trust Fund will support $45,363,000 of current FBI expenses for State and local training and other State and local assistance programs. The Committee recommendation also includes program increases from the Violent Crime Reduction Trust Fund which include:

+$5,500,000 for the FBI's combined DNA Index System;

+$2,000,000 for computerized automation and technology improvements at the FBI training academy.

Digital Telephony.—Funding of $50,000,000 is provided for research efforts and engineering services to develop new techniques and equipment to perform court-approved wiretaps and interceptions of communications. The Committee understands that the use of wiretaps and other electronic surveillance is critical to counterterrorism, criminal and counterintelligence investigations. However, funding provided in this bill is only available for obligation after completion of counterterrorism authorization legislation, which will address wiretapping authorities for the FBI.

Available resources due to hiring lapses.—The Committee is aware that the FBI has approximately $48,000,000 in base resources available as a result of lapses in backfilling a large number of agents that have retired. The Committee understands that this lapse in hiring is the result of a large number of new recruitments and training constraints resulting from additional positions provided in 1995 and the additional requirements now resulting from these unanticipated retirements. The Committee believes that the FBI should use these available resources in 1995 to offset equipment needs for new hires in 1996.

Crime on Federal Public Lands.—The Committee is concerned about reports it has received about increasing crime on Federal public lands. The Committee urges the Department of Justice law enforcement agencies to coordinate with the appropriate land management agencies on efforts to reduce these violations. The Committee instructs the Department of Justice, Office of Investigative Agencies Policy to review, in consultation with the Department of the Interior and the Department of Agriculture, the best methods to address the increasing crime on Federal public lands and report the findings of this review to the Committee by March 1, 1996.

Violent Crime Strategic Plan.—The Committee wants to ensure that resources provided to the Department of Justice are coordinated in the most effective way to address the nation's most important crime problem—violent crime. The Committee understands, from its hearing on March 9, 1995, with the Department of Justice law enforcement agencies, that there are a number of efforts and task forces ongoing within the Department of Justice to address this problem. The Committee is concerned that the Department lacks an overall strategic plan that outlines the goals, actions, and expected results of these and future efforts to combat violent crime. The Committee therefore directs the Office of Investigative Agencies Policy to develop a five-year strategic plan that is focused on reducing violent crime in this country and provide this plan to the Committee by March 1, 1996.

National Drug Intelligence Center.—The Committee is pleased to note that the National Drug Intelligence Center is now fully oper-

ational. The Committee believes that this Center can be a vital new resource for law enforcement personnel and can contribute greatly to the apprehension of major drug traffickers that threaten the safety and security of our citizens. The Committee recognizes that the success of this operation will depend on the ability to integrate NDIC assets into the operational and technical planning of the Department of Justice's war on drugs. Recognizing that new and somewhat different operational arrangements may be required, the Committee directs the Office of Investigative Agency Policies to ensure that proper coordination continues to take place.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) for purchase of passenger vehicles without regard to general purchase price limitations, and the acquisition and operation of aircraft; (2) up to $70,000 for unforeseen emergencies; (3) up to $50,000,000 for ADP, telecommunications and technical equipment, and up to $1,000,000 for undercover operations to remain available until September 30, 1997; (4) up to $14,000,000 for research and development to remain available until expended; (5) up to $10,000,000 to reimburse State and local police for assistance related to violent crime, terrorism and drug investigations; (6) $1,500,000 for an IAFIS program office; and (7) up to $45,000 for official reception and representation expenses. New language is also included as a general provision that allows surcharges currently collected for fingerprint checks to be used to offset the costs of NCIC 2000 development in addition to automation of fingerprint identification services. In addition, bill language which specified the amount for the Fingerprint Identification System is no longer included. However, the Committee expects that of the resources provided, $84,400,000 will be used for expenses related to automation of fingerprint identification services. Any change to this amount requires notification to the Committee pursuant to reprogramming requirements outlined in section 605.

CONSTRUCTION

The Committee recommends $98,400,000 for construction for the FBI, which is $859,000 less than the requested amount. However, the Committee does not recommend the architectural design and site planning for three new facilities as proposed by the Administration. Instead, the recommendation channels resources to the most critical projects; namely, upgrades to the existing FBI Command Center and a new Forensic Laboratory.

The Committee understands that renovations, equipment and telecommunications upgrades to the Command Center are vitally needed to provide the capability of addressing multiple sites and incidents concurrently, and to support the centralized coordination of law enforcement for major incidents such as the Oklahoma City bombing. The Committee has provided $10,000,000 to complete these upgrades.

The Committee has also provided $88,400,000 for architectural design, site planning, and the first phase of construction of a new FBI Laboratory Facility. The Committee understands that the existing FBI Laboratory facility, located in the FBI Headquarters Building, is inadequate for current needs and that there are con-

tinuing safety concerns related to having such a facility in a multistory office building in a densely-populated area. This facility was constructed nearly 25 years ago and is critical to examining crime evidence and solving criminal and terrorist cases. In addition, State and local law enforcement entities depend on FBI Laboratory services which are not available through local or regional facilities. The Committee understands that a new facility would permit the use of new technologies and would allow the collocation of forensic science research and development activities, which are currently housed at the FBI Training Academy, with the operational components of the FBI laboratory, and that federally-owned property at Ft. Belvoir, Virginia has been made available for this facility.

The Committee expects the FBI to provide a construction plan and timeline for completion of this facility to the Committee by November 15, 1995.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends total budget authority of $793,488,000 for the Drug Enforcement Administration (DEA) for fiscal year 1996, of which $47,241,000 is derived from the Diversion Control Fund, and $12,000,000 is derived from the Violent Crime Reduction Trust Fund. This amount is $16,680,000 below the budget request and $36,975,000 above the funding level for the current year. The Committee assumes the availability of 6,409 FTE for fiscal year 1996, which will allow the DEA to increase staffing by 199 FTE above fiscal year 1995 levels.

The Committee recommendation provides for requested adjustments to base, including the cost of the 1996 pay raise. Of this amount, $12,000,000 is provided from the Violent Crime Reduction Trust Fund to ensure that the increase of 311 agents and 125 support personnel provided in 1995 will be fully funded in 1996.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) up to $70,000 for unforeseen emergencies; (2) for expenses for drug education and training; (3) purchase of passenger vehicles without regard to general purchase price limitations, and acquisition and operation of aircraft; (4) up to $1,800,000 for research to remain available until expended; (5) up to $4,000,000 for evidence and information, up to $4,000,000 for ADP and telecommunications, and up to $2,000,000 for technical and laboratory equipment to remain available until September 30, 1997; and (6) up to $50,000 for official reception and representation expenses. In addition, new technical language is included that allows DEA to transfer $15,000,000 of the DEA appropriation used for the Diversion Control Program to the Diversion Control Fee account to simplify the accounting and costs for that program. The Committee understands that currently the $15,000,000 is provided via reimbursement agreement and that this change will not affect the amount of funding provided to the Diversion Control Program.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

The Committee recommends total new budget (obligational) authority of $2,557,470,000 for the Immigration and Naturalization Service for fiscal year 1996 which includes $11,000,000 for construction provided under a separate account. This is a net increase of $486,480,000 over the current fiscal year. Of the total amount recommended, $303,542,000 is derived from the Violent Crime Reduction Trust Fund and $821,447,000 will be derived from offsetting fee collections.

The Committee recommendation provides for the full request for adjustments to base, and also restores the $7,210,000 and 100 FTE reduction proposed in the budget associated with the absorption of the 1996 pay raise.

Enforcing Our Immigration Laws.—Recognizing the need for stronger enforcement against illegal immigration, the Committee recommendation includes $344,932,000 in program increases to support an immigration initiative focused on controlling the border, removing illegal aliens, especially criminals, and reducing job opportunities for illegal aliens. The increases provide for over 3,000 new INS personnel—over 1,400 more personnel on the front lines of the border, including 1,000 new and redeployed border patrol agents and 400 new inspectors, and over 1,500 more investigations and detention and deportation personnel to locate, apprehend and remove illegal aliens from the United States. In addition, 2,800 more detention beds will be available to detain illegal aliens, and $157,464,000 of base resources are provided to continue the border systems modernization effort started last year which will provide for a fingerprint-based identification system and automated lookout, files and case-tracking systems.

Border Control.—A total increase of 1,246 positions, 539 FTE and $128,985,000, of which $16,785,000 is from the Violent Crime Reduction Trust Fund, is recommended to enhance border control, including:

+$71,400,000 for 700 new border patrol agents, 140 support personnel and the relocation of 300 border patrol agents from interior stations to the front lines of the border;

+$12,600,000 for camera surveillance systems, fingerprinting equipment, sensors and an additional helicopter for the border patrol;

+$20,000,000 for 400 new land border inspectors for the Southern border;

+$20,285,000 for automated border lookout systems including piloting of an exit control system;

+$4,700,000 to conduct a pilot interior repatriation effort in the San Diego area, targeting over 5,000 of the most serious violators, including the worst recidivists, to the interior of Mexico;

Detention and Removal of Deportable Aliens.—An increase of 1,244 positions, 622 FTE and $125,447,000, of which $24,547,000 is from the Violent Crime Reduction Trust Fund, is recommended to apprehend, locate, detain and deport illegal aliens, including:

+$41,700,000 and 384 Detention personnel to increase detention capacity by over 2,800 beds, including 1,836 detention beds in State and local detention facilities, and 976 beds in INS Detention centers;

+$40,447,000, 171 investigations personnel, 232 detention and deportation personnel, and 154 INS attorneys and legal and management support, to support the Institutional Hearing Programs (IHP) in California, Texas, Florida, New York, and Illinois, and expand the IHP to Arizona and New Jersey. This program is a coordinated effort among INS, the Executive Office for Immigration Review, and Federal and State correctional facilities, to identify, hold hearings and secure final orders of deportation for criminal aliens while they are still serving their criminal sentence;

+$25,800,000 and 235 Deportation personnel for removal of abscondees, criminal aliens and illegal aliens who have been denied asylum, or administratively deported, or apprehended from worksites;

+$5,200,000 and 68 deportation personnel to support an initiative to add warrants for arrest into the National Crime Information Center (NCIC) for aliens who are repeat offenders of reentry after deportation; and

+$12,300,000 for health and safety renovations to INS Service Processing Centers and for the purchase of new vehicles for the transportation of detainees.

Worksite Enforcement and Verification.—An increase of 604 positions, 303 FTE, and $79,500,000 is recommended to enforce sanctions against employers who hire illegal aliens and to support a means to systematically verify employment eligibility of all new hires, including:

+$43,000,000 and 454 investigations personnel to backfill 300 border patrol agents who will be relocated from interior offices and who are primarily performing employer sanctions enforcement activities, and to expand targeted sanctions programs in industries that have a high incidence of employing illegal workers;

+$31,100,000 and 69 records personnel to improve the accuracy of INS records, develop pilots with the Social Security Administration and the Department of Labor for verification systems, and expand the current INS Telephone Verification System program to almost 1,000 employers; and

+$5,400,000 and 81 legal, management, and fraudulent document laboratory personnel to support worksite enforcement casework.

Offsetting fee collections

The Committee recommends a total of $821,447,000 in offsetting fee collections, an increase of $188,132,000 over the current year, to support activities related to the legal admission of persons into the United States. These activities are supported entirely by fees paid by persons who are either traveling internationally or are applying for immigration benefits. The following increases are recommended:

Inspections User Fees.—An anticipated increase of $26,132,000 in revenues from persons paying fees on international flights or sea travel will support the following inspections activities:

+$7,121,000 for adjustments to base activities including 84 FTE for inspectors added in 1995; and

+$19,011,000 to upgrade automated lookout systems at airports, including upgrades to the Interagency Border Inspection System (IBIS) to include the electronic data exchange of visa information between INS and the Department of State overseas posts; the development of electronic arrival and departure records; and a pilot system of exit controls in conjunction with the Department of State.

The Committee also supports the removal of the exemption for cruise lines from the payment of inspections user fees, included in legislation recently introduced in the House (H.R. 1915). The Committee understands that the removal of this exemption will provide $21,000,000 in revenue that could be used to further enhance the inspection of persons entering the United States.

Immigration Examinations Fees.—The Committee recommendation includes $450,217,000 of spending from offsetting collections from persons applying for immigration benefits. This represents an increase of $159,120,000 over the level approved for 1995 and includes the following:

+$13,475,000 for adjustments to base, including pay raises and inflation;

+$135,588,000 and 1,351 FTE to support naturalization, adjustment of status processing, mail and data entry, refugee processing in Moscow and Cuba, and improvements to the ASK IMMIGRATION telephone system; and

+$10,057,000 to support the costs of resettlement activities of the Cuban and Haitian entrant program that will be transferred from the Community Relations Service.

Land Border Inspections Fees.—The Committee recommendation includes $5,965,000 in spending from the Land Border Inspection Fund. Fees are generated under this account for the implementation of pilot programs such as Dedicated Commuter Lanes along the Northern border and in California. Language was requested in the budget that would remove the prohibition for collection of fees for these projects along the Southern border. Currently, only fees can be collected in California. The Committee understands that a repeal of this language would allow for the implementation of a border crossing fee through administrative regulations. The Committee does not support the concept of a border crossing fee.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) up to $50,000 to meet unforeseen emergencies and up to $5,000 to be used for official reception and representation expenses; (2) for the purchase of motor vehicles for police-type use and for uniforms, without regard to general purchase price limitations; (3) for the acquisition and operation of aircraft and for immigration-related research; (4) up to $400,000 for research to be available until expended; (5) up to $25,000 to be paid to individual employees for overtime; and (6) up to $10,000,000 for basic officer training. In addition, new language is added to allow for the transfer of up to

$30,000,000 to the Department of Labor and the Social Security Administration for the establishment of verification systems.

Border Patrol.—The Committee recommendation fully funds the salaries and related expenses (including vehicles, personal equipment, training and additional space) associated with the hiring of 700 new Border Patrol Agents. In addition, the Committee recommendation includes resources to transfer 300 Border Patrol Agents from interior offices back to the front lines of the border, thereby providing 1,000 additional agents on the front lines of the border.

The Committee understands that interior border patrol stations were opened during the Bracero period to maintain a Border Patrol presence in agricultural areas to regulate and oversee the Bracero program. These stations have remained, largely due to shortages of investigative resources to carry out employer sanctions activities. The Committee recommends that these stations remain open but that they be staffed with investigative positions to improve coordination of the employer sanctions program. In addition, the border patrol agents in these stations are more experienced and are critically needed along the border especially in light of the large number of new border patrol agents being hired. The Committee recognizes that some border patrol agents may opt to convert to the investigator positions; however, the Committee has provided $12,000,000 for the relocation and transfer of border patrol agents moved to the more immediate border areas. This transfer would accomplish two significant goals—a coordinated employer sanctions approach and additional experienced personnel on the front lines of the border.

The Committee also recognizes the management challenges facing the INS in order to accomplish the hiring of over 3,000 new personnel included in this recommendation. In a hearing before the Committee on February 22, 1995, the Attorney General revealed to the Committee that the INS was having difficulty maintaining a hiring and training schedule for the 700 new agents provided in 1995 as well as backfilling behind agents who had retired or resigned. As a result, 149 of the 700 agents provided last year will not be hired until 1996. The Committee notes that the number of border patrol agents on-board at the end of fiscal year 1994 was 4,219. Legislation recently introduced in the House (H.R. 1915) recommends an increase of at least 1,000 agents over this level. With the hiring that will occur based on the Committee's appropriation in 1995 and its recommendation for 1996, the number of border patrol agents expected to be on-board at the end of fiscal year 1996, is 5,678—or 1,459 more than were on-board as of September 30, 1994.

The Committee would also urge the Department to seek, on behalf of INS, the allowable waivers from the Office of Personnel Management that would allow INS to reemploy retired (with no loss of retirement pay) Border patrol agents: (1) either as instructors where feasible so as to not draw currently employed, experienced Border patrol agents off the line into training academy duties; or (2) to use reemployed retirees on the border to free up current, experienced Border Patrol agents to act as temporary training officers.

The Committee expects that INS will deploy these agents to the Southwest border to support the greatest areas of illegal traffic. The Committee also expects that INS consult with the Appropriations Committees of both the House and the Senate before a final allocation of these agents is decided.

California Checkpoints.—The Committee has included a provision prohibiting the INS from operating Border Patrol traffic checkpoints located in San Clemente and Temecula, California. Further, the Committee directs the INS to immediately redeploy all resources and personnel from those checkpoints to San Diego Border Patrol stations for activities along the California-Mexico border. The Committee expects the INS to submit, no later than September 15, 1995, a report on the plan to implement this directive. The Committee also expects the INS to submit a reprogramming pursuant to section 605 of this Act.

Immigration Inspectors at Land Border Ports of Entry.—The Committee understands that the success of increased border enforcement adds significant pressure at the ports of entry. The Administration requested new inspectors to address this activity but suggested that a new border crossing fee be implemented to finance these inspectors. The Committee rejects the proposed border crossing fee and has provided 400 new inspectors from direct appropriations. The Committee has been informed that the ratio of supervisors to inspectors in the Inspections program is so significantly high that only a small percentage of these inspectors may actually be performing front-line activities. The Committee also notes that Headquarters staffing for the Inspections program has doubled since 1992, largely due to staffing associated with the User Fee program. The Committee directs the INS to review its supervisory ratio and Headquarters staffing in the Inspections program and report to the Committee by January 1, 1996, a plan to reduce this ratio and the number of staff at headquarters and move INS inspectors to "front-line" activities. The Committee also expects that the entire 400 new inspectors provided in this recommendation be used as "front-line" employees to staff lanes for the facilitation of traffic across the border. The INS should consult with the Appropriations Committees of both the House and Senate as to the activities and locations of these inspectors before these resources are deployed.

Pilot Program to Collect Records of Departing Passengers.—The Committee has provided resources to both the INS and the Department of State for automated systems upgrades to support the identification and tracking of persons entering the United States. Consistent with Section 113 of H.R. 1915, as introduced in the House, the Committee expects the INS, in conjunction with the State Department, to establish a pilot program in three of the five airports with the heaviest volume of incoming traffic from foreign territories, in which INS officers collect a record of departure for every alien departing the United States, match the records of departure with the record of the alien's arrival, and provide relevant information back to State Department Consular Offices. The Committee expects INS to consult with the Committee on the development of this proposal and to submit a plan for implementation of this pilot program to the Committee by no later than January 15, 1996.

Unified Port Management Pilot Project.—The Committee notes that the recommendation for 1996 for the U.S. Customs Service may include a unified port management pilot project in which the U.S. Customs Service will designate a single director of all port activities at two pilot ports, one on the Southern border and one on the Northern border. This project is intended to improve coordination among Federal inspection agencies as well as with State and local agencies. The Committee expects INS to provide input in the selection of the port director and to participate in these pilot projects and their evaluation.

Inspections Staffing at Miami International Airport.—The Committee is concerned that Miami International Airport (MIA) is experiencing severe delays in the processing of arriving international passengers by INS officials. Due to the understaffing of these INS inspectors at this airport, delays of up to two hours in length are occurring during peak arrival times, thus causing arriving passengers to miss connecting flights to other domestic and international destinations. The Committee understands that this situation will be further exacerbated this summer by the opening of a new international terminal requiring extended hours of operation of the Federal Inspection Facilities and the normal increase in summer flight schedules. This understaffing may also create a limitation of capacity of MIA which is in direct violation of bilateral air agreements. Therefore, the Committee directs INS to provide the already authorized levels of INS inspectors to the MIA to avoid future serious delays to arriving passengers.

Operation Alliance.—The Committee's recommendation includes the full level of resources provided in the current year that is dedicated to Operation Alliance. This operation is a multi-agency entity whose primary mission is to facilitate and improve the coordination of the drug-related law enforcement organizations operating in the Southwest Border area of the United States. The Committee understands that a significant amount of the cocaine in the United States comes through Mexico and specifically through El Paso, Texas. The Committee supports the continued program levels for Operation Alliance.

INS Management Reforms.—The Committee's recommendation includes a $5,000,000 base transfer from the INS to the Department of Justice, General Administration account for additional oversight of INS financial and management activities. The budget request proposed that this base transfer be provided to the Office of the Inspector General for auditing INS programs. The Committee believes that INS is in greater need of practical, hands-on management assistance and therefore has included these resources to the General Administration. It is expected that the Department will provide greater financial and management assistance to the INS in the form of personnel details and special oversight of hiring and contracting to implement the immigration reform initiative.

Administrative Centers.—The Committee understands that INS has developed an administrative centers concept for its administrative offices in Burlington, Vermont, Laguna Niguel, California, Dallas, Texas and Minneapolis, Minnesota. The Committee understands that this concept will assist INS in the management of its administrative functions and provide uniformity, eliminate duplica-

tion and improve customer service in such areas as personnel, accounting, procurement, debt collection, and files and forms management. The Committee expects INS to continue its implementation of its Administrative Center concept and expects its full implementation by the end of fiscal year 1997.

CONSTRUCTION

The Committee recommends $11,000,000 for construction of facilities for the Immigration and Naturalization Service. The current year appropriation includes $50,000,000 in construction resources for border infrastructure requirements. Of the amount recommended, $6,000,000 will provide for improvements that are vitally needed to correct extensive health and safety code deficiencies to existing border patrol facilities in South Texas and Arizona, and $5,000,000 will augment resources provided in 1994 for the construction of a joint U.S. Marshals/INS detention center in the Northeast region of New York, as requested in the budget under Salaries and Expenses.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The Committee recommends $2,588,078,000 for the Salaries and Expenses of the Federal Prison System for fiscal year 1996, including $13,500,000 from the Violent Crime Reduction Trust Fund for Inmate Drug Treatment programs. This amount is $55,681,000 less than the budget request, and is an increase of $236,444,000 over total amounts available in the current year.

Due to the critical importance of providing adequate space for the incarceration of sentenced and unsentenced Federal prisoners, and the need to activate newly constructed prison facilities, the Committee gave special consideration to the operating funds of the Federal Prison System. The Committee recommendation provides for requested adjustments to base, including $140,394,000 to annualize 3,084 additional positions provided in 1995 for new prison activations.

Activation of New Prisons.—The Committee understands that due to delays in scheduled activations for 1996, as well as $40,000,000 in funds that will carryover from fiscal year 1995 as a result of slippages in activations from facilities that were scheduled to open in 1995, the appropriation required for the Federal Prison System can be reduced by $55,681,000 without affecting requested program levels. The Committee further understands that as a result of these slippages, the detention center in Brooklyn, New York and the low security facility in Yazoo City, Mississippi will not open in 1996 as originally planned. As a result, the Committee recommendation includes $56,942,000 to activate the following 10 new and expanded facilities:

—Beaumont, Texas—1,536 bed low security and 512 bed minimum security facility;

—Taft, California—1,536 bed low security and 512 bed minimum security facility;

—Forrest City, Arkansas—1,536 bed low security facility;

—Expansions at the following 5 institutions: Tallahassee, Florida; Milan, Michigan; Lompac, California; Fort Worth, Texas; and Lexington, Kentucky;

In addition, the recommendation provides for the following program increases:

+$15,464,000 to support a projected increase in the inmate population;

+$22,416,000 to support a projected increase in the population in Community Corrections Centers;

+$4,945,000 to support a projected increase in the use of State and local facilities to house inmates;

+$10,765,000 to support inmate care programs, including $3,190,000 for kidney dialysis services and $7,575,000 for infectious disease control, which will address tuberculosis, sexually transmitted diseases, hepatitis, and HIV/AIDS;

+$1,702,000 for drug treatment programs for inmates; and

+$684,000 for Institution Security and Administration.

Privatization of Federal Prisons.—Of the facilities scheduled to open in 1996, the Administration proposed the privatization of the operations of the facilities in Taft, California and Forrest City, Arkansas. In addition, the Administration proposed the privatization of the majority of future pretrial detention, minimum and low security Federal prisons.

The Committee understands that the Federal Bureau of Prisons has relatively limited experience regarding the cost and performance of private prisons and believes the budget proposal to privatize all future pre-trial and the majority of low and minimum security prisons goes too far, too fast. Therefore, the Committee expects the Bureau of Prisons to privatize only the facilities proposed for activation in Taft, California, in fiscal year 1996.

In addition, in an effort to determine the future level of privatization of pre-trial, minimum and low security prisons, the Committee directs the Bureau of Prisons to undertake a comprehensive study of both the Eloy, Arizona contract prison and the Taft, California prisons, to include comparison of costs and quality of correctional programs to that of comparable Federally-operated prison facilities. These cost/benefit studies should be provided to the Committee no later than September 30, 1996. In addition, the Committee expects that the Bureau of Prisons reexamine its proposal for privatization of the Yazoo City, Mississippi and Forrest City, Arkansas to consider any future plans with regard to expansions of these complexes to include medium and/or maximum security facilities.

The Committee recommendation includes funding to support 353 positions and 54 FTE above the level requested in the budget to reflect the net impact of the delay in scheduled activations and the privatization of only one prison project.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) for the purchase of motor vehicles for police-type use and the purchase of uniforms without regard to the general purchase price limitation; (2) for the provision of technical advice to foreign governments; (3) for transfer of funds to the Health Resources and Services Administration; (4) for the Director to enter into contracts to furnish health

care; (5) up to $6,000 for reception and representation expenses; (6) up to $50,000,000 for activation of prisons to remain available until September 30, 1997; (7) up to $20,000,000 for contract confinement expenses for the care and security of Cuban and Haitian entrants. In addition, one-time language is deleted, as proposed in the budget, for the transfer of balances from the Community Relations Service for the care of Mariel Cubans.

NATIONAL INSTITUTE OF CORRECTIONS

The Committee does not recommend the $10,158,000 requested for the National Institute of Corrections (NIC). Instead, the recommendation assumes consolidation of the National Institute of Corrections (NIC) program within the Bureau of Prisons (BOP) Salaries and Expenses appropriation. The Committee has not provided additional resources to the Salaries and Expenses appropriation for these activities and expects these functions to be absorbed within current resources provided. However, the Committee assumes elimination of the NIC grants program and a reduction of five positions associated with NIC grants administration and NIC administrative responsibilities.

The Committee recognizes that there are some functions that are performed by NIC that may be of use and supports the continuation during 1996 of the following functions under the Bureau of Prisons Contract Confinement and Community Corrections program: (1) direct training of jails, prisons and community corrections personnel; (2) corrections security audits; (3) corrections staffing analyses; (4) collection and dissemination of corrections information; (5) emergency site visits to State and local corrections systems; (6) duties of the Correctional Job Training and Placement Office; and (7) Task Force activities on prison construction. Because these activities are primarily performed on behalf of State and local entities, the Committee expects BOP, when practical and to the maximum extent possible, to pursue reimbursement from State and local entities for these services in order to provide a significant portion of funding for these activities through reimbursements, and present a plan to Committee by March 1, 1996, that provides a reimbursement structure that will fully support these activities.

D.C. Corrections Department Study.—The Committee provided resources in the 1995 Appropriations Act for the NIC to perform an in-depth study of the District of Columbia Department of Corrections. The Committee expects that this report will be completed and provided to the Committee by September 30, 1995.

BUILDINGS AND FACILITIES

The Committee recommends a total of $323,728,000 for fiscal year 1996 for the construction, modernization, maintenance and repair of prison and detention facilities housing Federal prisoners. This amount is $47,427,000 above the amount appropriated for the current fiscal year, and is the full amount requested.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) for planning, acquisition of sites, and construction of facilities; (2) for leasing a facility in Oklahoma City; (3) for acquisition, remodeling, and equipping facilities by contract or force account; (4) up to

$14,074,000 to construct inmate work areas; (5) for use of prisoner labor; (6) up to 10 percent of this appropriation to be transferred to the Salaries and Expenses account; and (7) for up to $22,351,000 for renovation and construction of Marshals Service prisoner holding facilities. In addition, language is deleted for limitation on funds for projects under the Cooperative Agreement Program because no funds are provided for this program.

The recommendation provides the full request for base adjustments and the following program changes:

+$64,500,000 for construction of a medium security facility at the Beaumont, Texas prison complex;

+$96,550,000 for architectural and engineering services and the construction of a medium security facility and camp in Lee County, Virginia;

+$12,350,000 for site and planning of a Mid-Atlantic Region correctional facility

+$14,253,000 for site acquisition for contract detention space in Hawaii;

+$20,051,000 for construction of 144 additional holding cells for use by the U.S. Marshals Service; and

+$4,526,000 for health and safety renovations and repairs to existing facilities.

The Committee encourages the use of local labor and services, where appropriate and cost-effective, for the construction of these facilities.

FEDERAL PRISON INDUSTRIES, INCORPORATED

(LIMITATION ON ADMINISTRATIVE EXPENSES)

The Committee recommends a limitation on administrative expenses of $3,559,000 for the Federal Prison Industries, Incorporated for fiscal year 1996, which is the full amount requested, and $96,000 above the current year limitation.

Bureau of Prison's support for the 1996 Paralympic Games.—The Committee supports efforts to use inmate training activities in the planning and production of products for the 1996 Paralympic Games.

OFFICE OF JUSTICE PROGRAMS

The Committee recommends a total of $3,762,828,000 in new budget (obligational) authority for fiscal year 1996, including $3,435,743,000 from the Violent Crime Reduction Trust Fund, for the various law enforcement assistance, juvenile justice, research and statistics programs of the Office of Justice Programs (OJP). This amount represents an increase of $1,343,428,000 over the current year appropriation and $232,825,000 below the budget request. Included in these amounts are funds to expand programs providing assistance to the States, such as a Local Law Enforcement Block Grant program, State Prison Grant program, State Criminal Alien Assistance Program, Violence Against Women Grant program, Byrne Grant program, Weed and Seed program, Juvenile Justice and Delinquency Prevention, and Victims of Child Abuse programs.

Violent Crime Reduction Trust Fund Programs

The Committee recommendation includes $3,435,743,000 from the Violent Crime Reduction Trust Fund for programs that provide State and local assistance. This amount represents an increase of $1,374,743,000 over the current year appropriation from the Violent Crime Reduction Trust Fund and $33,457,000 below the budget request.

The Committee recommendation includes funding for a Local Law Enforcement Block Grant program pursuant to H.R. 728 which passed the House on February 14, 1995 as an amendment to the Violent Crime Control and Law Enforcement Act of 1994. This program is funded in place of the Community Oriented Policing Services program in order to give over 39,000 State and local law enforcement agencies the discretion to fund additional police, equipment, technology and/or prevention programs such as drug courts.

The Committee recommendation also includes funding for State Prison Grants pursuant to H.R. 667 which passed the House on February 10, 1995 as an amendment to the Violent Crime Control and Law Enforcement Act of 1994. Of the amount provided for this program, $200,000,000 is available to States to supplement other funds provided for the incarceration of criminal aliens.

The following State and local assistance programs are provided from the Violent Crime Reduction Trust Fund and are explained in more detail under Justice Assistance and State and Local Law Enforcement Assistance:

OFFICE OF JUSTICE PROGRAMS—VIOLENT CRIME REDUCTION TRUST FUND

[In Thousands of dollars]

	1995	1996 request	Recommendation
Justice Assistance:			
Drug Courts	$29,000	$150,000	.....
Violence Against Women	26,000	174,900	$74,500
Ounce of Prevention Council [1]	1,500	.....	.....
Crime Prev. Block Grants	.....	30,000	.....
Model Intensive Grant Program	.....	48,216	.....
Substance Abuse Treat/Prisons	.....	27,000	27,000
Other Crime Control Programs:			
Asst. for Delinq. & At-Risk Youth	.....	1,604	.....
Family Unity Demo. Projects	.....	1,922	.....
Missing Alzheimer's	.....	900	900
Total Justice Assistance	$56,500	$434,542	$102,400
State and Local Assistance:			
Byrne Formula Grants	$450,000	$260,000	$475,000
Local Block Grant/COPS	1,300,000	1,902,964	2,000,000
Brady Bill/Upgrade Criminal Records	100,000	25,000	25,000
State Prison Grants	24,500	500,000	500,000
State Criminal Alien Incarc. Grants	130,000	300,000	300,000
Youth Offender Incarceration	.....	9,643	19,643
Rural Law Enforcement	.....	10,252	.....
Other Crime Control Programs:			
Turberculosis in Prisons	.....	200	200
Comm.-Based Grants/Prosecutors	.....	5,000	.....
Law Enforcement Family Support	.....	1,205	.....
DNA Identification State Grants	.....	482	1,000
Improved Training & Tech. Automation Grants	.....	4,822	10,000
Ease State Court Burdens	.....	11,090	.....

OFFICE OF JUSTICE PROGRAMS—VIOLENT CRIME REDUCTION TRUST FUND—Continued

[In Thousands of dollars]

	1995	1996 request	Recommendation
Gang Investigation Info. Collection	.....	1,000	1,000
Motor Vehicle Theft Prevention	.....	1,500	1,500
Senior Citizens/Marketing Scams	.....	500	.....
Presidential Summit on Crime	.....	1,000	.....
Total State and local assistance	$2,004,500	$3,034,658	$3,333,343
Total Violent Crime Reduction Trust Fund	$2,061,000	$3,469,200	$3,435,743

[1] Requested as an Independent Agency in 1996.

JUSTICE ASSISTANCE

The Committee recommends $200,377,000 for Justice Assistance for fiscal year 1996, of which $102,400,000 will be derived from the Violent Crime Reduction Trust Fund. The Justice Assistance activity provides assistance to States in the form of research, evaluation, statistics, information sharing, emergency assistance, missing children assistance and the management and administration of all grants provided through the Office of Justice Programs. In addition, funding from the Violent Crime Reduction Trust Fund is recommended for grants associated with the Violence Against Women Act, Substance Abuse Treatment in State Prisons, and for the Missing Alzheimer's Patients Program. An explanation of each program follows:

National Institute of Justice.—The Committee recommendation provides $28,000,000 for the National Institute of Justice (NIJ) for fiscal year 1996, which is $1,000,000 above the amount provided for the current year appropriation. The NIJ is the Nation's primary source of research and development on crime and the criminal justice system. The NIJ also performs crucial evaluations of new programs and projects and distributes their findings to the States.

National Study on Correctional Health Care.—The Committee understands that the need for correctional health care services, along with associated costs is growing at an alarming rate. More than 11 million persons are released from jails, prisons, and juvenile correctional facilities annually. Many of these persons have contracted drug-resistant tuberculosis, HIV/AIDS, or have a history of substance abuse or mental illness. Without proper treatment, these individuals pose a direct and immediate health threat to the larger community. Within the overall amounts recommended for NIJ, the Committee encourages NIJ to undertake a national study on the health care assessment of services currently available in jails, prisons, and juvenile facilities, including the identification of problem areas, particularly as they relate to health care linkages which exist between correctional institutions and community health resources.

Defense Technology.—The Committee is supportive of efforts by the Justice Department, in conjunction with the Department of Defense, to convert non-lethal defense technology to law enforcement use. Within the amount recommended, $3,000,000 is provided to continue the law enforcement technology information network in conjunction with the Regional Information Sharing System, that

will provide States with information on new equipment and technologies, as well as assist law enforcement agencies in locating high cost/low use equipment for use on a temporary or emergency basis. In addition, of the amount recommended, $2,800,000 is provided to expand the technology commercialization initiative started in 1995.

Bureau of Justice Statistics.—The Committee recommendation provides $21,379,000 for the Bureau of Justice Statistics (BJS) for fiscal year 1996, which is the same amount provided in the current year appropriation. BJS is responsible for the collection, analysis and publication of statistical information on crime, criminal offenders, victims of crime, and the operations of the Nation's justice systems.

The Committee understands that the Violent Crime Control and Law Enforcement Act of 1994 instructed the Department of Justice to develop and disseminate model juvenile handgun legislation. The Committee directs the Department to report to the Committees on Appropriations of both the House and the Senate by August 15, 1995, on the status and scope of this legislation and expected completion date.

Emergency Assistance.—The Committee recommendation provides no new budget authority for the Emergency Assistance program, as requested by the Department. This program offers Federal assistance to States in response to situations of an emergency nature.

Missing Children.—The Committee recommendation provides $5,971,000 for the Missing Children program for fiscal year 1996, which is the same amount provided in the current year appropriation. This program provides funds to combat crimes against children, particularly kidnapping and sexual exploitation.

Regional Information Sharing System.—The Committee recommendation provides $14,500,000 for fiscal year 1996 for the Regional Information Sharing System (RISS), which is the same amount provided for the current year appropriation. The RISS program provides funds to maintain six regionally-based information sharing centers throughout the United States to assist States in addressing major, multi-jurisdictional crimes.

National White Collar Crime Information Center.—The Committee recommends a total of $3,850,000 for the National White Collar Crime Information Center (NWCCC) for fiscal year 1996. This program provides assistance to State and local law enforcement and regulatory agencies in addressing multi-jurisdictional white collar crimes. Of the amount provided, $2,100,000 is for the ongoing operations of the NWCCC, and $1,750,000 is for the establishment of a State and local law enforcement support capability for computer crimes.

Management and Administration.—The Committee recommendation provides $24,277,000 for the management and administration of the Office of Justice Programs. In addition, reimbursable funding will be provided from the Juvenile Justice account and the Violent Crime Reduction programs for the administration of grants under these activities.

VIOLENT CRIME REDUCTION TRUST FUND PROGRAMS, JUSTICE ASSISTANCE

The Committee recommendation includes $102,400,000 for two programs authorized under the Violent Crime Control and Law Enforcement Act of 1994. These programs are as follows:

Violence Against Women Act.—The Committee recommends $74,500,000 for grants under the Violence Against Women Act. This amount represents an increase of $48,500,000 over the current year appropriation and $100,400,000 below the budget request. Grants provided under this recommendation are for the following programs:

Law Enforcement and Prosecution Grants to Combat Violent Crimes Against Women	$32,750,000
Grants to Encourage Arrest Policies	28,000,000
Rural Domestic Violence & Child Abuse Enforcement	7,000,000
Victims of Child Abuse Programs:	
Court-Appointed Special Advocate Program	6,000,000
Training for Judicial Personnel & Practitioners	750,000
Total	74,500,000

The Committee notes that Law Enforcement and Prosecution Grants may be used to assist States, Indian Tribal governments and units of local government by providing personnel, training, technical assistance, data collection and equipment, and victim services programs for more widespread apprehension, prosecution, and adjudication of persons committing violent crimes against women. In addition, grants are provided to encourage States, Indian Tribal governments, or units of local governments to implement mandatory arrest of domestic violence offenders, improve tracking and coordination of police enforcement and prosecution of offenders and strengthen legal advocacy service programs for victims. Grants for Rural Domestic Violence and Child Abuse Enforcement Assistance target similar initiatives to rural States.

The Committee also provides funding from the Violent Crime Reduction Trust Fund for the continuation of two programs that were previously funded under Juvenile Justice for Victims of Child Abuse—the Court Appointed Special Advocates Program and Child Abuse Training Programs for Judicial Personnel and Practitioners.

Substance Abuse Treatment of State Prisoners.—The Committee recommends $27,000,000 for grants for use by States and units of local government for development and implementation of residential substance abuse treatment programs within State correctional facilities, and certain local correctional and detention facilities. The amount provided reflects the full amount authorized for this program under the Violent Crime Reduction Trust Fund for 1996.

Safe Return Program.—The Committee recommendation includes $900,000 to continue and expand the national program to locate missing Alzheimer's patients.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

The Committee recommends a total of $3,383,343,000 for fiscal year 1996, of which $3,333,343,000 is provided from the Violent Crime Reduction Trust Fund. This amount represents an increase of $1,303,387,000 over fiscal year 1995 appropriations for State and

Local Law Enforcement Assistance programs. These funds provide assistance to State and local governments in their drug control and other law enforcement efforts as follows:

Edward Byrne Grants to States.—The Committee recommendation provides $525,000,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which $50,000,000 is for discretionary grants and $475,000,000 is provided under the Violent Crime Reduction Trust Fund for formula grants. This amount represents an increase of $25,000,000 over the current year appropriation.

Discretionary Grants.—The Committee recommendation provides $50,000,000 for discretionary grants under Chapter A of the Edward Byrne Memorial State and Local Assistance Program to be administered by the Bureau of Justice Assistance (BJA) to public or private agencies and nonprofit organizations, for educational and training programs, technical assistance, improvement of State criminal justice systems, and demonstration projects of a multi-jurisdictional nature. Within the amount provided for these discretionary grants, the Committee expects BJA to provide:

- $13,500,000 for the Weed and Seed program;
- $4,000,000 for State and local law enforcement activities related to the 1996 Olympic Games;
- $3,000,000 for the National Crime Prevention Council to continue and expand the National Citizens Crime Prevention Campaign (McGruff);
- $1,750,000 to continue and expand the Drug Abuse Resistance Education (DARE) program;
- $2,000,000 for continued funding for the Washington Metropolitan Area Drug Enforcement Task Force;
- $1,000,000 for the National Judicial College to provide drug legal education and training to State and local trail judges;
- $4,350,000 for a grant to the Boys and Girls Clubs of America to expand their very successful community-based crime prevention programs; and
- $1,000,000 to the SEARCH Group, Inc. to continue and expand the National Technical Assistance Program, which provides support to State and local criminal justice agencies to improve their use of computers and information technology.

The Committee also encourages the Attorney General to provide grants to public or private agencies and private nonprofit organizations for advanced education and training of criminal justice personnel and to provide educational assistance to students who possess a sincere interest in public service law enforcement. The Committee expects BJA to submit a report to the Committee on its intentions for this proposal by November 15, 1995.

VIOLENT CRIME REDUCTION TRUST FUND PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

Local Law Enforcement Block Grant.—The Committee recommendation includes $2,000,000,000 for a Local Law Enforcement Block Grant program pursuant to H.R. 728 which passed the House of Representatives on February 14, 1995. The funding is provided in place of the budget request for the Community Ori-

ented Policing Services Programs and will support the following activities at the discretion of State and local agencies:

(1) Hiring, training, and employing on a continuing basis new, additional law enforcement officers and necessary support personnel;

(2) Paying overtime to presently employed law enforcement officers and necessary support personnel;

(3) Procuring equipment, technology, and other material directly related to basic law enforcement functions;

(4) Enhancing security measures in and around schools and any other facility or location which is considered by the unit of local government to have a special risk for incidents of crime;

(5) Establishing crime prevention programs that may, though not exclusively, involve law enforcement officials and that are intended to discourage, disrupt, or interfere with the commission of criminal activity, including neighborhood watch and citizen patrol programs, sexual assault and domestic violence programs, and programs intended to prevent juvenile crime;

(6) Establishing or supporting drug courts;

(7) Establishing early intervention and prevention programs for juveniles to reduce or eliminate crime;

(8) Enhancing the adjudication process of cases involving violent juvenile offenders;

(9) Enhancing formula grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance programs;

(10) Establishing cooperative task forces between adjoining units of local government to work together to prevent and combat criminal activity, particularly criminal activity that is exacerbated by drug or gang-related involvement; and

(11) Establishing multi-jurisdictional task forces, particularly in rural areas, composed of law enforcement officials representing units of local government, that work with Federal law enforcement officials to prevent and control crime.

The Committee recommendation supports one of the most significant changes to the Violent Crime Control and Law Enforcement Act of 1994 that was adopted by the House of Representatives in its passage of H.R. 728. This change provides assistance to State and local governments confronting crime, without prescribing the specific programs that localities must implement in order to receive funding. The resources provided will allow localities to respond to their unique crime problems with their own solutions. The Committee recommendation, therefore, does not specifically provide for the Community Oriented Policing Services program. The Committee understands that community policing is an important tool for combatting crime. However, the Committee understands that the Local Law Enforcement Block Grant Program allows a local government to make the decision regarding funding for more police officers. In addition, the Block Grant program is available to support other prevention programs, such as drug courts, if the locality deems it to be critical to combatting crime in their community. The Committee believes that its recommendation provides the most cost effec-

tive method of providing assistance to States and localities, during a time of declining resource availability.

National Instant Criminal Background Check System.—The recommendation provides $25,000,000 to fund the second year of State programs designed to implement the National Instant Criminal Background Check System (NICS). The Brady Handgun Violence Prevention Act requires the establishment of the NICS by November, 1998. Funding for States to upgrade criminal records, to interface between these records and other databases holding information on other categories of individuals who are prohibited from purchasing firearms under Federal or State statute, and implementation of the NICS, is authorized under the Violent Crime Reduction Trust Fund. In 1995, $100,000,000 was provided from the Violent Crime Reduction Trust Fund for this initiative, which was the full authorization level for 1995. The Committee recommendation supports the full authorization level for 1996.

State Prison Grants.—The recommendation provides $500,000,000 for State Prison Grants pursuant to H.R. 667 which passed the House of Representatives on February 10, 1995. The Committee recommendation provides an increase of $475,500,000 above the current year appropriation. In 1995, $24,500,000 was provided for boot camps for violent offenders.

The $500,000,000 recommended by the Committee is available under the provisions of H.R. 667, The Violent Criminal Incarceration Act of 1995. The Committee recommendation supports the changes adopted by the House to the State Prison Grant program included in the Violent Crime Control and Law Enforcement Act of 1994, which strengthen the incentives for States to implement "truth in sentencing" policies and address States' costs due to the incarceration of criminal aliens. Of the $500,000,000 provided, up to $200,000,000 can be used for reimbursement to States for alien incarceration.

After the reimbursement for alien incarceration, $300,000,000 is available for grants to States and to eligible States organized as a regional compact to build, expand, and operate correctional facilities for the housing of serious violent offenders. Funds can also be used to build, expand, and operate temporary or permanent correctional facilities, including facilities on military bases and boot camp facilities, for the confinement of convicted nonviolent offenders and criminal aliens for the purpose of freeing suitable existing prison space for persons convicted of a serious violent felony. Such grants may also be used to build, expand, and operate secure youth correctional facilities. All grants are subject to the distribution and requirements outlined in H.R. 667.

The Committee also recognizes that substantial savings for taxpayers, in both dollar terms and in the time necessary to make newly-constructed facilities operational, can be achieved by encouraging States to utilize the private sector. In reviewing and approving grants under this program, the Attorney General should take steps to assure applicants have considered privatization of both construction and operations, where most appropriate.

State Criminal Alien Assistance Program.—The recommendation provides $300,000,000 for the State Criminal Alien Assistance Program for the reimbursement to States for the costs of incarceration

of criminal aliens. This amount is in addition to $200,000,000 provided for this purpose under the State Prison Grants program as described above. Thus, the Committee recommends a total of $500,000,000 for reimbursement to states of alien incarceration. The total amount represents an increase of $370,000,000 over the current year appropriation and $200,000,000 above the budget request.

Youthful Offender Incarceration Grants.—The recommendation provides a total of $19,643,000 for grants to States, for use by States and units of local government, for the purpose of developing alternative methods of punishment for young offenders to traditional forms of incarceration and probation, such as boot camps. The alternative methods of punishment should ensure certain punishment for young offenders and promote reduced recidivism, crime prevention, and assistance to victims, particularly for young offenders who can be punished more effectively in an environment other than a traditional correctional facility.

The Committee is aware of a juvenile offender residential facility in Mobile, Alabama that has proven successful in its three years of operation as a deterrent in curtailing serious crimes committed by juveniles. The Committee understands that the facility is designed to free up space in the area's maximum security facility for the incarceration of serious juvenile offenders. Within the amounts recommended by the Committee for Youthful Offender Incarceration Grants or the State Prison Grants program, the Committee expects the Office of Justice Programs to examine the proposal to expand this Juvenile Residential Facility, to provide grants if warranted, and to submit a report to the Committee on its intentions.

Motor Vehicle Theft Prevention.—The recommendation provides $1,500,000 for grants to combat motor vehicle theft through creation of a cooperative partnership between car owners and State and local law enforcement to reduce car theft committed by professional auto thieves and to facilitate their recovery. The amount recommended is an increase of $1,000,000 above amounts provided in the current appropriation and is the full amount authorized in the Violent Crime Reduction Trust Fund for 1996.

Treatment of Tuberculosis in Correctional Institutions.—The recommendation provides $200,000 for treatment of tuberculosis in State and Federal Correctional institutions, which is the full amount requested.

DNA Identification State Grants.—The recommendation includes $1,000,000 for DNA Identification State Grants, which is the full amount authorized for this program under the Violent Crime Reduction Trust Fund and $518,000 above the budget request.

Funding is recommended for grants to States and units of local government to develop or improve forensic DNA testing capabilities in State and local forensic laboratories and to foster cooperation and mutual assistance among forensic DNA laboratories within States and between States that are seeking to match and exchange DNA identification records for law enforcement purposes using the FBI's Combined DNA Index System (CODIS).

Improved Training and Technical Automation Grants.—The recommendation provides $10,000,000 for Improved Training and Technical Automation Grants, which is the full amount authorized

for this program under the Violent Crime Reduction Trust Fund and $5,178,000 above the budget request.

The Committee understands that one of the most critical needs of State and local law enforcement is improved information systems for the identification and tracking of criminals. The recommendation will provide grants to States, Indian Tribal and local criminal justice agencies and nonprofit organizations to improve their efficiency through improved technology and automation. Grants can be made to (1) increase the use of mobile digital terminals; (2) improve communications systems, such as computer-aided dispatch and incident reporting systems; (3) establish or improve ballistics identification programs; (4) increase the application of automated fingerprint identification systems and their communications on an interstate and intrastate basis; and (5) improve the computerized collection of criminal records.

The Committee is aware of a number of automation projects which will enhance State and local enforcement. Within the overall amounts recommended herein for Information and Technology Grants and under the Edward Byrne discretionary grant program, the Committee expects the Office of Justice Programs to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committee on its intentions for each proposal:

- San Francisco Criminal Justice Technology Network Initiative which is an innovative program designed to use state-of-the-art technology to tie together the city's police, fire, paramedic staff, sheriff and court services;
- Center of Advanced Support in Technology for Law Enforcement (CASTLE) for implementation of a national communications capability for local, state, and Federal law enforcement using multi-tiered interactive computer technologies;
- North Carolina Criminal Justice Information Network for the implementation of a Statewide Automation Fingerprint Identification System; and
- Expansions of criminal information in the Regional Information Sharing Systems.

The Committee believes that grants should be used to the greatest extent possible to promote information sharing among Federal, State, and local criminal justice agencies and the development and implementation of compatible systems. The Committee expects that, when considering applications for grants made under this program, the Attorney General shall, to the extent possible, ensure State, Indian Tribal, and local criminal justice agency proposals include technology that is compatible with or can interface with other national law enforcement and criminal justice information systems being developed, in particular, National Crime Information Center 2000, the National Instant Background Check System, National Incident-Based Reporting System, and DRUGFIRE.

Gang Investigation Coordination and Information Collection.—The recommendation provides $1,000,000 for improved information collection on gang investigations. This amount is the full amount authorized under the Violent Crime Reduction Trust Fund for this program and the full amount requested. The Committee expects that the resources provided will support the development of a na-

tional strategy to coordinate gang-related investigations by Federal law enforcement agencies and enhance data collection activities of the Federal Bureau of Investigation with regard to incidents of gang violence for inclusion in the annual uniform crime report.

WEED AND SEED PROGRAM

The Committee recommendation provides a total of $23,500,000 for the Weed and Seed program. The current year appropriation provided $23,500,000 for Weed and Seed, of which $13,500,000 was provided from direct appropriations and $10,000,000 was provided from Byrne Discretionary Grants. The budget requested $23,500,000 for the Weed and Seed program, of which $5,000,000 was requested from direct appropriations, $13,500,000 was requested from Byrne Discretionary Grants, and $5,000,000 was requested from the Community Oriented Policing Services program.

The Committee recommendation provides funding of $13,500,000 as requested from the Byrne discretionary grant program and provides funding of $10,000,000 from discretionary grants under the Juvenile Justice programs. The Committee believes that, because the Weed and Seed program areas represent 36 high-crime neighborhoods, the use of Juvenile Justice discretionary grants will target at-risk youth in the most crime-ridden communities.

Within the overall amount provided for the Weed and Seed Program the Committee expects that $270,000 be provided to the Gospel Mission of Washington, D.C., for the purposes of renovating the former Fulton Hotel and converting it into a drug treatment center for women.

The Committee also recommends bill language, similar to that included in previous fiscal years, making funds available for grants or agreements with State agencies or to reimburse Federal agencies in order to execute the Weed and Seed strategy, and also allows for the use of other Department of Justice funds to support the Weed and Seed Program.

JUVENILE JUSTICE PROGRAMS

The Committee recommendation provides a total of $148,500,000 for Juvenile Justice Programs for fiscal year 1996, the full amount requested by the Administration.

Juvenile Justice and Delinquency Prevention.—The Committee recommends a total of $144,000,000 for fiscal year 1996 for grants and administrative expenses for Juvenile Justice and Delinquency Prevention (JJDP) Programs, the same amount provided in the current fiscal year and the full amount requested. The JJDP program provides funds to States and localities for projects in the areas of education, research, prevention and rehabilitation as follows:

1. $5,000,000 for the Office of Juvenile Justice Programs (OJJP) (Part A).
2. $70,000,000 for Formula Grants for assistance to State and local programs (Part B).
3. $25,000,000 for Discretionary Grants for National Programs and Special Emphasis Programs (Part C). Within the amount provided for Part C discretionary grants, the Committee expects the OJJP to provide:

—$10,000,000 for the Weed and Seed program; and

—$2,300,000 for a grant to continue and expand the National Council of Juvenile and Family Courts which provides continuing legal education in family and juvenile law.

4. $10,000,000, the full amount requested, to expand the Youth Gangs (Part D) program which provides grants to public and private nonprofit organizations to prevent and reduce the participation of at-risk youth in the activities of gangs that commit crimes.

5. $10,000,000, the full amount requested, for Discretionary Grants for State Challenge Activities (Part E). This program authorizes the OJJP Administrator to award grants which could increase the amount of a state's formula grant by up to 10 percent, if that State agrees to undertake some or all of the ten challenge activities included in this program. These challenge activities are designed to improve various aspects of a State's juvenile justice and delinquency prevention programs.

6. $4,000,000, the full amount requested, for the Juvenile Mentoring Program (Part G). This program seeks to reduce juvenile delinquency, improve academic performance, and reduce the drop-out rate among at-risk youth through the use of mentors. The program brings together young people in high crime areas with law enforcement officers and other responsible adults who are willing to serve as long-term mentors.

7. $20,000,000 for Incentive Grants for Local Delinquency Prevention Programs (Title V), which is the same amount provided in the current fiscal year and the full amount requested. These grants are transmitted through the State Advisory Groups to units of general local government for delinquency prevention programs and other activities for at-risk youth.

Within the amounts appropriated for discretionary grants under title II and title V of the JJDP Act, the Committee expects OJJP to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committee on its intentions for each proposal:

—A grant to the Santa Fe Boys and Girls Club which is the primary provider of after school and summer activities for low-income youth and community-based crime prevention programs;

—A grant to the Mable Dodge Lujan Foundation in Taos, New Mexico, that works with community educators, police, public housing authorities, and local citizens to provide anti-crime programs for juveniles;

—A grant to the Kids Peace National Center for Kids for its Intensive Treatment Family Program, which is an innovative community-based approach designed to provide individualized treatment and foster care to seriously emotionally disturbed children and adolescents referred by the juvenile justice system; and

—A grant to Parents Anonymous, Inc. to enhance the capability of the organization's national office to support the delinquency prevention and self-help programs of its local chapters.

Victims of Child Abuse Act.—The Committee recommends a total of $4,500,000 for the various programs authorized under the Vic-

tims of Child Abuse Act (VOCA). In addition, funding of $6,750,000 is provided for Victims of Child Abuse programs under the Violence Against Women Program funded by the Violent Crime Reduction Trust Fund. The total amounts recommended for Victims of Child Abuse Act, equal the amounts provided in the current fiscal year and the full amount requested in the budget. The following programs are included in the recommendation:

—$4,500,000 to Improve Investigations and Prosecutions (Subtitle A) as follows:

—$500,000 to continue Regional Children's Advocacy Centers, as authorized by section 213 of VOCA.

—$2,000,000 to continue local Children's Advocacy Centers, as authorized by section 214 of VOCA.

—$1,500,000 for a continuation grant to the National Center for Prosecution of Child Abuse for specialized technical assistance and training programs to improve the prosecution of child abuse cases, as authorized by section 214a of VOCA.

—$500,000 for a continuation grant to the National Network of Child Advocacy Centers for technical assistance and training, as authorized by section 214a of VOCA.

PUBLIC SAFETY OFFICERS BENEFITS

The Committee recommendation includes the requested language for death benefits under the Public Safety Officers Benefits program for fiscal year 1996, which will fully fund anticipated payments. This program provides a lump sum death benefit payment to eligible survivors of Federal, State and local public safety officers whose death was the direct and proximate result of a traumatic injury sustained in the line of duty.

The recommendation also includes $2,134,000, the full amount requested, for lump sum payments to public safety officers who are permanently disabled in the line of duty.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The Committee has included the following general provisions for the Department of Justice in this bill:

Section 101 provides language, included in previous appropriations acts, which makes up to $45,000 of the funds appropriated to the Department of Justice available for reception and representation expenses.

Section 102 provides language, included in previous appropriations acts, which continues certain authorities for the Justice Department in fiscal year 1996 that were contained in the Department of Justice Authorization Act, fiscal year 1980.

Section 103 provides language, included in appropriations acts prior to 1994, which prohibits the use of funds to perform abortions in the Federal Prison System.

Section 104 provides language, included in previous appropriations acts, which prohibits the use of the funds provided in this bill to require any person to perform, or facilitate the performance of, an abortion.

Section 105 provides language, included in previous appropriations acts, which states that nothing in the previous section re-

moves the obligation of the Director of the Bureau of Prisons to provide escort services to female inmates who seek to obtain abortions outside a Federal facility.

Section 106 provides language, similar to that included in previous appropriations acts, and recently amended in H.R. 1944, which allows the Department of Justice to spend up to $10,000,000 for rewards for information regarding acts of terrorism against a United States person or property at levels not to exceed $2,000,000 per reward.

Section 107 provides language, included in previous appropriations acts, which allows the Department of Justice, subject to the Committee's reprogramming procedures, to transfer up to 5 percent between any appropriation, except Justice Assistance, but limits to 10 percent the amount that can be transferred into any one appropriation.

Section 108 provides language, included in the 1995 Appropriations Act, requested by the Administration, which allows the Federal Prison System's Commissary Fund to invest amounts not needed for operations in obligations of the United States.

Section 109 provides language included in prior appropriations acts that allows balances remaining in the Assets Forfeiture Fund after September 30, 1995 to be available to the Attorney General for any authorized purpose of the Department of Justice.

Section 110 provides language included in the 1995 Appropriations Act, which prohibits the transfer of Justice Department funds to other Departments, except as authorized by this Act.

Section 111 adds new language, as proposed by the Administration, to extend the quarterly fee payments for debtors under Chapter 11 of the Bankruptcy Code to include the period from when a reorganization plan is confirmed by the Bankruptcy Court until the case is converted or dismissed.

Section 112 adds language, contained in prior appropriations acts, that continues the undercover operations authorities for the FBI and DEA for one year. No new authorities are provided.

Section 113 adds new language that allows the user fee surcharge currently collected by the FBI to defray automation costs related to the development of the NCIC 2000 and Uniform Crime Report systems. The current language allows this surcharge to be used to defray automation costs of the fingerprint identification system.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

The Committee recommends a total of $3,451,646,000 for the United States Trade Representative, the International Trade Commission and the Department of Commerce for fiscal year 1996. This amount is $1,279,064,000 below the total request and is $715,521,000 below the total amount appropriated for the these programs for fiscal year 1995.

The Committee has provided a structure under this Title that reflects the fundamental functions that will need to be considered as the overall administrative structure of these programs is debated. This reflects the Committee's effort to identify and prioritize these programs and lay the groundwork for decisions to be made.

TRADE AND INFRASTRUCTURE DEVELOPMENT

The Committee has included under this section of Title II, the U.S. Office of the Trade Representative, the International Trade Commission, and the Department of Commerce agencies responsible for trade promotion and enforcement and economic infrastructure development.

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

The Committee recommends an appropriation of $20,949,000 for the Office of the United States Trade Representative (USTR) for fiscal year 1996. This amount is equal to the budget request and the amount appropriated for fiscal year 1995.

The Committee has not reduced the resources of the USTR, despite the conclusion of the two major trade negotiations, the North American Free Trade Agreement, and the Uruguay Round of the General Agreement on Tariffs and Trade, because of the USTR's position that these resources should now be applied to enforcement of these and other trade agreements. The success of this enforcement policy should be reflected in a decline in the trade deficit, of which there is not yet any significant evidence.

The Office of the United States Trade Representative is responsible for developing and coordinating U.S. international trade, commodity, and direct investment policy, and leading or directing negotiations with other countries on such matters.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

The Committee recommends an appropriation of $42,500,000 for the International Trade Commission for fiscal year 1996. This amount is equal to the appropriation for the current fiscal year and is $4,677,000 below the budget request. The amount provided requires requested increases to be absorbed within the base.

The International Trade Commission is an independent, quasi-judicial agency responsible for conducting trade-related investigations; providing the Congress and the President with independent, expert technical advice to assist in the development and implementation of U.S. international trade policy; responding to the Congress and the President on various matters affecting international trade; maintaining the Harmonized Commodity Description and Coding System of internationally accepted product nomenclature; providing technical assistance to eligible small businesses seeking remedies and benefits under the trade laws; and performing other specific statutory responsibilities ranging from research and analysis to quasi-judicial functions on trade-related matters.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The Committee recommends an appropriation of $264,885,000 for the programs of the Commerce Department's International Trade Administration (ITA). The amount provided is a decrease of $14,673,000 below the request and a decrease of $1,208,000 below the amounts provided for fiscal year 1995. The recommendation reflects decreases below the base for various components of ITA, but maintains core trade policy and enforcement functions and strengthens trade promotion activities. The amount provided reflects the high priority the Committee places on trade promotion and related activities. The following table reflects the distribution of the Committee recommendation by subactivity:

[Dollars in thousands]

	FY 1995 enacted	FY 1996 base	FY 1996 request	FY 1996 mark
Trade Development	$67,574	$47,427	$53,863	$53,684
Int'l Economic Policy	27,808	21,613	25,673	19,452
Import Administration	30,368	30,832	30,540	28,749
US&FCS	158,298	158,470	169,482	165,000
Estimated carryover	(17,955)	0	0	(2,000)
Total, ITA	$266,093	$258,342	$279,558	$264,885

The recommendation includes the full base funding for both the domestic and international offices of the U.S. and Foreign Commercial Service, plus increases of $6,530,000 over the base to allow for the completion of the redesign of the domestic field structure, the expansion of US&FCS into big emerging markets overseas, and the improvement of the automated commercial information services systems. The Committee expects that no additional positions will be created at headquarters as a result of this increase. Any additional positions for the US&FCS are to be directed to the field office structure, domestic and international offices.

The Committee supports increased coordination between the various agencies involved in export promotion. In that regard, the Committee encourages the Export Assistance Centers (operated jointly by the Commercial Service and the Small Business Administration) to work closely with Business Information Centers (funded under SBA), when located in the same state, to establish a regional export strategy for the area's small businesses.

Concerns have been raised that changes made, or which may be made, by the Import Administration to the agreements suspending the antidumping investigations on uranium from Kazakhstan, Kyrgyzstan, the Russian Federation, and Uzbekistan, may adversely affect U.S. electric utilities which purchased uranium from those countries prior to the changes. Specifically, parties have expressed concern about the impact of amendments that may provide that all uranium from one or more of the countries that is enriched in a third country prior to importation in the United States will be considered uranium mined in the CIS countries and, thus, be subject to the quantitative restrictions of the agreements. Because util-

ities may have entered into contracts for such material prior to the amendment, they believe the terms of the amendment should not apply to such contracts (i.e., the contracts should be "grandfathered").

The Committee understands that different views exist on the issues of grandfathering and third country enrichment of uranium prior to importation in to the United States. The Committee directs the Import Administration to fully review those views and to report to the Committee no later than September 15, 1995, on the actions it proposes to take in order to equitably address the views of all parties concerned.

The Committee does not support recommendations that have been made to separate or eliminate any function performed by the ITA, particularly the proposals to eliminate the domestic Commercial Service office or to transfer foreign Commercial Service offices to the Department of State.

The recommendation also includes $10,000,000, under trade development, for continuation of two export promotion programs related to the textile and apparel industries. ITA has a unique statutory responsibility for trade enforcement and promotion for the textile industry. Of this amount, $7,000,000 is intended for the National Textile Center and $3,000,000 is for the Textile/Clothing Technology Center (TC2).

The Committee intends that the Office of Textiles and Apparel be maintained at no less than 90 percent of its base level in fiscal year 1996.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The Committee recommends an appropriation of $38,644,000 for the Bureau of Export Administration. The amount provided is a decrease of $9,797,000 below the amount requested, and equal to the amount appropriated for fiscal year 1995.

The Committee expects that adjustments to base will be funded through the proposed decreases related to the Export Administration's buyout program and additional downsizing resulting from the liberalization of export controls and reduced licensing volume. In addition, the Committee is aware that BXA may have carryover balances of $3,800,000 that could be used to fund its most critical program requirements. The Committee reminds BXA that expenditures of carryover balances are subject to the reprogramming procedures contained in section 605 of the accompanying bill.

The Committee has not provided the requested funding related to the Chemical Weapons Convention Treaty because of ongoing delays in its ratification. Should there be additional progress in the international efforts to ratify the treaty, the Committee is willing to entertain a reprogramming of funds for this purpose.

The Committee continues to support the upgrade and improvement of the BXA on-line licensing system as a way to eliminate bureaucratic delay and duplication in the licensing process. The Committee does not support recommendations to transfer the functions of this office to the Department of State or the Department of Defense.

ECONOMIC DEVELOPMENT ADMINISTRATION

The accompanying bill provides a total of $348,500,000 for the programs and administrative expenses of the Economic Development Administration (EDA) for fiscal year 1996, a total of $91,427,000 below fiscal year 1995 and $90,466,000 below the request. The Committee recommendation represents a 21 percent reduction below the current level.

The Committee recommendation assumes passage of legislation reforming EDA programs, restructuring the Agency, and tightening eligibility requirements to better focus funds on the most distressed areas. It is the Committee's expectation that these reforms and the restructuring will target these programs toward the problems EDA was created to address—providing long term economic solutions for communities suffering from severe economic distresss.

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

A total of $328,500,000 is recommended for fiscal year 1996 for Economic Development Assistance Programs. This amount is a decrease of $79,283,000 below the budget request and the amount provided for the current fiscal year. This amount reflects a 20 percent decrease in funding for EDA programs. The Committee understands that the authorizing committee plans to consider legislation which will dramatically revise the way EDA currently does business, and ensure that assistance is targetted to the most economically distressed areas of the country. The Committee supports enactment of reforms for EDA programs and the continuation of a basic program to provide infrastructure investments, revolving loan funds and technical assistance to economically distressed areas, particularly rural areas. The Committee believes such a program provides the "seed capital" to distressed areas to allow local communities to increase their ability to create new economic opportunities and jobs in accordance with local priorities.

No funds are provided for the proposed Competitive Communities proposal. The Committee directs EDA to discontinue the use of single purpose grant loans in fiscal year 1996.

Language is included in the bill which allows the Secretary of Commerce to provide financial assistance to projects located on military bases closed or scheduled for closure even prior to the grantee having taken title for the property in question. The language has been carried in the bill for two years.

The following table reflects the proposed distribution of the funds provided:

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

[In thousands of dollars]

	FY 1995	FY 1996 request	FY 1996 House
Public works grants (Title I)	$195,000	$140,926	$169,185
Planning assistance	26,598	26,357	24,403
Technical assistance (including university centers)	10,926	6,000	9,912
Defense economic conversion	120,000	80,000	97,000
Research and evaluation	500	1,500	500
Trade adjustment assistance	10,000	.....	8,500
Competitive Communities	.....	134,000	.....

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS—Continued

[In thousands of dollars]

	FY 1995	FY 1996 request	FY 1996 House
Economic adjustment grants (Title IX)	45,000	19,000	19,000
Total	$408,024	$407,783	$328,500

SALARIES AND EXPENSES

The Committee recommends $20,000,000 for the salaries and expenses of the Economic Development Administration. The amount provided is $11,183,000 below the request, and $12,144,000 below the amount made available for the current fiscal year. The Committee expects that this decreased level of funding will be sufficient to administer the programs of the EDA under changes to be addressed by the authorizing committees.

The Committee has included language in the bill which provides the authority to use this appropriation to monitor projects approved under Title I of the Public Works Employment Act of 1976, Title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The Committee recommends $32,000,000 for the Minority Business Development Agency (MBDA) for fiscal year 1996. This amount is $15,921,000 below the budget request and is $11,789,000 less than the amount available for fiscal year 1995.

The Committee's recommendation reflects a 25 percent reduction in funding for this agency. Many of MBDA's programs and activities are duplicative of, or similar to, work done by the Small Business Administration. The Committee expects the Commerce Department and the SBA to work together to develop a plan for eliminating this duplication of activities, and to submit this plan, along with a timeline for implementation, to the Committee by November 1, 1995.

The Committee encourages MBDA to actively shift its focus beyond the development of Federal procurement opportunities, toward creating minority-owned businesses that can successfully compete in the economic mainstream, especially in growth areas such as emerging technologies and international trade. The Committee also encourages MBDA to continue to provide funding for programs that develop innovative approaches to providing minority entrepreneurs greater access to Federal laboratories as a means of furthering minority business participation in the area of technology commercialization, such as the Minority Apprenticeship Program in Technology Management.

UNITED STATES TRAVEL AND TOURISM ADMINISTRATION

SALARIES AND EXPENSES

The Committee has included $2,000,000 in the bill for the United States Travel and Tourism Administration. This amount is $14,328,000 below the amount provided for fiscal year 1995, and $14,303,000 below the budget request. The amount provided will allow USTTA to continue through the White House Conference on Travel and Tourism, scheduled for October 1995. Bill language makes these funds available until December 31, 1995.

The Committee has maintained bill language carried in prior fiscal years which prohibits funding made available under this heading to be used for carrying out section 203(a) of the International Travel Act of 1961, as amended.

The United States Travel and Tourism Administration was established to coordinate the Federal role in international tourism through trade development, trade policy, and statistical research programs. In this time of budgetary constraints, the Committee has had to make the difficult decision to terminate funding for non-essential programs. The Committee feels that any critical trade development programs for the travel industry can be absorbed by the International Trade Administration, which is responsible for all other industries' trade development and promotion activities, within funds provided, and statistical research programs for the travel industry can be absorbed by the Bureau of Economic Analysis.

ECONOMIC AND INFORMATION INFRASTRUCTURE

The Committee has included under this section of the bill the Department of Commerce agencies responsible for the nation's basic economic and technical information infrastructure, as well as the administrative functions which oversee the development of telecommunications and information policy.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

The bill provides $40,000,000 for the economic and statistical analysis programs of the Department of Commerce, including the Bureau of Economic Analysis, for fiscal year 1996. This amount is $17,220,000 less than the budget request and is $6,896,000 less than the amount appropriated for the current fiscal year.

The amount provided is a reduction of almost 20 percent below the base funding for this account. The Committee expects this reduction to be applied first to policy and administrative activities included under this appropriation, and notes that recently announced decisions to eliminate certain periodic economic reports will result in budgetary savings. The Committee intends that none of the funds provided under this appropriation, or under the Bureau of the Census appropriation accounts, be used to carry out the Integrated Environmental-Economic Accounting or "Green GDP" initiative.

The Economic and Statistics Administration (ESA) is responsible for the collection, tabulation and publication of a wide variety of

economic, demographic and social statistics and provides support to the Secretary of Commerce and other Government officials in interpreting the state of the economy and developing economic policy. The Bureau of Economic Analysis and the Under Secretary for Economic Affairs are funded in this account.

ECONOMICS AND STATISTICS ADMINISTRATION REVOLVING FUND

The Committee has included in the bill language necessary for the continuation of a self-supporting revolving fund for data products of the Economics and Statistics Administration, as requested.

The Economics and Statistics Administration operates a revolving fund for the payment of expenses incurred in the electronic dissemination of data, including the acquisition and public sale of domestic, federally-funded and foreign business, trade and economic information. The revolving fund was initially established in fiscal year 1995 with a one-time appropriation of $1,677,000 to capitalize the fund.

BUREAU OF THE CENSUS

The Committee recommends a total of $271,000,000 for the Bureau of the Census for fiscal year 1996. This amount is a reduction of $67,262,000 from the budget estimates, and a decrease of $7,083,000 below the amounts provided for the current fiscal year.

SALARIES AND EXPENSES

The bill provides $136,000,000 for the Salaries and Expenses of the Bureau of the Census for fiscal year 1996. This amount is $8,812,000 less than the budget request, and freezes funding for this account at the level provided in fiscal year 1995.

This appropriation provides for the current statistical programs of the Bureau of the Census, which include the measurement of the Nation's economy and the demographic characteristics of the population. These programs are intended to provide a broad base of economic, demographic, and social information used for decision making by governments, private organizations, and individuals. The Committee expects the Bureau to be fully reimbursed for any survey requested by any other Federal agency or private organization.

PERIODIC CENSUSES AND PROGRAMS

The Committee recommends $135,000,000 for periodic censuses and related programs for fiscal year 1996. This amount is a reduction of $58,450,000 from the budget request and a decrease of $7,083,000 below the amount provided for fiscal year 1995.

This appropriation account provides for decennial and quinquennial censuses, and other programs which are cyclical in nature. Additionally, individual surveys are conducted for other Federal agencies on a reimbursable basis.

The Committee intends the amount provided be distributed as follows:

Economic censuses	$25,000,000
Census of governments	2,000,000
Census of agriculture	10,000,000
Intercensal demographic estimates	5,000,000
Year 2000 Decennial census	42,000,000

Continuous measurement	4,000,000
Sample redesign	2,000,000
CASIC	4,000,000
Geographic support	36,700,000
Data processing systems	10,000,000
Recovery of prior year obligations	(3,100,000)
Estimated Carryover	(2,600,000)
Total	$135,000,000

The amount provided for this account reflects the Committee's ongoing concerns with the Census Bureau's inability to face budgetary realities. While the Committee recognizes the need for valid and reliable information, the Bureau must prioritize the Nation's statistical requirements. Considering the recent action by Congress to achieve a balanced budget by the year 2002 and to further reduce the size of the Federal government, the Committee's warnings take on even greater significance. The status quo is unacceptable. The Census Bureau, like other Federal agencies, will have to do more with less funding and fewer positions. Consequently, it is absolutely essential that the Bureau reprioritize programs to reflect the most critical statistical program needs.

Therefore, the Committee expects the Bureau to develop and submit to the Committee by November 1, 1995, a proposal on the reprioritization and possible elimination of programs funded under this account. This proposal should include a package of recommended statutory changes necessary to implement this proposal. The Committee expects the Bureau to develop this proposal in consultation with the appropriate authorizing committees as well as the Committee on Appropriations.

Census 2000.—The Committee continues to be concerned about progress related to the next decennial census. For years, the Committee has warned the Census Bureau that the cost of Census 2000 had to be kept in check, and that only through early planning and decision-making could costs be controlled.

The Committee recognizes that fiscal year 1996 is a critical year in planning for the decennial census. The Committee understands that numerous decisions will be made and preparatory actions taken which will have a significant bearing on the overall cost of the census, including implementation of a final census design, development and testing of content requirements, and planning for precensus and postcensus operations. In light of the severe budget constraints and the impact these activities will have on future appropriations, the Committee expects the Census Bureau to consult with the Committee prior to any final decisions being made regarding the decennial census' final design, methodology, or content. Further, the Committee expects the Bureau to consult with the Committee, and submit a reprogramming in accordance with Section 605 of the accompanying bill, before implementing plans for precensus and postcensus operations.

Other Periodic Censuses and Programs.—While the decennial census is the largest and most costly activity of the Census Bureau, the Committee believes the Bureau must re-evaluate and reprioritize all of its programs. The Committee expects that the Bureau's aforementioned review will include all programs of the Bureau.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

The Committee recommends a total of $78,709,000 for the National Telecommunications and Information Administration (NTIA) for fiscal year 1996. This amount is $54,596,000 less than the budget request, and is $22,696,000 less than the amount appropriated for the current fiscal year.

SALARIES AND EXPENSES

The Committee recommends $19,709,000 for the Salaries and Expenses appropriation of the National Telecommunications and Information Administration. This amount is a reduction of $3,223,000 from the budget request, and a decrease of $1,252,000 below the amount appropriated for fiscal year 1995. The amount provided reflects a ten percent reduction below the base for this account.

PUBLIC BROADCASTING FACILITIES, PLANNING AND CONSTRUCTION

The Committee recommends $19,000,000 for planning and construction grants for public television, radio, and non-broadcast facilities. The Committee recommendation is a decrease of $9,983,000 below the amount appropriated for this program in fiscal year 1995, and an increase of $11,041,000 above the budget request.

The Committee recommendation, which is 35 percent below the current appropriation for this account, reflects the severe overall budget constraints facing the Committee.

While the Committee expects non-Federal funds to be used to the maximum extent possible in the maintenance of this infrastructure, the Committee notes that many areas, particularly rural or disadvantaged locales, lack the necessary resources to provide for maintenance and upgrades of the facilities. Therefore, the Committee has provided funding above the request for this program to ensure that adequate resources are available to maintain that infrastructure, especially in such areas.

The Committee has included language in the bill which permits not to exceed $2,200,000 to be available for program administration as authorized by law, as well as language carried in the appropriations bill for many years which permits prior year unobligated balances to be available for grants for projects for which applications have been submitted and approved during any fiscal year.

The Committee has not included requested bill language earmarking $1,500,000 of the funds provided under this account for the Pan-Pacific Educational and Cultural Experiments by Satellite (PEACESAT) program. The Committee believes that this program should compete under the Information Infrastructure Grant program with other innovative distance learning and information initiatives.

INFORMATION INFRASTRUCTURE GRANTS

The Committee recommends $40,000,000 for the Information Infrastructure Grant program under NTIA for demonstrations of new telecommunications technology applications. This amount is $59,912,000 below the budget request, and a decrease of $8,962,000 below the current amount available for fiscal year 1995.

The Committee has also included bill language making $4,000,000 of the funds provided under this heading available for program administration and related program support activities, instead of $8,395,000 as requested. The bill also includes recommended bill language which will allow up to five percent of this appropriation to be available for telecommunications research activities.

The Committee believes the NII program is critical to the development of the national information superhighway which will be of particular value to underserved and rural areas. This emerging telecommunications infrastructure will allow more remote areas to gain access to enhanced education, health care, and social services, as well as provide enhanced economic opportunities. Therefore, as was suggested in last year's report, the Committee directs NTIA to give particular consideration to applications which would lead to increased telecommunications access in areas where such service is not readily available.

The Committee has been made aware of a worthwhile proposal which should be eligible for funding under the applicable guidelines for the Information Infrastructure Grant program. The organizing committee for the Xth Paralympic Games has a proposal for the development of voice recognition and digitized voice feedback software that can be incorporated into a touch screen information system for use by the athletes, officials, and spectators to retrieve accurate and timely information on venue sites, service locations, competition times and transportation schedules. The Committee encourages NTIA to consider this proposal and provide a grant if warranted.

ENDOWMENT FOR CHILDREN'S EDUCATIONAL TELEVISION

The Committee recommends no funding for the Endowment for Children's Television for fiscal year 1996. The current year funding level for this account is $2,499,000; $2,502,000 was requested for fiscal year 1996.

These grants are duplicative of programs funded under other agencies and through the private sector and have no relationship to other NTIA mission activities.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

The bill provides $100,000,000 for the Salaries and Expenses appropriation of the Patent and Trademark Office (PTO). The amount provided is to be appropriated from amounts paid into the Patent Fee Surcharge Fund. This amount is a decrease of $10,868,000 below the budget request, and is $17,676,000 above the amount provided from the Fund for fiscal year 1995. The amount included in this bill is in addition to anticipated offsetting fee collections of $532,146,000 available directly to the Patent and Trademark Office, resulting in a total operating level of $632,014,000 for fiscal year 1996 compared to $541,714,000 for the current fiscal year.

As has been the practice in previous years, the Committee has not provided the total amount requested from the Patent Fee Surcharge Fund for fiscal year 1996. The Committee is scored against

its overall funding allocation for appropriating fees from this Special Fund and must give this account the same consideration as other funding requests when determining appropriate funding levels. The Committee recommendation will result in a total of $70,649,000 in cumulative unappropriated balances available in the Patent Fee Surcharge Fund. The Committee notes that this situation was created under the Omnibus Budget Reconciliation Act of 1990, under which the increase in patent fees was diverted to offset the Federal deficit, and therefore encourages the resolution of the situation through the budget reconciliation process.

The Patent and Trademark Office is charged with administering the patent and trademark laws of the United States. PTO examines patent applications, grants patent protection for qualified inventions, and disseminates technological information disclosed in patents. PTO also examines trademark applications and provides Federal registration to owners of qualified trademarks.

SCIENCE AND TECHNOLOGY

The Committee has included under this section of Title II the Department of Commerce agencies involved in technology research and development, scientific assessment and prediction of environmental phenomena, and the administrative and policy functions providing oversight for these activities.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The Committee recommends a total of $404,100,000 for the three appropriations accounts under the National Institute of Standards and Technology (NIST) for fiscal year 1996. This amount is a reduction of $618,950,000 from the budget request, and is a decrease of $359,698,000 below the amounts appropriated for fiscal year 1995. A description of each account and the Committee recommendation follows:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The Committee has provided $263,000,000 for the Scientific and Technical Research and Services (core programs) appropriation of the National Institute of Standards and Technology. This amount is a reduction of $47,679,000 from the budget request and a decrease of $1,486,000 below the fiscal year 1995 appropriation. The amounts provided for this account reflect the Committee's commitment to funding basic research programs that benefit the nation's industries.

The following is a breakdown of the amounts provided under this account by activity. This distribution should be used as the basis for any proposed reprogrammings of funds:

Electronics and Electrical Engineering	$37,000,000
Manufacturing Engineering	19,200,000
Chemical Science and Technology	27,100,000
Physics	27,400,000
Material Sciences and Engineering	53,400,000
Building and Fire Research	13,200,000
Computer Systems	30,700,000
Applied Mathematics and Scientific Computing	10,000,000
Technical Assistance	18,000,000

Research Support	27,000,000
Total, NIST core research	$263,000,000

The Committee recommendation is within the amounts proposed in the pending reauthorization bill for the NIST internal research programs.

The Committee understands that NIST is currently considering the assignment of personnel to nine overseas posts. Each of these posts currently have Commerce Department representation through the Commercial Service. The Committee does not approve the placement of additional NIST personnel overseas. Concerns about the rapid growth of overseas personnel from agencies other than the Department of State are addressed elsewhere in this report.

Quality Program.—Within the amount designated for "Research Support", the Committee has provided $2,900,000 for the base NIST Quality Program, which includes the Malcolm Baldridge National Quality Award. The Committee fully endorses the continuation of the basic Baldridge award program.

INDUSTRIAL TECHNOLOGY SERVICES

The Committee recommends $81,100,000 for the Industrial Technology Services appropriation of the National Institute of Standards and Technology. This amount is $353,573,000 below the current appropriation available for fiscal year 1995, and is $561,358,000 below the budget request.

Advanced Technology Program.—The Committee has provided no new funds for the Advanced Technology Program (ATP) because of the likelihood that no authorization will be provided for the program. The Committee understands that as of May 31, 1995, approximately $187,000,000 of ATP funds remained unobligated. The Committee has included bill language directing that no additional grants be awarded, and that any remaining balances be used to fund the continuation costs of ATP grants awarded in fiscal year 1994 and prior years. Administrative costs necessary for the management of continuation grants may be absorbed under the NIST internal account.

Manufacturing Extension Partnership Program.—The Committee has included $81,100,000 for the Manufacturing Extension Partnership (MEP) Program. This amount will allow for the continuation of eligible existing centers, rollover costs for 22 of the 37 Centers originally funded under the Technology Reinvestment Program under the Defense Department, and for one additional competition for new centers to be conducted in fiscal year 1996.

CONSTRUCTION OF RESEARCH FACILITIES

The Committee recommends an appropriation of $60,000,000 for construction of NIST facilities. This amount is a decrease of $4,639,000 below the amount appropriated for the current fiscal year, and is $9,913,000 below the budget request. The Committee recognizes the importance of continuing the long term plan to address the technical obsolescence of NIST facilities, but expects NIST to reassess its building requirements in light of reduced program and staffing levels and overall budget constraints.

This program supports all NIST activities by providing the facilities necessary to carry out the NIST mission. The Institute has proposed a multiyear effort to construct advanced technology laboratories and to renovate NIST's current buildings and laboratory facilities in compliance with more stringent science and engineering program requirements. The amount provided for fiscal year 1996 will permit continuation of both the design work for new facilities and enhanced maintenance of NIST's existing facilities.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The Committee recommends a total of $1,752,410,000 in new budget (obligational) authority for the eight appropriation items of the National Oceanic and Atmospheric Administration (NOAA), transfers totaling $55,500,000 and fees totaling $3,000,000. This amount is a decrease of $354,099,000 below the budget request for these items and a decrease of $196,614,000 below the amounts appropriated under these accounts for fiscal year 1995.

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

The bill includes $1,690,452,000 in new budget (obligational) authority for the fisheries, marine, weather, environmental, satellite, and other programs funded in this appropriation. This amount is a reduction of $330,683,000 from the budget request and is a decrease of $138,840,000 below the amount appropriated for fiscal year 1995.

In addition to the new budget authority provided, the Committee recommends a transfer of $55,500,000 from balances in the account entitled, "Promote and Develop Fishery Products and Research Pertaining to American Fisheries." This amount is equal to the budget request and will leave approximately $9,265,000 remaining in the fund for Saltonstall-Kennedy grants. The total amount provided also includes a transfer of $3,900,000 from the Damage Assessment Revolving Fund.

Language is included in the bill which allows NOAA to collect additional fees to recover some of the costs of administering the aeronautical charting program. The language allows these fees to be credited to this appropriation as offsetting collections, and will result in a final General Fund appropriation of $1,687,452,000. The bill also includes language allowing NOAA to retain gifts and contributions made under the Marine Sanctuary Program. Any amounts collected under this proposal are in addition to amounts provided in the bill for marine sanctuaries.

Language is included in the bill establishing a maximum level of $2,000,000 per State under the Coastal Zone Management administrative grant program. This is similar to language included in previous years appropriations acts.

The Committee recommendation reflects prior year deobligations and carryover funding totaling $30,000,000. The Committee is increasingly concerned by NOAA's inability to accurately project its funding requirements for any given fiscal year. In response to a request from the Committee earlier this year for estimated carryover balances, NOAA responded that only $1,500,000 would carryover

from fiscal year 1995 into fiscal year 1996. Yet NOAA historically carries over an average of $74,000,000 from one fiscal year to the next. The Committee expects NOAA to take immediate steps to address its serious accounting and financial management problems without the creation of any additional layers of management.

The Committee is increasingly concerned by the failure of NOAA to respond to its requests for cooperation in certain matters, and to follow up on information requests made by the Committee. The Committee is also concerned with the cavalier approach NOAA takes to directions given in the Committee report, particularly direction related to items not included in the budget request. The Committee expects NOAA to follow the direction given in this section of the report as well as the sections addressing the Committee's reprogramming requirements.

The Committee recommendation includes increases above fiscal year 1995 levels, and in some cases above the fiscal year 1996 request, for certain high priority funding requirements, and eliminates or reduces funding for many lower priority items included in the request. The Committee is concerned that many of the line items included in the request are continuations of add-ons provided in previous years for which the original intended purpose has been accomplished. NOAA has instead incorporated these items into its base funding without adequate justification for the activity or the dollar amount associated with it, or any explanation of the need to continue to fund these items. In many cases NOAA has ignored Congressional direction and diverted funds intended to be provided to specific institutions or grantees in order to offset shortfalls in the NOAA base. The Committee reminds NOAA that the base reductions included in this mark are intentional. NOAA must take action to downsize and streamline its various functions and offices. The Committee directs NOAA to end the practice of subsidizing its base costs through the practice of withholding funds from activities designated in the bill or report.

Further, the Committee expects the Commerce Department and NOAA to develop a revised budget structure that displays the amounts requested under a true program office and activity structure. This budget structure should identify and segregate amounts requested for headquarters and field office components of various activities as well as indicate the amounts intended for external grants or contracts. The Committee expects the Commerce Department and NOAA to develop this budget structure in consultation with the Committee on Appropriations and the appropriate authorizing committees, and to use this revised budget structure in the submission of its fiscal year 1997 budget request.

The following table compares the Committee recommendation to the 1995 enacted appropriation and the fiscal year 1996 budget request for the activities, sub-activities, and projects funded in this appropriation:

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—FISCAL YEAR 1996 BUDGET

[Dollars in thousands]

	FY 1995 appropriation	FY 1996 President's request	FY 1996 House mark
NATIONAL OCEAN SERVICE			
Mapping, Charting, and Geodesy:			
Mapping and Charting	$32,149	$33,586	$37,500
Geodesy	20,667	19,927	20,927
Total, Mapping, Charting, and Geodesy	52,917	53,513	58,427
Observation and Assessment:			
Observation and Prediction	13,058	13,599	11,000
Chesapeake Bay observation buoys	400	0	400
Ocean services	4,418	4,451	3,000
Subtotal	17,876	18,050	14,400
Estuarine and Coastal Assessment	2,674	3,130	2,674
Ocean assessment program	24,528	21,925	14,600
Damage assessment	1,200	4,500	1,200
Transfer from Damage Assessment Fund	6,770	6,550	6,550
Oil Pollution Act of 1990	1,300	1,395	1,000
Subtotal	36,472	37,500	26,024
Coastal Ocean Science Coastal Ocean program	12,243	18,541	0
Total, Observation and Assessment	66,591	74,091	40,424
Ocean and Coastal Management:			
Coastal Management			
CZM grants	45,500	46,657	36,000
Acquisition of estuarine sanctuaries	3,350	4,214	0
Charleston, SC, spec. area mgt. plan	1,000	0	0
Nonpoint pollution	5,000	8,000	0
Subtotal	54,850	58,851	36,000
Ocean Management			
Marine sanctuary program	11,961	12,371	9,000
Total, Ocean and Coastal Management	66,811	71,222	45,000
Total, NOS	186,218	198,826	143,851
NATIONAL MARINE FISHERIES SERVICE			
Information Collection and Analyses:			
Resource Information	65,973	86,467	72,835
Conservation engineering by catch	800	800	0
Antarctic research	1,200	1,200	1,000
Fishery resource data error reduction	960	960	0
Marine mammal research	2,314	2,314	1,650
Protected species research	3,630	3,630	1,800
Chesapeake Bay Studies	1,890	1,890	1,000
Right whale research	214	214	0
Gear entanglement studies	651	651	0
MARFIN	3,780	3,780	3,000
SEAMAP	1,340	1,340	700
Aquaculture	2,500	2,500	0
Alaskan groundfish surveys	661	661	661
Bearing Sea pollock research	945	945	945
West Coast groundfish	780	780	780
New England stock depletion	1,116	1,116	1,000

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—FISCAL YEAR 1996 BUDGET—Continued

[Dollars in thousands]

	FY 1995 appropriation	FY 1996 President's request	FY 1996 House mark
Hawaii stock management plan	500	0	0
Yukon River chinook salmon	700	700	500
Winter Run chinook salmon	250	250	0
Atlantic salmon research	710	710	500
Gulf of Maine groundfish survey	567	567	450
Dolphin safe technologies	500	500	0
Habitat research/evaluation	470	470	450
Pacific salmon treaty program	5,587	5,587	5,000
Fish cooperative inst. enhancement	410	410	0
Hawaiian monk seals	520	520	0
Stellar sea lion recovery plan	1,440	1,440	720
Hawaiian sea turtles	240	240	0
Atlantic bluefin tuna research	300	0	0
Halibut/Sablefish	1,200	1,200	1,200
Subtotal	102,148	121,842	94,191
Fishery Industry Information			
Fish statistics	11,937	14,187	13,000
Alaska groundfish monitoring	5,200	5,200	5,200
PACFIN/catch effort data	2,300	2,300	2,300
Rec. fishery harvest monitoring	2,900	2,900	2,900
Subtotal	22,337	24,587	23,400
Information Analyses and Dissemination	20,913	22,606	18,373
Computer hardware and software	5,000	5,000	4,000
Subtotal	25,913	27,606	22,373
Total, Information Collection and Analyses	150,398	174,035	139,964
Conservation and Management Operations:			
Fisheries Management Programs	15,856	16,763	16,000
Columbia River hatcheries	10,300	10,263	9,000
Columbia River end. species studies	288	287	140
Regional councils	8,556	8,524	9,000
Fisheries Management (ITQs)	0	10,000	0
International fisheries commissions	1,250	395	395
Management of George's Bank	480	478	478
Beluga whale committee	200	0	200
Pacific tuna management	2,000	1,992	0
Subtotal	38 ,930	48,702	35,213
Protected Species Management	5,234	6,712	5,000
ESA listing and status review	930	928	0
Driftnet Act implementation	3,000	2,993	2,500
Marine Mammal Protection Act	8,000	10,230	6,000
Endangered Species Act recovery plan	7,000	14,783	3,000
Fishery observer training	300	0	300
East Coast observers	700	697	350
Subtotal	25,164	36,343	17,150
Habitat Conservation	7,979	10,665	8,000
Enforcement and Surveillance	15,460	18,445	15,500
Total, Conservation and Management Operations	87,533	114,155	75,863
State and Industry Assistance Programs:			
Interjurisdictional fisheries grants	3,156	3,156	2,000

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—FISCAL YEAR 1996 BUDGET—Continued

[Dollars in thousands]

	FY 1995 appropriation	FY 1996 President's request	FY 1996 House mark
Anadromous grants	2,108	2,108	1,500
Anadromous fishery project	250	250	0
North Atlantic fishery project	2,800	0	0
Interstate fish commissions	4,000	4,000	2,000
Subtotal	12,314	9,514	5,500
Fisheries Development Program			
Fisheries trade promotion activities	1,500	1,631	0
Product quality and safety/seafood inspection	14,155	14,500	10,000
Export strategies/Mahi Mahi	750	0	0
Fisheries Biotechnology	2,000	1,993	0
Subtotal	18,405	18,124	10,000
Total, State and Industry Assistance Programs	30,719	27,638	15,500
Total, NMFS	268,650	315,828	231,327
OCEANIC AND ATMOSPHERIC RESEARCH			
Climate and Air Quality Research:			
Interannual and Seasonal Climate Research (including Climate and Global Change)	78,770	97,788	60,346
Long-Term Climate and Air Quality Research	27,272	39,144	33,772
High Performance Computing	6,500	15,558	6,500
Subtotal	33,772	54,702	94,118
GLOBE	7,000	7,038	0
Total, Climate and Air Quality	119,542	159,518	94,118
Atmospheric Programs:			
Weather Research	33,613	34,720	33,613
Wind profiler	4,350	4,350	4,350
Federal/state weather mod. grants	3,100	0	0
Southeastern storm research	400	0	0
Subtotal	41,463	39,070	37,963
Solar-Terrestrial services and research	5,483	7,839	5,483
Total, Atmospheric Program	46,946	46,909	43,446
Ocean and Great Lakes Programs:			
Marine Prediction Research	9,506	10,226	9,506
GLERL	4,558	4,558	0
Great lakes nearshore research	200	200	0
VENTS	2,496	0	0
SE US/Caribbean FOCI program	450	0	0
GLERL/Zebra mussel	911	0	0
Lake Champlain study	150	0	0
Pacific Island technical assistance	190	0	0
Subtotal	18,461	14,984	9,506
Sea Grant			
Sea grant college program	53,198	49,400	53,300
National coastal R&D institute	1,000	0	0

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—FISCAL YEAR 1996 BUDGET—Continued

[Dollars in thousands]

	FY 1995 appropriation	FY 1996 President's request	FY 1996 House mark
Subtotal	54,198	49,400	53,300
Undersea Research Program			
NOAA Undersea Research Program	17,932	0	0
Regional marine research centers	1,500	0	0
Subtotal	19,432	0	0
Total, Ocean and Great Lakes Programs	92,091	64,384	62,806
Total, OAR	258,579	270,821	200,370
NATIONAL WEATHER SERVICE			
Operations and Research:			
Local Warnings and Forecasts/MARDI	438,414	417,356	405,300
Data buoy maint. for Hawaii	542	542	0
Agricultural and fruit frost program	2,316	0	0
Fire weather services	449	0	0
Susquehanna River Basin Flood Sys	1,250	669	669
Aviation forecasts	35,596	35,596	35,596
Regional climate centers	3,200	0	0
Subtotal	481,767	454,163	441,565
Central Forecast Guidance	29,015	30,457	28,193
Atmospheric and Hydrological Research	2,487	2,669	2,000
Total, Operations and Research	513,269	487,289	471,758
Systems Acquisition:			
Public Warning and Forecast Systems			
NEXRAD	82,982	55,249	53,335
ASOS	17,515	16,952	16,952
AWIPS/NOAAPort	34,947	52,097	50,000
Computer Facility Upgrades	9,985	12,745	12,000
Total, Systems Acquisition	145,429	137,043	132,287
Total, NWS	658,698	624,332	604,045
NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE			
Satellite Observing Systems:			
Polar spacecraft and launching	146,228	198,824	184,765
Polar convergence/IPO	16,000	54,000	39,500
Landsat	0	12,000	0
Geostationary spacecraft and launching	132,242	179,101	162,273
Ocean remote sensing	6,000	1,600	0
Environmental observing services	51,271	55,912	49,000
Total, Satellite Observing Systems	351,741	501,437	435,538
Environmental Data Management Systems	24,365	28,564	24,365
Data and Information Services	11,300	15,100	11,300
Total, EDMS	35,665	43,664	35,665
Total, NESDIS	387,406	545,101	471,203

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—FISCAL YEAR 1996 BUDGET—Continued

[Dollars in thousands]

	FY 1995 appropriation	FY 1996 President's request	FY 1996 House mark
PROGRAM SUPPORT			
Administration and Services:			
Executive direction and administration	25,490	25,882	20,000
Systems Program Office (SPO)	1,798	2,607	1,500
Subtotal	27,288	28,489	21,500
Central Administrative Support	37,853	54,749	30,000
Retired Pay Commissioned Officers	7,706	7,889	7,706
Total, Administration and Services	72,847	91,127	59,206
Marine Services	62,011	62,202	60,000
Aircraft Services	9,153	10,248	9,500
Critical safety and instrumentation	4,000	0	0
Total, Aircraft Services	13,153	10,248	9,500
Total, PS	148,011	163,577	128,706
Direct Obligations	1,907,582	2,118,485	1,779,502
GSA Amendment	[−2,054]		
Total, direct obligations	1,907,582	2,118,485	1,779,502
Reimbursable obligations	316,216	309,715	309,715
Anticipated offsetting collections	0	4,000	3,000
Subtotal	316,216	313,715	312,715
Total obligations	2,223,918	2,432,200	2,092,217
Financing:			
Deobligations/Carryover	(16,000)	(18,000)	(30,000)
Unobligated balances transferred (DARE)	(2,650)	(2,650)	(2,650)
Anticipated offsetting collections	(6,000)	(4,000)	(3,000)
Federal funds	(280,607)	(272,207)	(272,207)
Non-federal funds	(35,609)	(37,508)	(37,508)
Budget authority	1,885,562	2,097,835	1,746,852
Financing from:			
Promote and develop American fisheries	(55,500)	(55,500)	(55,500)
Damage assessment & restoration revolving fun	(4,120)	(3,900)	(3,900)
Transfer from BPA	0	(10,300)	0
Mandatory Fish Fees (ITQs)	0	(10,000)	0
Appropriation, ORF	1,823,292	2,018,135	1,687,452

The following paragraphs provide highlights of the amounts distributed in the preceeding table:

NATIONAL OCEAN SERVICE

The Committee has included a total of $143,851,000 for activities of the National Ocean Service (NOS) for fiscal year 1996, instead of $186,358,000 provided for fiscal year 1995 and $198,826,000 as requested.

Mapping and Charting.—The Committee has included $37,500,000 for the NOAA mapping and charting program. This increase above the request is intended to increase the percentage of critical areas that could be surveyed in fiscal year 1996 and hasten the implementation of NOAA's new digital charting system. The Committee intends that NOAA increase its reliance on contracting with the private sector to conduct mapping and charting activities. An increased reliance on the private sector will enable NOAA to decrease its FTE requirements and the need for additional vessels in its own fleet for these purposes. The Committee intends that the entire increase provided will be used to contract with the private sector and does not approve additional FTE for this activity.

Geodesy.—The Committee has included $20,927,000 for NOAA's geodesy programs. Included in this amount is $1,000,000 in fiscal year 1996 funds for the Land Information System, multipurpose cadastre program. The Committee directs NOAA to identify an additional $3,120,000 in fiscal year 1995 appropriations and prior year carryover balances to complete the original proposals for base mapping projects for Orleans and Jefferson Parishes. This amount to be provided from prior year carryover funds represents the amount the National Geodetic Survey has retained from amounts designated in the report in previous years for this project. The total amount of $4,120,000 will complete the planned Land Information Systems for these two parishes. The Committee expects these funds to be awarded as soon as possible, but no later than 30 days after enactment of the accompanying bill.

The Committee encourages NOAA to review the merits of a pilot project under the National Geodetic Survey to implement the North American Vertical Datum of 1988 (NAVD 88) in California and in western North Carolina. NAVD88 would be used to provide accurate and safely identified civil engineering information by measuring vertical data. The Committee understands that NAVD88 is the appropriate replacement for the current vertical measurement system. This pilot project could demonstrate NAVD88's potential for integrating available technologies at the local level.

Marine Sanctuary Program.—The Committee has included $9,000,000 for the National Marine Sanctuary Program. The Committee expects that the total overhead charged to the National Marine Sanctuaries Program in fiscal year 1996 will not be in excess of the program's demands on those resources.

The Committee is also aware of concerns related to the proposal to designate a new marine sanctuary site in Puget Sound, Washington. The Committee expects that no action will be taken to designate this site unless and until the communities impacted by the designation vote in the affirmative to do so.

Coastal Zone Management (CZM).—The Committee has included $36,000,000 for CZM 306 and 306(a) grants. Funding for CZM program administration is to be covered under amounts made available through the Coastal Zone Management Fund. In addition, the Committee has provided $4,300,000 for the National Estuarine Research Reserve program under the separate appropriation from the Coastal Zone Management Fund.

Chesapeake Bay Observation Buoys.—The Committee has included $400,000 to complete the acquisition of observation buoys

for the Chesapeake Bay Observation System. This funding is based on a commitment for the State of Maryland to assume responsibility for funding the operation of these buoys in future years.

NATIONAL MARINE FISHERIES SERVICE

The Committee has provided $231,327,000 for the programs of the National Marine Fisheries Service (NMFS) for fiscal year 1996 instead of $315,828,000 as requested. The Committee has redirected and reprioritized funds provided to NMFS to reflect the Committee's commitment to building sustainable fisheries. The Committee understands that the reductions below current year spending for NMFS will require significant reductions in headquarters and field activities and encourages NMFS to develop an immediate program-driven plan for addressing these reductions.

Endangered Species Act.—The Committee is aware that the Endangered Species Act has not been reauthorized since 1992. The Committee, therefore, finds it inappropriate to fund the application of this law to new prelisting or listing activities associated with threatened or endangered species. These activities include designations of critical habitat, review of petitions to list species and/or revise critical habitat, or any other activities the agency conducts as part of its prelisting and listing actions. The Committee has included funding for species currently listed under the law in order to avoid disruption of ongoing programs for these species as well as impacts on the activities of private parties.

The Committee recognizes that the Department of Commerce may be subject to court orders finding violations of the Endangered Species Act by failing to take a listing or prelisting action with respect to a specific species. The current listing moratorium contained in Public Law 104–6 provides a limited exception for these situations. The Committee expects that the Department would comply with an order issued by a Federal court with respect to a specific species prior to April 10, 1995, the date of enactment of Public Law 104–6, to the extent that funds are available for reprogramming. However, the deletion of funding due to lack of authorization does apply to implementation of any settlement of a lawsuit agreed to by the Department.

Sea Turtle/Shrimp Fishery Emergency Response Plan.—As addressed in House Report 104–124, the conference report on H.R. 1158, the Committee directs NMFS to immediately convene a team of experts to scientifically peer review and examine all the information available on its March 14, 1995, Sea Turtle, Shrimp Fishery Emergency Response Plan (ERP) and the NMFS and NOAA Sea Turtle Conservation Restrictions Applicable to Shrimp Trawling Activities announced in the May 3, 1995 Federal Register. The Committee directs that individuals with appropriate scientific expertise nominated by the shrimp fishing industry and the conservation community be part of the peer process and team. The Committee also directs NMFS to immediately seek detailed recommendations and analysis from affected shrimp fishing industry members and the conservation community on its March 14, 1995 restrictions, including a detailed assessment of the economic impact on the affected shrimp fishing industry. The Assistant Administrator for

NMFS shall convene immediate meetings with representatives of such groups to review and develop such recommendations.

The Committee directs NMFS to work with the shrimp fishing industry to revise its March 14, 1995 ERP and its May 3, 1995 restriction to include the results of the scientific peer review and the alternatives for lessening the economic impact on the shrimp fishing industry. These alternatives may include exemptions to using turtle excluder devices (TEDs) in smaller try nets. NMFS is directed to publish for public comment and input only the revised plans for the March 14, 1995 ERP and the May 3, 1995 restrictions by August 30, 1995. The Committee directs NMFS and the Department of Commerce not to implement any shrimp fishery closures that may result from the March 14, 1995 ERP prior to December 31, 1995.

The Committee directs NOAA to report to the Committee on its progress in implementing these actions prior to the conference with the Senate on the accompanying bill, but no later than September 15, 1995. The Committee notes that similar direction was provided to NOAA regarding these issues in the conference report to accompany H.R. 1158. Prior to passage of the conference report on H.R. 1158, the Under Secretary of Commerce for Oceans and Atmosphere informed the Committee that NOAA would comply with the direction should H.R. 1158 become law. Despite the Administration's veto of the original bill, the Committee intends that NOAA comply with the direction in that report and the additional direction provided here.

Sea Turtle Protection.—In addition, the Committee also expects NMFS to improve its activities in the area of protecting, recovering and improving beach monitoring of the Kemps Ridley and other sea turtles. Within the amount provided for conservation and management activities, the Committee directs NMFS to provide additional resources toward the following activities:

(1) protecting and enhancing the nesting beaches and nesting success of the Kemps Ridley at Rancho Nuevo, Mexico;

(2) improving the beach monitoring of the Sea Turtle Stranding and Salvage Network (STSSN) by establishing a systemic stranding monitoring program with the cooperation and participation of the shrimp fishing industry; and

(3) conducting independent research, through academic institutions and with the participation of the shrimp fishing industry, into alternative methods, other than the use of turtle excluder devices, for reducing the incidental capture of sea turtles in shrimp trawls.

Red Snapper Stock Management.—The Committee also expects NOAA, with the participation of all segments of the commercial and recreational fishing industry, to conduct an independent survey and analysis of the red snapper stock and red snapper management plan. The Committee directs NOAA to conduct this survey and analysis to better define the condition of the stock and to assess the need for management and the economic impact on the industry due to actions taken under the management plan.

Columbia River Hatcheries.—With regard to the Columbia River hatcheries, the Committee is aware that the states of Oregon and Washington have required their state agencies to begin marking all

hatchery salmon. NMFS should make an effort to work with these states to help facilitate this work at federally funded facilities.

Fish Screen Criteria.—The Committee expects NMFS to work with the Bureau of Reclamation, the U.S. Fish and Wildlife Servcie and the appropriate resources agencies of the State of California to review and, where necessary, revise criteria for sweeping and approach velocities for new fish screens in the Sacramento and San Joaquin Rivers. Existing criteria appear to be unsuitable for some riverine conditions; these tests will assist in the development of suitable screening criteria for species for which no screening criteria currently exist. The Committee expects this review to result in lower design and construction costs of fish screens in riverine environments.

RECFIN.—The Committee has provided $2,900,000 for the RECFIN program. The Committee expects that the programs for the West Coast, Atlantic States, and Gulf States shall each receive one-third of these funds. Funding for any supplemental region-specific projects is to be derived from the overall "Fish Statistics" line item.

Interstate Fish Commissions.—The recommendation includes $2,000,000 for interstate fish commissions. The Committee directs that $600,000 be provided to the three interstate commissions, with the remaining $1,400,000 provided for implementation of the Atlantic Coastal Fisheries Cooperative Management Act.

OCEANIC AND ATMOSPHERIC RESEARCH

The Committee recommendation includes a total of $200,370,000 for Oceanic and Atmospheric Research, instead of $270,811,000 as requested.

The Committee recommendation includes the following amounts for basic laboratory research and support under Oceanic and Atmospheric Research: $8,000,000 for the base Interannual and Seasonal Climate research program (exclusive of climate and global change funding); $27,272,000 for Long-term Climate and Air Quality research; $33,613,000 for Weather research; $5,483,000 for solar-terrestrial research and services; and $9,506,000 for the base Marine Prediction research program. These amounts will maintain these basic research programs at the fiscal year 1995 level.

The Committee has provided no funding for the undersea research program, as proposed in the budget request.

The Committee expects NOAA to follow the direction given in this section of the report as well as the sections addressing the Committee's reprogramming requirements.

The Committee recommendation includes $53,300,000 for the Sea Grant program. The Committee expects NOAA to continue to fund oyster disease research and zebra mussel research under Sea Grant at not less than the levels provided in fiscal year 1995.

The Committee has provided $60,346,000 for inter-annual and seasonal climate research. This amount includes funding for the climate and global change program. The Committee has merged these activities to ensure that climate change research is focused on near-to mid-term climatic events such as the El Nino phenomenon. The Committee believes this research provides the most immediate return on the investment, particularly in its value to the U.S. agri-

cultural community. The Committee intends that none of the funds provided under this program or elsewhere under NOAA be used for the Global Learning and Observations to Benefit the Environment (GLOBE) program.

The Committee's recommendation of $5,483,000 for solar-terrestrial services and research assumes that NOAA will develop a proposal for assessing fees from the users of the services provided by this laboratory.

NATIONAL WEATHER SERVICE

The Committee recommendation includes a total of $604,045,000 for the National Weather Service (NWS) for fiscal year 1996, a decrease of $20,287,000 below the request and a decrease of $54,653,000 below the amount provided for the current year. The Committee expects reductions in staffing required by this reduction to be applied proportionately to headquarters and administrative activities.

Operations and Research.—The Committee recommendation reflects the integration of the amounts provided for basic local warnings and forecasts with the funds for the Weather Service modernization and restructuring initiative at a funding level of $405,300,000. The amount provided assumes full funding of the NOAA weather radio network enhancement as requested.

The amounts provided for NWS operations reflect proposed legislative changes to the current statutory certification requirements for weather office closures that are included in H.R. 1815, the NOAA authorization bill. The severe budgetary constraints faced by the Committee require that these funding reductions be made. However, the Committee acknowledges that there are still uncertainties regarding the adequacy of coverage in certain areas under the current NWS modernization plan. The Committee encourages NOAA to continue to rely on an independent review of the coverage concerns prior to the closure of any NWS office. The Committee reminds NOAA that all office closures, including the closure of weather service offices under the modernization plan, are subject to the Committee's standard reprogramming procedures included in section 605 of the bill. NOAA is expected to submit an independent analysis of the adequacy of coverage with the required reprogramming notification.

The Committee expects the National Weather Service to provide sufficient funding under the local warnings and forecasts activity to cover the phase-out of Fruit Frost weather service program. The Committee expects NOAA to continue the program through the upcoming fall and winter freeze season, but to require the full privatization of this program by April 1996.

The amounts provided reflect no increase for the NOAA radiosonde network replacement. The Committee recognizes the need to modernize this network, but funding constraints prohibit the expansion of this program in fiscal year 1996. The Committee will reconsider the request in the next fiscal year as systems acquisition costs for next-generation radars (NEXRAD) and the automated surface observing system (ASOS) continue to decline.

The amount provided includes the full request for aviation forecasts. The Committee has not provided funding for the NWS to

continue the augmentation/backup of ASOS units at NWS airport locations that will have commissioned ASOS units in service in fiscal year 1996. The Committee's mark assumes that the Federal Aviation Administration will assume these responsibilities in fiscal year 1996.

The Committee is aware of a recent report regarding technical problems in commissioning ASOS sites. The Committee understands that there are off-the-shelf solutions to these problems, but that implementation has been slow. The Committee directs NOAA to provide a report no later than October 1, 1995, on the intended solutions to the technical and installation problems associated with this program and the timeline for implementation for those solutions.

Systems Acquisition.—The Committee recommendation includes $132,287,000 for National Weather Service systems acquisition. The amount includes a reduction of $1,914,000 from the request for NEXRAD planned product improvements.

The recommendation includes $50,000,000 for the Advanced Weather Interactive Processing System (AWIPS). The Committee continues to be concerned by delays and design problems with this system.

NATIONAL ENVIRONMENTAL AND SATELLITE, DATA, AND INFORMATION SERVICE

The Committee recommendation includes $471,203,000 for the National Environmental Satellite, Data, and Information Service (NESDIS) for fiscal year 1996. This amount is an increase of $83,797,000 above the amount provided for the current fiscal year and a decrease of $73,898,000 below the amount requested. The Committee recommendation assumes funding for no more than 870 permanent positions.

The Committee has included $224,265,000 for the NOAA Polar satellite program, of which $39,500,000 is for the interagency program office. The Committee commends NOAA and the Department of Defense (DOD) for their efforts thus far in consolidating their respective Polar satellite programs. The Committee's mark for convergence assumes that NOAA and DOD share equally in the costs of all common activities in fiscal year 1996 and recommends that this approach be used in subsequent years as well.

The Committee has included $162,273,000 for NOAA's Geostationary (GOES) spacecraft and launching. This amount reflects reductions assumed in the NOAA authorization bill.

The Committee has not provided funding requested by NOAA for LANDSAT 7 operations and does not support NOAA's involvement in the LANDSAT 7 program. The recommendation also includes no funding for the Ocean Remote Sensing program, a new program begun in fiscal year 1995. The Committee believes that NOAA's highest priority under NESDIS should be the acquisition and operation of the basic weather satellite and data and information services.

The Committee does support NOAA's efforts to rescue and provide wider access to legacy environmental data, and to develop a single point of entry for end-users of access data from the national data centers. The Committee recommends that NOAA continue the

development of the NESDIS virtual data center initiated in fiscal year 1995.

PROGRAM SUPPORT

The Committee recommendation includes $128,706,000 for NOAA program support instead of $163,577,000 as requested.

The recommendation includes $20,000,000, a reduction of more than 20 percent below the request, for NOAA executive direction and administration. This amount assumes a staffing level of no more than 350 positions for this activity. This action is consistent with reductions taken in executive direction functions elsewhere in the Department of Commerce. The Committee expects NOAA to examine its headquarters office structure and eliminate those offices which are unnecessary or redundant.

The Committee has also recommended $30,000,000 for NOAA central administrative support. The Committee expects NOAA to maintain adequate support for the Regional Administrative Support Centers which service all field elements of the Department.

The recommendation includes $9,500,000 for operation of NOAA aircraft services. The Committee expects NOAA to reassess the necessity to support aircraft not meeting minimum usage standards and consider alternatives to NOAA ownership and operation of its aircraft.

The recommendation also includes $60,000,000 for marine services. The Committee notes that an additional $20,000,000 is available under the appropriations account for Fleet Modernization.

COASTAL ZONE MANAGEMENT FUND

The Committee has included language in the bill which makes available $7,800,000 in the Coastal Zone Management (CZM) Fund for administration of the CZM program, for State Development Grants in accordance with the authorization set forth in Section 308(b)(2)(A) and 308(b)(2)(B)(v) of the Coastal Zone Management Act, and for the National Estuarine Research Reserve program set forth in Section 315(e) of the Coastal Zone Management Act. The amount provided is equal to the budget request and the current funding level, which both provided these funds for only CZM program management and other purposes authorized by section 308 of the CZMA.

The Committee intends that $3,000,000 shall be available from the Fund for program administration and program grants, and that $500,000 shall be available for State development grants. The remaining $4,300,000 is to be available for the National Estuarine Research Reserve program.

CONSTRUCTION

The Committee recommends an appropriation of $42,731,000 for the Construction account under the National Oceanic and Atmospheric Administration. This amount is $9,568,000 below the budget request, and a decrease of $54,523,000 below the amount appropriated for fiscal year 1995.

The recommendation includes $10,000,000 for the cleanup of the Pribilof Islands in Alaska, as requested. This amount results from

the need to clean up various sites that NOAA and its predecessor agencies have used on the Islands. The amount provided is to: remediate contaminated soil; to close and remediate landfills, diesel seep sites, debris sites, solid and liquid wastes, and public safety hazards; and to fund planning and compliance costs of cleanup, landfills, and public safety on the Pribilof Islands.

The following table reflects the Committee's recommendations for this account:

NOAA facilities maintenance	$2,201,000
Sandy Hook lease	1,500,000
Environmental compliance	2,000,000
Boulder lab—above standard costs	2,000,000
NEXRAD construction/maintenance	19,430,000
Nat'l Ctrs for Environmental Prediction	1,000,000
Columbia River facilities	4,600,000
Pribilof Island Cleanup	10,000,000
Total, NOAA Construction	$42,731,000

The amounts provided for Columbia River hatcheries are to be used for water diversion screens to assist in the recovery of declining salmon stocks.

The Committee notes that funding reductions in the NOAA Operations, Research, and Facilities account, and the corresponding reductions in positions resulting from these funding levels, will require NOAA to develop a strategy for scaling back its current laboratory/science center structure. While a recent assessment conducted by the NOAA Chief Scientist concluded that there was no duplication in NOAA labs, the Committee believes that opportunities for consolidating underutilized facilities and achieving additional efficiencies do exist. Recently, the Commerce Department announced that a National Marine Fisheries Service laboratory in Gloucester, Massachusetts, would be turned over to the State for operation. The Committee endorses this proposal, and expects NOAA to look for additional opportunities to transfer underutilized laboratory space to the States and/or the private sector. The Committee directs NOAA to develop a laboratory consolidation plan in consultation with the appropriate House and Senate authorizing committees, and submit this plan to the Committee no later than March 1, 1996 along with a proposed implementation schedule. This plan should take into account the following factors:

—the age and physical condition of the facility, and the costs associated with keeping the facility functioning,

—the relationship of research performed at the facility to core NOAA missions and legislative mandates, and

—the geographic proximity of other Federal, state or private sector facilities that carry out similar research functions.

The Committee expects development of this facility consolidation plan to be a consultative process that addresses program requirements while acknowledging overall budgetary constraints and the need to streamline and downsize government functions.

FLEET MODERNIZATION, SHIPBUILDING AND CONVERSION

The Committee recommends an appropriation of $20,000,000 for Fleet Modernization, Shipbuilding, and Conversion. This amount is a decrease of $3,347,000 below the budget request, and a decrease

of $2,936,000 below the amount appropriated for this account for fiscal year 1995.

This account provides for expenses necessary to maintain and improve the NOAA fleet of oceanographic, survey and fisheries research vessels, and for converting and/or leasing vessels as needed for maintaining effective support of NOAA programs.

The Committee understands that NOAA's revised fleet modernization proposal will soon be submitted to the appropriate authorizing committees. The Committee has included this amount under this account as a placeholder; however, funding provided under this appropriation account will be subject to approval of the fleet modernization plan by the Congress. Should the proposal for fleet modernization not be approved, the Committee intends that these funds will be used to cover the costs of contracting with the private sector for the necessary shiptime for critical NOAA research and operations.

FISHING VESSEL AND GEAR DAMAGE COMPENSATION FUND

The Committee recommends $1,032,000 for the Fishing Vessel and Gear Damage Compensation Fund. This amount is a decrease of $250,000 below the budget request, and a decrease of $241,000 below the amount available for fiscal year 1995. It is estimated that there will be $250,000 carried over in this account, thus providing the full amount required for fiscal year 1996.

The Fishing Vessel and Gear Damage Fund provides compensation to U.S. fishermen whose vessels have been lost, damaged, or destroyed by foreign or domestic vessels. The Fund indemnifies domestic fishermen against commercially uninsurable losses of fishing gear caused by foreign or domestic vessels and a portion of the associated economic loss. Monies paid into the Fund include: (1) surcharges not to exceed 20 percent of the fee imposed for any foreign fishing vessel permit issued under the Magnuson Fishery Conservation and Management Act; (2) administrative fees paid by claimants; (3) revenues from deposits or investments of Fund balances not immediately required; and (4) funds not to exceed $5,000,000 borrowed from the Treasury in the event the Fund balance is insufficient to pay claims.

FISHERMEN'S CONTINGENCY FUND

The Committee recommends $999,000 for the Fishermen's Contingency Fund, which is $1,000 below the budget request and equal to the amount appropriated for fiscal year 1995.

The Fishermen's Contingency Fund provides compensation to U.S. fishermen for damage or loss of fishing gear and any resulting loss because of natural or man-made obstructions related to oil and gas exploration, development, and production on the Outer Continental Shelf. The Secretary of Commerce is authorized to establish an area account within the fund for any area within the Outer Continental Shelf. A holder of a lease, permit, easement, or right-of-way in such area is required to pay a fee into the appropriate area account in the fund. Each area account, if depleted, will be replenished by assessment. The authorization stipulates that amounts available in each area account can be disbursed only to the extent provided by appropriations acts. Since receipts collected

may not be sufficient for this appropriation, the Committee has included language which provides that the sums necessary to eliminate the insufficiency may be derived from the General Fund of the Treasury.

FOREIGN FISHING OBSERVER FUND

The Committee recommends $196,000 for the Foreign Fishing Observer Fund for fiscal year 1996. This amount is a decrease of $200,000 below the budget request, and a reduction of $204,000 from the amount appropriated for fiscal year 1995. It is estimated that $200,000 will carry over under this account into fiscal year 1996, thus providing the full amount requested for the year.

Fees paid into the Fund are collected from owners and operators of certain foreign fishing vessels that fish within the United States Fishery Conservation Zone and are intended to be used by the Secretary of Commerce to finance the cost of placing United States observers aboard such fishing vessels. The observers collect scientific information on the foreign catch and monitor compliance by foreign fishing crews in accordance with the provisions of the Fishery Conservation and Management Act of 1976. The Act permits foreign governments to contract directly for observer services from contractors approved by the Secretary of Commerce. The appropriation provides the authority necessary to pay the salaries of United States observers and program support personnel, other administrative costs, and the cost of data management and analysis.

FISHING VESSEL OBLIGATIONS GUARANTEES

The Committee has included no funding for fishing vessel obligations guarantees. Considering the overcapitalization of the fishing industry in most parts of the country, the Committee believes this loan guarantee program is no longer necessary. The budget request for this account was $250,000, an amount equal to the amount provided for fiscal year 1995.

TECHNOLOGY ADMINISTRATION

OFFICE OF THE UNDER SECRETARY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

The Committee recommends $5,000,000 for the Technology Administration's Office of the Under Secretary/Office of Technology Policy. This amount is a reduction of $8,906,000 from the budget request and is $4,992,000 below the amount appropriated for the current fiscal year prior to the pending rescission.

The primary mission of the organizations funded under this account is to coordinate the Administration's civilian technology initiative. Considering the program reductions and eliminations made in the Commerce technology programs, the Committee believes that the proposed funding level is appropriate. The amount provided will ensure the elimination of current redundancies in the bureaucracy overseeing NIST technology programs.

The Committee included language in the report accompanying the fiscal year 1995 appropriation for the Commerce Department encouraging the Under Secretary for Technology to continue to in-

tegrate the resources of the National Technology Transfer Center (NTTC) in all Technology Administration activities, including plans for the electronic management of the agency's functions and implementation of the Manufacturing Extension Partnership Program.

The Committee is disappointed that the Technology Administration has not pursued a more substantive relationship with the NTTC in areas of mutual interest. In these times of limited budgetary resources, avoiding duplication and increasing collaboration among existing Federal initiatives is of paramount importance. The Committee therefore expects the Technology Administration to complete an analysis of potential cooperative initiatives between TA and the NTTC to be submitted to the Committee, along with an implementation strategy for each, by November 1, 1995.

The Committee recognizes that university and Federal laboratories have a traditional obligation to publicly advertise inventions and technologies currently available for exclusive licensing and cooperative research and development agreements (CRADAs). There has long been confusion over the best avenue to present that information to U.S. companies and individuals. The Committee believes that electronic access is the best possible way to alert potential licensees, especially small companies, of the opportunities that exist. The Gateway service of the NTTC has been established and widely used by American industry to electronically access available technologies. The Committee therefore expects the Department to stipulate that use of the NTTC's electronic Gateway service by university and Federal laboratories to advertise technology commercialization opportunities is considered adequate public notice of availability.

NATIONAL TECHNICAL INFORMATION SERVICE

NTIS REVOLVING FUND

The Committee has included no appropriated funds for the National Technical Information Service (NTIS) Revolving Fund. This is a decrease of $8,000,000 below the current available appropriation. No appropriation was requested under this account for fiscal year 1996.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends $29,100,000 for the Commerce Department's Salaries and Expenses appropriation for fiscal year 1996. This amount is a decrease of $6,726,000 below the budget request, and is a decrease of $7,371,000 below the amount appropriated for the current fiscal year. The amount provided is based on a ten percent reduction below the base for departmental staff services and a 25 percent reduction below the base for executive direction of the Commerce Department.

This appropriation provides for the Office of the Secretary and for staff offices of the Department which assist in the formulation of policy, management, and administration.

The Committee continues to support the U.S.-Israel Science and Technology Commission, which brings together the private sectors

of these two high technology nations to facilitate breakthroughs in the areas of biotechnology, energy, agriculture, and defense conversion. The Committee expects the Commerce Department to provide its commitment of $2,500,000 for this program in fiscal year 1996 from within available resources, subject to the standard transfer and reprogramming procedures set forth under sections 205 and 605 of the accompanying bill.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $21,849,000 for the Commerce Department's Office of Inspector General for fiscal year 1996. This amount is an increase of $4,962,000 above current appropriations level, but is a reduction of $400,000 below the budget request. The amount provided reflects approval of base transfers totaling $3,576,000 from other Commerce Department agencies related to audits performed under the Chief Financial Officers Act.

The Committee is supportive of the work being carried out by the Department's Inspector General, and looks forward to working more closely with the IG to follow up on matters of mutual concern. The program increase provided will allow the IG to perform audits of all the Department's revolving funds, trust funds and substantial commercial activities, a critical activity considering proposals to privatize these functions.

GENERAL PROVISIONS DEPARTMENT OF COMMERCE

The Committee has included the following General Provisions for the Department of Commerce that were included in the fiscal year 1995 Appropriations Act (Public Law 103–317).

Section 201 makes Commerce Department funds in the bill available for advanced payments only upon certification of officials designated by the Secretary that such payments are considered to be in the public interest.

Section 202 makes appropriations for the Department in the bill for Salaries and Expenses available for the hire of passenger motor vehicles, and for services, uniforms and allowances as authorized by law.

Section 203 prohibits any of the funds in the bill to be used to support hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

Section 204 prohibits the use of Commerce Department funds in this or any previous Act from being used for the purpose of reimbursing the Unemployment Trust Fund or any other account of the Treasury to pay unemployment compensation for temporary Census workers for services performed after April 20, 1990.

Section 205 provides the authority to transfer funds between Department of Commerce appropriation accounts. The language provides that no account may be decreased by more than 5 percent or increased by more than 10 percent. The language also makes the transfers subject to the Committee's standard reprogramming procedures.

TITLE III—THE JUDICIARY

The funds recommended by the Committee in Title III of the accompanying bill are for the operation and maintenance of the United States Courts and include the salaries of judges, magistrates, supporting personnel and other expenses of the Federal Judiciary.

The budget request submitted by the Judiciary for fiscal year 1996 totals $3,335,994,000. Of this amount, $263,891,000 is associated with the salaries and retirement expenses of Supreme Court Justices, Article III Judges and Bankruptcy Judges, and is considered mandatory for scorekeeping purposes. The remainder of the request, $3,072,103,000, which is considered discretionary for scorekeeping purposes, represents an increase of $421,117,000 or 16 percent over the enacted amounts for fiscal year 1995. Of this amount, $30,700,000 is requested from the Violent Crime Reduction Trust Fund.

The Committee recommendation provides the full request of $263,891,000 for mandatory salary and retirement expenses of the Justices and judges. The Committee recommendation also provides $2,781,507,000 for the discretionary programs of the Judiciary, including $41,500,000 from the Violent Crime Reduction Trust Fund. This amount is $290,596,000 below the request, but is $140,709,000 or 4.8 percent above the amount provided for the current year.

Optimal Utilization of Judicial Resources.—The Congress is concerned about the ability to sustain the current appropriations level for the Judicial Branch in the context of the need to balance the budget and reduce the deficit. The Committee understands that some courts face disproportionately high caseloads, while others may be underutilized. The Committee also understands that there are a number of court facilities which have no resident judges or staff, and which are used on a visiting basis for less that 45 days per year.

The Committee wants to ensure that the Judiciary maintains its current high standards for the delivery of justice in our courts and the public's confidence in the court system. Particularly in this time of budgetary constraints, this must be done in the most cost-effective way possible.

In order to provide the Congress the means to better evaluate the operations of the courts, the Committee expects the Judicial Conference to initiate an in-depth review of ways to make the courts more efficient and less costly. The review shall be performed by an independent, nonpartisan, professional organization outside the Judiciary, but with the complete cooperation and support of the Judiciary. A report on the findings of this review, along with the comments of the Judicial Conference, should be submitted to the House Committees on Appropriations and the Judiciary by no later than August 15, 1996. An interim report on the findings of this review should be submitted by March 1, 1996. While the report may address possible improvements in any aspect of the Judiciary and its functions, the Committee expects the report to emphasize the following:

—The extent to which the need for additional judgeships in a given District or Circuit can be addressed by the reallocation

of vacant judgeships from Districts or Circuits with lower caseloads.

—The extent to which the use of contract services might be substituted for non-judge employees in the courts and what, if any, savings could be realized.

—The extent to which savings and efficiencies can be realized through enhanced use of automation and other high technology initiatives.

—The extent to which underutilized court facilities could be closed, or the sharing of courtroom space expanded, without appreciably affecting the delivery of justice, and the potential for savings in space costs that could be realized.

Underutilized Courthouse Facilities.—The Committee has previously expressed to representatives of the Judiciary its concerns regarding underutilized courthouse facilities. The Committee understands that there are approximately 90 court facilities across the country for which there is no resident judge, and that the Judicial Conference is currently examining this issue to determine whether some of these facilities could be closed. The Committee encourages the Judiciary to report on its findings as soon as possible, but no later than August 15, 1995, and to include recommendations for facilities that could be closed or turned over to other Federal agencies. The Committee expects the Judiciary to work with the Department of Justice, in particular, to determine whether underutilized courthouse space may be appropriate for various Justice agencies.

SUPREME COURT OF THE UNITED STATES

The Committee recommends a total of $29,147,000 for the Supreme Court of the United States for fiscal year 1996. The total amount is provided in two separate appropriation accounts as follows:

SALARIES AND EXPENSES

The Committee recommends $25,834,000 for fiscal year 1996 for the Salaries and Expenses of the Justices, their supporting personnel, and the costs of operating the Supreme Court, excluding the care of the building and grounds. The Committee recommendation is $1,594,000 more than the current year appropriation, and is equal to the budget request for this account.

CARE OF THE BUILDING AND GROUNDS

The Committee recommends $3,313,000 for fiscal year 1996 for personnel and other services relating to the Supreme Court building and grounds, which is supervised by the Architect of the Capitol. The recommendation is $313,000 more than the current year appropriation, but is $690,000 less than the request.

The Committee recommendation includes reductions to the base of $180,000, and allows $305,000 for the highest priority security-related program increases requested for this account.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The Committee recommends $14,070,000 for fiscal year 1996 for the Salaries and Expenses of the United States Court of Appeals for the Federal Circuit. The Committee recommendation is $632,000 more than the current year appropriation, but is $1,425,000 less than the request.

The Committee recommendation reflects approval of $498,000 of the amount requested for adjustments to base for the Court of Appeals for the Federal Circuit. The Committee recommendation does not include any of the requested funds for 19 additional positions for the court.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

The Committee recommends $10,859,000 for fiscal year 1996 for the Salaries and Expenses of the United States Court of International Trade. The Committee recommendation reflects approval of the total amount requested for this account, which is a decrease of $826,000 below the fiscal year 1995 appropriation level. The decrease under this account is related to GSA space rental reductions and the abolishment of six positions.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The recommendation includes a total of $2,452,524,000 for this account for fiscal year 1996, including $41,500,000 from the Violent Crime Reduction Trust Fund. The Committee recommendation is a reduction of $224,141,000 from the budget request, but is $112,397,000 above the amount appropriated for fiscal year 1995. In addition, the Committee understands that the Judiciary will carry over an estimated $71,366,000 resulting from unanticipated fee revenue in fiscal year 1995. This will allow a total fiscal year 1996 operating level of $2,523,890,000 for this account.

This account provides for the salaries of judges, magistrates, and all other officers and employees of the Federal Judiciary not otherwise provided for, and for all necessary expenses, including rental charges for space and facilities.

The Committee recommendation reflects reductions totaling $56,718,000 of the requested increase of $231,081,000 for adjustments to base for this account. The Committee intends that $13,400,000 of this reduction be applied to space and facilities; $12,100,000 be applied to Article III judges and supporting personnel; with the remainder to be applied to other activities.

This recommendation includes only of the $74,757,000 in requested program increases for this account for fiscal year 1996. The Committee recognizes the need for additional resources in the area of probation and pretrial services, and would be willing to consider a reprogramming of base funds toward the requested increases in these areas should additional funds be identified.

Given the overall funding constraints for this bill for fiscal year 1996, the Committee believes that the amount provided for this account is appropriate. The Committee has requested that the Judiciary initiate a review of ways to make the courts more efficient and less costly, and expects that review to identify specific actions the Judiciary can take to function within the overall reductions in funding required in order to achieve a balanced budget by the year 2002.

Violent Crime Reduction Trust Fund.—The Committee has provided $41,500,000 for the Judiciary from the Violent Crime Reduction Trust Fund for fiscal year 1996 instead of $30,700,000 as requested. No funds were provided from the Trust Fund for the Judiciary in fiscal year 1995. The Committee intends that amounts provided be used to offset base expenditures related to carrying out provisions of the Violent Crime Control and Law Enforcement Act of 1994, and to fund requested program increases related to certain provisions of that Act such as activities related to the Violence Against Women program, and mandatory drug testing to be conducted by probation officers. The Committee expects the Judiciary to transmit a notification detailing the proposed distribution of the amounts provided under the Violent Crime Reduction Trust Fund.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

The Committee recommends a reimbursement of $2,318,000 for fiscal year 1996 from the Special Fund to cover expenses of the Claims Court associated with processing cases under the National Childhood Vaccine Injury Act of 1986. This amount is a decrease of $2,000 below the budget request and an increase of $68,000 above the amount appropriated for the current fiscal year.

DEFENDER SERVICES

The Committee recommends $260,000,000 for fiscal year 1996 for the operation of the Federal Public Defender and Community Defender organizations and for compensation and reimbursement of expenses of attorneys appointed pursuant to the Criminal Justice Act, as amended. This represents an increase of $10,000,000 from the fiscal year 1995 appropriated amount and a reduction of $35,761,000 from the request.

The Committee recommendation includes a provision in the bill, prohibiting funds for Death Penalty Resource Centers, otherwise known as Post-Conviction Defender Organizations. The Committee believes that Death Penalty Resource Centers have become a vehicle for delaying the judicial process in Federal habeas petitions. The Committee also expects that, under habeas corpus reform currently being considered by the Congress, there will be a decline in overall death penalty litigation. The Committee recommendation provides $10,000,000 over the current year appropriation to allow private panel attorneys to assume the caseload currently represented by the Centers.

The Committee appreciates the Judiciary's concerns that the cost of panel attorney representation in Federal habeas cases be kept to an appropriate level. Therefore, the Committee expects the Judiciary to conduct a pilot project, in one or more Circuits with the heaviest Federal habeas caseload, to establish a system to contract

with the private attorneys on a flat fee basis, similar to systems used by the State courts in both Los Angeles County and San Diego, California. The Committee expects the Judiciary to provide a comparative review of this demonstration with other Circuits not included in the pilot project, and report back to the Committee by June 1, 1996 on the results of this review.

FEES OF JURORS AND COMMISSIONERS

The Committee recommends $59,028,000 for fiscal year 1996 for the fees and allowances of grand and petit jurors and for the compensation of land commissioners and jury commissioners. This represents a reduction of $318,000 from the fiscal year 1995 amount and a reduction of $12,980,000 from the budget request.

The Committee recommendation reflects estimates of carryover balances of $7,980,000. In addition, reduced juror activity should result in program decreases of approximately $5,000,000. Thus, the amount provided will allow for the anticipated operational needs of this program.

COURT SECURITY

The Committee recommends $109,724,000 for Court Security for fiscal year 1996, an increase of $12,724,000 over the amount provided for fiscal year 1995, but a reduction of $6,709,000 from the budget request. This amount, along with funds provided for this account in the fiscal year 1995 supplemental related to the Oklahoma City bombing will fund an additional 474 court security officers and related equipment in fiscal year 1996.

This account provides for the necessary expenses of security and protective services for the United States Courts in courtrooms and adjacent areas.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

The Committee recommends $47,500,000 for the Salaries and Expenses of the Administrative Office of the United States Courts for fiscal year 1996, an amount equal to the fiscal year 1995 enacted level, but a reduction of $5,945,000 from the budget request. The Committee recommendation freezes funding for the Administrative Office at the current appropriations level.

This account is responsible for the administration of the United States Courts, including the probation and bankruptcy systems.

Phase Down of the U.S. Parole Commission.—The Committee expects the Administrative Office to work with the U.S. Parole Commission to conduct a joint study to assess the feasibility of transferring all remaining workload of the Parole Commission to the Judiciary by September 30, 1996. The Committee expects a report on the findings of this study by March 1, 1996.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

The Committee recommends $18,828,000 for the Salaries and Expenses of the Federal Judicial Center for fiscal year 1996, an

amount equal to the fiscal year 1995 enacted level, but a reduction of $1,943,000 from the budget request.

The amount provided for the Federal Judicial Center does not include requested adjustments to base. The Committee recommends that these adjustments be absorbed within current levels, and directs FJC to reduce the travel costs of providing training for judges and judicial personnel through the increased use of video-conferencing and related technologies.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

The Committee recommends $32,900,000 for the payment to the Judicial Officers' Retirement Fund, the Judicial Survivors' Annuities Fund, and the Claims Court Judges' Retirement Fund for fiscal year 1996. This amount is equal to the budget request, and is $4,425,000 more than the current year appropriation for this account, which is considered mandatory for budget scorekeeping purposes.

These funds will cover the estimated annuity payments to be made to retired bankruptcy judges and magistrate judges, Claims Court judges and spouses and dependent children of deceased judicial officers.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

The Committee recommends $8,500,000 for the salaries and expenses of the United States Sentencing Commission for fiscal year 1996, a reduction of $300,000 below the amount provided for the current fiscal year and a reduction of $1,000,000 below the budget request.

The Committee recommendation reflects absorption of requested adjustments to base and disapproval of requested program increases. The Committee believes that the Commission can absorb the base adjustments through reductions in administrative activities.

The purpose of the Commission is to establish, review and revise sentencing guidelines, policies and practices for the Federal criminal justice system. The Commission is also required to monitor the operation of the guidelines and to identify and report necessary changes to the Congress.

GENERAL PROVISIONS—THE JUDICIARY

The Committee has included the following general provisions in the bill for the Judiciary.

Section 301 provides language, included in previous appropriations Acts, to permit funds in the bill for salaries and expenses for the Judiciary to be available for employment of experts and consultant services as authorized by 5 U.S.C. 3109.

Section 302 provides language included in previous appropriations Acts which authorizes appropriations for the special court of appeals established under the Regional Rail Reorganization Act of 1973, Public Law 93–236.

Section 303 provides language, included in previous appropriations Acts, which permits up to five percent of any appropriation made available for fiscal year 1996 to be transferred between Judiciary appropriation accounts with the proviso that no appropriation shall be decreased by more than 5 percent or increased by more than 10 percent by any such transfer. In addition, the language provides that any such transfer shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 304 provides language permitting not to exceed a total of $10,000 for expenses of official reception and representation expenses incurred by the Judicial Conference of the United States.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCIES

In total, the amounts recommended in this Title for the Department of State, the United States Information Agency (USIA) and the Arms Control and Disarmament Agency (ACDA) are below the authorized levels set forth in the fiscal year 1996–1997 authorization bill, H.R. 1561, the American Overseas Interests Act of 1995, as it passed the House on June 8, 1995, by $73,226,000. Every program contained in this Title is either at or below the individual authorization provided in that bill.

H.R. 1561 provides for the consolidation of USIA and ACDA with the State Department by March 1, 1997. The Committee has placed funding for USIA and ACDA within this Title to put in one place the accounts within the jurisdiction of the Subcommittee that would be merged into the State Department during fiscal year 1997 under that bill. In recognition of the proposed consolidation, and as a first step, the Committee provides for the immediate consolidation of the Inspector General Offices of the Department of State and USIA.

DEPARTMENT OF STATE

The Committee recommends a total of $4,036,446,000 for fiscal year 1996 for the Department of State. This amount is $165,866,000 less than the budget request for fiscal year 1996, and is $154,071,000 less than the amounts appropriated for fiscal year 1995 for the Department.

The Committee recommendation includes a total of $2,688,975,000 for the appropriation accounts under Administration of Foreign Affairs; $1,298,000,000 for the appropriation accounts under International Organizations and Conferences; $39,471,000 for International Commissions; and $10,000,000 for the Asia Foundation. The Committee's recommended priorities for the Department of State are delineated in the following paragraphs.

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The Committee recommends $1,727,298,000 for the Diplomatic and Consular Programs account, including $9,720,000 for security enhancements requested as part of the Administration's July 17, 1995 anti-terrorism budget amendment. The Committee recommendation represents a reduction of $31,560,000 from the budget request for the functions funded in this account and a reduction of $10,000,000 from the current year appropriation in the regular program, and an increase of $9,720,000 for anti-terrorism enhancements. Together with the $32,320,000 of program decreases already built into the budget request, the recommendation will require a reduction of $63,880,000 below the amount required to maintain the fiscal year 1995 operations level in fiscal year 1996, and will require substantial personnel reductions, post closings, and other streamlining and savings initiatives.

This appropriation account provides for the formulation and execution of United States foreign policy, including the conduct of diplomatic and consular relations with foreign countries, diplomatic relations with international organizations and related activities. This account primarily funds the overseas programs and operations of the Department of State.

The Committee has included requested language in the bill which will provide not to exceed $700,000 in registration fees collected pursuant to section 45 of the State Department Basic Authorities Act for activities of the Office of Defense Trade Controls. The Committee has also included a language provision under this heading which provides $1,223,000 in fees collected from other Executive Branch agencies for lease or use of facilities at the International Center Complex, as authorized by law, but did not include requested language appropriating $448,000 to be derived from the reserves. Finally, the Committee language provides not to exceed $15,000 from reimbursements, surcharges, and fees for use of Blair House facilities in accordance with the State Department Basic Authorities Act.

The bill includes a provision which permits up to 20 percent of the amounts made available in the Diplomatic and Consular Programs account and Salaries and Expenses account to be transferred between such appropriations accounts in order to provide administrative flexibility to the Department.

The bill retains and updates a provision included in the fiscal year 1995 appropriations bill that sets forth the funding for the Diplomatic Telecommunications Service, $24,856,000 for existing base services and not to exceed $17,144,000 for program enhancements, and requires that the enhancement funding be released no sooner than 15 days after submission of a report on ongoing pilot projects is submitted.

Finally, the bill includes language requiring that starting in fiscal year 1997, a system be in place that allocates to each department and agency the full cost of its presence outside the United States.

As requested, the bill deletes the following provisions that were included in the fiscal year 1995 Act: (1) $4,000,000 for grants to

conduct research and promote international cooperation on scientific and communications issues; (2) $600,000 to carry out the activities of the Commission on Protecting and Reducing Government Secrecy; (3) $300,000 to carry out the activities of the Office of Cambodian Genocide investigations; (4) a prohibition on the use of funds to carry out the provisions of section 101(b)(2)(F) of Public Law 103–236, and (5) permanent provisions permitting collection of expedited passport fees and increased visa fees resulting from processing of fingerprints, to be deposited into this account as an offsetting collection. The latter four provisions were one-time items that do not require action in the fiscal year 1996 bill.

Enhanced Security.—In separate bill language, the Committee has provided $9,720,000 for enhanced security overseas. This amount was requested as part of the anti-terrorism budget amendment submitted on July 17, 1995. This amount will provide for full armored vehicles in critical terrorist threat posts, security equipment, funding for the local guard program, and reinstitution of a crisis training program with a focus on counter terrorism.

Spending Reductions.—The budget request for this account included $32,320,000 in program decreases, which, together with $13,319,000 in program decreases included in the Salaries and Expenses account, would have required budget savings measures, including a reduction of 336 positions, and 15 overseas post closings, and the elimination of at least one bureau.

After the fiscal year 1996 budget was formulated, the Vice President issued a press release announcing the second phase of the National Performance Review for foreign affairs agencies intended to result in savings of at least $5 billion over five years. The Secretary of State has continued to outline budget savings plans through his Strategic Management Initiative, announced on May 8, 1995. While there is confusion as to whether the initiatives announced by the Vice President were meant to help meet the savings already planned in the fiscal year 1996 budget request or to result in additional savings, all of these budget saving initiatives and more will be required, since the Committee has recommended an additional reduction of $31,560,000 below the budget request.

The Committee believes that rationalizing staffing patterns, eliminating duplication of functions overseas, and addressing the way operating costs overseas are allocated among the State Department and the agencies it supports, are crucial to achieving these savings.

There is one major area of duplication that ranks first in terms of steps that must be taken to achieve the additional spending reduction recommended by the Committee. In overseas posts in which both the State Department and the United States and Foreign Commercial Service (US&FCS) are present, the State Department and the Commerce Department both report on the host country economic and commercial situation. Therefore, the Committee directs that at those posts, duplication be ended by eliminating the State Department economics officer position and giving that responsibility to the US&FCS. There is no reason why the US&FCS staff cannot submit their reports to both the Commerce and State Departments.

In addition, there is a significant overlap of functions between the Arms Control and Disarmament Agency and the Department's Bureau of Political-Military Affairs. This was identified in the Vice President's Reinventing Government announcement. The Committee believes that reductions need to be made in the Bureau of Political-Military Affairs to eliminate duplication, and expects a report by March 1, 1996, on steps being taken both in the Bureau and at ACDA to reduce personnel performing duplicative functions.

Overseas Staffing.—At its April 8, 1995 hearing, the Subcommittee confirmed that the State Department lacked an overall system to link overseas staffing with policy priorities, as the General Accounting Office (GAO) had stated in its September 1994 report on this subject. However, the Committee is aware of the efforts that are underway to put together such a system. One promising development is the Overseas Staffing Board, proposed by the Secretary, to establish six model staffing profiles for all overseas posts and to place posts into one of the six categories according to overall U.S. interests. The Committee urges prompt completion of this ranking and appropriate use of the models to manage and track overseas staffing. The Committee expects implementation to begin during fiscal year 1996 to reduce overseas staffing in those posts that have more positions than their staffing profiles permit. This system should be fully implemented no later than the beginning of fiscal year 1997.

In addition, the Committee is encouraged by work already underway by the Department's Inspector General and the Office of Management Policy and Planning to use the Mission and Bureau Program Plans to relate overseas positions to specific policy priorities. The IG recently completed a pilot effort to match the number of employees at overseas posts with the priorities set forth in each post's Mission Program Plan. The Committee believes that this effort should be extended to all posts during the next Mission Program Plan development. In addition, a method must be developed to include a qualitative evaluation of how essential each employee is in carrying out the priorities with which he or she is charged. The Department should submit the results of this staffing profile process together with the fiscal year 1997 budget request.

Overseas Staffing of All Agencies Supported by State.—The issue of staffing overseas is not only or even predominately a State Department issue. In 1994, some 35 agencies in addition to State employed personnel overseas. According to Administration testimony, over the past ten years, the number of United States direct hires overseas has been flat for the State Department, and now accounts for only one-third or less of Americans working overseas. Most of the growth has been in nonforeign affairs agencies, including the Departments of Justice, Treasury and Transportation. Again, the GAO took the lead in pointing this out in its December 1994 report. Therefore, the Committee recommends that the staffing profile process be expanded, as the Secretary intends, to include interagency consideration of overseas staffing of all agencies.

Authority of Chief of Mission.—As all agencies operating overseas work together to meet rapidly evolving challenges, the Committee believes that the authority of the Chief of Mission is essential to combining both authority and accountability in one senior Execu-

tive Branch individual in every diplomatic mission overseas. This authority was codified in National Security Decision Directive 38 issued by President Reagan and reaffirmed by his successors. The Committee understands that NSDD–38 is supportive of the authority conferred upon Chiefs of Mission by the Foreign Service Act of 1980 (P.L. 96–465), and that the Chief of Mission must have the final word on size, composition and mandate of all executive agency operations and personnel in the country of his or her assignment.

But the Committee believes another step needs to be taken, in addition to the Department rationalizing its own overseas staffing system, and the Chief of Mission having the authority over agency presence in a particular country. There also must be a mechanism by which all agencies work together to decide how best to deploy resources overseas, and which agencies need to be represented and at what staffing level. The Committee understands that an Interagency Council is being established along these lines, and expects a periodic report on its progress.

Improving Shared Administrative Support Services.—The Committee understands that the Department of State is currently undertaking an important effort to completely revise the Foreign Affairs Administrative Support (FAAS) System. FAAS was designed to ensure reimbursement by other agencies for the Department's incremental expenses incurred in providing administrative support to non-State agencies overseas. The Committee has long been concerned that State shoulders an inordinate level of the cost of having non-State employees located overseas and encourages the Department to continue to seek a more equitable distribution of expenses. Virtually every agency which operates under FAAS, including the Department of State, finds it unsatisfactory and wants it changed.

The Department has said it is planning to establish, during fiscal year 1996, pilot Cooperative Administrative Support Unit programs at up to ten posts overseas. Each pilot post will have a local board, composed of representatives of each agency. A major objective will be to fully recover all direct and indirect costs of providing services overseas. The Committee fully supports these efforts and requests that the Department report within 120 days of enactment of this legislation on the status of these projects.

It is absolutely imperative that a new system like this be devised and accepted. Because of the constraints on the budget, it is no longer possible for the State Department to provide seventy percent of the support costs for other agencies, and still maintain its own mission overseas.

It is the Committee's intention that this will be the last year the State Department subsidizes the budgets of other agencies through the old administrative support mechanism. Starting in fiscal year 1997, all other agencies with operations overseas in U.S. diplomatic missions and consulates should have to pay their full share. The Committee also expects the Office of Management and Budget to require each agency to reflect the total cost of its overseas presence in its budget request to Congress beginning with fiscal year 1997. For that reason, language is included in the bill stating that in fiscal year 1997, a system shall be in place that allocates to each de-

partment and agency the full cost of its presence outside of the United States.

Post Closings.—The Committee believes that the Secretary's announcement of his intention to close 21 posts overseas is a welcome sign of willingness to prioritize in times of budget restraint. The Committee believes there is much more that could be done in terms of combining, regionalizing, reducing presence in low priority areas, and other measures to downsize.

Technology Partnership.—The Committee recognizes and commends the efforts of the Department of State under the first investment trade negotiations between the Government of Japan and the United States regarding the Technology Village Partnership (TVP) project. The goal of TVP is to enable U.S. companies to gain access to the up-front design-in-process of Japanese manufacturers, Japan's distribution infrastructure, joint ventures, and many other marketing opportunities, through the forces of a free and open marketplace. The Committee requests that the State Department make recommendations on options to assist in the completion of the design and engineering functions of the project in conjunction with industry and Government of Japan contributions. The Committee requests that the State Department expedite this review and report to the Committee.

Continuations.—Within the recommendation, the Committee has provided sufficient funding to continue the National Law Center for Inter-American Free Trade and the International Center for the Study of Canadian-American Trade at their current levels of funding.

Visa Fees.—The Committee notes that the Department expects to collect approximately $75,000,000 in fiscal year 1996 in machine readable visa fees. These fees are to be used to continue to upgrade consular visa and passport systems as part of the Border Security Initiative. It is expected that a portion of these resources will be used in conjunction with the Immigration and Naturalization Service to develop an exit strategy, using machine readable visa technology, in order for the first time to gain control over not only who is entering the country, but who is overstaying their visas. Visa overstays represent the source of as much as half of the illegal immigration in this country.

Lebanon.—The Committee understands that the State Department is in the process of determining whether to renew or alter its policy on travel to Lebanon. Currently, there is a passport restriction on U.S. citizen travel to Lebanon, citing safety concerns. This restriction acts as a barrier to American commerce and trade opportunities. The Committee expects that the Department will confer with the Committee throughout its review of this policy.

SALARIES AND EXPENSES

The Committee recommends $365,146,000 for the Salaries and Expenses account of the Department of State, including $1,870,000 for security enhancements requested as part of the Administration's July 17, 1995 anti-terrorism budget amendment. The amount recommended represents a reduction of $9,204,000 from the budget request and a reduction of $20,696,000 from the current year ap-

propriation in the regular program, and an increase of $1,870,000 for anti-terrorism enhancements.

This appropriation provides for the management, administrative, and support functions of the Department of State, including the Office of the Secretary.

The Committee notes that the budget request assumed $13,319,000 in program reductions, which, together with the reductions assumed in the request for Diplomatic & Consular Programs, would result in a reduction of 336 positions. The Committee has increased those reductions by $9,204,000, so that significantly more reductions will be required. The Vice President's announcement concerning the second phase of the National Performance Review indicated that duplicative public affairs, congressional relations, politico-military affairs and policy planning staff would be eliminated. The Committee concurs, particularly in the areas of public affairs and politico-military affairs. These and other reductions will be necessary to meet the funding level recommended by the Committee. Notification of the reductions in both personnel accounts should be submitted to the Committee in accordance with section 605 of the accompanying bill.

Enhanced Security.—In separate bill language, the Committee has provided $1,870,000 for enhanced domestic security. This amount was requested as part of the anti-terrorism budget amendment submitted on July 17, 1995. This amount will provide for security enhancements at the Main State Department building and annexes, and for data base links with law enforcement information systems.

CAPITAL INVESTMENT FUND

The Committee recommends $16,400,000 for the Capital Investment Fund, compared to a request of $32,800,000. There was no funding for this account in fiscal year 1995.

The Committee believes there is ample justification to fund this new account, in order to provide resources for needed investments in information systems. The Department's information systems are inadequate to meet critical mission requirements; about 80 percent of the Department's Automated Data Processing equipment is classified as obsolete; 75 percent of the Department's telephone systems are outdated; and half of the Department's posts have inadequate numbers of personal computers. Nonetheless, because of funding restraints, the Committee recommends one-half of the budget request.

The Department's overall Information Resources Management modernization plan has been the subject of much criticism. Only recently did the Secretary appoint a Chief Information Officer, who was charged by the Secretary to report on specific options and cost estimates by July 15, 1995. In order to gain support for resources, the Chief Information Officer will need to demonstrate that the deficiencies pointed to repeatedly by a number of studies and reports have been overcome. The Committee expects the Department to report on the status of its overall information plan and implementation prior to the fiscal year 1997 budget hearings.

OFFICE OF INSPECTOR GENERAL

The Committee recommends merging the Office of Inspector General of the United States Information Agency with the Office of Inspector General of the State Department. There are several reasons. First, the Committee is willing to start the proposed consolidation of the foreign affairs agencies ahead of schedule, and believes the Office of the Inspector General is a good place to start, since it would be beneficial to have an overall Inspector General to watch over the development of the consolidation process. The State Inspector General already has jurisdiction over the Arms Control and Disarmament Agency.

Second, this consolidation of the two Inspector General Offices was specifically recommended by the Vice President in his announcement of the second phase of the National Performance Review for foreign affairs agencies, so this action would follow through on that recommendation as well.

And, third, the Committee believes there are substantial savings to be achieved through the consolidation.

For the combined Office of the Inspector General for the Department of State and the United States Information Agency, the Committee recommends $27,669,000. This is $1,174,000 less than the amount requested for the two Offices, and $481,000 less than the amount appropriated for the two Offices in fiscal year 1995. The recommendation provides the full amount authorized for the two Offices in the House-passed reauthorization bill, H.R. 1561, the American Overseas Interests Act, less $100,000, the assumed savings from having one Inspector General.

REPRESENTATION ALLOWANCES

The Committee recommends $4,780,000 for representation allowances authorized by section 905 of the Foreign Service Act of 1980. This amount is $200,000 less than the budget request and is the same as the amount provided for fiscal year 1995.

These funds are used to reimburse Foreign Service Officers for expenditures incurred in their official capacities abroad in establishing and maintaining relations with officials of foreign governments and appropriate members of local communities.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

The accompanying bill includes a total of $8,579,000 for the appropriation entitled, ''Protection of Foreign Missions and Officials''. This amount is the same as the budget request, and $1,000,000 less than the appropriation provided for fiscal year 1995.

The fiscal year 1995 appropriation included funding for two special events totaling $1,000,000; the recommendation for fiscal year 1996 represents the base level that was funded in fiscal year 1995.

This account reimburses local governments and communities for the extraordinary costs incurred in providing protection for international organizations, foreign missions and officials, and foreign dignitaries under certain circumstances. The Committee believes that local jurisdictions which incur such costs must submit a certified billing for such costs in accordance with program regulations. The Committee also believes that in those circumstances where a

local jurisdiction will realize a financial benefit from a visit from a foreign dignitary through increased tax revenues, that such circumstances should be taken into account by the Department in assessing the need for reimbursement under this program. The Committee expects the Department to treat such submissions diligently and provide reimbursement to local jurisdictions on a timely basis if claims are fully justified.

Of the total amount recommended, $1,489,000 is available for protection of foreign diplomats and their families throughout the United States. The Foreign Missions Act of 1982 authorizes the provision of such services when necessary either at the request of a foreign mission or on the initiative of the Secretary of State. In these situations, where State and local authorities cannot provide the security required, the Act permits the Department of State to employ the services of private security firms.

Of the total amount recommended, $7,090,000 is allocated to reimburse New York City for the protection of foreign missions and officials credited to the United Nations and other international organizations. These funds provide for the costs of guard posts and security escort and motorcade services to foreign missions and personnel assigned to the United Nations.

ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD

The Committee recommends a total appropriation of $391,760,000 for Acquisition and Maintenance of Buildings Abroad for fiscal year 1996. The total amount provided in this appropriation account for fiscal year 1996 is a reduction of $30,000,000 from the budget request, and provides the same level as in fiscal year 1995, assuming enactment of a $30,000,000 rescission. The Committee recommendation includes a provision carried in the bill in previous years which prohibits funds from being used for acquisition of furniture and furnishings and generators for other departments and agencies.

This account provides the funding that allows the Department to manage U.S. Government real property worth in excess of $10,000,000,000 and to lease close to 14,000 residential, office, and functional properties, not only for the Department of State, but for all U.S. employees overseas.

The budget request includes no funding for new capital projects, reflecting a shift in emphasis from capital construction to enhanced management of existing facilities.

This program has only recently been removed from the watch list of most vulnerable federal programs, in part because of the Committee's support for sufficient resources for this account. There has been a rolling five-year plan dedicated to restoring the safety, efficiency and security of aging overseas building inventory, with a backlog of needed repairs estimated at over $413 million. The Committee directs the Department to submit an updated five-year plan and to identify the current backlog of needed repairs as soon as possible, so that the Committee can keep track of the Department's progress in addressing these needs.

With respect to future capital needs, the Committee believes that, due to fiscal restraints, less costly means will need to be developed to finance them. Consequently, the Committee would like

the Department to report back on the efficacy of lease-purchase agreements as a financing mechanism for meeting new facility requirements, and to suggest whether a pilot project involving one or two facilities would be worthwhile undertaking. As part of this effort, the Department should evaluate needs for new facilities in posts with outmoded facilities, including Jamaica.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

The Committee recommends $6,000,000 to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service. This amount is the same as the budget request, but is $500,000 less than the amount appropriated for fiscal year 1995.

The Committee has included a provision in the bill which permits up to $1,000,000 to be transferred from this account to the Repatriation Loans Program account, as requested in the budget. This provision will ensure an adequate level of resources for loans to American citizens through the Repatriation Loans Program account should that account require additional funds in fiscal year 1996 due to an unanticipated increase in the number of loans needed.

The appropriation provides resources for the Department of State to meet emergency requirements in the conduct of foreign affairs. The Committee recommendation provides funds for: (1) travel and subsistence expenses for relocation of American, United States Government employees and their families from troubled areas to the United States and/or safe-haven posts; (2) allowances granted to State Department employees and their dependents evacuated to the United States for the convenience of the Government; and (3) payment of rewards for information concerning terrorist and narcoterrorist activities.

REPATRIATION LOANS PROGRAM ACCOUNT

The Committee has included $593,000 for the subsidy cost of repatriation loans, and $183,000 for administrative costs of the program as authorized by 22 U.S.C. 2671. The Committee recommendation represents the full budget request for the subsidy amount and administrative costs and is the same amount for these items as was appropriated for fiscal year 1995.

This account provides emergency loans to assist destitute Americans abroad who have no other source of funds to return to the United States.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

The accompanying bill includes $15,165,000 for the appropriation entitled, "Payment to the American Institute in Taiwan". This amount is $300,000 below both the budget request and the amount provided in fiscal year 1995. It represents the level of the House-passed authorization, and returns the account to its appropriation level in fiscal year 1994.

The Taiwan Relations Act requires that programs concerning Taiwan be carried out by the American Institute in Taiwan and authorizes funds to be appropriated to the Secretary of State to carry out the provisions of the Act. The Institute administers programs

in the areas of economic and commercial services, cultural affairs, travel services, and logistics. The Department of State contracts with the American Institute in Taiwan to carry out these activities.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The Committee recommends $125,402,000 for the appropriation entitled, "Payment to the Foreign Service Retirement and Disability Fund". This amount is the full budget request and is $3,919,000 less than the amount appropriated for fiscal year 1995. The decrease reflects a change in actuarial assumptions and an increase in the 30-year amortization payment.

This appropriation, which is considered mandatory for budget scorekeeping purposes, is authorized by the Foreign Service Act of 1980 which provides for an appropriation to the Fund in 30 equal annual installments of the amount required for the unfunded liability created by new benefits, new groups of beneficiaries or increased salaries on which benefits are computed.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The bill includes a total of $870,000,000 for payment of the obligations of United States membership in international organizations as authorized by conventions, treaties, or specific Acts of Congress. This is $2,661,000 below the fiscal year 1995 appropriation, $53,057,000 below the budget request, and $3,000,000 below the House-passed authorization level.

The Committee recommends language, carried in the fiscal year 1995 Appropriations Act, which provides that payment of arrearages shall be directed towards special activities that are mutually agreed upon by the United States and the respective international organization. The recommendation does not provide any funds for arrearages, and so it is unlikely that this provision will be utilized. The Committee expects that the Department will submit a reprogramming to the House and Senate Appropriations Committees under the provisions of section 605 of the bill before payment of arrearages is made to any of the international organizations.

The Committee also recommends bill language carried in previous Appropriations Acts which prohibits any of the funds made available in this account for a United States contribution to an international organization for the United States' share of interest costs for loans incurred on or after October 1, 1984, through external borrowings.

The Committee also recommends a provision that 20 percent of the amount for the United States assessed contributions to the regular budget of the United Nations will be withheld from obligation and expenditure until a certification is made pursuant to section 401(b) of Public Law 103–236. This certification relates to the establishment of an independent Office of Inspector General at the United Nations. This provision was carried in the fiscal year 1995 appropriations bill and has been updated to apply to fiscal year 1996. H.R. 1561, the House-passed authorization bill, contains a provision, Section 2524, that continues the certification require-

ment of Public Law 103–236, but since it has not yet been enacted, the Committee has made reference to the comparable provision in the enacted Public Law.

The Committee recommendation provides for payments of United States assessed contributions to the fifty international organizations requested under this account at the fiscal year 1995 level, with the exceptions that are listed below. Most, if not all, international organizations have been operating on a principle referred to as "zero-based budgeting" for a number of years. However, this principle, as interpreted, has allowed the assessments for these organizations to increase significantly, because the budgets are adjusted upward annually or biennially for inflation and mandatory increases. For domestic programs and budget comparisons, under new House Rules, inflationary increases are no longer built into budget comparisons, and the same principle should apply to international programs. Consequently, the Committee has applied "zero-based budgeting" to mean the fiscal year 1995 level for these international organizations, and that is the basis for recommending most organizations be funded at the fiscal year 1995 level.

The exceptions to level funding are as follows:

- four organizations are provided the higher fiscal year 1996 request level, because of the importance of their work in current international events: International Atomic Energy Agency, the World Trade Organization, North Atlantic Treaty Organization, and the related North Atlantic Assembly;
- two organizations are provided their fiscal year 1996 request level, because the requested level is lower than in fiscal year 1995: the Food and Agriculture Organization and the World Intellectual Property Organization;
- two organizations are not funded:
  - —United Nations Industrial Development Organization because consistently, from the Commission on Global Governance, to the communique issued at the recent G–7 meeting in Halifax, to the Department of State's own comments in the Subcommittee's hearing on this topic, it is named as an organization that should either be shut down or completely reformed and other nations like Canada have withdrawn; and
  - —the International Copper Study Group, for which funding is requested for the first time under this account, at a time when it does not seem advisable to start funding more international organizations.

In addition, the United Nations is funded at a level of $272,202,000, which is $14,298,000 higher than the fiscal year 1995 appropriation, but $16,601,000 below the fiscal year 1995 assessed payment to the U.N., because of the availability of $30,899,000 from a one-time exchange rate gain. If the Department of State wishes to increase the amount available for the U.N. to the fiscal year 1995 program level, it can easily do so, by prioritizing among the other 49 international organizations, and either reducing or terminating payments to, and withdrawing from, lower priority organizations. The Committee would be receptive to a reprogramming of funds based on prioritizing the importance of these 50 international organizations.

Finally, $5,074,000 is provided as initial funding for the Chemical Weapons Convention, should it come into effect during fiscal year 1996. This, together with $6,500,000 available in carryover for this purpose under the Arms Control and Disarmament Agency (ACDA), would provide a total of $11,574,000 of funding available for this purpose, close to the $12,000,000 assumed in the House-passed authorization bill, H.R. 1561. The budget requested $17,000,000 for this purpose under the ACDA account. If the CWC goes into effect early in fiscal year 1996, and additional funds are required for the U.S. assessment, they will be considered as part of the fiscal year 1997 appropriations.

At a time when, because of budget constraints, funding for domestic programs is being significantly reduced, international programs must be subjected to the same scrutiny.

Prioritization.—At a time of declining budgets, it is absolutely essential for the Administration to prioritize the importance of these organizations and to act accordingly. There are a multitude of small organizations that, in the Subcommittee's hearing on this topic, the Department indicated are duplicative, after the establishment of the World Trade Organization as a forum for trade matters. At the Subcommittee hearing, the Assistant Secretary for International Organization Affairs indicated that the Department was in the process of doing such a prioritization and would provide it for the hearing record, but it has yet to be provided. The Committee directs the Department to submit the result of its analysis to the Subcommittee at the earliest possible time, but no later than August 31, 1995, as well as an analysis of the impact of the World Trade Organization on the need to continue existing international trade organizations, and the Department's plans to withdraw from low priority organizations.

Reform.—One of the most critical priorities, particularly in this time of budget constraints, must be reform. The need for reform at the U.N. is long overdue and widely acknowledged. Some steps are being taken by the Under Secretary General for Management with respect to the litany of management areas in need of reform: a bloated bureaucracy; a personnel system that fails both to recognize performance and to eliminate deadwood; featherbedding, where jobs are created or maintained regardless of need; the lack of a comprehensive code of conduct; excessive printing and publications; and wasteful and unnecessary worldwide conferences.

But deeper structural reform is also required. The communique issued at the recent G–7 meeting in Halifax, like the recommendations of the Commission on Global Governance, focused on the United Nations Conference on Trade and Development, the Regional Economic Commissions, and the Economic and Social Council as prime examples of structures in need of reexamination. A top to bottom reform of the entire U.N. structure is required to eliminate obsolete or unneeded operations.

Management and structural reform are equally needed throughout all U.N. related agencies and other international organizations.

The United States needs to be the leader in this effort. There should be a comprehensive blueprint for reform that defines the U.S. position in the U.N. and throughout the system. The Commit-

tee expects the Department of State to prepare and submit such a plan by March 1, 1996.

Conferences.—The U.S. representative to the U.N. and others have stated that there should be no more world-wide conferences scheduled. The Committee agrees, and believes that the U.S. should not agree to participate in or finance any further world-wide conferences.

U.N. Inspector General.—At the insistence of the Congress, an Inspector-General-type operation has been installed at the United Nations, known as the Office of Internal Oversight Services. Overall, the new Office has not yet made itself an agent of change. The Under Secretary General of the Office has stated that it is not within the scope of the office to evaluate the overall effectiveness of programs or to criticize the actions of Member States. Furthermore, protections for employees who bring situations to the attention of the Office do not appear to be sufficient. The U.S. mission should be at the forefront of assuring that U.S. citizens who speak out do not suffer reprisals. In conjunction with the certification requirements contained in the bill, the Committee intends to follow the progress of this Office closely.

In addition, the Committee requests that the Department of State do a formal evaluation of the existence and adequacy of Inspector General offices at all the major international organizations and report back to the Committee by March 1, 1996.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The Committee recommends a total of $425,000,000, for United States payments for Contributions for International Peacekeeping Activities for fiscal year 1996. This is $108,304,000 below the amount provided in fiscal year 1995 and $20,000,000 below the amount requested for fiscal year 1996. The reduction is due to a new mandate that was voted for the peacekeeping mission in Rwanda (UNAMIR) in early June, which reduces the number of troops in half. The budget originally requested $47,250,000, and the reduction will result in $27,250,000 remaining available to meet the U.S. assessment for the smaller mission in Rwanda.

In fiscal year 1996, the U.S. assessment rate for its share of the cost of peacekeeping missions will decline from 30.4 percent to 25 percent, because of Congressional action requiring this to happen.

Language is included, stating that none of the funds in this bill can be expended for new or expanded peacekeeping missions unless 15 days in advance of the vote at the U.N.: (1) the Committee is notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming request is submitted, indicating the source of funds that will be used to pay for the new or expanded mission.

The notification requirement in the recommended language is similar to existing notification requirements enacted in the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, and proposed in other pending legislation. The Committee has included this requirement in appropriations language to assure that it is one of the Committees that receives notification. The requirement to submit a reprogramming, identifying the source of funds for a new

or expanded mission is added because the State Department has continued to commit the United States to paying huge sums in assessments without having any notion of where the funds will be found to pay for those commitments. The Administration's own peacekeeping policy directive, Presidential Decision Directive 25, makes availability of funds a factor in deciding whether to vote for a peacekeeping operation, and yet the Administration still routinely votes for peacekeeping missions without even formulating a proposal identifying how the U.S. assessment will be paid for.

As recent events with respect to the Rapid Reaction Force in Bosnia indicate, the Administration continues to take the position that it can vote for new or expanded missions without identifying where the funds will be found to pay for new commitments like this and with minimal consultation in advance with Congress. The Administration needs to formulate a proposal as to where the funds will come from to pay for a new or expanded mission prior to committing the U.S. to pay assessments and to consult with the Committee about the mission and the proposal to pay for it prior to voting for the mission. Failure to consult in advance in any meaningful way is exactly how the Administration got the U.S. into a position of owing an estimated $672 million in peacekeeping assessments by the end of fiscal year 1995 without having formulated any realistic or acceptable proposal to identify the funds to pay those assessments.

Language is included, as in the previous year, requiring that funds are available for peacekeeping expenses only upon a certification that American manufacturers and suppliers are provided procurement opportunities equal to those being given to foreign manufacturers and suppliers. The Committee was surprised to learn that the Economics and Business Affairs Bureau, which is the part of the Department responsible for advocating U.S. business opportunities internationally, has not taken any role with respect to the international organizations, and has not participated in the certification process. Promoting business opportunities at the international organizations should be accorded much higher priority, given the amount of U.S. funds that are provided to these organizations.

The Committee is concerned about problems that have arisen out of the sharing of intelligence with the United Nations. These problems are being addressed in a number of authorization bills that are moving in both the House and the Senate, and the Committee believes that this situation must be addressed and rectified to prevent the reoccurrence of these problems in the future.

Bosnia-Herzegovina.—The Committee remains deeply concerned about the continuing crisis in Bosnia-Herzegovina. The recent fall of the "safe haven" of Srebrenica and the creation of thousands of refugees as a result of continued Serb aggression must not go unnoticed. The Committee urges the Department of State to seek the immediate prosecution of war criminals in the conflict and consult with our European Allies regarding the crisis of refugees created by the policy of ethnic cleansing and forced expulsion of civilian populations from their homes.

INTERNATIONAL CONFERENCES AND CONTINGENCIES

The Committee recommends $3,000,000 to finance the U.S. participation in multilateral intergovernmental conferences and contributions to new or provisional international organizations, $3,000,000 less than the budget request and the amount appropriated for fiscal year 1995.

The Committee believes the Department needs to do a more rigorous job of prioritizing which of the approximately 700 scheduled conferences it chooses to attend, and of limiting the number of representatives.

This account finances only the expenses of official delegations to conferences and does not cover employees funded by other Departments who are not part of an official delegation. As a result, there is no control over the amount of funds spent on international conferences. A State Department Inspector General Report of September, 1994, recommended that the Department consult with the Office of Management and Budget (OMB) to seek to expand the authority of the Office of International Conferences to monitor overall costs to the U.S. Government as well as the size and composition of conference delegations. The Committee recommends that the Department implement that recommendation and report to the Committee the results of that consultation.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

The bill includes a total of $19,002,000 for the International Boundary and Water Commission, United States and Mexico (IBWC). This amount is $5,254,000 less than the total budget request for fiscal year 1996 and $500,000 less than the amounts provided for fiscal year 1995. The total amount provided includes $12,358,000 for Salaries and Expenses and $6,644,000 for Construction.

SALARIES AND EXPENSES

The Committee recommendation for the Salaries and Expenses account is $12,358,000, $1,500,000 less than the budget request, and $500,000 below the fiscal year 1995 appropriation. However, $800,000 will be available from an appropriation of $1,000,000 in the fiscal year 1996 Energy and Water Appropriations bill out of the Western Area Power Administration. Therefore, the total funds available for IBWC salaries and expenses will be $300,000 higher than the amount for salaries and expenses available in fiscal year 1995.

The recommendation includes funding for the items requested in the budget, except for $1,500,000 requested to purchase spare parts and equipment for the expected start-up of the San Diego/Tijuana International Wastewater Treatment Plant in fiscal year 1997. This amount was arrived at by what may be termed, at best, very rough estimating techniques, and the Committee will consider a request for spare parts only if it is based on a plan that sets forth the actual need for spare parts inventory.

CONSTRUCTION

The Committee recommendation for the Construction appropriation freezes funding at the fiscal year 1995 level which is $3,754,000 below the request. The recommendation provides all items requested in the budget, with the following exception.

The budget request included $6,500,000 as part of a multi-year effort to accumulate $16,000,000 that will be loaned to Mexico in fiscal year 1997 or 1998 to pay its share of the construction costs of the San Diego/Tijuana International Wastewater Treatment Plant. The loan will then be repaid to the U.S. over a period of 10 years. A total of $6,097,000 has already been appropriated and is being held as carryover for this purpose.

The Committee recommends $2,746,000 for this purpose, a reduction of $3,754,000 below the request for the following reasons: (1) the full amount of funding is not required this year; (2) after credit reform, it should be possible to request funding for a loan program in a way that gets scored as a loan rather than as direct spending, at considerable savings in cost, and the Department and OMB are requested to look into this with respect to the remaining balance to be requested in future years; and (3) there may be up to $6,000,000 in total project costs that can be saved, obviating the need for this additional appropriation. In the Clean Water Act reauthorization that recently passed the House, the City of San Diego is apparently being provided a waiver that will remove the necessity to provide secondary treatment to its municipal sewage. If the same waiver were to be provided to the International Wastewater Treatment Plant, it would save $6,000,000 in construction costs. The Department is requested to look into this situation and report as to whether the situations are comparable.

The Committee understands that carryover funds are available to reimburse San Diego for the costs of wastewater treatment.

The Committee understands that the IBWC is leasing property for its offices and will soon be required to make decisions about facilities necessary to carry out its functions. The IBWC is expected to report to the Committee on its plans and is expected to utilize the services of the General Services Administration.

The Committee would like to see IBWC fulfill its existing agreements to reimburse local governments for operation, maintenance, and other related costs associated with treatment of wastewater originating in Mexico. The Committee recognizes that concerns have been raised by local governments about costs eligible for reimbursement as they relate to wastewater treatment. Therefore, IBWC is directed to submit to this Committee, within 60 days after enactment of this legislation, a report detailing the historical context in which Memorandums of Agreement for wastewater treatment have been entered, concerns raised by local governments that would affect reimbursement to the locality, and recommendations for resolution of the aforementioned concerns.

AMERICAN SECTIONS INTERNATIONAL COMMISSIONS

The Committee recommends a total of $5,800,000 to fund the U.S. share of expenses of the International Boundary Commission, the International Joint Commission, United States and Canada,

and the Border Environment Cooperation Commission for fiscal year 1996. This amount is $490,000 less than the request but is the same amount as was appropriated for fiscal year 1995.

The Committee recommendation provides $640,000 for the International Boundary Commission. This is $100,000 below both the budget request and the fiscal year 1995 level. An agreement has been reached to fund only one joint Commissioner for both the International Boundary Commission and the International Joint Commission, whose salary will be paid out of the International Joint Commission, resulting in a $100,000 savings in the amount needed for the International Boundary Commission.

The Committee recommendation provides $3,360,000, for the International Joint Commission, $190,000 below both the request and the fiscal year 1995 level. The Committee believes that $90,000 in savings can be obtained from additional consolidation efforts between the IBC and the IJC, as was indicated at the Subcommittee's hearing on this topic. In addition, an additional $100,000 in savings can be obtained by reducing expenditures for consulting out of the professional services and Reference Referral Fund activities.

The Committee recommendation also includes $1,800,000 for the second year of funding for the Border Environment Cooperation Commission (BECC), authorized under the legislation approving the North American Free Trade Agreement (NAFTA). This is $190,000 above the amount appropriated in fiscal year 1995, and $200,000 below the request. The reduction is based on the fact that BECC's initial operations appear to have begun slower than was initially anticipated. As of May 31, 1995, two-thirds of the way through the fiscal year, BECC had spent only a small portion (22%) of the funds available to it from the U.S. and Mexico.

This new Commission has been established to develop cooperative efforts to resolve environmental problems along the United States/Mexico border. The Commission's purpose is to work with affected States, local communities and nongovernmental organizations that propose environmental infrastructure projects by assessing technical and financial feasibility, evaluating environmental benefits, arranging public and private financing, and coordinating the development and implementation of these projects.

INTERNATIONAL FISHERIES COMMISSIONS

The accompanying bill provides a total of $14,669,000 to fund the U.S. share of the expenses of the International Fisheries Commissions, participation in the International Council for the Exploration of the Sea, participation in the North Pacific Marine Sciences Organization, travel expenses of the United States commissioners and their advisors, and salaries of non-government employees of the Pacific Salmon Commission for days actually worked as commissioners and panel members and alternates.

The total amount recommended is the same as the budget request and the amount appropriated for fiscal year 1995.

The Committee recommendation includes $8,323,000 for the Great Lakes Fishery Commission, the full 1996 budget request. Approximately $7,000,000 of this amount is passed through to the Fish and Wildlife Service in the Department of Interior for sea lamprey eradication. The Committee does not believe it is the func-

tion of the State Department to undertake or oversee fishery programs, nor does it believe that this program fits within the purpose of this account, which is to pay for the administrative costs of international commissions. Consequently, the Committee directs the State Department and the Office of Management and Budget to request funding for the sea lamprey eradication program in the fiscal year 1997 budget of the Fish and Wildlife Service, Department of the Interior.

OTHER

PAYMENT TO THE ASIA FOUNDATION

The Committee recommends an appropriation of $10,000,000 for payment to the Asia Foundation for fiscal year 1996. This is the amount of the budget request, and a reduction of $5,000,000 below the fiscal year 1995 level. The $15,000,000 provided in fiscal year 1995 was appropriated from two bills: $10,000,000 from the fiscal year 1995 Commerce, Justice, State and Judiciary Appropriations Act, and $5,000,000 from the fiscal year 1995 Defense Appropriations Act.

Given the constraints of its funding allocation for fiscal year 1996, the Committee was faced with many difficult decisions including the necessity of terminating funding for non-essential programs. The Committee's decision to recommend continued funding for the Asia Foundation, albeit at a reduced level, is due to the fact that it is a grant-making, as opposed to a grant-taking, non-governmental organization. Its grants are primarily for the purpose of democratization in Asia, one of the areas of the world where democratization needs to be supported. Nonetheless, because of the continued budget constraints of the years ahead, the Committee recommends that the Foundation move forward as quickly as possible with efforts to secure full support from the non-Federal sector.

The Committee notes that, despite a reduced overall budget request, the amount requested for administration increased over fiscal year 1995. Administrative costs funded from this appropriation should be reduced at least proportionate to the reduction in overall appropriation, so as to maximize the resources available for grants.

GENERAL PROVISIONS—DEPARTMENT OF STATE

The Committee recommends the following general provisions for the Department of State that were included in the fiscal year 1995 Appropriations Act, renumbered to reflect the relocation of the Department of State appropriations in Title IV of this Act instead of Title V, as in previous years:

Section 401 of the bill, as requested, permits funds appropriated in this Act for the Department of State to be available for allowances and differentials as authorized by subchapter 59 of 5 U.S.C.; for services as authorized by 5 U.S.C. 3109; and hire of passenger transportation pursuant to 5 U.S.C. 1343(b).

Section 402 of the bill permits up to five percent of any appropriation made available in the bill for the Department of State and the United States Information Agency to be transferred between their respective appropriations. The language also provides that no appropriation shall be decreased by more than 5 percent or in-

creased by more than 10 percent by any such transfer. In addition, the language provides that any transfer pursuant to this subsection shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 403 provides that funds appropriated or otherwise made available under this Act or any other Act may be expended for compensation of the United States Commissioner of the International Boundary Commission, United States and Canada, only for actual hours worked by such Commissioner.

RELATED AGENCIES

ARMS CONTROL AND DISARMAMENT AGENCY

ARMS CONTROL AND DISARMAMENT ACTIVITIES

The Committee recommends $40,000,000 for the basic operating expenses of the Arms Control and Disarmament Agency (ACDA) for fiscal year 1996, which is $36,300,000 below the request, and $14,378,000 below the amount provided in fiscal year 1995.

The fiscal year 1996 request contained two items that are not included in the recommendation: $17,000,000 for the estimated U.S. assessment of the Chemical Weapons Convention, which the Committee addresses under the Department of State, Contributions to International Organizations account; and $13,961,000, a new request for the operation of the COBRA DANE radar facility in Alaska, which the Committee does not approve and believes should be addressed under the National Security appropriations bill, where it is currently funded.

Leaving aside these two items, the Committee's recommendation of $40,000,000 is $5,339,000 below the fiscal year 1996 request for basic operating expenses of ACDA and $4,378,000 below the fiscal year 1995 appropriation, prior to enactment of the pending rescission bill.

The reduction results from assumed savings as follows: (1) a reduction in operating costs in Geneva due to termination of a building lease; (2) the recent announcement of 12 additional areas of administrative consolidation among State, ACDA, the Agency for International Development and the United States Information Agency; (3) elimination of positions that are duplicative between the Bureau of Political-Military Affairs at State and ACDA, as called for in the Vice President's Second Phase of Reinventing Government announcement, relating to foreign affairs agencies; (4) not filling existing vacancies; and (5) reductions in a relatively large public affairs office.

The Committee notes that it has continued ACDA in its present form for fiscal year 1996, but that, under the terms of the House-passed authorization bill, it will be consolidated with the State Department in fiscal year 1997.

The Committee further notes that there is an expected carryover of $6,500,000 for Chemical Weapons Convention activities. If the Convention does not enter into force, these funds can be used to continue to pay the U.S. costs associated with the Preparatory

Commission. If the Convention does enter into force, these funds can be used as part of the first-year assessment.

The Arms Control and Disarmament Agency advises and assists the President, the National Security Council, the Secretary of State and other senior Government officials on arms control matters.

UNITED STATES INFORMATION AGENCY

The Committee recommends a total of $1,082,646,000 for the United States Information Agency (USIA) to carry out the information, educational and cultural exchange activities of the Agency and international broadcasting operations. The Committee recommendation also provides for a grant to the National Endowment for Democracy for fiscal year 1996. The Committee recommendation also provides for the requested appropriation of interest and earnings on the Eisenhower Exchange Fellowship Program Trust Fund, the Israeli-Arab Scholarship Endowment Fund, and the American Studies Collections Endowment Fund. This total amount for USIA is $217,681,000 less than the budget request for these items, and $331,471,000 less than the fiscal year 1995 appropriation. The details of the Committee's recommendations for the nine appropriations of the Agency are contained in the following paragraphs. These recommendations generally provide funding at the authorization levels included in H.R. 1561, as passed by the House, and in no case exceed those authorization levels.

SALARIES AND EXPENSES

The Committee recommends $445,645,000 for the Salaries and Expenses appropriation of the United States Information Agency (USIA). This amount is $50,357,000 less than the budget request, and $30,000,000 below the amount appropriated in fiscal year 1995.

The Committee recommendation includes the following limitations on the use of funds which have been carried in the bill in previous years: (1) $700,000 for temporary employees; (2) $25,000 for entertainment, including official receptions, as authorized by law; (3) $1,400,000 for representation abroad as authorized by law; (4) $7,615,000, to remain available until expended, in fees credited to this appropriation which are received in connection with English teaching, library, motion pictures, and publication programs as authorized by law; and (7) $1,700,000 to remain available until expended to carry out projects involving security construction and related improvements for agency facilities not physically located together with State Department facilities abroad.

The recommended funding level will require major reductions and consolidations in the operations of USIA, estimated at 600 positions or more, and at least 20 post closings, compared to three originally proposed in the budget request. USIA will have to look at all of its major operations, such as the printing plant in the Philippines, to examine what other activities can be eliminated. It will have to immediately downsize in those posts where staffing is not in accord with USIA's Resource Allocation Grouping model, like India. The Committee believes that the areas that should be looked to for further reductions include staffing and programs related to

western Europe and Canada, since these are parts of the world that have the freest access to information and are most likely to be exposed to the American point of view through other means.

TECHNOLOGY FUND

The Committee recommends $5,050,000 for a new account, the Technology Fund, compared to the budget request of $10,100,000, and no funding in fiscal year 1995. The purpose of this new account is to establish a technology investment fund to modernize USIA's non-broadcasting computer and telecommunications infrastructure. The intention is to replace an investment strategy that followed adopted technology plans but relied heavily on available year-end funds. This new fund will allow better planning and assure the availability of appropriated funds to carry out the plans.

OFFICE OF INSPECTOR GENERAL

The bill does not provide separate funding for USIA's Office of Inspector General, but rather merges this Office into the Office of Inspector General at the Department of State. Funding of $4,200,000 for the functions of USIA's Office of Inspector General is assumed under the State Inspector General appropriation. This is the level of the authorization provided in H.R. 1561, as passed by the House, less $100,000 in savings assumed to result from having one Inspector General.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The bill includes a total of $192,090,000 for the Educational and Cultural Exchange Programs of the United States Information Agency. This amount is $60,586,000 less than the budget request. It is $88,189,000 less than was appropriated for these programs for fiscal year 1995. The fiscal year 1995 total includes, for comparability purposes, $42,000,000 appropriated under the Foreign Operations Appropriations bill for exchange programs in the Newly Independent States (NIS) of the former Soviet Union, funding for which is requested under this account in fiscal year 1996. Bill language does not include reference to particular programs.

The recommended total corresponds to the total of the authorization levels passed by the House as part of H.R. 1561, the American Overseas Interests Act of 1995. The House-passed authorization levels included in that bill were: $112,484,000 for the Fulbright program, $900,000 for South Pacific Exchanges, $800,000 for East Timorese Scholarships, $141,000 for Cambodian Scholarships, $500,000 for Tibetan Exchanges and $77,266,000 for other programs.

Within the total, given the major reduction in resources, the Committee recommends that exchange resources for Europe and Canada be weighted more heavily toward Eastern Europe and the countries of the former Soviet Union, rather than Western Europe and Canada. With respect to the NIS exchanges, the Committee expects that funding will be distributed equitably among high-school, college, graduate, and post-graduate programs.

To the maximum extent possible, the Committee urges that the following exchange programs be supported: the International Visi-

tors Program, the Pepper Scholarships, including the Executive Education Program for Central European Business and Professional Leaders, the Muskie Fellowships, the Mike Mansfield Fellowship Program and the Humphrey Fellowships.

First-year support was provided in fiscal year 1995 for the Xth Paralympiad, which will take place in 1996. In addition to the athletic competition, there are also planned international exchange events involving disability issues, including an international forum on disability, an adaptive technology exposition, and follow-through dissemination of materials and information. The Committee urges that support be increased for this program to the maximum extent possible within the resources provided, since this is the year that the program will take place.

With respect to the administration of the Fulbright program, the Committee requests a report by March 1, 1996 on whether savings would result from opening up the administration of the program to competition, rather than making awards on a sole-source basis.

Within the total amount of funding provided, funding for exchange support activities is included.

The Committee expects that a proposal for the distribution of the available resources among exchange programs will be submitted through the normal reprogramming process prior to final decisions being made.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

The Committee recommends an appropriation of interest and earnings in the Eisenhower Exchange Fellowship Program Trust Fund, authorized by the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101–454). The bill does not include $2,500,000 that was provided as a one-time contribution to the endowment in the fiscal year 1995 bill.

The Eisenhower Exchange Fellowship Act of 1990 authorized a permanent endowment for the Eisenhower Exchange Fellowship Program to increase educational opportunities for young leaders in preparation for and enhancement of their professional careers and to advance peace through international understanding. The Act established the Eisenhower Exchange Fellowship Program Trust Fund in the United States Treasury for these purposes. A total of $7,500,000 has been provided to establish a permanent endowment for the program, from which is appropriated interest and earnings in the fund to Eisenhower Exchange Fellowships, Incorporated.

ISRAELI-ARAB SCHOLARSHIP PROGRAM

The Committee recommends language in the accompanying bill which will appropriate interest and earnings of the Israeli-Arab Scholarship Endowment Fund totaling $397,000. This is the full budget request and the same as was provided in fiscal year 1995. A permanent endowment of $4,978,500 for the Fund was established in fiscal year 1992 with funds made available to the United States Information Agency under section 556(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, as amended. The income from the endowment is to be

used for a program of scholarships for Israeli-Arabs to attend institutions of higher education in the United States.

AMERICAN STUDIES COLLECTIONS ENDOWMENT FUND

The Committee recommends appropriations language, as requested, for this new account, providing interest and earnings from a $2,000,000 endowment fund, created through appropriations of $1,000,000 in both fiscal year 1994 and 1995. The purpose of the Fund is to create and support American studies collections at university libraries abroad and to work with foreign universities to that end. The program is authorized in section 235 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

INTERNATIONAL BROADCASTING OPERATIONS

The Committee recommends $341,000,000 to carry out United States International Broadcasting Operations for fiscal year 1996. This amount is $54,340,000 less than the budget request for this account and $161,882,000 less than the comparable amounts provided in fiscal year 1995. The Committee recommendation includes funding for all international broadcasting under this account, as requested in the budget. In fiscal year 1995, funding was provided separately for Broadcasting to Cuba and Radio Free Asia.

The Committee recommendation includes funds for broadcasting operations, associated technical activities and administration in accordance with the provisions of H.R. 1561, the American Overseas Interests Act of 1995, as passed by the House. The one difference with the level of authorizations relates to Radio Free Asia. The post-rescission level of $5,000,000 appropriated in fiscal year 1995 remains unobligated and unspent. As a result, the Committee recommends a new appropriation of $5,000,000, to remain available until expended, resulting in a total of $10,000,000 to be available should the new Broadcasting Board of Governors be appointed and confirmed, and a decision to proceed with Radio Free Asia be made.

The Committee has provided all funding for international broadcasting under one heading, because fiscal year 1996 is the first year of operation of the new administrative structure for international broadcasting, authorized by the United States International Broadcasting Act of 1994. Under this new set-up, there will be one board, the Broadcasting Board of Governors (BBG), in charge of all broadcasting activities, and one bureau, the International Broadcasting Bureau, to carry out all non-military international broadcasting activities, with the exception of RFE/RL, which will operate separately under the supervision of the BBG. The unified appropriation corresponds to the unified administrative structure. This action brings to a conclusion a multi-year reorganization effort that has resulted in the downsizing of international broadcasting, the collaboration of the different broadcasting services to end duplication and to centralize support services, the move of RFE/RL from Munich to Prague, and savings on the order of $400 million over the period from fiscal year 1994 to fiscal year 1997.

The bill language provides: (1) that $5,000,000 of the funds shall remain available until expended; (2) that not to exceed $90,000 may be used for official receptions and representation in the U.S.

and abroad; (3) that $250,000 in authorized fees can remain available until expended; and (4) authority to use funds for broadcasting to Cuba for facilities as well as operations, as has been provided in the past.

The reductions for international broadcasting are large and far-reaching. For RFE/RL, funding cannot exceed $75,000,000 in fiscal year 1996, as provided in the 1994 Act, compared with a comparable funding level of $193,183,000 in fiscal year 1995. For Voice of America (VOA), the recommendation could mean a reduction of at least 400 personnel, and the possible cessation of broadcasting in as many as 20 languages. These reductions come on top of the major reorganization/downsizing that occurred because of the 1994 Act, which has resulted in staffing reductions of 900 at RFE/RL and 350 at VOA.

In the fiscal year 1995 appropriations bill, $5,000,000 was provided for continuation and enhancement of VOA's China Focus Program and other international broadcasting operations to Asia. The Committee intends that no less than $5,000,000 be available for this purpose from the amounts made available under this heading, and that these amounts can be spent either to enhance VOA's Asian broadcasting, or for a pilot project for freedom broadcasting to Asia, whichever is more likely to reach the widest audience within the shortest period of time.

The Committee expects that it will be notified of the final distribution of funding among the activities under this account pursuant to the normal reprogramming procedures.

RADIO CONSTRUCTION

The bill includes $70,164,000 in new budget authority for the Radio Construction account for fiscal year 1996. This amount is $15,755,000 less than the budget request, and is $15,150,000 less than the level provided in fiscal year 1995 prior to the pending rescission. The amount recommended will provide for maintenance, improvements, replacements and repairs; satellite and terrestrial program feeds; engineering support activities and broadcast facility leases and land rentals.

The recommendation reflects a reduction in the amount provided for the construction of the Tinian transmitter to the level required for the initial year construction costs, with the balance of the reduction to be derived from Maintenance, Improvements, Replacements and Repairs activities.

The Committee is aware of the high cost of the lease for the Wertachtel transmitters, and directs USIA to examine the possibility of alternative, less-costly transmitter options, together with any costs associated with ending the lease, and to provide its recommendation to the Committee on whether to continue this lease.

RADIO FREE ASIA

Funding for Radio Free Asia is considered under the International Broadcasting Operations account, as requested in the fiscal year 1996 budget.

BROADCASTING TO CUBA

Funding for Broadcasting to Cuba is considered under the International Broadcasting Operations account, as requested in the fiscal year 1996 budget

EAST-WEST CENTER

The Committee does not recommend funding for maintaining and operating the East-West Center. The budget contained a request of $20,000,000, and in fiscal year 1995, $24,500,000 was provided.

Because of extreme budget constraints, the Committee cannot recommend continued funding for this sole-source appropriation to a non-governmental organization affiliated with a university.

The Center started receiving a direct subsidy from the Federal government in fiscal year 1961. Over the past nine years, the Federal government has provided $204,430,000 for its operations.

The largest item in the Center's budget is Program Direction and Administration, which in fiscal year 1995 accounted for 27 percent of the appropriation. The Center employs 323 full-time staff. The second largest item is for Education and Training, which in fiscal year 1995 accounted for 21 percent of the appropriation. About half of that is for student scholarships which cover in full or in part student stipends, insurance premiums, housing, travel, book allowances, and University of Hawaii tuition. The third largest item is for Centerwide Programs, which in fiscal year 1995 accounted for 12 percent of the appropriation. This activity includes publications, briefings, conferences, seminars and other outreach activities, as well as a Hawaii community relations program. The Center also carries on activities in the areas of environment, population, international economics and politics, resources programs—energy and minerals, cultural studies, communications and journalism, and Pacific Islands development.

According to the budget justification, the work of the Center is based on four fundamental premises—the intertwining of issues confronting the region, the importance of understanding the cultural context, the utility of cooperative research involving Asians, Pacific Islanders and Americans, and the need and opportunity for the United States to learn from Asia and the Pacific Islands.

In fiscal year 1994, the Center received $3,291,000 in other Federal grants and received $7,853,000 in private funding, so it should be possible to continue the core functions of the Center without this funding.

NORTH/SOUTH CENTER

The Committee does not recommend funding for continued support of the operations of the North/South Center. The budget contained a request of $1,000,000, as final-year phase-out funding, and in fiscal year 1995, $4,000,000 was provided.

Because of extreme budget constraints, the Committee cannot recommend continued funding for this sole-source appropriation to a non-governmental organization affiliated with a university.

The Center started receiving a direct subsidy from the Federal government in 1991. Since that time the Federal government has provided $35,400,000 for its operations. Prior to 1991, the Center

operated on private funding and competed for, and received, project-specific Federal grants.

The discontinuation of Federal funds does not necessarily mean the dissolution of the Center. The North/South Center can solicit private donations and compete for Federal grants available to support its programs and research as it did prior to 1991.

NATIONAL ENDOWMENT FOR DEMOCRACY

The Committee recommends $28,000,000 for the National Endowment for Democracy for fiscal year 1996, a reduction of $6,000,000 from the budget request and the level provided in fiscal year 1995.

The National Endowment for Democracy is a private, non-profit corporation established to strengthen the development of democratic institutions and processes internationally, including activities which promote individual rights and freedom through private-sector initiatives, training, and other activities. To carry out these objectives, the Endowment develops and funds programs in five substantive areas: (1) pluralism; (2) democratic governments and political processes; (3) education, culture, and communications; (4) research; and (5) international cooperation. The Endowment does not carry out programs directly, but provides funding for projects which are determined to be in the national interest of the United States and which are administered by private organizations and groups.

TITLE V—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

The Committee recommendation includes a total of $116,600,000 in new budget authority, plus an additional $162,610,000 for liquidation of contract authority, for the Maritime Administration for fiscal year 1996, as described below:

OPERATING-DIFFERENTIAL SUBSIDIES

(APPROPRIATION TO LIQUIDATE CONTRACT AUTHORITY)

The Committee recommends $162,610,000 for payment of obligations incurred for operating-differential subsidies of American flag vessels. This amount is the full request, and represents a decrease of $51,746,000 below the amount made available for the program in fiscal year 1995. This amount does not score against the Committee's 602(b) allocation for budget authority or outlays.

MARITIME SECURITY PROGRAM

The Committee recommends no funding for the proposed new Maritime Security Program, which is not yet authorized. The Committee is aware of the support for this program, and will reconsider funding for the program should the proposed authorization become law. The budget request included $175,000,000 for this new program.

OPERATIONS AND TRAINING

The Committee recommends an appropriation of $64,600,000 to fund programs under the Operations and Training account for the Maritime Administration (MARAD). This amount is a reduction of $17,050,000 from the budget request and is a decrease of $11,487,000 below the amount appropriated for the current fiscal year.

The Committee recommendation includes $31,000,000 for the operation and maintenance of the U.S. Merchant Marine Academy, $2,300,000 for direct and student incentive payments at the State maritime schools, and $1,400,000 for additional training. The remaining $29,900,000 is provided for the MARAD operating program and general administration. No funds are provided in fiscal year 1996 for the MARAD research and development program. The Committee believes that the total amount provided under this account is appropriate given the overall funding constraints for this bill.

The Committee recommends language included in previous years' appropriations acts providing that funds derived from the sale or disposal of National Defense Reserve Fleet (NDRF) may be used for training and other costs at the U.S. Merchant Marine Academy and the State maritime academies.

READY RESERVE FORCE

The accompanying bill includes no funds for the Ready Reserve Force (RRF) for fiscal year 1996. As proposed in the budget request, the funding for this account is being transferred to the Department of Defense.

MARITIME GUARANTEED LOAN PROGRAM

The Committee has included a total of $52,000,000 in the bill for the Maritime Guaranteed Loan (Title XI) Program. This amount is equal to the budget request, and is an increase of $25,000,000 above the amount provided to MARAD for fiscal year 1995. An additional $25,000,000 was provided for this program in fiscal year 1995 under the Department of Defense appropriation act. The bill also includes a total program limitation of $1,000,000,000. This amount assumes enactment of proposed fee legislation to be addressed in the pending authorization bill.

The amount provided includes $48,000,000 in subsidies for the guaranteed loan program, which will provide a total program level of approximately $1,000,000,000, and $4,000,000 for administrative expenses related to this program. The amount provided for administrative expenses may be transferred to and merged with appropriations for MARAD operations and training to cover the common overhead expenses associated with maritime guaranteed loans.

ADMINISTRATIVE PROVISIONS

The bill includes several administrative provisions involving Government property controlled by MARAD, the accounting for certain funds received by MARAD, and a prohibition on obligations from the MARAD construction fund. These provisions have been carried

in appropriations acts for the Maritime Administration for several years.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

The Committee recommends $206,000 for the expenses of the Commission for the Preservation of America's Heritage Abroad. This amount reflects the same level of funding for the Commission as provided in fiscal year 1995, and is $6,000 below the budget request. The recommendation will allow the Commission to fund its administrative expenses through appropriated funds while relying on privately donated funds for the actual purchase and restoration of property.

The purpose of the Commission is to encourage the preservation of cemeteries, monuments, and historic buildings associated with the foreign heritage of the American people.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

The Committee recommends an appropriation of $8,500,000 for the Salaries and Expenses of the Commission on Civil Rights. The amount recommended is $2,900,000 less than the budget request and $500,000 less than the current year appropriation.

The Committee recommends bill language which provides (1) $50,000 to employ consultants; (2) a prohibition against reimbursing commissioners for more than 75 billable days with the exception of the chairman who is permitted 125 billable days; and (3) a limitation of four full-time positions under schedule C of the Excepted Service exclusive of one special assistant for each commissioner.

While the Commission has stated that their independence and objectivity in conducting fact-finding projects and research could be compromised by augmenting their resources with interagency details and cooperative agreements, the Committee believes that this is an appropriate use of resources and recognizes that other independent commissions, such as the Commission on Immigration Reform, utilize these types of agreements to address their workload. The Committee recommends that the Commission explore with the authorizing committee any changes necessary to existing authorizations to allow for these types of agreements. In light of budget constraints, this is a more than appropriate way to handle the workload requirements of the Commission, rather than requesting more resources. In addition, the Committee suggests that the Commission reexamine the proposals for research it plans in 1996 to ensure that other independent Commissions are not conducting similar research. The Committee notes that the Commission intends to conduct a study on the role of the Federal government in fostering naturalization and that the Commission on Immigration Reform will also be reviewing naturalization-related issues.

The Committee is displeased with the manner in which the recent report entitled *Funding Federal Civil Rights Enforcement* was

issued by the Commission. The Committee understands that the report was published prematurely and does not represent a majority or consensus of the Commission. In its hearing before the Committee on April 4, 1995, the Chairperson stressed that the Commission is an independent bipartisan Commission. In light of the fact that three Commissioners were apparently denied a proper opportunity to vote on this report, the Commission's actions appear to speak louder than its words.

COMMISSION ON IMMIGRATION REFORM

SALARIES AND EXPENSES

The Committee recommends an appropriation of $2,877,000 for fiscal year 1996 for the Commission on Immigration Reform, which is an increase of $483,000 above the total amount available to the Commission for fiscal year 1995 and is $500,000 below the budget request.

The Commission's mandate is to review and evaluate the impact of U.S. immigration policy and to transmit to the Congress a report of its findings and recommendations for additional changes that should be made with respect to immigration into the United States. The Commission must report to the Congress on September 30, 1997.

The recommendation provides for funds to support salaries of the nine Commissioners and the Commission staff; travel to hearings and meetings; office expenses; and services to support Commission meetings, hearings and research activities.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

The Committee recommends an appropriation of $1,090,000 for the Commission on Security and Cooperation in Europe (CSCE), a freeze at the fiscal year 1995 level, and $32,000 below the request.

The Commission was established in 1976 to monitor compliance with the final act of the Conference on Security and Cooperation in Europe with particular regard to provisions dealing with humanitarian affairs.

The Committee requests the CSCE to prepare an analysis of the strengths and weaknesses of the structure of the Organization on Security and Cooperation in Europe and ascertain the feasibility of that structure in other geographic regions, including the Asia/Pacific region.

COMPETITIVENESS POLICY COUNCIL

SALARIES AND EXPENSES

The Committee recommends that no funds be provided for the Competitiveness Policy Council. The Council requested $503,000 for fiscal year 1996 and was funded at $1,000,000 for fiscal year 1995. The Committee understands that carryover balances exceeding $800,000 will be available in fiscal year 1996, and intends that these funds be used for the orderly termination of the Council.

The Competitiveness Policy Council was created for the purpose of advising the Federal Government on issues of global economic competitiveness.

The Committee believes the Council is duplicative of other private sector organizations, such as the Council on Competitiveness, which focus on the same issues as this Council without the use of Federal funds. There is no room for duplicative programs in this time of severe budget constraints and government downsizing.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The Committee recommends $233,000,000 for the Salaries and Expenses of the Equal Employment Opportunity Commission for fiscal year 1996. This amount is $35,000,000 less than the request, and is the same amount provided in the current year appropriation.

The bill also includes language included in previous appropriations acts allowing: (1) non-monetary awards to private citizens; (2) up to $26,500,000 for payments to State and local agencies; and (3) up to $2,500 for official reception and representation expenses.

The Committee supports the recent changes adopted by the EEOC to use mediation-based alternatives to resolving disputes in some cases and to prioritize and categorize charges based on new charge handling procedures. The Committee believes that these efforts should have a considerable effect on the workload of the EEOC and recognizes that the increases proposed for the EEOC were requested prior to the implementation of these new procedures. In addition, the Committee understands that these policies, in addition to changes being reviewed with regard to EEOC's relationship with State and local Fair Employment Practices Agencies, will substantially improve the agency's private sector charge processing systems. The Committee expects the EEOC to continue its examination of alternatives to case processing in order to decrease its backlog of cases and reduce the rate of incoming casework.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

The Committee recommends total budget authority of $185,232,000 for the Salaries and Expenses of the Federal Communications Commission (FCC) for fiscal year 1996, of which $116,400,000 is to be derived from offsetting fee collections. This will result in a direct appropriation of $68,832,000, a decrease of $38,368,000 below the request. The amount provided is equal to the current year appropriation.

The FCC is an independent agency charged with regulating interstate and foreign communications by means of radio, television, wire, cable and satellite.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) up to $600,000 for land and structures; (2) up to $500,000 for care of grounds and buildings; (3) up to $4,000 for official reception and representation expenses; (4) up to $300,000 for research and policy

studies to remain available until September 30, 1997; (5) authority to purchase uniforms and acquire vehicles; (6) special counsel fees; (7) for the collection of $116,400,000 in section 9 fees; (8) for the sum appropriated to be reduced as section 9 fees are collected; (9) fees collected in excess of $116,400,000 to be available in fiscal year 1997.

The Committee has not provided requested increases related to the cost of relocating the FCC headquarters into consolidated new space. The fiscal year 1996 request for these costs is $25,100,000, and the FCC anticipates that an additional $15,448,000 will be required in fiscal year 1997. The Committee's funding allocation will not allow for such significant increases for this agency in the current fiscal climate. The Committee is also concerned about the extremely high cost estimates associated with this proposed relocation, particularly the costs associated with systems furniture. Should the proposed move take place in accordance with the current schedule, the FCC would be required to submit a reprogramming of funds under Section 605 of the bill to cover the costs of the move.

The Committee notes that the FCC has conducted a review of its activities and functions in an attempt to identify opportunities to streamline its operation. The Committee expects the Commission to take the necessary steps to carry out these recommendations and to report back to the Congress on any suggested changes in law that might be necessary to further streamline the operations of the agency.

In a hearing before the Committee on March 22, 1995, the Committee encouraged the National Telecommunications and Information Administration (NTIA), FCC and Federal law enforcement agencies to establish a coordinated plan to identify cost issues and spectrum requirements for public safety communications. The Committee expects that this effort is ongoing and that the FCC will submit a thorough report of these requirements to the Committee by no later than March 1, 1996.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

The Committee recommends an appropriation of $15,000,000 for the Salaries and Expenses of the Federal Maritime Commission (FMC). The recommended amount is $3,947,000 below the budget request, and does not include the fees that were proposed by the FMC. The amount is $3,569,000 below the fiscal year 1995 appropriation.

The Committee assumes the phase out of the FMC to begin during fiscal year 1996. The Committee has not gone further pending future action by the authorizing committee setting forth the deregulation of the maritime commerce industry. The Committee expects that the FMC will begin closing all field offices immediately, and that all field offices will be closed no later than March 31, 1996.

The FMC regulates the waterborne domestic and foreign offshore commerce of the United States.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

The Committee recommends total budget (obligational) authority of $98,928,000 for the Salaries and Expenses of the Federal Trade Commission (FTC) for fiscal year 1996. Of this amount, $16,000,000 is to be derived from prior year unobligated fee collections, and $48,262,000 is to be derived from current year offsetting fee collections from pre-merger filing fees under the Hart-Scott-Rodino Act resulting in a net direct appropriation of $34,666,000. The recommended budget authority freezes the FTC at the current appropriation, and is $8,945,000 below the request.

The mission of the Federal Trade Commission is to enforce a variety of Federal antitrust and consumer protection laws. Under these laws, the Commission seeks to ensure that the nation's markets are competitive, function vigorously and efficiently, and are free from undue governmental and private restrictions. The Commission also seeks to improve the operation of the marketplace by eliminating deceptive and unfair practices.

The Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for purchase of uniforms and hire of motor vehicles; (2) allows up to $2,000 for official reception and representation expenses; (3) allows for the collection of fees; (4) allows for the sum appropriated to be reduced as fees are collected; (5) allows fees in excess of the amount designated in the bill to be available in fiscal year 1997, and (6) prohibits the use of funds to implement section 151 of the Federal Deposit Insurance Corporation Improvements Act of 1991. The Committee has added new bill language making funds appropriated from the Treasury for the FTC available until expended. This language change is necessary to avoid setting up a separate accounting system to track appropriated funds versus fee revenue.

The Committee has been made aware of concerns about the FTC's involvement in areas more appropriately addressed by States and localities. As the Commission continues its ongoing review of antitrust and consumer protection policy and regulations, the Committee expects the FTC to identify those areas which are more appropriately enforced by the Commission and those which States and localities are better situated to enforce. The Committee encourages the FTC to conduct this review in consultation with the State attorneys general.

JAPAN-UNITED STATES FRIENDSHIP COMMISSION

SALARIES AND EXPENSES

The Committee recommends $1,247,000 for the expenses of the Japan-United States Friendship Commission for fiscal year 1996. This amount reflects the same level of funding provided in fiscal year 1995. The bill also provides for an amount of Japanese currency not to exceed the equivalent of $1,420,000. In accordance with Public Law 94–118, the interest earned on the principal in the trust fund is subject to the annual appropriations process.

The Committee intends that the funds provided be used for the promotion of scholarly, cultural, and business/economic relations between the United States and Japan.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

The Committee recommendation provides a total of $278,000,000 for the Legal Services Corporation, the same level as recommended in the House-passed Budget Resolution. This amount is a decrease of $162,000,000 below the request, and $122,000,000 below the fiscal year 1995 enacted level.

The Committee recommendation is distributed as follows:

	Fiscal year 1995	Recommendation
Basic field programs	$345,898,000	$265,000,000
Supplemental programs:		
Native American	8,867,000	0
Migrant	12,759,000	0
National support	8,109,000	0
State support	9,373,000	0
Supplemental field	1,274,000	0
Regional training centers	711,000	0
Computer legal research	582,000	0
Clearinghouse	985,000	0
Law schools	726,000	0
Administration and oversight:		
Management and administration	10,716,000	5,000,000
Inspector general	1,000,000	8,000,000

The Committee understands that the Corporation has been involved in a reimbursable agreement with the Court of Veterans Appeals to work with a consortium of veterans service organizations to recruit pro bono attorneys to represent veterans otherwise unable to obtain legal counsel in the appeals before the Court. The Committee supports this reimbursable agreement, and expects this agreement to continue in fiscal year 1996.

The Committee wants to ensure that a mechanism exists to provide poor individuals with access to the civil justice system. The Committee recommendation provides for the continuance of funding for direct legal services but at the same time eliminates areas of continuing controversy surrounding some of the activities of the Corporation and its grantees.

The Committee remains concerned that the Corporation has been unauthorized for a number of years. Consequently, each year, the Committee has been compelled to take action in the appropriations process to ensure Federal funds are spent consistent with the program's mission of providing poor individuals access to the civil court system. The Committee believes a comprehensive review of the entire civil legal assistance system is long overdue, and hopes that such a review is conducted in the context of the authorization process, obviating the need for continued action in the appropriations process.

In the interim, the Committee believes it has a responsibility to ensure that such funding is spent in accordance with the program's mission. Therefore, in keeping with past practices, the Committee has included numerous administrative provisions on the allowable

use of the funds provided, in many cases significantly strengthening current provisions, and in all cases applying the provisions to Federal and non-Federal funds used by a grantee. These provisions govern funds for the Corporation, pending final authorization action.

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

The Committee has included language in Section 507, providing that, upon enactment of authorization for the Corporation, such authorization will supersede all contradictory provisions in this act.

In Section 501, the Committee recommendation provides for funding for basic field programs to be distributed by geographic area, with such areas to be determined by the Corporation. Funding among the geographic areas will be distributed by a formula based on the number of poor people residing in each area.

The Committee recommendation includes numerous requirements which must be met by the Corporation and its grantees. These requirements fall into the following categories: (1) program quality and effectiveness; (2) program priorities; and (3) accountability.

Program Quality and Effectiveness.—The Committee includes several provisions designed to ensure that the highest quality of legal services is provided with funding under this Act. In Section 503 the Committee recommendation requires that all funds provided to the Corporation for the direct delivery of legal services will be awarded through a competitive selection system. Further, in Section 502 the Committee allows state and local governments, as well as substate and regional councils of government, an opportunity to compete to become service providers. The Committee believes that the competitive award of grantees, open to a wide array of potential service providers, will guarantee that the highest quality, most efficient programs are funded with limited federal dollars.

Further, in Section 504(9) the Committee includes requirements that all grantees receiving federal funds must establish and follow locally-decided priorities to meet the unique legal needs of their communities and has directed the Corporation to establish guidelines to assist local programs in establishing these priorities. The Committee notes that in a time of increasing budgetary constraints, it is important that all programs prioritize to ensure that they are able to meet the most pressing needs of the greatest number of their potential clients.

In Section 504(8), the Committee recommendation requires federally funded programs to name their clients and keep a record of the facts of the case on file. The Committee believes this is an important tool to ensure that programs are meeting the priorities and goals of their programs in the most efficient and effective manner.

Program Priorities.—The Committee recommendation includes numerous terms and conditions which a potential grantee must meet in order to receive Federal funding. The Committee notes that Federal grants and contracts are voluntary agreements. It is both the right and the responsibility of the Congress to decide what programs and activities will be supported by Federal funds. Therefore, the Committee has included numerous terms and conditions which

target scarce resources to programs whose mission is to provide basic legal assistance to the poor.

The Committee understands that advocacy on behalf of poor individuals for social and political change is an important function in a democratic society. However, the Committee does not believe such advocacy is an appropriate use of Federal funds. The Committee notes that there are hundreds of private organizations which can and do fulfill this advocacy role. The Committee notes that any funding devoted to advocacy is funding taken away from basic legal assistance.

The Committee recommendation requires that a grantee receiving Federal funding must agree not to engage or participate in: (1) redistricting activities or litigation (Section 504(1)); (2) actions in an attempt to lobby or influence any legislative or rulemaking activities, or interfere in oversight of the Corporation or its grantees (Section 504(2)–(6)); (3) class action litigation against a Federal, state, or local government (Section 504(7)); (4) political demonstrations, strikes, or union organizing activities (Section 504(12)); (5) abortion-related activities or litigation (Section 504(15)); (6) activities or litigation to influence welfare reform initiatives (Section 504)16)); (7) representation of illegal aliens (Section 504(11)); or (8) representation of Federal, state, or local prisoners in civil litigation (Section 504(16)).

In addition, Section 504(18) of the Committee recommendation prohibits funding to grantees who represent a public housing tenant facing an eviction proceeding brought by a public housing authority if that tenant has been formally charged by a prosecuting entity with the illegal sale or distribution of drugs. The Committee notes that the Corporation's Board of Directors adopted a similar resolution, governing Federal funds, recently. The Committee commends the Corporation's initiative and believes that it is inappropriate for Federal funding to support, either directly or indirectly, activities which impede the ability of public housing authorities to protect their residents from the continuing scourge of drug activity.

The Committee recommendation also requires that a grantee receiving Federal funding must refrain from: (1) accepting fee-generating cases (Section 504(13)); (2) collecting attorneys fees (Section 504(14)); or (3) soliciting clients (Section 504(19)). The Committee believes that Federally-funded legal aid programs should serve as a catalyst, not a replacement, for private bar activity. The Committee believes that cases which provide an opportunity for the collection of attorneys fees can be serviced by the private bar. Further, the Committee notes that Corporation grantees are supported by public resources in order to provide free legal aid to their clients. Therefore, the Committee believes it is inappropriate for attorneys fees to be collected for free legal aid. Finally, the Committee finds it unacceptable for any Federally-funded legal aid program to solicit clients at a time when the Corporation and the legal aid community continue to testify that they must turn eligible clients away due to lack of resources.

The Committee notes that previous appropriations acts have imposed many similar restrictions on a grantee's Federal funds, as these are often highly political and controversial activities which do not serve the core function of providing basic legal representation

to poor individuals. The Committee recommendation significantly strengthens current restrictions and expands them to encompass all funding received by a grantee by restricting a Federal grant from being made to an entity that engages in these restricted activities. The Committee believes that it is inappropriate for Federal resources to be used to support directly or indirectly these activities. Such activities only further drain much needed resources from the program's core mission—to provide basic legal aid to poor individuals. Further, the Committee must note that there are hundreds of private advocacy and special interest organizations which have the expertise, the resources, and the interest in pursuing these types of issues.

Accountability.—The Committee recommendation also includes several provisions to strengthen financial management and accountability over legal aid programs. Section 504(10) requires that all grantees institute timekeeping. Further, all legal aid programs funded will be subject to financial and compliance audits. Bill language requires that these audits will be conducted by an independent, private accounting firm, in accordance with audit guidelines established by Office of Management and Budget Circular A–133. Further, section 504(20) requires all programs receiving Federal funds to comply with Federal statutes and regulations governing waste, fraud, and abuse of Federal funds. The Committee believes that these actions will provide invaluable tools to evaluate and ensure program effectiveness and accountability.

The Committee recommendation also includes in section 505 a prohibition against the use of Federal funds to be used to pay membership dues or fees to advocacy or professional membership organizations. The Committee believes such use of Federal tax dollars is inappropriate and does nothing to serve the needs of indigent clients.

Finally, section 506 of the Committee recommendation prohibits an organization from using its Federal funds to sue the Corporation. Again, the Committee notes that Federal funding is provided to represent individual poor people in seeking redress through the civil court system. Any use of scarce federal dollars to the contrary does not further this goal.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

The Committee recommends $1,000,000 for the Marine Mammal Commission in fiscal year 1996. This is $425,000 below the request, and $384,000 below the current appropriation.

The Committee believes that the amount provided is sufficient for the Marine Mammal Commission to carry out its core mission. The Committee further believes that the funding level provided will require the Marine Mammal Commission to achieve its goals more efficiently, by more carefully scrutinizing its expenditures in such areas as personnel, travel, and contractual services.

The Marine Mammal Commission's statutory responsibilities include the review of programs impacting endangered and threatened marine species, the compilation and evaluation of data needed to make reliable marine stock determinations, the development of

sound State management strategies, and the improvement of methods and procedures for collecting and analyzing marine data.

MARTIN LUTHER KING, JR. FEDERAL HOLIDAY COMMISSION

SALARIES AND EXPENSES

The Committee recommends $250,000 for the Martin Luther King, Jr. Federal Holiday Commission, which is $100,000 below the request and $50,000 below the current level of funding. The Commission's Operations Committee presented a motion which was passed by the Full Commission to sunset the Commission at the end of fiscal year 1996. The Committee recommendation will allow the Commission to proceed with the funding of activities through fiscal year 1996.

The Commission was established in order to encourage and promote appropriate ceremonies and activities throughout the United States related to the observance of the Federal legal holiday honoring Martin Luther King, Jr., and to provide assistance to Federal, State and local governments and to private organizations concerning the observance of the holiday.

The Committee intends that the funds provided be used toward programming and any shutdown costs for the Commission. The Committee understands that a transition team to carry out an orderly sunset of the Commission has been appointed, and expects to be kept fully informed of the progress of the transition team.

OUNCE OF PREVENTION COUNCIL

The Committee recommends no appropriation for the Ounce of Prevention Council in fiscal year 1996. This is $14,700,000 below the request, and $1,500,000 below the amount provided to the Council in fiscal year 1995. Close-out costs are to be funded from carry-over balances available to the Council.

The Ounce of Prevention Council is intended to have two purposes—program coordination and grant-making. The program coordination function includes such things as the development of a crime prevention program catalogue and the creation of strategies for program integration and grant simplification. The Committee believes the coordination of prevention programs can be accomplished without the creation of another level of bureaucracy to carry out these types of activities, which cannot be justified within the context of streamlining and reinventing government. The Office of Justice Programs currently funds the coordination of crime prevention efforts at the State and local levels through programs such as the National Crime Prevention Council.

The grant-making function includes grants for summer and after-school recreation programs, mentoring, programs assisting employability, and outreach programs for at-risk families. Grants of this nature can be funded under the Local Law Enforcement Block Grant Program provided in the Committee recommendation for State and Local Law Enforcement Assistance and under Juvenile Justice programs under the Department of Justice. Furthermore, the Committee notes that the authorization for the Ounce of Prevention Council was repealed in H.R. 728, as passed by the House on February 14, 1995.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

The Committee recommends a direct appropriation of $103,445,000 for the Securities and Exchange Commission, an increase of $28,589,000 above the appropriation provided in fiscal year 1995. The Administration had proposed an appropriation of $342,922,000, to be reduced, upon enactment of legislation that would provide for the self-financing of the SEC from fees, to zero.

The Committee assumes an overall operating level of $297,405,000, the same level as in fiscal year 1995. This figure assumes that $184,293,000 will be available as the result of maintaining the section 6(b) registration fees at the fiscal year 1995 level. That is a decrease of $7,707,000, the result of an expected reduced volume of registrations, based on current trends. The figure also assumes that $9,667,000 in carryover from fiscal year 1995 will be available, a decrease from the $20,882,000 in carryover that was available in fiscal year 1995. As a result, just to maintain the operating level of the SEC at the fiscal year 1995 level, the Committee has had to increase the direct appropriation by $28,589,000.

The Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for the rental of space; (2) makes up to $3,000 available for official reception and representation expenses; (3) makes up to $10,000 available for a permanent secretariat for the International Organization of Securities Commissions; (4) makes up to $100,000 available for expenses of meetings and consultations with foreign governmental and regulatory officials; and (5) raises section 6(b) fees from one-fiftieth of one percent to one twenty-ninth of one percent and credits this fee increase to this account.

At the Subcommittee's hearing with the SEC, the Commission's Chairman stated that the SEC would be conducting an audit of all fees to assure that they are being accurately assessed and collected. The Committee looks forward to reviewing the results of that audit.

The Committee has worked closely with the House Commerce and Ways and Means Committees to assure that the SEC has the resources to operate in fiscal year 1996 and avoid a costly disruption as occurred at the beginning of fiscal year 1995. The Committee will continue to work closely with the authorizing committees to assure a long-term solution to the SEC's financing.

SMALL BUSINESS ADMINISTRATION

The accompanying bill provides a total of $590,369,000 for the five appropriations items of the Small Business Administration (SBA). This amount is a reduction of $333,058,000 from the fiscal year 1995 enacted amounts, and a decrease of $40,537,000 below the total budget request for fiscal year 1996. The details for the five SBA appropriation accounts are contained in the following paragraphs.

SALARIES AND EXPENSES

The Committee recommends $221,247,000 for the Salaries and Expenses of the Small Business Administration. This is a decrease

of $21,584,000 below the budget request and $30,257,000 below the amount appropriated for the current fiscal year. The amount provided is offset by an additional $3,300,000 in fees to be collected from the distribution of publications produced by SBA, resulting in an overall appropriation of $217,947,000 for this account.

In addition, $97,000,000 is available for this account from the portion of the Business Loans Program account for administrative expenses, and $78,000,000 is available from the portion of the Disaster Loans Program account for administrative expenses. These amounts are to be transferred to and merged with the Salaries and Expenses account for a total of $396,247,000 available for this account, compared to a total request of $423,081,000.

The Committee recommendation includes requested language authorizing $3,500 for official reception and representation expenses and language authorizing SBA to charge fees to cover the cost of publications, and certain loan servicing activities. The language also permits revenues received from all such activities to be credited to the Salaries and Expenses account to be available for carrying out these purposes without further appropriations. The Committee has deleted, as requested by SBA, language carried in prior appropriations acts prohibiting SBA from charging fees for consulting services provided by the Small Business Development Centers (SBDCs). The Committee notes that the Department of Commerce's Minority Business Development Centers currently charge a nominal fee for similar consulting services. The experience of these centers has been that such fees have not proven to be a barrier to customers seeking these services. Therefore, the Committee believes that charging a nominal fee for the valuable consulting services provided by the SBDCs is justified, and will not prohibit small businesses from receiving these needed services.

The Committee recommendation includes a total of $93,919,000 for non-credit initiatives, as follows:

Small business development centers	$70,000,000
SCORE	3,250,000
Women's outreach	2,000,000
Women's Council	200,000
Microloan technical assistance	12,000,000
Enterprise zone one-stop shops	2,767,000
Export assistance centers	3,202,000
Business information centers	500,000

On May 1, 1995, SBA submitted a proposal to the Congress under the second round of the Administration's reinventing government initiative (REGO–2). Included in the SBA initiative, titled "*Stretching Taxpayer Dollar$*", was the proposal to close certain SBA field offices. Based on concerns raised by many Members of Congress, the Committee recently disapproved most of that proposal, allowing SBA to close post-of-duty stations and to realign regional offices but not to close any district or branch office at this time. The Committee believes that the process used by the SBA to select offices for closure was flawed and the timing of the proposal was premature. While the funding levels provided in the accompanying bill may require further office closure by the SBA, the Committee believes that the determination of office closures should be a consultative process, with involvement by the House and Senate authorization and appropriations committees in determining

both the appropriate criteria for selecting offices for closure and the timing of additional closures or downsizing. The Committee notes that changes in SBA's programs may take place as the authorizing committees continue their review of small business assistance programs. Changes in SBA's programs and responsibilities should be the primary factor in determining the need to maintain individual offices in the field structure as well as at SBA headquarters; the Committee expects that any further office realignment will not be proposed until the Congress has completed action on legislative changes to the SBA's mission.

The Committee has provided no funds in fiscal year 1996 for the SBA Office of Advocacy. This office is supposed to be an independent voice for small business. The office is headed by a Presidentially-appointed position. The Committee is concerned that the Office of Advocacy actually works against the best interests of our nation's small business entrepreneurs on issues such as health care reform—to expect a Presidential appointee to take a position against the Administration is unrealistic. The Committee believes that the funds saved by closing the Office of Advocacy and abolishing advocacy research grants can be better used in other programs that more directly serve small businesses.

The Committee understands that many of the programs and activities of the Commerce Department's Minority Business Development Agency are duplicative of, or similar to, work done by the Small Business Administration. The Committee has directed the Commerce Department to work with the SBA to develop a plan and a timeline for the elimination of this overlap through the merger of activities. The Committee expects the SBA to work closely with the Department on the development and implementation of this plan.

The Committee supports increased coordination between the various agencies involved in export promotion. In that regard, the Committee encourages the Export Assistance Centers (operated jointly by the Small Business Administration and the Commerce Department's U.S. and Foreign Commercial Service) to work closely with Business Information Centers (funded under SBA), when located in the same state, to establish a regional export strategy for the area's small businesses.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $8,750,000 for the Office of Inspector General of the Small Business Administration. The amount is an increase of $250,000 above the amount provided for the current fiscal year, but is a decrease of $450,000 below the amount requested.

The Committee has provided additional resources to the Office of Inspector General for additional program review activity. The Committee believes that additional efforts in this area will assist the Committee in its efforts to ensure that Federal programs funded in the Small Business Administration are cost effective.

BUSINESS LOANS PROGRAM ACCOUNT

The Committee recommends $248,710,000 for the Business Loans Program Account for subsidies for direct and guaranteed

business loans, including $97,000,000 for administrative expenses related to this account. The amount provided for administrative expenses may be transferred to and merged with the appropriation for SBA salaries and expenses to cover the common overhead expenses associated with business loans.

As required by the Federal Credit Reform Act of 1990, the Congress is required to appropriate an amount sufficient to cover the estimated losses associated with all direct loan obligations and loan guarantee commitments made in fiscal year 1996, as well as the administrative expenses of the loans. The subsidy amounts are estimated on a net present value basis, and the administrative expenses are estimated on a cash basis.

The Committee recommendation includes $5,000,000 for the credit subsidy cost of the Small Business Administration's direct loan program, instead of $12,428,000 as requested and $9,596,000 as provided for fiscal year 1995. The Committee notes that the fiscal year 1995 President's Budget proposed elimination of the entire direct loan program. The Committee recommendation is intended to fund only direct loans under the Microloan program. The subsidy amount of $5,000,000 will fund an overall program level of approximately $25,000,000. The amount provided assumes a phase-out of the direct loan portion of the Microloan program as Microloan guarantees are increased.

The Committee recommendation provides $146,710,000 for the business loan guaranty program, instead of $52,535,000 as requested and $275,655,000 as provided for fiscal year 1995. The amount provided assumes that some of the legislative changes proposed as part of the REGO–2 proposal for this account will be enacted. The Committee's assumptions for the subsidy amounts proposed are provided below.

7(a) Business loan program: The Committee has included subsidy appropriations of $104,500,000 for the 7(a) general business loan program, instead of zero as proposed by the Administration in its REGO–2 proposal and $196,096,000 as provided for fiscal year 1995 (exclusive of carryover). The Committee recommendation is based on concerns that enactment of proposed legislation to implement changes to this program resulting in a zero subsidy may not be realistic. The amount provided assumes a .95 percent subsidy rate based on changes in the fees paid by borrowers and lenders. Should these fee changes be enacted, the subsidy rate of .95 percent will result in an overall 7(a) loan program amount of $11,000,000,000. The Committee strongly encourages enactment of legislation which would allow the lower subsidy rate in order to provide a sufficient program level of general business loans in fiscal year 1996.

504 Development Company loans: The Committee recommendation provides no new budget authority for the section 504 development company loan program. This amount, however, assumes that legislative proposals bring the subsidy rate to zero for this program will be enacted into law. The Committee recommendation is that this program level be set at not less than $2,500,000,000.

Small Business Investment Corporation (SBIC) debenture and participating securities: The Committee recommendation includes a total of $40,510,000. This amount provides $16,410,000 in subsidies

for SBIC debenture guarantees, which is approximately the fiscal year 1995 level, (resulting in a program level of $111,000,000) and $24,100,000, the full request, for the SBIC participating securities loans (resulting in a program level of $270,000,000). These program levels require no changes in legislation.

Microloan Guaranty Program: The recommendation includes $1,700,000 in subsidy amounts for guaranteed loans under the Microloan program. This will result in a program level of $14,000,000. The Committee supports the transition of Microloans from a direct loan program to a guarantee program.

DISASTER LOANS PROGRAM ACCOUNT

The Committee recommends $34,432,000 for the Disaster Loans Program Account for loan subsidies and an additional $78,000,000 for administrative expenses related to this account. The amount provided for administrative expenses may be transferred to and merged with the appropriation for SBA salaries and expenses to cover the common overhead expenses associated with disaster loans.

The amount provided for loan subsidies is $17,721,000 below the fiscal year 1995 level and is equal to the budget request for fiscal year 1996 and requires the enactment of proposed reform legislation for this program. The amount provided for administrative expenses is equal to the current funding level for this account, and is a decrease of $2,340,000 below the budget request.

As required by the Federal Credit Reform Act of 1990, the Congress is required to appropriate an amount sufficient to cover the subsidy costs associated with all direct loan obligations and loan guarantee commitments made in fiscal year 1996, as well as the administrative expenses of the loan programs. The subsidy amounts are measured on a net present value basis, and the administrative expenses are estimated on a cash basis.

The Committee recommends no funding for the disaster loan emergency contingency fund, the budget requested $100,000,000, and $125,000,000 was provided in fiscal year 1995.

The Committee recommendation deletes language included in prior appropriations acts which prohibited recipients of SBA disaster loans to relocate outside the community impacted by the disaster. This deletion was proposed in the budget request.

SURETY BOND GUARANTEES REVOLVING FUND

The accompanying bill provides an appropriation of $2,530,000 for additional capital for the Surety Bond Guarantees Revolving Fund. This amount is equal to the budget request, but is a decrease of $2,839,000 below the amount provided for fiscal year 1995. The Committee recommendation is based on proposed legislation that will increase fees associated with this program; this amount would result in a program level of $1,800,000,000 for the Surety Bond Program. Without these proposed legislative changes, program reductions will be required.

Under the Surety Bond Guarantees program, the Small Business Administration guarantees a portion of the losses sustained by a surety company as a result of the issuance of a bid, payment, and/or performance bond to a small business concern.

ADMINISTRATIVE PROVISION

The Committee recommendation includes an administrative provision in the bill language providing the authority to transfer funds between the Small Business Administration's appropriations accounts. The language provides that no account may be decreased by more than 5 percent or increased by more than 10 percent. The language also makes the transfers subject to the Committee's standard reprogramming procedures.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

The Committee recommends the elimination of the State Justice Institute (SJI) in fiscal year 1996, and therefore does not provide $14,150,000 including $600,000 from the Violent Crime Reduction Trust Fund, as requested in the budget for this program. The amount provided in fiscal year 1995 was $13,550,000.

The mission of SJI is to award grants to improve the administration of justice in the State courts. Of the $14,150,000 requested, $11,113,000 was requested for grants to State judiciaries for demonstration, education and research projects on cases such as family violence, substance abuse and mass tort litigation. The $600,000 requested from the Violent Crime Reduction Trust Fund would allow SJI to fund judicial training programs.

The Committee believes that funding to improve the efficiency of State court systems should be supported with State resources, and is achievable without the expenditure of Federal tax dollars. The Committee also believes that SJI provides no actual direct services and notes that the current Administration targeted SJI for elimination in fiscal year 1995. Furthermore, the Committee is aware that there are carryover balances of at least $5,000,000 available in fiscal year 1996 which should be sufficient to provide for the orderly closure of SJI.

TITLE VI—GENERAL PROVISIONS

The Committee recommends the following general provisions for the departments and agencies funded in the accompanying bill. Sections 601 through 606 have been included in previous Appropriations Acts.

Section 601 prohibits any appropriation contained in the Act from being used for publicity or propaganda purposes not authorized by the Congress.

Section 602 prohibits any appropriation contained in the Act from remaining available for obligation beyond the current fiscal year unless explicitly provided.

Section 603 provides that the expenditure for any appropriation contained in the Act for any consulting services through procurement contracts 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.

Section 604 provides that if any provision of the 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 such provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 605 provides for the Committee's policy concerning the reprogramming of funds. Section 605(a) prohibits the 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 offices or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any function or activity presently performed by Federal employees unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance.

Section 605(b) prohibits 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 due to 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.

The Committee has included carryover funds under the requirements of section 605 to clarify that agencies must follow reprogramming procedures with respect to carryover funds.

Section 606 prohibits funds in the Act from being used for construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels of the National Oceanic and Atmospheric Administration in shipyards located outside the United States.

Section 607 states the sense of the Congress that all equipment and products purchased with funds made available in the bill should be American-made, and directs the head of each Federal agency to provide a notice describing Congressional intent to any entity it provides financial assistance to or enters into a contract with.

Section 608 prohibits funds in the bill from being used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion similar to proposed guidelines published by the EEOC in October, 1993.

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to Clause 3, rule XXI of the House of Representatives, the following statement is submitted describing the effect of provisions in the accompanying bill which directly or indirectly change the application of existing law.

Language is included for a number of accounts which places limitations on representation and reception allowances in order to reduce the amount of money that could otherwise be spent on these activities.

The bill also provides that a number of appropriations shall remain available for obligation beyond the current fiscal year. While these provisions are not specifically authorized for all of the items,

it is deemed desirable to include such language for certain programs in order to provide for orderly administration and the effective use of funds.

On page 2, under Department of Justice, General Administration, Salaries and Expenses, a limitation of $3,317,000 is provided for the Facilities Program 2000 and a limitation of $5,000,000 is included for the management and oversight of immigration and naturalization activities, and both remain available until expended.

On pages 2 and 3, under Counterterrorism Fund, funding of $26,898,000 is provided under the control and direction of the Attorney General to reimburse any Department of Justice organization for (1) the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City or any domestic or international terrorist incident, (2) the costs of providing support to counter, investigate or prosecute domestic or international terrorism, including payment of rewards, and (3) the costs of conducting a terrorism threat assessment of Federal agencies and their facilities. Language is provided that makes these funds available only after the Attorney General notifies the Committees on Appropriations of the House and Senate in accordance with the reprogramming requirements included in section 605 of the accompanying bill.

On page 3, under Office of Inspector General, a limitation of $10,000 is provided to meet unforeseen emergencies of a confidential nature. Language is also included which makes the appropriation available for the acquisition, lease, maintenance, and operation of motor vehicles without regard to the general purchase price limitation.

On pages 3 through 5, under Legal Activities, Salaries and Expenses, General Legal Activities, language is included to allow activities authorized by title X of the Civil Rights Act of 1964, that are currently performed by the Community Relations Service, to be performed under this account. In addition, a limitation of $20,000 is provided for expenses of collecting evidence. Language is also included to permit the lease of private or government-owned space in the District of Columbia. In addition, a limitation of $10,000,000 is provided for litigation support contracts to remain available until expended and a limitation of $22,618,000, to remain available until expended, is provided for office automation systems. Further, language is included that provides a limitation of $1,000 to the United States National Central Bureau (INTERPOL) for official reception and representation expenses and allows the acceptance of gifts for the purpose of hosting the INTERPOL regional conference in 1996. In addition, language is included which permits up to $4,028,000 to be appropriated from the Vaccine Injury Compensation Trust Fund for processing cases under the National Childhood Vaccine Injury Act of 1986.

On pages 5 and 6, under Salaries and Expenses, Antitrust Division, language is included to allow $48,262,000 to be credited to this appropriation from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act. Further language provides that the appropriation shall be reduced by such offsetting collections that are received during fiscal year

1996 so as to result in a final year 1996 appropriation estimated at not more than $20,881,000. Further, language is included that any fees received in excess of $48,262,000 in fiscal year 1996 shall remain available until expended, but shall not be available for obligation until fiscal year 1997. In addition, language is included which clarifies that the source of appropriated funding for the Division is the General Fund of the U.S. Treasury.

On pages 5 through 7, under Salaries and Expenses, United States Attorneys, language is included providing a limitation of $2,500,000 to be available until September 30, 1997, for the purposes of: (1) providing debt collection training; (2) providing services relating to locating debtors and their property; (3) paying the costs of sales of property not covered by sale proceeds; and (4) paying the costs of processing and tracking debts owed to the United States Government. Language is also included providing a limitation of $8,000 for official reception and representation expenses, and up to $10,000,000 for automated litigation support contracts and $4,000,000 for security equipment to be available until expended.

On pages 7 and 8, under United States Trustee System Fund, language is included that makes deposits to the Fund available to pay refunds due depositors. In addition, language is included which provides that not to exceed $44,191,000 of offsetting collections derived from fees collected shall be retained and used for necessary expenses in this appropriation. In addition, the language provides that the $101,596,000 appropriated shall be reduced as such offsetting collections are received during fiscal year 1996 so as to result in a final fiscal year 1996 appropriation estimated at not more than $57,405,000. In addition, language is included which provides that any of the aforementioned fees collected in excess of $44,191,000 in fiscal year 1996 shall remain available until expended, but shall not be available for obligation until October 1, 1996.

On pages 8 and 9, under United States Marshals Service, language is included which makes funds available to procure, maintain and operate vehicles and aircraft, and which permits purchase of vehicles without regard to the general purchase price limitation. Language is also included which allows up to $6,000 to be available for official reception and representation expenses.

On page 9, under Support of United States Prisoners, language is included stating that the appropriation is not available for expenses otherwise provided for in appropriations available to the Attorney General.

On pages 9 and 10, under Fees and Expenses of Witnesses, language is included which makes funds available for expert witnesses, private counsel and per diem. Language is also provided making not to exceed $4,750,000 available for planning, construction, renovation, maintenance, remodeling, and repair of buildings, and the purchase of equipment incident thereto for protected witness safe sites. Also, language is included which makes not to exceed $1,000,000 available for the purchase and maintenance of armored vehicles for transportation of protected witnesses, and up to $4,000,000 for a secure automated network for protected witnesses.

On pages 10 and 11, under Payment of Radiation Exposure Compensation Trust Fund, language is included that provides an ad-

vance appropriation for fiscal year 1997 of $16,264,000 for payment of claims under the Radiation Exposure Compensation Act.

On page 11, under Interagency Law Enforcement, Interagency Crime and Drug Enforcement, language is provided which permits the appropriation to be used for intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking. Language is also included permitting $50,000,000 to remain available until expended. In addition, language is provided that allows the appropriation to be used under authorities available to the organizations reimbursed from this appropriation. Finally, language is provided that permits unobligated balances remaining available at the end of the fiscal year to revert to the Attorney General for reallocation among participating organizations in the succeeding fiscal year, subject to the reprogramming procedures described in Section 605 of the accompanying bill.

On pages 11 through 13, under Federal Bureau of Investigation, several provisions are recommended, including language which permits the purchase of up to 1,815 passenger vehicles for police-type use, of which 1,300 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year, and which permits the procurement, maintenance and operation of aircraft. Language is also included to allow up to $70,000 for unforeseen emergencies to be expended solely under the certificate of the Attorney General. In addition, language is provided which permits not to exceed $50,000,000 for automated data processing, telecommunications, and technical equipment and $1,000,000 for undercover operations to be available until September 30, 1997. In addition, language is recommended which permits $14,000,000 for research and development related to investigative activities to remain available until expended. Also, language is included under this item permitting not to exceed $10,000,000 for contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime and drug investigations. Also language is included which provides that $1,500,000 shall be available to maintain an independent program office dedicated solely to the relocation of the Identification Division and the automation of fingerprint identification services. Language is also included that makes $50,000,000 for digital telephony available for obligation only upon enactment of authorization legislation. Finally, a limitation is provided of $45,000 for official reception and representation expenses.

On page 13, language is provided, under the heading Construction, for the necessary expenses of the Federal Bureau of Investigation to remain available until expended, to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and the preliminary planning and design of projects.

On pages 13 and 14, under Drug Enforcement Administration, language is included to allow for up to $70,000 for unforeseen emergencies. Language is also included to permit expenses for con-

ducting drug education and training programs. Language is provided to permit the purchase of not to exceed 1,208 passenger motor vehicles of which 1,178 are for replacement only for police-type use without regard to the purchase price limitation for the current fiscal year. Language is also included to permit acquisition, lease, maintenance and operation of aircraft. In addition, a limitation of $1,800,000 is included for research and $15,000,000 for transfer to the Diversion Control Fee Account is to remain available until expended. In addition, the following limitations are included: $4,000,000 for purchase of evidence and payments for information; $4,000,000 for contracting for ADP and telecommunications equipment; and $2,000,000 for technical and laboratory equipment and will remain available until September 30, 1997. Finally, a limitation of $50,000 is provided for official reception and representation expenses.

On pages 14 through 16, under Immigration and Naturalization Service, several provisions are recommended, including language to allow up to $50,000 for unforeseen emergencies. Language is also included to permit the purchase of up to 813 passenger motor vehicles for police-type use of which 177 are for replacement only without regard to the general purchase price limitation for the current fiscal year and for the hire of passenger motor vehicles, and to permit the procurement, maintenance and operation of aircraft. In addition, language is included to permit research related to immigration enforcement and which makes $400,000 for research available until expended. In addition, language is included which limits the amount available for administrative expenses to pay any employee overtime pay in excess of $25,000. Language is also included which makes available not to exceed $10,000,000 for costs associated with the training program for basic officer training. Language is also included to allow the purchase of uniforms without regard to the general purchase price limitation for the current fiscal year. Language is included that permits up to $5,000 to be available for official reception and representation expenses. Language is also included to allow the Attorney General to transfer up to $30,000,000 to the Department of Labor and the Social Security Administration for programs to verify the immigration status of persons seeking employment in the United States. Language is also included that prohibits funds appropriated in this Act to be used to operate the Border Patrol traffic checkpoints located in San Clemente, California, at interstate highway 5 and in Temecula, California, at interstate highway 15.

On pages 16 through 18, several items are recommended under Federal Prison System, Salaries and Expenses, including language to permit the purchase of not to exceed 853 law enforcement and passenger motor vehicles of which 559 are for replacement only, and the hire of law enforcement and passenger motor vehicles. Language is also included allowing for the provision of technical assistance and advice on corrections-related issues to foreign governments. In addition, language is included to permit the transfer to the Health Resources and Services Administration of such amounts as may be necessary for medical relief for inmates. Language is also included that permits the Director of the Federal Prison System to enter into contracts with a fiscal agent/fiscal intermediary

claims processor to determine the amounts payable to persons who furnish health services to inmates. Also, language is provided that uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year. In addition, a limitation of $6,000 is provided for official reception and representation expenses. Language is included that not to exceed $50,000,000 for the activation of new facilities shall remain available until September 30, 1997. In addition, language is included which allows for up to $20,000,000 for contract confinement expenses for the care and security of Cuban and Haitian entrants to remain available until expended.

On pages 18 and 19, several items are recommended under Buildings and Facilities, including language making the appropriation available for leasing the Oklahoma City Airport Trust Facility and for purchase and acquisition of facilities and remodeling and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto by contract or force account. In addition, language is included which makes not to exceed $14,074,000 available to construct areas for inmate work programs and permits labor of United States prisoners to be used for work performed under this appropriation. Further, language is included that permits up to 10 percent of the funds appropriated to this account in the accompanying bill or any other Act to be transferred to the Salaries and Expenses account of the Federal Prison System upon notification by the Attorney General to the House and Senate Appropriations Committees. Finally, language is included, which makes up to $22,351,000 available for renovation and construction of United States Marshals Service prisoner holding facilities.

On page 19, under Federal Prison Industries, Incorporated, language is included permitting the Federal Prison Industries, Incorporated, to make such expenditures within the limits of funds and borrowing authority available and in accord with the law and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year. Language is also included permitting the purchase of not to exceed five passenger motor vehicles, for replacement only, and hire of passenger motor vehicles.

On pages 19 and 20, under Limitation on Administrative Expenses, Federal Prison Industries, Incorporated, language is included permitting the funds for administrative expenses and for services as authorized by 5 U.S.C. 3109 to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system. The language further provides that such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the Corporation or in which it has an interest.

On pages 20 and 21, under Office of Justice Programs, Violent Crime Reduction Programs, Justice Assistance, language is included allowing outstanding balances for the Court Appointed Special Advocate Program, the Child Abuse Training Programs for Judicial Personnel and Practitioners, grants to Combat Violence Against Women and the Missing Alzheimer's Disease Patient Alert Program, now provided under the Violent Crime Reduction Trust Fund, to be merged with this account in order to simplify administration of these grants.

On page 22, under State and Local Law Enforcement Assistance, language is included allowing outstanding balances of amounts appropriated prior to fiscal year 1995, for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, to be merged with this account in order to simplify administration of these grants.

On pages 22, 23 and 24, under Violent Crime Reduction Programs, State and Local Law Enforcement Assistance, language is provided that makes $2,000,000,000 available for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives on February 14, 1995. Language is also included that makes $500,000,000 available for Truth-in-Sentencing Grants pursuant to section 101 of H.R. 667 as passed by the House of Representatives on February 10, 1995 and limits to $200,000,000 the amount available for payments to States for the incarceration of criminal aliens from this grant program. In addition, language is provided that makes funds available under formula grants from the Edward Byrne Memorial Grant Program to be available for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions. Language is also provided that allows outstanding balances from prior years of programs appropriated under this account, to be merged with this account in order to simplify administration of these grants.

On pages 24 and 25, under Weed and Seed Program Fund, language is included which provides $13,500,000 of the amounts for this program to be derived from discretionary grants provided under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs and $10,000,000 to be derived from discretionary grants provided under part C of title II of the Juvenile Justice Delinquency Prevention Act. In addition, language is provided which makes the amounts available for intergovernmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies engaged in the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the "Weed and Seed" program strategy upon notification by the Attorney General to the House and Senate Appropriations Committees.

On pages 26 and 27, under Juvenile Justice Programs, language is included that allows outstanding balances from amounts appropriated prior to fiscal year 1995 for programs under this account, to be merged with this account in order to simplify administration of these grants.

On page 27, under General Provisions—Department of Justice, section 101 provides a limitation of $45,000 from funds appropriated to the Department of Justice for official reception and representation expenses.

On pages 27 and 28, under section 102, language is provided that maintains authorities contained in Public Law 96–132, ''The Department of Justice Appropriation Authorization Act, fiscal year 1980'' until the termination date of this Act or until the effective date of a Department of Justice Appropriations Authorization Act, whichever is earlier.

On page 28 under Section 103, language is included which prohibits funds appropriated for the Department of Justice to pay for an abortion, except when the life of the mother would be endangered if the fetus were carried to term, or in the case of rape. The language also provides that should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

On page 28, under section 104, language is included which prohibits funds appropriated for the Department of Justice to require any person to perform or facilitate in any way the performance of any abortion.

On page 28, under section 105, language is included which allows the Director of the Federal Bureau of Prisons to provide necessary escort services for female inmates who request abortion services outside a Federal prison facility.

On pages 28 and 29, under section 106, language is included which would permit up to $10,000,000 of funds appropriated to the Department of Justice to be available for rewards to individuals who furnish information regarding acts of terrorism against a United States person or property at levels not to exceed $2,000,000.

On page 29, under section 107, language is provided that permits up to 5 percent of any appropriation made available for the current fiscal year for the Justice Department, including those derived from the Violent Crime Reduction Trust Fund, to be transferred between such appropriations, but no such appropriation shall be increased or decreased by more than 5 percent by any such transfer. The language also provides that this section shall not apply to the appropriation made in the bill for the Office of Justice Programs, ''Justice Assistance.'' Further, the language provides that any transfer made pursuant to this section shall be treated as a reprogramming of funds under section 605 of the accompanying bill.

On pages 29 and 30, under section 108, language is included which provides permanent authority for the investment of the amounts in the Federal Prison System's Commissary Fund, which are not needed for operations.

On page 30, under section 109, language is included which allows the excess unobligated balances remaining in the Department of Justice Assets Forfeiture Fund on September 30, 1995 to be available to the Attorney General, without fiscal year limitation, for any Federal law enforcement, litigative/prosecutive, and correctional activities, or any other authorized purpose of the Department of Justice, subject to notification by the Attorney General to the Appropriations Committees of the House and Senate.

On pages 30 and 31, under section 110, language is included which prohibits the transfer of funds appropriated to the Department of Justice, other than the transfer of funds authorized in this or previous or subsequent appropriations Acts for the Department of Justice, and prohibits the control of these funds by any means other than an apportionment issued by the Office of Management and Budget or an allotment advice issued by the Department of Justice.

On pages 30 and 31, under section 111, language is provided that extends the quarterly fee payments for debtors under Chapter 11 of the Bankruptcy Code to include the period from when a reorganization plan is confirmed by the Bankruptcy Court until the case is converted or dismissed. In addition, language is included that deposits all of the fees collected under this change, as offsetting collections to the appropriation of the United States Trustee System Fund.

On pages 31 and 32, under section 112, language is provided that continues certain authorities for undercover operations of the Federal Bureau of Investigation and the Drug Enforcement Administration, carried in previous appropriations acts, through fiscal year 1996.

On page 31, under section 113, language is provided that allows fees currently collected by the Federal Bureau of Investigation for the processing of fingerprint identification records and name checks for non-criminal justice, non-law enforcement employment and licensing purposes and are available to defray expenses for the automation of fingerprint identification, to also be available to defray expenses for criminal justice information services and associated costs.

On page 32 under the Office of the United States Trade Representative, language is included which permits $2,500,000 of the appropriation to remain available until expended. Language is also included providing a limitation of $98,000 for official reception and representation expenses.

On page 33, under the International Trade Commission, language is included recommending a ceiling of $2,500 for official reception and representation expenses. In addition, language is included which makes funding available until expended.

On pages 33 and 34, under International Trade Administration, "Operations and Administration", language is provided which permits the appropriation to be used for trade promotion activities abroad without regard to the provisions of 44 U.S.C. 3702 and 3703 including expenses of grants and cooperative agreements for the purpose of promoting exports of U.S. firms. The language also permits the appropriation to be used for full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas, as well as for travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad without regard to 49 U.S.C. 1517.

Language is included under this heading which permits employment of Americans and aliens by contract for services abroad, rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair or improvement. In addition, language

is included which permits purchase or construction of temporary demountable exhibition structures for use abroad, and payment of tort claims in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries. In addition, language is included which permits not to exceed $327,000 for official representation expenses abroad and purchase of passenger motor vehicles for official use abroad at not to exceed $30,000 per vehicle. In addition, language is included which permits the purchase of insurance on official motor vehicles and the renting of tielines and teletype equipment. Also, language is included which provides that the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to 15 U.S.C. 4912, and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

On pages 34 and 35, under Export Administration, "Operations and Administration", language is provided which permits the appropriation to be used for costs associated with the performance of Export Administration field activities both domestically and abroad. Language is also included to provide for full medical coverage for dependent members of immediate families of employees stationed overseas, employment of Americans and aliens by contract for services abroad, rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement. Also, language is included to permit payment of tort claims in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries. In addition, the bill provides that not to exceed $15,000 may be used for official representation expenses abroad. Language is included to permit award of compensation to informers under the Export Administration Act of 1979 and as authorized by 22 U.S.C. 401(b) and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law. Finally, language is included which provides that the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 shall apply in carrying out these activities.

On pages 35 through 37, under Economic Development Administration, "Economic Development Assistance Programs", language is included which allows the Secretary of Commerce to provide financial assistance for projects located on military installations closed or scheduled for closure without it being required that the grantee have title to the property or the ability to obtain a lease for the property, when such assistance is necessary for the economic development of the area. Language is also included to allow the Secretary of Commerce to consult with the Secretary of Defense regarding the title to land on military installations closed or scheduled for closure.

On page 37, under Minority Business Development Agency, language is included to permit the funds to be used for fostering, pro-

moting, and developing minority business enterprise including expenses of grants, contracts, and other agreements with public or private organizations.

On page 37, under United States Travel and Tourism Administration, language is included making funds provided available only until December 31, 1995.

On page 38, under Economic and Statistical Analysis, language is included permitting the appropriation to remain available until September 30, 1997.

On page 38, under Economics and Statistics Administration Revolving Fund, language is included authorizing the Secretary of Commerce to disseminate economic and statistical data products and to charge fees necessary to recover the full costs incurred in the production of economic and statistical data products. The language also allows fees received from data dissemination activities to be credited to this account and available for carrying out these purposes without further appropriation.

On page 39, under National Telecommunications and Information Administration, "Salaries and Expenses", language is included which will allow NTIA to retain and use funds transferred from other Federal agencies for research purposes beyond the fiscal year for which the funds were initially appropriated.

On page 39, under the National Telecommunications and Information Administration, "Public Broadcasting Facilities, Planning and Construction", language is included that provides that notwithstanding section 391 of the Communications Act of 1934, as amended, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

On page 40 of the bill under "Information Infrastructure Grants", language is included which provides that notwithstanding the requirements of sections 392(a) and 392(c) of the Communications Act of 1934, the appropriation may be used for the planning and construction of telecommunications networks. Language is also included which allows up to five percent of the funds appropriated to be available for telecommunications research activities.

On page 41, under Patent and Trademark Office, language is included which permits necessary expenses for the defense of suits instituted against the Commissioner of Patents and Trademarks. Language is also included which provides that the amounts made available from the Patent and Trademark Office Fee Surcharge Fund shall not exceed amounts deposited and shall remain available until expended.

On pages 41 and 42, under Department of Commerce, National Institute of Standards and Technology, "Scientific and Technical Research and Services", language is recommended which would permit not to exceed $8,500,000 to be transferred to the "Working Capital Fund".

On page 41 of the bill under "Industrial Technology Services", language is provided that makes the appropriation available for expenses of the Manufacturing Extension Partnership Program of the National Institute of Standards and Technology. In addition, language is included which permits not to exceed $500,000 of the appropriation to be transferred to the "Working Capital Fund". Fi-

nally, language is included allowing no funds in this or any other Act to be used to carry out additional program competitions under the Advanced Technology Program, and providing that any carryover of prior year balances in the ATP program be used only for continuation grants.

On pages 42 and 43, under National Oceanic and Atmospheric Administration, "Operations, Research, and Facilities", the bill provides for the expenses of not to exceed 386 active commissioned officers, construction of facilities including initial equipment, and alteration, modernization, and relocation of facilities. Language is also included which allows for the collection of additional fees to recover costs of administering aeronautical chart programs, and provides that the funds appropriated from the General Fund shall be reduced as such additional fees are received during fiscal year 1996. The language also provides that fees received in excess of $3,000,000 in fiscal year 1996 shall not be available for obligation until October 1, 1996. Also, language is recommended which transfers $55,500,000 from the fund entitled, "Promote and Develop Fishery Products and Research Pertaining to American Fisheries". Language is included allowing NOAA to retain gifts and contributions under the Marine Sanctuary Program. Finally, language is included providing that grants made under sections 306 and 306(a) of the Coastal Zone Management Act, as amended, shall not exceed $2,000,000.

On page 44, under "Coastal Zone Management Fund", language is included allowing funds made available under this heading to be used to carry out purposes set forth in 16 U.S.C. 1456a(b)(2)(A), 16 U.S.C. 1456a(b)(2)(B)(v), and 16 U.S.C. 1461(c). This expands the purposes for which these funds can be used to include CZM development grants and Estuarine Research Reserves.

On page 45, under General Administration, Salaries and Expenses, language is included limiting the amount for official entertainment to $3,000.

On pages 46 through 48, under General Provisions—Department of Commerce, the following general provisions that fall within the rule are recommended:

Section 201 provides that 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 to the extent and in the manner prescribed by said 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 that such payments are in the public interest.

Section 203 prohibits any of the funds made available by this Act to be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

Section 204 prohibits any of the funds in this, any previous Act or hereinafter to be available to reimburse the Unemployment Trust Fund or any fund or account of the Treasury to pay for any expenses paid before October 1, 1992 as authorized by section 8051 of Title 5, United States Code, for services performed after April 20, 1990, by individuals appointed to temporary positions within

the Bureau of the Census for purposes relating to the 1990 Decennial Census of Population.

Section 205 provides that up to 5 percent of any appropriation made available for the Department of Commerce in the Act may be transferred between such appropriations. The language also provides that any transfer made under this section shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

On page 48, under the Judiciary, Supreme Court of the United States, "Salaries and Expenses", language is included permitting not to exceed $10,000 to be used for the purpose of transporting Associate Justices. In addition, a limitation of $10,000 is recommended for official reception and representation expenses, and for miscellaneous expenses approved by the Chief Justice.

On page 48, under Care of the Building and Grounds appropriation for the Supreme Court, language is included providing that $500,000 remain available until expended.

On page 48, under U.S. Court of Appeals for the Federal Circuit, "Salaries and Expenses", and under U.S. Court of International Trade, "Salaries and Expenses", language is included which allows funds to be spent for necessary expenses of these courts.

On pages 49 and 50, under Courts of Appeals, District Courts, and Other Judicial Services, "Salaries and Expenses", language is recommended which allows funds to be spent for necessary expenses of the courts, and which permits the purchase of firearms and ammunition. In addition, language is included providing that $14,454,000 for space alteration projects remain available until expended. In addition, language is included permitting $500,000 to remain available until expended for acquisition of books, periodicals and newspapers. In addition, language is included permitting not to exceed $11,000,000 to remain available until expended for furniture and furnishings related to new space and alteration projects. In addition, language is included which permits up to $2,318,000 to be appropriated from the Vaccine Injury Compensation Trust Fund for expenses of the Claims Court associated with processing cases under the National Childhood Vaccine Injury Act of 1986.

On page 50, under Violent Crime Reduction Programs, language is included making $31,100,000, to remain available until expended, for activities of the Federal Judiciary authorized by law, to be derived from the Violent Crime Reduction Trust Fund as authorized by section 190001(a) of Public Law 103–322.

On pages 50 and 51, under Defender Services, language is included permitting the use of funds for compensation of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel. In addition, language is included permitting the use of funds for compensation of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers to foreign countries. Language is also included permitting the use of funds for compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment. Fi-

nally, a limitation is included which allows no funds to be used for Death Penalty Resource Centers.

On pages 51 and 52, under Fees of Jurors and Commissioners, language is included which provides that compensation of land commissioners shall not exceed that of the highest rate payable under 5 U.S.C. 5332.

On page 52, under Court Security, language is included which provides that funds in this account shall be expended by the U.S. Marshals Service consistent with standards or guidelines agreed to by the Administrative Office of the U.S. Courts and the Attorney General.

On page 52, under Administrative Office of the United States Courts, "Salaries and Expenses", language is included allowing expenses for advertising and rent in the District of Columbia and elsewhere. In addition, language is included permitting up to $7,500 for official reception and representation expenses.

On pages 52 and 53, under Federal Judicial Center, "Salaries and Expenses", language is included permitting up to $1,000 for official reception and representation expenses as well as language permitting $1,800,000 to remain available through September 30, 1997.

On page 53, under United States Sentencing Commission, language is included permitting up to $1,000 for official reception and representation expenses.

On page 53, under General Provisions—The Judiciary, Section 302 permits use of funds in the bill for expenses of the Special Court established under the Regional Rail Reorganization Act of 1973.

On page 54, section 303 permits up to 5 percent of any appropriation made in the Act for the Judiciary to be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfer. The language also provides that any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

On page 54, under section 304, language is recommended that provides that notwithstanding any other provision of law, the Salaries and Expenses appropriation for District Courts, Courts of Appeals, and Other Judicial Services shall be available for official reception and representation expenses of the Judicial Conference of the United States. The language further provides that such available funds shall not exceed $10,000 and shall be administered by the Director of the Administrative Office of the United States Courts in his capacity as Secretary of the Judicial Conference.

On pages 55 through 57, under Department of State, Administration of Foreign Affairs, "Diplomatic and Consular Programs", language is included which permits not to exceed 20 percent of the amounts made available in this Act in the appropriation accounts, "Diplomatic and Consular Programs" and "Salaries and Expenses" to be transferred between such accounts in accordance with reprogramming procedures specified in section 605 of the Act. Language is also included which permits the use of the appropriation

for representation expenses to certain international organizations in which the United States participates pursuant to treaties or specific acts of Congress. Language is also included limiting availability of funding for the Diplomatic Telecommunications Service. Language is also included requiring a cost allocation system to be in place in fiscal year 1997.

On page 57, language is included providing $9,720,000 as an additional amount for security enhancements to counter the threat of terrorism.

On page 57, under Department of State, Administration of Foreign Affairs, "Salaries and Expenses" language is included which permits the use of the appropriation for representation expenses to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate, or to specific acts of Congress.

On page 58, language is included providing $1,870,000 as an additional amount for security enhancements to counter the threat of terrorism.

On page 57, under "Capital Investment Fund," language is included removing a reprogramming requirement.

On pages 57 and 58, under Office of Inspector General (IG), language is included merging the IG Offices of the State Department and the USIA.

On pages 58 and 59, under Acquisition and Maintenance of Buildings Abroad, language is included which prohibits the appropriation from being used for acquisition of furniture and furnishings and generators for other departments and agencies.

On page 59, under Emergencies in the Diplomatic and consular Service, language is included which permits up to $1,000,000 to be transferred to the Repatriation Loans Program account.

On page 59, under the Repatriation Loans Program account, language is included which permits the transfer of $183,000 for administrative expenses to the Salaries and Expenses account.

On pages 60 and 61, under Contributions to International Organizations, language is included withholding funds until a certification under section 401(b) of Public Law 103–236 for fiscal year 1996 is made. In addition, language is included which prohibits the use of United States Contributions to International Organizations for payment of the United States' share of interest costs made known to the United States Government for external borrowings by such organizations incurred on or after October 1, 1984. Language is included that provides that payment of arrearages shall be directed toward activities that are mutually agreed upon by the United States and the respective international organization.

On page 61, under Contributions for International Peacekeeping Activities, language is included prohibiting use of funds for new or expanded missions unless the Committee is notified 15 days in advance and a reprogramming is submitted. Language is also included making funds available only upon a certification by the Secretary of State that American manufacturers are being given equal opportunities.

On page 62, under International Conferences and Contingencies, language is recommended which makes funds available for personal services without regard to civil service and classification

laws. Also, language is included which limits representation expenses to $200,000.

On page 63, under International Boundary and Water Commission, United States and Mexico, language is included limiting representation expenses to $6,000.

On page 63, under American Sections, International Commissions, language is included limiting representation expenses to $9,000.

On page 64, under International Fisheries Commissions, language is included that provides that the United States' share of the expenses of the International Fisheries Commission may be advanced to the respective commissions pursuant to 31 U.S.C. 3324.

On pages 64 and 65, under General Provisions—Department of State, section 402 provides that up to 5 percent of any appropriation made available in the Act for the Department of State and USIA may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent or decreased by more than 5 percent by any such transfer. The language further provides that any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

On page 65, section 403 provides that funds made available under this or any other act may be expended for compensation of the United States Commissioner of the International Boundary Commission, United States and Canada, only for actual hours worked by such Commissioner.

On pages 65 and 66, under Arms Control and Disarmament Agency, language is included which provides that not to exceed $50,000 is available for official reception and representation expenses.

On pages 66 and 67, under "Salaries and Expenses" United States Information Agency, language is included which permits up to $700,000 to carry out certain activities authorized by law, including employment, without regard to civil service and classification laws, of persons on a temporary basis.

Language is included that provides a limitation of $1,700,000 to remain available until expended to carry out projects involving security construction and related improvements for agency facilities not physically located together with Department of State facilities abroad.

On page 68, under the Eisenhower Exchange Fellowship Trust Fund, the Israeli-Arab Scholarship Program and the American Studies Collectors Endowment Fund, language is included which makes available all interest and earnings accruing to each fund on or before September 30, 1996.

On page 68, under Eisenhower Exchange Fellowship Program Trust Fund, language is included which prohibits any of the funds appropriated to pay any salary or other compensation or to enter into any contract in excess of the rate authorized by 5 U.S.C. 5376 or for purposes which are not in accordance with OMB Circulars A–110 and A–122, including the restrictions on compensation for personal services.

On pages 69 and 70, under International Broadcasting Operations, language is included allowing funds provided for broadcasting to Cuba to be used for facilities and equipment.

On page 70, under Radio Construction, language is included for purchase, rent, construction, and improvement of facilities for radio transmission and reception and purchase and installation of necessary equipment for radio and television transmission and reception.

On pages 70 and 71, under Department of Transportation, the Maritime Administration, Operations and Training, language is provided that notwithstanding any other provision of law, the Secretary of Transportation may use proceeds derived from the sale or disposal of National Defense Reserve Fleet vessels that are currently collected and retained by the Maritime Administration, to be used for facility and ship maintenance, modernization and repair, acquisition of equipment, and fuel costs necessary to maintain training at the United States Merchant Marine Academy and State maritime academies. Finally, language is included that permits reimbursements to be made to this appropriation from receipts to the "Federal Ship Financing Fund" for administrative expenses in support of that program.

On page 72, under Administrative Provision—Maritime Administration, language is provided that notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration. In addition, the language provides that payments received by the Maritime Administration for utilities, services, and repairs so furnished or made shall be credited to the appropriation charged with the cost thereof. In addition, language is recommended that rental payments under any such lease, contract, or occupancy on account of items other than such utilities, services or repairs, shall be paid into the Treasury as miscellaneous receipts. In addition, language is recommended that prohibits obligation from the construction funds established by the Merchant Marine Act of 1936, or any other obligation, in excess of the appropriations and limitations contained in this bill and all receipts which otherwise would be deposited to the credit of said fund shall be paid to the Treasury as miscellaneous receipts.

On pages 73 and 74, under Commission on Civil Rights, language is included which permits not to exceed $50,000 to be used to employ consultants. In addition, language is included that prohibits funds appropriated in this paragraph from being used to employ in excess of four full-time individuals under schedule C of the Excepted Service. Finally, language is included that prohibits any of the appropriation from being used to reimburse commissioners for more than 75 billable days with the exception of the Chairperson who is permitted 125 billable days.

On pages 74 and 75, under Equal Employment Opportunity Commission, language is included permitting non-monetary awards to private citizens. In addition, a limitation of $2,500 is included for official reception and representation expenses.

On pages 75 and 76, under the Federal Communications Commission, language is recommended setting a limitation of $4,000 for official representation expenses. In addition, language is included providing up to $600,000 for land and structures, and up to $500,000 for improvement and care of grounds and repair to buildings. Also, language is provided permitting the purchase of up to sixteen motor vehicles and authorizing the use of funds for special counsel fees. Language is also included permitting not to exceed $300,000 of the appropriation to remain available until September 30, 1997 for research and policy studies. Language is included making offsetting fee collections in excess of $116,400,000 available until expended, but not available until October 1, 1996.

On page 77, under the Federal Trade Commission, language is provided establishing a ceiling of $2,000 for official reception expenses. In addition, language is included which permits up to $48,262,000 of offsetting collections derived from fees collected for pre-merger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 to be retained and used for necessary expenses in this appropriation. In addition, language is included which provides that the sum appropriated for the Federal Trade Commission shall be reduced as such offsetting collections are received during fiscal year 1996 so as to result in a final fiscal year appropriation estimated at not more than $34,666,000. Language is included that provides that any fees received in excess of $48,262,000 in fiscal year 1996 shall remain available until expended, but shall not be available for obligation until fiscal year 1997. In addition, language is provided that prohibits any of the funds made available to the Commission in this Act from being used for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991. Finally, language is included making funds appropriated from the General Fund of Treasury for the FTC available until expended.

On page 78, under Japan-U.S. Friendship Commission, language is included providing up to $1,420,000 in Japanese currency as authorized by Public Law 94–118.

On page 78, under the Legal Services Corporation, language is included which designates $265,000,000 for basic field programs, $8,000,000 for the Office of the Inspector General, of which $5,750,000 shall be used to contract with independent auditing agencies for annual financial and program audits of all grantees in accordance with Office of Management and Budget Circular A–133, and $5,000,000 for management and administration.

On page 79, under section 501 of Administrative Provisions—Legal Services Corporation, language is provided for the distribution of funding for the provision of legal assistance among geographic areas based on the number of poor people per service area.

On pages 79 through 82, under sections 502 and 503 of Administrative Provisions—Legal Services Corporation, limitations are included prohibiting funding unless all grants and contracts awarded by the Corporation are to be made on a competitive basis, and unless certain expanded eligibility requirements are followed.

On pages 82 through 91, under section 504 of Administrative Provisions—Legal Services Corporation, limitations are included prohibiting the Corporation from awarding grants and contracts to

an entity which engages in redistricting activities, lobbying, rulemaking, class action lawsuits, representation of illegal aliens, political advocacy, labor or anti-labor activities, boycotts, pickets, strikes, or demonstrations, representation of fee-generating cases, collection of attorneys fees, abortion litigation, representation of local, state, or Federal prisoners, welfare reform advocacy, lobbying, or litigation, representation of a public housing tenant charged with drug trafficking in an eviction proceeding, and solicitation of clients. Limitations are also included prohibiting funding unless the Corporation requires grantees to name their clients and maintain statements of fact when filing a case, establish and follow priorities for the delivery of legal assistance to the poor, maintain records of time spent on activities, and abide by all Federal laws relating to the proper use of Federal funds. Language is also included directing the Corporation to establish model priority guidelines for the delivery of legal assistance to the poor.

On pages 91 and 92, under sections 505 and 506 of Administrative Provisions—Legal Services Corporation, limitations are included prohibiting a grantee of the Corporation from using any Federal funds to pay dues or fees to membership or advocacy organizations, or file or otherwise pursue a lawsuit against the Corporation.

On page 92, under section 507 of Administrative Provisions—Legal Services Corporation, language is provided prohibiting any funds appropriated to the Corporation for fiscal year 1996 from being used for any purpose prohibited by authorization legislation which is enacted into law. Further, language is included providing that upon the date of enactment of Legal Services Corporation reauthorization legislation, all funding provided in this Act shall be subject to the provisions of that legislation, and any provisions in this Act inconsistent with that legislation shall no longer apply.

On pages 94 and 95 under the Securities and Exchange Commission, language is included allowing the use of funds for the rental of space, and establishing a ceiling of $3,000 for official reception expenses. Also, language is included setting a limit of $10,000 toward funding a permanent secretariat for the International Organization of Securities Commissions. In addition, language is included which permits up to $100,000 to be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials to exchange views concerning developments relating to securities matters, to include necessary logistic and administrative expenses and the expenses of Commission staff and invitees. Language is also included increasing the rate of fees under section 6(b) of the Securities Act of 1933 from one-fiftieth of one percent to one twenty-ninth of one percent, and providing that such increase shall be deposited to this account as an offsetting collection.

On page 94, under the Small Business Administration, "Salaries and Expenses," language is included limiting the amount for official reception and representation expenses to $3,500. In addition, language is included which permits the Administrator to charge fees to cover the cost of publications developed by the Small Business Administration and certain loan servicing activities. Further the language provides that notwithstanding 31 U.S.C. 3302, reve-

nues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriation.

On page 95, under the Business Loans Program Account, language is included allowing funds to be used for the cost of modifying loans. In addition, language is included which allows $97,000,000 to be transferred to and merged with the appropriation for SBA, Salaries and Expenses.

On pages 95 and 96, under Disaster Loans Program Account, language is included to permit funds to be used for the cost of modifying loans. In addition, language is included which allows $78,000,000 to be transferred to and merged with the appropriation for SBA, Salaries and Expenses.

On page 96, under Administrative Provision—Small Business Administration, section 501 provides that up to 5 percent of any appropriation made available in the Act for the Small Business Administration may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfer. The language further provides that any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

On pages 97–100, General Provisions, the following sections are included which come under the rule:

Section 603 provides that 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.

Section 604 provides that 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.

Section 605(a) provides that none of the funds provided under this Act, under prior appropriations acts, 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 employee; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committee of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

Section 605(b) provides that none of the funds provided under this Act, under prior appropriations acts, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agency 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 due to a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress, unless the Appropriations Committee of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

Section 606 prohibits any of the funds in this Act from being used for the construction, repair, overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

Section 607(b) includes language requiring that the head of each Federal agency provide a notice, describing that it is the sense of Congress that all equipment and products purchased with funds made available under this Act be American-made, when providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act.

Section 608 includes language prohibiting funds made available in this Act from being used to implement, administer or enforce any guidelines of the Equal Employment Opportunity Commission covering religious harassment, when it is made known to the Federal entity or official to which the 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.

APPROPRIATIONS, NOT AUTHORIZED BY LAW

Pursuant to clause 3 of rule XXI of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law in whole or in part. The Committee notes that authorization legislation for many of the programs listed below has either passed the House or is pending before the House or the committee of jurisdiction. In all cases, the Committee has endeavored to work closely with the committee of jurisdiction in developing the recommendations in this bill.

Department of Justice:
- General Administration
  - Salaries and Expenses
  - Administrative Review and Appeals
  - Office of the Inspector General
- United States Parole Commission
- Legal Activities
  - Salaries and Expenses, General Legal Activities
  - National Childhood Vaccine Injury Act
  - Salaries and Expenses, Antitrust Division
  - Salaries and Expenses, United States Attorneys
  - Salaries and Expenses, Foreign Claims Settlement Commission
  - Fees and Expenses of Witnesses
- Radiation Exposure Compensation, Administrative Expenses

Interagency Law Enforcement
Federal Bureau of Investigation
Salaries and Expenses
Drug Enforcement Administration
Salaries and Expenses
Immigration and Naturalization Service
Salaries and Expenses
Construction
Federal Prison System
Salaries and Expenses
Building and Facilities
Federal Prison Industries, Incorporated
Limitation on Administrative Expenses, Federal Prison Industries, Incorporated
Office of Justice Programs
Justice Assistance
Local Law Enforcement Block Grants
Truth in Sentencing Grants
Weed and Seed Program
Office of the United States Trade Representative
International Trade Commission
Department of Commerce:
Export Administration
Economic Development Administration, except Salaries and Expenses and Trade Adjustment Assistance
Minority Business Development Agency
National Telecommunications and Information Administration
Salaries and Expenses
Public Broadcasting Facilities, Planning and Construction
Information Infrastructure Grants
Patent and Trademark Office
National Institute of Standards and Technology
Scientific and Technical Research and Services
Industrial Technology Services
Construction of Research Facilities
National Oceanic and Atmospheric Administration
Operations, Research and Facilities
Construction
Technology Administration
Department of State:
Diplomatic and Consular Services, except registration fees
Salaries and Expenses
Capital Investment Fund
Office of Inspector General
Representation Allowance
Protection of Foreign Missions and Officials
Acquisition and Maintenance of Buildings Abroad
Emergencies in the Diplomatic and Consular Service
Repatriation Loans Program Account
Payment to the American Institute in Taiwan
Contributions to International Organizations
Contributions for International Peacekeeping Activities

International Conferences and Contingencies
International Boundary and Water Commission, United States and Mexico
American Sections, International Commissions, except Border Environment Cooperation Commission
International Fisheries Commissions
Payment to the Asia Foundation
Arms Control and Disarmament Agency
United States Information Agency:
Salaries and Expenses
Technology Fund
Educational and Cultural Exchange Programs
International Broadcasting Operations
Radio Construction
National Endowment for Democracy
Department of Transportation, Maritime Administration:
Operations and Training
Maritime Guaranteed Loan Program Account
Commission on Civil Rights
Federal Communications Commission, except offsetting fee collections
Legal Services Corporation
Securities and Exchange Commission

COMPLIANCE WITH RULE XIII—CLAUSE 3 (*Ramseyer Rule*)

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the accompanying bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in bold brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

TITLE 28, UNITED STATES CODE

* * * * * * *

PART II—DEPARTMENT OF JUSTICE

* * * * * * *

CHAPTER 31—THE ATTORNEY GENERAL

* * * * * * *

§ 524. Availability of appropriations

(a) * * *

* * * * * * *

(c)(1) * * *

* * * * * * *

9(a) * * *

* * * * * * *

(E) Subject to the notification procedures contained in section 605 of Public Law 103–121, and after satisfying the transfer require-

ment in subparagraph (B) of this paragraph, any excess unobligated balance remaining in the Fund on September 30, 1995 shall be available to the Attorney General, without fiscal year limitation, for any Federal law enforcement, litigative/prosecutive, and correctional activities, or any other authorized purpose of the Department of Justice. Any amounts provided pursuant to this subparagraph may be used under authorities available to the organization receiving the funds.

* * * * * * *

CHAPTER 39—UNITED STATES TRUSTEES

* * * * * * *

§ 589a. United States Trustee System Fund

(a) * * *

(b) There shall be deposited in the Fund—

(1) * * *

* * * * * * *

(5) 60 per centum of the fees collected under section 1930(a)(6) of this title *until a reorganization plan is confirmed;*

* * * * * * *

(f) For the purpose of recovering the cost of services of the United States Trustee System, there shall be deposited as offsetting collections to the appropriation "United States Trustee System Fund", to remain available until expended, the following—

(1) * * *

(2) 40 per centum of the fees collected under section 1930(a)(6) of this title **[.]** *until a reorganization plan is confirmed;*

(3)100 percent of the fees collected under section 1930(a)(6) of this title after a reorganization plan is confirmed.

* * * * * * *

PART V—PROCEDURE

* * * * * * *

CHAPTER 123—FEES AND COSTS

* * * * * * *

§ 1930 Bankruptcy fees

(a) Notwithstanding section 1915 of this title, the parties commencing a case under title 11 shall pay to the clerk of the district court or the clerk of the bankruptcy court, if one has been certified pursuant to section 156(b) of this title, the following filing fees:

(1) * * *

* * * * * * *

(6) In addition to the filing fee paid to the clerk, a quarterly fee shall be paid to the United States trustee, for deposit in the Treasury, in each case under chapter 11 of title 11 for each quarter (including any fraction thereof) until **[**a plan is con-

firmed or] the case is converted or dismissed, whichever occurs first. The fee shall be $250 for each quarter in which disbursements total less than $15,000; $500 for each quarter in which disbursements total $15,000 or more but less than $150,000; $1,250 or each quarter in which disbursements total $150,000 or more but less than $300,000; $3,750 for each quarter in which disbursements total $300,000 or more but less than $3,000,000; $5,000 for each quarter in which disbursements total $3,000,000 or more. The fee shall be payable on the last day of the calendar month following the calendar quarter for which the fee is owed. An individual commencing a voluntary case or a joint case under title 11 may pay such fee in installments. For converting, on request of the debtor, a case under chapter 7, or 13 of title 11, to a case under chapter 11 of title 11, the debtor shall pay to the clerk of the district court or the clerk of the bankruptcy court, if one has been certified pursuant to section 156(b) of this title, a fee or $400.

* * * * * * *

SECTION 102 OF THE DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1993 (Pub. L. 102–395)

SEC. 102. (a) * * *

(b)(1) During fiscal [years 1993, 1994, and 1995] *year 1996* with respect to any undercover investigative operation of the Federal Bureau of Investigation or the Drug Enforcement Administration which is necessary for the detection and prosecution of crimes against the United States or for the collection of foreign intelligence or counterintelligence—

(A) * * *

* * * * * * *

(C) sums authorized to be appropriated for the Federal Bureau of Investigation and for the Drug Enforcement Administration for fiscal [years 1993, 1994, and 1995] *year 1996*, and the proceeds from such undercover operation, may be deposited in banks or other financial institutions, without regard to section 648 of title 18 of the United States Code and section 3302 of title 31 of the United States Code, and

* * * * * * *

(5)(A) The Federal Bureau of Investigation or the Drug Enforcement Administration, as the case may be, shall conduct a detailed financial audit of each undercover investigative operation which is closed in fiscal [years 1993, 1994, and 1995] *year 1996*—

(i) * * *

* * * * * * *

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1991 (Pub. L. 101–515)

* * * * * * *

TITLE II—DEPARTMENT OF JUSTICE

* * * * * * *

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For expenses necessary for detection, investigation, and prosecution of crimes against the United States * * *: *Provided,* That for fiscal year 1991 and hereafter the Director of the Federal Bureau of Investigation may establish and collect fees to process fingerprint identification records and name checks for non-criminal justice, non-law enforcement employment and licensing purposes and for certain employees of private sector contractors with classified Government contracts, and notwithstanding the provisions of 31 U.S.C. 3302, credit such fees to this appropriation to be used for salaries and other expenses incurred in providing these services, and that the Director of the Federal Bureau of Investigation may establish such fees at a level to include an additional amount to establish a fund to remain available until expended to defray expenses for the automation of fingerprint identification *and criminal justice information* services and associated costs: *Provided further,* That * * *.

* * * * * * *

TRANSFER OF FUNDS

Pursuant to clause 1(b), rule X of the House of Representatives, the following information is submitted describing the transfer of funds recommended in the accompanying bill:

On page 43, under "Operations, Research, and Facilities," the Committee recommends that $55,500,000 be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries." This fund is a permanent appropriation to which a portion of Customs duties on fishery products is appropriated for fisheries research, management, and development. The Committee believes it appropriate to use a portion of these funds to support fisheries research and development programs under the "Operations, Research, and Facilities" account.

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 2(l)(2)(b) of rule XI of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NUMBER: 1

Date: July 19, 1995.

Measure: Commerce, Justice, State, and Judiciary appropriations bill, fiscal year 1996.

Motion by: Mrs. Lowey.

Description of Motion: To amend an amendment to provide additional funding for grants to combat violence against women.

Results: Rejected 19 to 29.

Members Voting Yea	*Members Voting Nay*
Mr. Bevill	Mr. Bonilla
Mr. Coleman	Mr. Bunn
Mr. Dicks	Mr. Callahan
Mr. Dixon	Mr. Dickey
Mr. Durbin	Mr. Forbes
Mr. Fazio	Mr. Frelinghuysen
Mr. Foglietta	Mr. Hobson
Mr. Hefner	Mr. Istook
Mr. Hoyer	Mr. Knollenberg
Ms. Kaptur	Mr. Kolbe
Mrs. Lowey	Mr. Lightfoot
Mr. Obey	Mr. Livingston
Mr. Pelosi	Mr. McDade
Mr. Sabo	Mr. Miller
Mr. Skaggs	Mr. Mollohan
Mr. Stokes	Mr. Myers
Mr. Thornton	Mr. Nethercutt
Mr. Torres	Mr. Neumann
Mr. Yates	Mr. Packard
	Mr. Porter
	Mr. Regula
	Mr. Riggs
	Mr. Rogers
	Mr. Skeen
	Mrs. Vucanovich
	Mr. Walsh
	Mr. Wicker
	Mr. Wolf
	Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 2(l)(2)(b) of rule XI of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, and printed below:

ROLL CALL NUMBER: 2

Date: July 19, 1995.

Measure: Commerce, Justice, State, and Judiciary appropriations bill, fiscal year 1996.

Motion by: Mr. Mollohan.

Description of Motion: To provide that if H.R. 728 is not enacted by October 1, 1995, then certain funding would be available for public safety and community policing grants and for crime prevention programs.

Results: Rejected 19 to 29.

Members Voting Yea	*Members Voting Nay*
Mr. Chapman	Mr. Bonilla
Mr. Coleman	Mr. Bunn
Mr. Dicks	Mr. DeLay
Mr. Dixon	Mr. Dickey
Mr. Durbin	Mr. Forbes
Mr. Fazio	Mr. Frelinghuysen
Mr. Foglietta	Mr. Hobson
Mr. Hefner	Mr. Istook
Mr. Hoyer	Mr. Kingston
Mrs. Lowey	Mr. Knollenberg
Mr. Mollohan	Mr. Kolbe
Mr. Murtha	Mr. Lewis
Mr. Obey	Mr. Livingston
Mr. Pelosi	Mr. McDade
Mr. Sabo	Mr. Miller
Mr. Skaggs	Mr. Myers
Mr. Stokes	Mr. Nethercutt
Mr. Torres	Mr. Neumann
Mr. Yates	Mr. Packard
	Mr. Porter
	Mr. Riggs
	Mr. Rogers
	Mr. Skeen
	Mr. Taylor
	Mrs. Vucanovich
	Mr. Walsh
	Mr. Wicker
	Mr. Wolf
	Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 2(l)(2)(b) of rule XI of the House of Representatives, the results of each call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NUMBER: 3

Date: July 19, 1995.

Measure: Commerce, Justice, State, and Judiciary appropriations bill, fiscal year 1996.

Motion by: Mr. Mollohan.

Description of Motion: To increase funding for Byrne law enforcement assistance programs and to decrease payments to States for incarceration of criminal aliens.

Results: Rejected 9 to 26.

Members Voting Yea	*Members Voting Nay*
Mr. Chapman	Mr. Bonilla
Mr. Coleman	Mr. Bunn
Mr. Mollohan	Mr. DeLay
Mr. Murtha	Mr. Forbes
Mr. Obey	Mr. Frelinghuysen
Mr. Sabo	Mr. Istook
Mr. Skaggs	Mr. Kingston
Mr. Thornton	Mr. Knollenberg
Mr. Yates	Mr. Kolbe
	Mr. Lewis
	Mr. Livingston
	Mr. McDade
	Mr. Miller
	Mr. Myers
	Mr. Nethercutt
	Mr. Neumann
	Mr. Porter
	Mr. Regula
	Mr. Riggs
	Mr. Rogers
	Mr. Skeen
	Mrs. Vucanovich
	Mr. Walsh
	Mr. Wicker
	Mr. Wolf
	Mr. Young

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL AUTHORITY)

The following table provides a detailed summary, for each department and agency, comparing the amounts recommended in the bill with fiscal year 1995 enacted amounts and budget estimates presented for fiscal year 1996:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1996

Agency and item (1)	Appropriated, 1995 (enacted to date) (2)	Budget estimates, 1996 (3)	Recommended in bill (4)	Bill compared with appropriated, 1995 (5)	Bill compared with budget estimates, 1996 (6)
TITLE I - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses:					
Direct appropriation	119,643,000	73,229,000	74,282,000	-45,361,000	+1,053,000
Crime trust fund 1/	17,400,000	15,500,000	.....	-17,400,000	-15,500,000
Total, Salaries and expenses	137,043,000	88,729,000	74,282,000	-62,761,000	-14,447,000
Counterterrorism fund	.....	26,398,000	26,898,000	+26,898,000	+500,000
Administrative review and appeals:					
Direct appropriation	.....	54,336,000	39,736,000	+39,736,000	-14,600,000
Crime trust fund 1/	.....	33,180,000	47,780,000	+47,780,000	+14,600,000
Total, Administrative review and appeals	.....	87,516,000	87,516,000	+87,516,000	.....
Office of Inspector General	30,484,000	36,744,000	30,484,000	.....	-6,260,000
Total, General administration	167,527,000	239,387,000	219,180,000	+51,653,000	-20,207,000
Appropriations	(150,127,000)	(190,707,000)	(171,400,000)	(+21,273,000)	(-19,307,000)
Crime trust fund	(17,400,000)	(48,680,000)	(47,780,000)	(+30,380,000)	(-900,000)
United States Parole Commission					
Salaries and expenses	7,450,000	6,781,000	5,446,000	-2,004,000	-1,335,000

Legal Activities					
General legal activities:					
Direct appropriation	416,834,000	437,060,000	401,929,000	-14,905,000	-35,131,000
Crime trust fund	4,600,000	7,591,000	7,591,000	+2,991,000	.....
Total, General legal activities	421,434,000	444,651,000	409,520,000	-11,914,000	-35,131,000
Vaccine injury compensation trust fund	2,500,000	4,028,000	4,028,000	+1,528,000	.....
Independent counsel (permanent, indefinite)	4,000,000	2,884,000	2,884,000	-1,116,000	.....
Civil liberties public education fund	5,000,000	5,000,000	.....	-5,000,000	-5,000,000
Antitrust Division	85,143,000	91,752,000	85,143,000	.....	-6,609,000
Offsetting fee collections - carryover	-4,500,000	.....	-16,000,000	-11,500,000	-16,000,000
Offsetting fee collections - current year	-39,640,000	-48,262,000	-48,262,000	-8,622,000	.....
Direct appropriation	41,003,000	43,490,000	20,881,000	-20,122,000	-22,609,000
United States Attorneys:					
Direct appropriation	829,024,000	909,463,000	896,825,000	+67,801,000	-12,638,000
Violent crime task force	15,000,000	15,000,000	.....	-15,000,000	-15,000,000
Crime trust fund	6,800,000	14,731,000	14,731,000	+7,931,000	.....
Total, United States Attorneys	850,824,000	939,194,000	911,556,000	+60,732,000	-27,638,000
United States Trustee System Fund	103,183,000	109,245,000	101,596,000	-1,587,000	-7,649,000
Offsetting fee collections	-40,597,000	-44,191,000	-44,191,000	-3,594,000	.....
Direct appropriation	62,586,000	65,054,000	57,405,000	-5,181,000	-7,649,000
Foreign Claims Settlement Commission	830,000	905,000	830,000	.....	-75,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1996—Continued

Agency and item (1)	Appropriated, 1995 (enacted to date) (2)	Budget estimates, 1996 (3)	Recommended in bill (4)	Bill compared with appropriated, 1995 (5)	Bill compared with budget estimates, 1996 (6)
United States Marshals Service:					
Direct appropriation	396,782,000	446,887,000	418,973,000	+22,191,000	-27,914,000
Crime trust fund	.....	16,500,000	25,000,000	+25,000,000	+8,500,000
Total, United States Marshals Service	396,782,000	463,387,000	443,973,000	+47,191,000	-19,414,000
Support of United States prisoners	296,753,000	295,331,000	250,331,000	-46,422,000	-45,000,000
Fees and expenses of witnesses	77,982,000	85,000,000	85,000,000	+7,018,000	.....
Community Relations Service	20,379,000	20,695,000	.....	-20,379,000	-20,695,000
Assets forfeiture fund	55,000,000	55,000,000	35,000,000	-20,000,000	-20,000,000
Total, Legal activities	2,235,073,000	2,424,619,000	2,221,408,000	-13,665,000	-203,211,000
Appropriations	(2,223,673,000)	(2,385,797,000)	(2,174,086,000)	(-49,587,000)	(-211,711,000)
Crime trust fund	(11,400,000)	(38,822,000)	(47,322,000)	(+35,922,000)	(+8,500,000)
Radiation Exposure Compensation					
Administrative expenses	2,655,000	2,655,000	2,655,000	.....	.....
Advance appropriation	.....	2,655,000	.....	.....	-2,655,000
Payment to radiation exposure compensation trust fund	.....	16,264,000	.....	.....	-16,264,000
Advance appropriation	.....	30,000,000	16,264,000	+16,264,000	-13,736,000
Total, Radiation Exposure Compensation	2,655,000	51,574,000	18,919,000	+16,264,000	-32,655,000

Interagency Law Enforcement					
Interagency crime and drug enforcement	374,943,000	378,473,000	374,943,000	.....	-3,530,000
Federal Bureau of Investigation					
Salaries and expenses	2,038,774,000	2,305,387,000	2,084,857,000	+46,083,000	-220,530,000
Counterintelligence and national security	80,421,000	82,224,000	82,224,000	+1,803,000	.....
FBI Fingerprint identification	84,400,000	84,400,000	84,400,000	.....	.....
Other initiatives (crime trust fund)	.....	13,100,000	80,600,000	+80,600,000	+67,500,000
Construction	.....	99,259,000	98,400,000	+98,400,000	-859,000
Subtotal	2,203,595,000	2,584,370,000	2,430,481,000	+226,886,000	-153,889,000
(Counterterrorism supplemental)	(28,200,000)	.....	(48,940,000)	(+20,740,000)	(+48,940,000)
Subtotal, operating level	(2,231,795,000)	(2,584,370,000)	(2,479,421,000)	(+247,626,000)	(-104,949,000)
Digital telephony (crime trust fund)	.....	33,400,000	.....	.....	-33,400,000
Total, Federal Bureau of Investigation	(2,231,795,000)	(2,617,770,000)	(2,479,421,000)	(+247,626,000)	(-138,349,000)
Drug Enforcement Administration					
Salaries and expenses	799,944,000	845,409,000	828,729,000	+28,785,000	-16,680,000
Diversion control fund	-43,431,000	-47,241,000	-47,241,000	-3,810,000	.....
Direct appropriation	756,513,000	798,168,000	781,488,000	+24,975,000	-16,680,000
Crime trust fund	.....	12,000,000	12,000,000	+12,000,000	.....
Total, Drug Enforcement Administration	756,513,000	810,168,000	793,488,000	+36,975,000	-16,680,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1996—Continued

Agency and item (1)	Appropriated, 1995 (enacted to date) (2)	Budget estimates, 1996 (3)	Recommended in bill (4)	Bill compared with appropriated, 1995 (5)	Bill compared with budget estimates, 1996 (6)
Immigration and Naturalization Service					
Salaries and expenses:					
Direct appropriation	1,102,475,000	1,453,471,000	1,421,481,000	+319,006,000	-31,990,000
Immigration legalization fund	(3,482,000)	(1,823,000)	(1,823,000)	(-1,659,000)	.....
Immigration user fee	(330,952,000)	(357,084,000)	(357,084,000)	(+26,132,000)	.....
Land border inspection fund	(1,584,000)	(5,965,000)	(5,965,000)	(+4,381,000)	.....
Immigration examinations fund	(291,097,000)	(304,572,000)	(450,217,000)	(+159,120,000)	(+145,645,000)
Breached bond fund	(6,200,000)	(6,358,000)	(6,358,000)	(+158,000)	.....
Total, Salaries and expenses	(1,735,790,000)	(2,129,273,000)	(2,242,928,000)	(+507,138,000)	(+113,655,000)
Immigration initiative (crime trust fund)	100,600,000	335,498,000	152,642,000	+52,042,000	-182,856,000
Border control system modernization (crime trust fund)	154,600,000	.....	150,900,000	-3,700,000	+150,900,000
Construction	50,000,000	.....	11,000,000	-39,000,000	+11,000,000
Immigration Emergency Fund	30,000,000	.....	.....	-30,000,000	.....
Total, Immigration and Naturalization Service	(2,070,990,000)	(2,464,771,000)	(2,557,470,000)	(+486,480,000)	(+92,699,000)
Appropriations	(1,182,475,000)	(1,453,471,000)	(1,432,481,000)	(+250,006,000)	(-20,990,000)
Crime trust fund	(255,200,000)	(335,498,000)	(303,542,000)	(+48,342,000)	(-31,956,000)
(Fee accounts)	(633,315,000)	(675,802,000)	(821,447,000)	(+188,132,000)	(+145,645,000)

Federal Prison System					
Salaries and expenses	2,381,634,000	2,630,259,000	2,614,578,000	+232,944,000	-15,681,000
Prior year carryover	-30,000,000	.....	-40,000,000	-10,000,000	-40,000,000
Direct appropriation	2,351,634,000	2,630,259,000	2,574,578,000	+222,944,000	-55,681,000
Crime trust fund	.....	13,500,000	13,500,000	+13,500,000	.....
Total, Salaries and expenses	2,351,634,000	2,643,759,000	2,588,078,000	+236,444,000	-55,681,000
National Institute of Corrections	10,302,000	10,158,000	.....	-10,302,000	-10,158,000
Buildings and facilities	276,301,000	323,728,000	323,728,000	+47,427,000	.....
Federal Prison Industries, Incorporated (limitation on administrative expenses)	(3,463,000)	(3,559,000)	(3,559,000)	(+96,000)	.....
Total, Federal Prison System	2,638,237,000	2,977,645,000	2,911,806,000	+273,569,000	-65,839,000
Office of Justice Programs					
Justice Assistance:					
Direct appropriation	97,977,000	102,345,000	97,977,000	.....	-4,368,000
Crime trust fund:					
Drug Courts	29,000,000	150,000,000	.....	-29,000,000	-150,000,000
Violence Against Women Grants	26,000,000	174,900,000	74,500,000	+48,500,000	-100,400,000
Ounce of Prevention Council	1,500,000	.....	.....	-1,500,000	.....
Crime prevention	.....	30,000,000	.....	.....	-30,000,000
Model intensive prevention	.....	48,216,000	.....	.....	-48,216,000
State prison drug treatment	.....	27,000,000	27,000,000	+27,000,000	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1996—Continued

Agency and item (1)	Appropriated, 1995 (enacted to date) (2)	Budget estimates, 1996 (3)	Recommended in bill (4)	Bill compared with appropriated, 1995 (5)	Bill compared with budget estimates, 1996 (6)
Other crime control programs	.....	4,426,000	900,000	+900,000	-3,526,000
Subtotal, Crime trust fund	56,500,000	434,542,000	102,400,000	+45,900,000	-332,142,000
Total, Justice Assistance	154,477,000	536,887,000	200,377,000	+45,900,000	-336,510,000
State and local law enforcement assistance:					
Direct appropriations:					
Byrne grants	62,000,000	240,000,000	50,000,000	-12,000,000	-190,000,000
Weed and seed fund	13,456,000	5,000,000	(23,500,000)	-13,456,000	-5,000,000
Subtotal, Direct appropriations	75,456,000	245,000,000	50,000,000	-25,456,000	-195,000,000
Crime trust fund:					
State and local block grants:					
Byrne grants	450,000,000	260,000,000	475,000,000	+25,000,000	+215,000,000
Local law enforcement block grant	1,300,000,000	1,902,964,000	2,000,000,000	+700,000,000	+97,036,000
Subtotal, State and local block grants	1,750,000,000	2,162,964,000	2,475,000,000	+725,000,000	+312,036,000
Upgrade criminal history records	100,000,000	25,000,000	25,000,000	-75,000,000	.....
State Correctional Grants	24,500,000	500,000,000	500,000,000	+475,500,000	.....
State Criminal Alien Assistance Program	130,000,000	300,000,000	300,000,000	+170,000,000	.....
Youthful offender incarceration	.....	9,643,000	19,643,000	+19,643,000	+10,000,000
Rural law enforcement	.....	10,252,000	.....	.....	-10,252,000

Other crime control programs	.....	26,799,000	13,700,000	+13,700,000	-13,099,000
Subtotal, Crime trust fund	2,004,500,000	3,034,658,000	3,333,343,000	+1,328,843,000	+298,685,000
Total, State and local law enforcement	2,079,956,000	3,279,658,000	3,383,343,000	+1,303,387,000	+103,685,000
Juvenile justice programs	155,250,000	148,500,000	148,500,000	-6,750,000	.....
Public safety officers benefits program:					
Death benefits	27,645,000	28,474,000	28,474,000	+829,000	.....
Disability benefits	2,072,000	2,134,000	2,134,000	+62,000	.....
Total, Office of Justice Programs	2,419,400,000	3,995,653,000	3,762,828,000	+1,343,428,000	-232,825,000
Appropriations	(358,400,000)	(526,453,000)	(327,085,000)	(-31,315,000)	(-199,368,000)
Crime trust fund	(2,061,000,000)	(3,469,200,000)	(3,435,743,000)	(+1,374,743,000)	(-33,457,000)
Total, title I, Department of Justice	12,243,068,000	15,291,039,000	14,474,522,000	+2,231,454,000	-816,517,000
Appropriations	(9,898,068,000)	(11,326,839,000)	(10,534,035,000)	(+635,967,000)	(-792,804,000)
Crime trust fund	(2,345,000,000)	(3,964,200,000)	(3,940,487,000)	(+1,595,487,000)	(-23,713,000)
(Limitation on administrative expenses)	(3,463,000)	(3,559,000)	(3,559,000)	(+96,000)	.....
TITLE II - DEPARTMENT OF COMMERCE AND RELATED AGENCIES					
TRADE AND INFRASTRUCTURE DEVELOPMENT					
Office of the United States Trade Representative					
Salaries and expenses	20,949,000	20,949,000	20,949,000	.....	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1996—Continued

Agency and item (1)	Appropriated, 1995 (enacted to date) (2)	Budget estimates, 1996 (3)	Recommended in bill (4)	Bill compared with appropriated, 1995 (5)	Bill compared with budget estimates, 1996 (6)
International Trade Commission					
Salaries and expenses	42,500,000	47,177,000	42,500,000	.....	-4,677,000
Total, Related agencies	63,449,000	68,126,000	63,449,000	.....	-4,677,000
International Trade Administration					
Operations and administration	266,093,000	279,558,000	264,885,000	-1,208,000	-14,673,000
Export Administration					
Operations and administration	38,644,000	48,441,000	38,644,000	.....	-9,797,000
Economic Development Administration					
Economic development assistance programs	407,783,000	407,783,000	328,500,000	-79,283,000	-79,283,000
Salaries and expenses	32,144,000	31,183,000	20,000,000	-12,144,000	-11,183,000
Total, Economic Development Administration	439,927,000	438,966,000	348,500,000	-91,427,000	-90,466,000
Minority Business Development Agency					
Minority business development	43,789,000	47,921,000	32,000,000	-11,789,000	-15,921,000
United States Travel and Tourism Administration					
Salaries and expenses	16,328,000	16,303,000	2,000,000	-14,328,000	-14,303,000
Total, Trade and Infrastructure Development	868,230,000	899,315,000	749,478,000	-118,752,000	-149,837,000

ECONOMIC AND INFORMATION INFRASTRUCTURE					
Economic and Statistical Analysis					
Salaries and expenses	46,896,000	57,220,000	40,000,000	-6,896,000	-17,220,000
Economics and statistics administration revolving fund	1,677,000	.....	.....	-1,677,000	.....
Bureau of the Census					
Salaries and expenses	136,000,000	144,812,000	136,000,000	.....	-8,812,000
Periodic censuses and programs	142,083,000	193,450,000	135,000,000	-7,083,000	-58,450,000
Total, Bureau of the Census	278,083,000	338,262,000	271,000,000	-7,083,000	-67,262,000
National Telecommunications and Information Administration					
Salaries and expenses	20,961,000	22,932,000	19,709,000	-1,252,000	-3,223,000
Public broadcasting facilities, planning and construction	28,983,000	7,959,000	19,000,000	-9,983,000	+11,041,000
Endowment for Children's Educational Television	2,499,000	2,502,000	.....	-2,499,000	-2,502,000
Information infrastructure grants	48,962,000	99,912,000	40,000,000	-8,962,000	-59,912,000
Total, National Telecommunications and Information Administration	101,405,000	133,305,000	78,709,000	-22,696,000	-54,596,000
Patent and Trademark Office					
Salaries and expenses	82,324,000	110,868,000	100,000,000	+17,676,000	-10,868,000
Total, Economic and Information Insfrastructure	510,385,000	639,655,000	489,709,000	-20,676,000	-149,946,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1996—Continued

Agency and item (1)	Appropriated, 1995 (enacted to date) (2)	Budget estimates, 1996 (3)	Recommended in bill (4)	Bill compared with appropriated, 1995 (5)	Bill compared with budget estimates, 1996 (6)
SCIENCE AND TECHNOLOGY					
National Institute of Standards and Technology					
Scientific and technical research and services	264,486,000	310,679,000	263,000,000	-1,486,000	-47,679,000
Industrial technology services	434,673,000	642,458,000	81,100,000	-353,573,000	-561,358,000
Construction of research facilities	64,639,000	69,913,000	60,000,000	-4,639,000	-9,913,000
Total, National Institute of Standards and Technology	763,798,000	1,023,050,000	404,100,000	-359,698,000	-618,950,000
National Oceanic and Atmospheric Administration					
Operations, research and facilities 2/	1,829,292,000	2,021,135,000	1,690,452,000	-138,840,000	-330,683,000
Offsetting collections - fees	-6,000,000	-3,000,000	-3,000,000	+3,000,000	.....
Direct appropriation	1,823,292,000	2,018,135,000	1,687,452,000	-135,840,000	-330,683,000
(By transfer from Promote and Develop Fund)	(55,500,000)	(55,500,000)	(55,500,000)	.....	.....
(By transfer from Damage assessment and restoration revolving fund, permanent)	8,500,000	3,900,000	3,900,000	-4,600,000	.....
(Damage assessment and restoration revolving fund)	-1,500,000	-3,900,000	-3,900,000	-2,400,000	.....
Total, Operations, research and facilities	1,830,292,000	2,018,135,000	1,687,452,000	-142,840,000	-330,683,000
Coastal zone management fund	(7,800,000)	(7,800,000)	(7,800,000)	.....	.....
Mandatory offset	(-7,800,000)	(-7,800,000)	(-7,800,000)	.....	.....
Construction	97,254,000	52,299,000	42,731,000	-54,523,000	-9,568,000

Fleet modernization, shipbuilding and conversion	22,936,000	23,347,000	20,000,000	-2,936,000	-3,347,000
Fishing vessel and gear damage fund	1,273,000	1,282,000	1,032,000	-241,000	-250,000
Fishermen's contingency fund	999,000	1,000,000	999,000	.....	-1,000
Foreign fishing observer fund	400,000	396,000	196,000	-204,000	-200,000
Fishing vessel obligations guarantees	250,000	250,000	.....	-250,000	-250,000
Total, National Oceanic and Atmospheric Administration	1,953,404,000	2,096,709,000	1,752,410,000	-200,994,000	-344,299,000
Technology Administration					
Salaries and expenses	9,992,000	13,906,000	5,000,000	-4,992,000	-8,906,000
National Technical Information Service					
NTIS revolving fund	8,000,000	.....	.....	-8,000,000	.....
Total, Science and Technology	2,735,194,000	3,133,665,000	2,161,510,000	-573,684,000	-972,155,000
General Administration					
Salaries and expenses	36,471,000	35,826,000	29,100,000	-7,371,000	-6,726,000
Office of Inspector General	16,887,000	22,249,000	21,849,000	+4,962,000	-400,000
Total, General administration	53,358,000	58,075,000	50,949,000	-2,409,000	-7,126,000
Total, Department of Commerce	4,103,718,000	4,662,584,000	3,388,197,000	-715,521,000	-1,274,387,000
Total, title II, Department of Commerce and related agencies	4,167,167,000	4,730,710,000	3,451,646,000	-715,521,000	-1,279,064,000
(By transfer)	(55,500,000)	(55,500,000)	(55,500,000)	.....	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1996—Continued

Agency and item (1)	Appropriated, 1995 (enacted to date) (2)	Budget estimates, 1996 (3)	Recommended in bill (4)	Bill compared with appropriated, 1995 (5)	Bill compared with budget estimates, 1996 (6)
TITLE III - THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	1,657,000	1,662,000	1,662,000	+5,000	.....
Other salaries and expenses	22,583,000	24,172,000	24,172,000	+1,589,000	.....
Total, Salaries and expenses	24,240,000	25,834,000	25,834,000	+1,594,000	.....
Care of the building and grounds	3,000,000	4,003,000	3,313,000	+313,000	-690,000
Total, Supreme Court of the United States	27,240,000	29,837,000	29,147,000	+1,907,000	-690,000
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	1,758,000	1,892,000	1,892,000	+134,000	.....
Other salaries and expenses	11,680,000	13,603,000	12,178,000	+498,000	-1,425,000
Total, Salaries and expenses	13,438,000	15,495,000	14,070,000	+632,000	-1,425,000
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,385,000	1,413,000	1,413,000	+28,000	.....

Other salaries and expenses	10,300,000	9,446,000	9,446,000	-854,000	.....
Total, Salaries and expenses	11,685,000	10,859,000	10,859,000	-826,000	.....
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	220,428,000	226,024,000	226,024,000	+5,596,000	.....
Other salaries and expenses	2,119,699,000	2,419,941,000	2,185,000,000	+65,301,000	-234,941,000
Direct appropriation	2,340,127,000	2,645,965,000	2,411,024,000	+70,897,000	-234,941,000
Crime trust fund	.....	30,700,000	41,500,000	+41,500,000	+10,800,000
Total, Salaries and expenses	2,340,127,000	2,676,665,000	2,452,524,000	+112,397,000	-224,141,000
Vaccine Injury Compensation Trust Fund	2,250,000	2,320,000	2,318,000	+68,000	-2,000
Defender services	250,000,000	295,761,000	260,000,000	+10,000,000	-35,761,000
Fees of jurors and commissioners	59,346,000	72,008,000	59,028,000	-318,000	-12,980,000
Court security	97,000,000	116,433,000	109,724,000	+12,724,000	-6,709,000
Total, Courts of Appeals, District Courts, and Other Judicial Services	2,748,723,000	3,163,187,000	2,883,594,000	+134,871,000	-279,593,000
Administrative Office of the United States Courts					
Salaries and expenses	47,500,000	53,445,000	47,500,000	.....	-5,945,000
Federal Judicial Center					
Salaries and expenses	18,828,000	20,771,000	18,828,000	.....	-1,943,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1996—Continued

Agency and item (1)	Appropriated, 1995 (enacted to date) (2)	Budget estimates, 1996 (3)	Recommended in bill (4)	Bill compared with appropriated, 1995 (5)	Bill compared with budget estimates, 1996 (6)
Judicial Retirement Funds					
Payment to Judiciary Trust Funds	28,475,000	32,900,000	32,900,000	+4,425,000	.....
United States Sentencing Commission					
Salaries and expenses	8,800,000	9,500,000	8,500,000	-300,000	-1,000,000
Total, title III, the Judiciary	2,904,689,000	3,335,994,000	3,045,398,000	+140,709,000	-290,596,000
Appropriations	(2,904,689,000)	(3,305,294,000)	(3,003,898,000)	(+99,209,000)	(-301,396,000)
Crime trust fund	.....	(30,700,000)	(41,500,000)	(+41,500,000)	(+10,800,000)
TITLE IV - DEPARTMENT OF STATE					
Administration of Foreign Affairs					
Diplomatic and consular programs	1,726,878,000	1,748,438,000	1,716,878,000	-10,000,000	-31,560,000
Security enhancements	.....	9,720,000	9,720,000	+9,720,000	.....
Registration fees	700,000	700,000	700,000	.....	.....
Total, Diplomatic and consular programs	1,727,578,000	1,758,858,000	1,727,298,000	-280,000	-31,560,000
Salaries and expenses	383,972,000	372,480,000	363,276,000	-20,696,000	-9,204,000
Security enhancements	.....	1,870,000	1,870,000	+1,870,000	.....
Total, Salaries and expenses	383,972,000	374,350,000	365,146,000	-18,826,000	-9,204,000
Capital investment fund	.....	32,800,000	16,400,000	+16,400,000	-16,400,000
Office of Inspector General	23,850,000	24,250,000	27,669,000	+3,819,000	+3,419,000

Representation allowances	4,780,000	4,800,000	4,780,000	.....	-20,000
Protection of foreign missions and officials	9,579,000	8,579,000	8,579,000	-1,000,000	.....
Acquisition and maintenance of buildings abroad	421,760,000	421,760,000	391,760,000	-30,000,000	-30,000,000
Emergencies in the diplomatic and consular service	6,500,000	6,000,000	6,000,000	-500,000	.....
Repatriation Loans Program Account:					
Direct loans subsidy	593,000	593,000	593,000	.....	.....
(Limitation on direct loans)	(741,000)	(741,000)	(741,000)	.....	.....
Administrative expenses	183,000	183,000	183,000	.....	.....
Total, Repatriation loans program account	776,000	776,000	776,000	.....	.....
Payment to the American Institute in Taiwan	15,465,000	15,465,000	15,165,000	-300,000	-300,000
Payment to the Foreign Service Retirement and Disability Fund	129,321,000	125,402,000	125,402,000	-3,919,000	.....
Total, Administration of Foreign Affairs	2,723,581,000	2,773,040,000	2,688,975,000	-34,606,000	-84,065,000
International Organizations and Conferences					
Contributions to international organizations, current year assessment	872,661,000	923,057,000	870,000,000	-2,661,000	-53,057,000
Contributions for international peacekeeping activities, current year assessment	533,304,000	445,000,000	425,000,000	-108,304,000	-20,000,000
International conferences and contingencies	6,000,000	6,000,000	3,000,000	-3,000,000	-3,000,000
Total, International Organizations and Conferences	1,411,965,000	1,374,057,000	1,298,000,000	-113,965,000	-76,057,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1996—Continued

Agency and item (1)	Appropriated, 1995 (enacted to date) (2)	Budget estimates, 1996 (3)	Recommended in bill (4)	Bill compared with appropriated, 1995 (5)	Bill compared with budget estimates, 1996 (6)
International Commissions					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses	12,858,000	13,858,000	12,358,000	-500,000	-1,500,000
Construction	6,644,000	10,398,000	6,644,000	.....	-3,754,000
American sections, international commissions	5,800,000	6,290,000	5,800,000	.....	-490,000
International fisheries commissions	14,669,000	14,669,000	14,669,000	.....	.....
Total, International commissions	39,971,000	45,215,000	39,471,000	-500,000	-5,744,000
Other					
Payment to the Asia Foundation	10,000,000	10,000,000	10,000,000	.....	.....
Appropriation (FY 1995 Defense Bill, P.L. 103-335)	5,000,000	.....	.....	-5,000,000	.....
Total, Department of State	4,190,517,000	4,202,312,000	4,036,446,000	-154,071,000	-165,866,000
RELATED AGENCIES					
Arms Control and Disarmament Agency					
Arms control and disarmament activities	54,378,000	76,300,000	40,000,000	-14,378,000	-36,300,000
United States Information Agency					
Salaries and expenses	475,645,000	496,002,000	445,645,000	-30,000,000	-50,357,000
Technology fund	.....	10,100,000	5,050,000	+5,050,000	-5,050,000
Office of Inspector General	4,300,000	4,593,000	.....	-4,300,000	-4,593,000

Educational and cultural exchange programs	238,279,000	252,676,000	192,090,000	-46,189,000	-60,586,000
Transfer (FY 1995 Foreign Ops Bill, P.L. 103-336)	42,000,000	.....	.....	-42,000,000	.....
Subtotal	280,279,000	252,676,000	192,090,000	-88,189,000	-60,586,000
Eisenhower Exchange Fellowship Program, trust fund	2,800,000	300,000	300,000	-2,500,000	.....
Israeli Arab scholarship program	397,000	397,000	397,000	.....	.....
International Broadcasting Operations 3/	468,073,000	395,340,000	341,000,000	-127,073,000	-54,340,000
Radio Free Asia: Operations 3/	10,000,000	(10,000,000)	(5,000,000)	-10,000,000	.....
Broadcasting to Cuba 3/	24,809,000	(26,063,000)	(24,809,000)	-24,809,000	.....
Radio construction	85,314,000	85,919,000	70,164,000	-15,150,000	-15,755,000
East-West Center	24,500,000	20,000,000	.....	-24,500,000	-20,000,000
North/South Center	4,000,000	1,000,000	.....	-4,000,000	-1,000,000
National Endowment for Democracy	34,000,000	34,000,000	28,000,000	-6,000,000	-6,000,000
Total, United States Information Agency	1,414,117,000	1,300,327,000	1,082,646,000	-331,471,000	-217,681,000
Total, related agencies	1,468,495,000	1,376,627,000	1,122,646,000	-345,849,000	-253,981,000
Total, title IV, Department of State	5,659,012,000	5,578,939,000	5,159,092,000	-499,920,000	-419,847,000
TITLE V - RELATED AGENCIES					
DEPARTMENT OF TRANSPORTATION					
Maritime Administration					
Operating-differential subsidies (liquidation of contract authority)	(214,356,000)	(162,610,000)	(162,610,000)	(-51,746,000)	.....
Maritime Security Program	.....	175,000,000	.....	.....	-175,000,000
Operations and training	76,087,000	81,650,000	64,600,000	-11,487,000	-17,050,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1996—Continued

Agency and item (1)	Appropriated, 1995 (enacted to date) (2)	Budget estimates, 1996 (3)	Recommended in bill (4)	Bill compared with appropriated, 1995 (5)	Bill compared with budget estimates, 1996 (6)
Ready reserve force:					
Maintenance, operations and facilities	149,653,000	.....	.....	-149,653,000	.....
Rescission	-158,000,000	.....	.....	+158,000,000	.....
Total, Ready reserve force	-8,347,000	.....	.....	+8,347,000	.....
Maritime Guaranteed Loan Program Account:					
Guaranteed loans subsidy	25,000,000	48,000,000	48,000,000	+23,000,000	.....
(Limitation on guaranteed loans)	(250,000,000)	(1,000,000,000)	(1,000,000,000)	(+750,000,000)	.....
Administrative expenses	2,000,000	4,000,000	4,000,000	+2,000,000	.....
Total, Maritime guaranteed loan program account	27,000,000	52,000,000	52,000,000	+25,000,000	.....
Total, Maritime Administration	94,740,000	308,650,000	116,600,000	+21,860,000	-192,050,000
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses	206,000	212,000	206,000	.....	-6,000
Commission on Civil Rights					
Salaries and expenses	9,000,000	11,400,000	8,500,000	-500,000	-2,900,000
Commission on Immigration Reform					
Salaries and expenses	1,894,000	2,877,000	2,377,000	+483,000	-500,000

Commission on Security and Cooperation in Europe					
Salaries and expenses	1,090,000	1,122,000	1,090,000	.....	-32,000
Competitiveness Policy Council					
Salaries and expenses	1,000,000	503,000	.....	-1,000,000	-503,000
Equal Employment Opportunity Commission					
Salaries and expenses	233,000,000	268,000,000	233,000,000	.....	-35,000,000
Federal Communications Commission					
Salaries and expenses	185,232,000	223,600,000	185,232,000	.....	-38,368,000
Offsetting fee collections - current year	-116,400,000	-116,400,000	-116,400,000	.....	.....
Direct appropriation	68,832,000	107,200,000	68,832,000	.....	-38,368,000
Federal Maritime Commission					
Salaries and expenses	18,569,000	18,947,000	15,000,000	-3,569,000	-3,947,000
Offsetting fee collections	.....	-2,228,000	.....	.....	+2,228,000
Direct appropriation	18,569,000	16,719,000	15,000,000	-3,569,000	-1,719,000
Federal Trade Commission					
Salaries and expenses	98,928,000	107,873,000	98,928,000	.....	-8,945,000
Offsetting fee collections - carryover	-4,500,000	.....	-16,000,000	-11,500,000	-16,000,000
Offsetting fee collections - current year	-39,640,000	-48,262,000	-48,262,000	-8,622,000	.....
Direct appropriation	54,788,000	59,611,000	34,666,000	-20,122,000	-24,945,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1996—Continued

Agency and item (1)	Appropriated, 1995 (enacted to date) (2)	Budget estimates, 1996 (3)	Recommended in bill (4)	Bill compared with appropriated, 1995 (5)	Bill compared with budget estimates, 1996 (6)
Japan - United States Friendship Commission					
Japan - United States Friendship Trust Fund	1,247,000	1,250,000	1,247,000	.....	-3,000
(Foreign currency appropriation)	(1,420,000)	(1,420,000)	(1,420,000)	.....	.....
Legal Services Corporation					
Payment to the Legal Services Corporation	400,000,000	440,000,000	278,000,000	-122,000,000	-162,000,000
Marine Mammal Commission					
Salaries and expenses	1,384,000	1,425,000	1,000,000	-384,000	-425,000
Martin Luther King, Jr. Federal Holiday Commission					
Salaries and expenses	300,000	350,000	250,000	-50,000	-100,000
Ounce of Prevention Council					
Crime trust fund 4/	.....	14,700,000	.....	.....	-14,700,000
Securities and Exchange Commission					
Salaries and expenses	297,405,000	342,922,000	297,405,000	.....	-45,517,000
Offsetting fee collections	-192,000,000	.....	-184,293,000	+7,707,000	-184,293,000
Offsetting fee collections - carryover	-30,549,000	.....	-9,667,000	+20,882,000	-9,667,000
Investment adviser fee - offsetting collection	(-8,595,000)	.....	.....	(+8,595,000)	.....
Direct appropriation	74,856,000	342,922,000	103,445,000	+28,589,000	-239,477,000

Small Business Administration					
Salaries and expenses	251,504,000	242,831,000	221,247,000	-30,257,000	-21,584,000
Offsetting fee collections	-9,350,000	-3,300,000	-3,300,000	+6,050,000	.....
Direct appropriation	242,154,000	239,531,000	217,947,000	-24,207,000	-21,584,000
Office of Inspector General	8,500,000	9,200,000	8,750,000	+250,000	-450,000
Business Loans Program Account:					
Direct loans subsidy	9,596,000	12,428,000	5,000,000	-4,596,000	-7,428,000
Guaranteed loans subsidy 5/	274,439,000	50,835,000	145,010,000	-129,429,000	+94,175,000
Micro loan guarantees	1,216,000	1,700,000	1,700,000	+484,000	.....
Section 503. prepayment	30,000,000	.....	.....	-30,000,000	.....
Administrative expenses	97,000,000	99,910,000	97,000,000	.....	-2,910,000
Total, Business loans program account	412,251,000	164,873,000	248,710,000	-163,541,000	+83,837,000
Disaster Loans Program Account:					
Direct loans subsidy 5/	52,153,000	34,432,000	34,432,000	-17,721,000	.....
Administrative expenses	78,000,000	80,340,000	78,000,000	.....	-2,340,000
Contingency fund (emergency)	125,000,000	100,000,000	.....	-125,000,000	-100,000,000
Total, Disaster loans program account	255,153,000	214,772,000	112,432,000	-142,721,000	-102,340,000
Surety bond guarantees revolving fund	5,369,000	2,530,000	2,530,000	-2,839,000	.....
Total, Small Business Administration	923,427,000	630,906,000	590,369,000	-333,058,000	-40,537,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1996—Continued

Agency and item (1)	Appropriated, 1995 (enacted to date) (2)	Budget estimates, 1996 (3)	Recommended in bill (4)	Bill compared with appropriated, 1995 (5)	Bill compared with budget estimates, 1996 (6)
State Justice Institute					
Salaries and expenses 6/	13,550,000	13,550,000	.....	-13,550,000	-13,550,000
Crime trust fund	.....	600,000	.....	.....	-600,000
Total, State Justice Institute	13,550,000	14,150,000	.....	-13,550,000	-14,150,000
Total, title V, Related agencies	1,897,883,000	2,221,997,000	1,454,582,000	-443,301,000	-767,415,000
Appropriations	(2,055,883,000)	(2,206,697,000)	(1,454,582,000)	(-601,301,000)	(-752,115,000)
Rescission	(-158,000,000)	.....	.....	(+158,000,000)	.....
Crime trust fund	.....	(15,300,000)	.....	.....	(-15,300,000)
(Liquidation of contract authority)	(214,356,000)	(162,610,000)	(162,610,000)	(-51,746,000)	.....
TITLE VI - GENERAL PROVISIONS					
Procurement: General Provisions 7/	-11,769,000	.....	.....	+11,769,000	.....
Total, title VI, general provisions	-11,769,000	.....	.....	+11,769,000	.....
Grand total:					
New budget (obligational) authority	26,860,050,000	31,158,679,000	27,585,240,000	+725,190,000	-3,573,439,000
Appropriations	(24,673,050,000)	(27,148,479,000)	(23,603,253,000)	(-1,069,797,000)	(-3,545,226,000)
Rescission	(-158,000,000)	.....	.....	(+158,000,000)	.....
Crime trust fund	(2,345,000,000)	(4,010,200,000)	(3,981,987,000)	(+1,636,987,000)	(-28,213,000)

(By transfer)	(55,500,000)	(55,500,000)	(55,500,000)	.....	.....
(Limitation on administrative expenses)	(3,463,000)	(3,559,000)	(3,559,000)	(+96,000)	.....
(Limitation on direct loans)	(741,000)	(741,000)	(741,000)	.....	.....
(Liquidation of contract authority)	(214,356,000)	(162,610,000)	(162,610,000)	(-51,746,000)	.....
(Foreign currency appropriation)	(1,420,000)	(1,420,000)	(1,420,000)	.....	.....

1/ 1995 "Salaries and expenses" funds were used for "Administrative review and appeals".

2/ Includes budget amendment of -$3,265,000 related to privatization of portions of the National Weather Service. Legislation will be proposed to offset this account from the Marine Navigation Trust Fund.

3/ The 1996 request and recommendation include funding for Radio Free Asia and Broadcasting to Cuba. In 1995, these activities were funded separately.

4/ Funding of $1,500,000 was provided under Office of Justice Programs in FY 1995.

5/ Assumes legislation to lower the subsidy for these accounts through new fees and increases in interest rates.

6/ The State Justice Institute is authorized to submit its budget directly to Congress. The President's request includes $7,000,000 for the Institute.

7/ The FY 1995 budget authority amount reflects the unspread balance.

ADDITIONAL VIEWS SUBMITTED BY MR. TAYLOR

In January 1994, the newly appointed chairman of the Federal Communications Commission (FCC) announced that the agency's priority would be to promote "diversity" in broadcasting. Because the policy came on the heels of a two year FCC inquiry into NAACP allegations that several radio stations had not fully complied with the FCC's equal employment opportunity rule, the policy was apparently aimed at stations that discriminated against minorities.

In reality, the FCC has used its new charge to challenge and deny radio license applications or renewals for religious broadcasters on the ground that they discriminate by requiring religious knowledge, training or expertise for employees.

For example, the FCC targeted KFUO—a station in Clayton, Mo. owned and operated by the Lutheran Church—for an evidentiary hearing into discrimination charges. Following a five day hearing before an administrative law judge, the FCC staff concluded that there was no evidence of any intentional discrimination by KFUO. However, the FCC recommended to the presiding judge that the Church lose its license for the station despite the station's exemplary compliance record with all other commission rules and regulations. The FCC staff contend that the Church violated the Commission's equal employment opportunity rule by requiring knowledge of Lutheran doctrine and practices for many positions at the station.

In secular stations, there is a fundamental necessity to hire people who have a certain level of knowledge of the format and content of the station's programming. For example, an all sports station hires people with adequate knowledge of sports. Financial and economic news stations require staff with an education or experience in such issues. And classic rock stations need people who know the difference between Frank Sinatra and Led Zeppelin.

The absurdity in the FCC's "diversity" policy is that it discriminates against religious broadcast stations for attempting to insure some knowledge or expertise by employees of the station's content. Last year, Congress voted nearly ten-to-one to prohibit the Equal Employment Opportunity Commission (EEOC) from spending money to enforce regulations defining the expression of religious beliefs in the work place as a form of harassment. The EEOC rule could have led to a ban on the display of religious symbols or any discussion of religion in the work place by designating them as religious harassment.

We are all in agreement that there should be no tolerance for discrimination in today's society. In the case of KFUO, there is clearly no evidence of discrimination. I hope the Commission will reevaluate the intent of its "diversity" policy as it considers its staff's recommendation regarding KFUO's license renewal. We

would be happy to work with the FCC on this issue to ensure the most reasonable policy is set forth.

However, if the FCC decides it must continue forward with a policy that discriminates against religious stations, we will find it necessary to add language to this appropriations bill similar to that put forth regarding EEOC's policy last year.

ADDITIONAL VIEWS SUBMITTED BY MR. MOLLOHAN, MR. SKAGGS, AND MR. DIXON

We would first like to congratulate Chairman Hal Rogers on his first bill as Subcommittee Chairman. This year has presented him with many unique challenges, and he has carried out his duties with great diligence and competence.

The budget realities the Chairman was faced with as he deliberated the funding levels in this bill should not go unmentioned. The shortage in this subcommittee's 602(b) allocation is directly related to the recently passed Republican Budget Resolution which we voted against.

The subcommittee's 602(b) allocation was simply not sufficient to both respond to the increasing demand to provide huge increases for Federal law enforcement and crime programs and fund other programs under the subcommittee's jurisdiction at responsible levels. Choices had to be made. The subcommittee's allocation made it impossible to provide a 284.6% increase for the reimbursement to states for the incarceration of illegal aliens and not expect there to be consequences for other programs.

The Budget resolution reorders our National funding priorities, and eliminates or cuts many programs which invest in our people, in our economy, and in our natural resources. And it does so—at least in part—to pay for a tax cut for the wealthiest Americans.

It is the recommendations of the Budget Resolution which have limited the allocation of this Subcommittee. The result is that we have our Nation's crime-fighting initiatives, our competitiveness agenda, and our diplomatic functions competing in a less than zero sum game.

It is easy to see that the Commerce Department has been the hardest hit in this exercise. The only question which remains to be answered is why.

The Commerce Department is the only Cabinet level Department that works effectively with American business at the intersection of trade, technology, economic development, economic analysis, and sustainable development. In fact, the Department's relevance grows each day as American businesses are forced to compete in an increasingly aggressive global market place. While some may call the Department's programs corporate welfare, they actually serve to put U.S. industry on a level playing field with our major competitors, and protect our National economic security.

It is evident that the cuts to the Commerce Department do not make fiscal sense. For every dollar invested in the Department, seven dollars are returned to the economy. To this end, we continue to be perplexed when initiatives to eliminate the Department are viewed as cost-saving proposals.

Although our Chairman acted responsibly in not dismantling the Department in this bill, we do have several concerns with many of his cuts in important Commerce Department programs.

Most notably, we are opposed to the huge cuts to the civilian technology programs under the National Institutes of Standards and Technology. Already, the U.S. ranks 28th—behind all of our major competitors—in public funding of non-defense R&D as a percentage of GDP.

We are concerned that the elimination of the Advanced Technology Program will erode the Nation's competitiveness in the development and commercialization of high-risk technologies. ATP is a wise investment in the advancement of high-risk technologies with potentially long-term economic benefits—investments that the private sector might otherwise forego.

Additionally, we are extremely concerned with the significant cuts to the National Oceanic and Atmospheric Administration, especially in the programs which fall under the National Marine Fisheries Service, Oceanic and Atmospheric Research, and the National Ocean Service. At the House mark, NOAA would be forced to cut employment by 535 FTE and close several laboratories; private sector employment also would decrease by about 850 FTE. Although the House mark would support the National Weather Service modernization, insufficient funds would be provided to support research and fisheries, protected species management, and other important aspects of NOAA's oceanic responsibilities.

Also under the Department of Commerce, we are concerned about the impacts that the 27 percent reduction in funding for the Minority Business Development Agency will have on expanding opportunities to minority businesses. The MBDA was specifically created to enhance minority capitalism. This is a laudable goal and one which we assume the majority shares. We believe it is a goal that cannot be accomplished without Federal support.

Minorities continue to be significantly underrepresented in the business community. The technical and management assistance provided by MBDA is essential to expanding minority access to capital and to developing competitive minority owned firms. While reduction in duplicative services between MBDA and SBA should be reviewed, it is important that the specific mission and programs of MBDA not be consumed in a rush to reduce and consolidate.

With regard to the Department of Justice, we do not agree with the approach taken by the Committee in the area of crime prevention. The Committee's recommendations zero out several important targeted crime prevention programs, such as Drug Courts, assistance for at-risk youth, and the Community Oriented Policing Services (COPS) Program, in favor of a large local law enforcement block grant program. Further, this block grant is tied to H.R. 728, which passed the House on February 14, 1995, and has not made much progress in the Senate, leaving the fate of the $2.0 billion local law enforcement block grant in some question in the event that H.R. 728 or similar legislation is not enacted into law.

Advocates of the local block grant contend that it will allow prevention programs as well as the COPS program to be funded. While that may be the case, it does not guarantee that one new of-

ficer will reach the streets of this nation, and it pits funding for COPS officers against funding for prevention programs.

We are also concerned about the Committee's decision to eliminate the Community Relations Service (CRS), transfer its functions to other accounts within the Department of Justice, and reduce its funding. CRS provides valuable mediation, conflict resolution, and technical assistance services in the resolution of volatile racial disputes. Unfortunately, such dispute resolution activities remain essential in communities across the nation, and the small federal investment in CRS' activities is well spent in prevention of more serious problems.

In addition, with regard to the Judiciary, we strongly object to the Committee's prohibition on the use of funds for Post-Conviction Defender Organizations (PCDO's). In so doing, the Committee states its belief that PCDO's delay the judicial process in Federal habeas corpus petitions, and the Committee has provided $10 million for additional panel attorneys to assume the PCDO's caseload, further delaying the process of habeas corpus petitions and costing the taxpayers additional dollars.

It is a matter of fact that panel attorneys cost more per hour and require more time to perform the work associated with habeas corpus petitions than do PCDO attorneys. It is also apparent that the $10 million provided by the Committee in Fiscal Year 1996 for additional panel attorneys will not cover the cost of panel attorney hours required to perform PCDO work. This cost is actually closer to $51 million. Therefore, in prohibiting the Judiciary from expending funds on PCDO's without enough funds for panel attorneys, and without any transition period, the Committee is, in effect, further delaying the progress of habeas corpus petitions.

We would also like to express our concerns over the Committee's actions in the area of international broadcasting. The Committee's recommendations for Fiscal year 1996 reduce broadcasting to a point where the operations of both the Voice of America (VOA) and Radio Free Europe will be curtailed significantly. The Administration has already consolidated and downsized international broadcasting and reduced the budget request for these functions by almost 20 percent. There is broad support in the Congress for continued service of VOA and Radio Free Europe.

We are concerned with the Committee's restrictive language for the use of funds for new or expanded peacekeeping missions. While it is certainly important that new peacekeeping missions be scrutinized as to their national interest, we have concerns that such restrictive language in this area will cause serious impediments to the President's ability to conduce foreign policy.

Regarding the Legal Services Corporation (LSC), we are not in agreement with the committee's recommendation for the Fiscal Year 1996 funding level. In addition, the many restrictions placed on LSC grantees make the effort to provide access for our nation's poor to the judicial system difficult, and at times impossible.

Also, extending restrictions to private and state funds hinders LSC's efforts to generate non-federal funding at a time when many in the Congress would like to end funding for LSC altogether.

JULIAN C. DIXON.
DAVID E. SKAGGS.
ALAN B. MOLLOHAN.

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