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107TH CONGRESS, 1st Session } HOUSE OF REPRESENTATIVES { REPORT 107–139

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, FISCAL YEAR 2002

JULY 13, 2001.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

REPORT

together with

MINORITY VIEWS

[To accompany H.R. 2500]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002.

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SUMMARY OF ESTIMATES AND RECOMMENDATIONS

The Committee recommends a total of $38,541,000,000 in discretionary budget authority for the departments and agencies funded in this bill. The recommendation is $599,284,000 above the request and $971,974,000 above the amounts enacted for the current fiscal year. Within the amounts recommended for discretionary appropriations, the committee provides $440,000,000 for the new conservation allocation. The Committee assumes a 4.6% salary adjustment in all instances where it has provided amounts for adjustments to a base level of operations for departments and agencies funded in this bill. The Committee also recommends $619,801,000 for mandatory programs funded within this bill.

The following table provides a comparison of the new budget authority and outlays recommended in the accompanying bill with the amounts appropriated for fiscal year 2001, and the budget request for fiscal year 2002:

[In millions of dollars]

	FY 2001 enacted	FY 2002 request	FY 2002 recommended	FY 2002 recommendation compared with	
				FY 2001 enacted	FY 2002 request
Discretionary	37,569	37,658	38,101	+532	+443
Discretionary-Conservation	.....	284	440	+440	+156
Mandatory	578	627	620	+42	−7
Total	38,147	38,569	39,161	+1,014	+592

HIGHLIGHTS OF THE BILL

Major initiatives and highlights contained in the recommendation follow:

TITLE I.—DEPARTMENT OF JUSTICE

[In millions of dollars]

	FY 2001 enacted	FY 2002 request	FY 2002 recommended	FY 2002 recommendation compared with	
				FY 2001 enacted	FY 2002 request
Discretionary	20,877	20,925	21,549	+672	+623

—$21.5 billion in discretionary funding for the Department of Justice, $672 million above the fiscal year 2001 level and $623 million above the President's request.

—$455 million increase to address critical detention requirements to house Federal prisoners and criminal and illegal aliens.

—$469 million increase for the Drug Enforcement Administration, the Federal Bureau of Investigation, and the U.S. Attorneys to maintain and enhance Federal law enforcement's ability to fight the war on violent crime and drugs, and to provide new tools to combat cybercrime and national security threats.

—$252 million increase for the Immigration and Naturalization Service to enforce our immigration laws, hire additional border patrol agents, increase detention and removal capacity, continue the interior enforcement effort, and reduce the backlog of naturalization applications.

—$150 million increase to enforce Federal and State gun laws and distribute gun safety locks.

—$4.3 billion for the Office of Justice Programs and Community Oriented Policing Services (COPS) Program to continue assistance to State and local law enforcement agencies, including: $522 million for the Local Law Enforcement Block Grant program, $570 million for the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant program, $250 million for Juvenile Accountability Block Grant programs, and $565 million for the State Criminal Alien Assistance program. In addition, $391 million is provided for Violence Against Women Act programs, $1.0 billion for COPS, and $298 million for Juvenile Justice programs.

TITLE II.—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

[In millions of dollars]

	FY 2001 enacted	FY 2002 request	FY 2002 recommended	FY 2002 recommendation compared with	
				FY 2001 enacted	FY 2002 request
Discretionary	5,233	4,880	4,745	−488	−135
Discretionary-Conservation	.....	284	440	+440	+156

—The Committee is consistent with the President's request for most of the Department of Commerce and trade-related agencies. The recommendation fully funds the Bureau of the Census, the Patent and Trademark Office, the National Institute of Standards and Technology, the Export Administration, the Minority Business Development Agency, Economic and Statistical Analysis, and the National Telecommunications and Information Administration.

—The International Trade Administration is funded at $15 million over the President's request to provide for restoration of textile and apparel activities, and fully funds the trade enforcement and compliance initiative from last year.

—For the National Institute of Standards and Technology (NIST), the Committee fully funds the President's proposal and discontinues funding for new grants for the Advanced Technology Program (ATP). The ATP researchers and scientists have been transferred to the scientific and technical research services account.

—The National Oceanic and Atmospheric Administration (NOAA) is fully funded and adjustments to base are provided. The recommendation designates the full funding for the conservation category, $440 million. Protected species, ocean assessment, and habitat restoration categories are funded within the conservation budget category, similar to treatment in the Interior Appropriations bill.

—NOAA includes $135 million for Pacific salmon restoration.

TITLE III.—THE JUDICIARY

[In millions of dollars]

	FY 2001 enacted	FY 2002 request	FY 2002 recommended	FY 2002 recommendation compared with	
				FY 2001 enacted	FY 2002 request
Discretionary	3,966	4,580	4,388	+422	−192

—Provides funding for the ongoing activities of the Federal courts; allows the Defender Services account to keep up with ongoing workload and funding requirements; and begins the long overdue restoration of the Supreme Court building. The recommendation provides $4.7 billion, which is an increase of $426 million over last year's enacted level and $192 million below the request.

—Provides sufficient funding to increase panel attorney rates to $90 per hour. The recommendation also assumes that in-court hours and out-of-court hours should no longer be compensated at different rates given the reality that the most efficient hours are those used to avoid costly trials.

—Defers without prejudice the Administration request regarding salary adjustments for Justices and judges.

TITLE IV.—DEPARTMENT OF STATE AND INTERNATIONAL BROADCASTING

[In millions of dollars]

	FY 2001 enacted	FY 2002 request	FY 2002 recommended	FY 2002 recommendation compared with	
				FY 2001 enacted	FY 2002 request
Discretionary	6,910	7,841	7,747	+837	−94

—Provides a program increase of $419 million for "diplomatic readiness", including $134 million for 360 new positions, $216 million for technology initiatives to replace the Department's obsolete classified computer system and bring Internet access to every desktop, and $69,000,000 to replace and maintain overseas infrastructure.

—Over $1.3 billion, the full request, for embassy security programs, an increase of $234 million over FY 2001. This increase includes an additional $154 million for capital security construction for replacement of our most vulnerable embassies and consulates, and a program increase of $79 million and 237 positions to meet increased requirements for improving the security of State oper-

ations, including initiatives on improving information and telephone security, counterintelligence, access control, and training.

—$850 million to fully cover anticipated assessments for U.S. membership in the United Nations and other international organizations.

—$844 million for contributions for international peacekeeping activities, the full amount requested.

—$479 million for International Broadcasting, $9 million more than the request, including new initiatives to improve the impact of broadcasting to the Middle East and East Asia.

TITLE V.—RELATED AGENCIES

[In millions of dollars]

	FY 2001 enacted	FY 2002 request	FY 2002 recommended	FY 2002 recommendation compared with	
				FY 2001 enacted	FY 2002 request
Discretionary	2,197	1,804	2,102	−95	+298

—$232 million for the Maritime Administration, an increase of $129 million above the request, including full funding of $99 million for the Maritime Security Program, $34 million for the Title XI guaranteed loan program, and the designation of $13 million to continue capital renovation efforts at the U.S. Merchant Marine Academy.

—$3 million, the full request, for the Commission on International Religious Freedom to continue their efforts to monitor violations of religious freedom worldwide.

—$310 million, the full request level for the Equal Employment Opportunity Commission, to continue efforts to reduce the backlog of private sector discrimination charges awaiting Commission action.

—$438 million, the full request level for the Securities and Exchange Commission.

—$728 million for the Small Business Administration, an increase of $186 million above the request. This amount includes $205 million to support an average annual level of disaster home and economic injury loans, and $208 million for SBA business loan programs including appropriations to support a 7(a) general business loan program level of $10 billion.

—$329 million for the Legal Services Corporation, the requested level.

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 language concerning the reprogramming of funds between programs and 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 identical to provisions that applied in statute during fiscal year 2001. These procedures apply to funds provided under this Act, or provided under previous Appropriations Acts that remain available for

obligation or expenditure in fiscal year 2002, or provided from any accounts in the Treasury available to the agencies funded by this Act.

The Committee expects that the Chairman of the Appropriations 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 applicable in cases where several activities are involved with each receiving less than $500,000. In addition, the Committee is 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) Creating new programs, offices, agencies or commissions or substantial augmentation of existing programs, offices, agencies or commissions.

(4) Relocating offices or employees.

(5) Reorganizing offices, programs, or activities.

In addition, the Committee expects any department or agency funded in the accompanying bill that 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 that are subject to interpretation will be reported.

The Committee is concerned that, in some instances, the departments or agencies funded within this Appropriations Act are not adhering to the Committee's reprogramming policy and procedures that are set forth in this report and in section 605 of the accompanying bill. The Committee expects that each department and agency funded in the bill to follow these notification policies precisely and will 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, and the Small Business Administration with transfer authority, which is the same as the transfer authority provided in the fiscal year 2001 Appropriations Act. The Committee believes such authority, together with the traditional reprogramming policy, gives each department, the Judiciary and the Small Business Administration the needed flexibility 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, and commissions and the Judiciary. The Committee has often pointed out the natural affinity and relationship between these organizations and the Appropriations Committee that 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, and commissions and the Judiciary for information and assistance, the primary conjunction 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, and 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.

FULL COMPLIANCE WITH TELEWORK DIRECTIVE

Advances in information and computer technology, the development of the Internet, and the growth of wireless and digital products have given some federal employees the ability to telework—or work anytime from almost anyplace. Management considerations, such as productive and satisfied workers; environmental considerations, such as reduced traffic congestion and improved air quality; and quality of life considerations, such as accommodating the short- or long-term health responsibilities of employees, require the establishment of telework programs.

Policies on telework are evolving. Among the factors that contribute to successful programs are top management support, a clear telework agreement that includes expectations with measurable goals, accountability, and performance results. The Committee is committed to telework programs in the Federal government. Section 359 of Public Law 106–346, the Department of Transportation Appropriations Act for fiscal year 2001, directs executive agencies to establish policies under which eligible employees can telecommute to the maximum extent possible without diminished performance. By April 2001, the Office of Personnel Management was directed to ensure that telework policies were in place for 25% of the eligible federal workforce, and for an additional 25% each year thereafter. The Committee expects the departments, the Judiciary, and the related agencies funded herein to be in full compliance with this timetable.

STAFFING AND OPERATIONS OUTSIDE OF THE UNITED STATES

The Committee remains concerned that there does not yet appear to be any systematic control over the size and growth of Federal department and agency presence outside of the United States, raising the likelihood that resources are being misallocated. The Committee, in conjunction with the Administration, has begun a number of initiatives to improve the situation, including the International Cooperative Administrative Support Services system, to better allocate costs of overseas presence to each agency, in order to ensure that any decision to assign personnel overseas is based on the true cost. Most recently, the Committee has supported the Overseas Presence Advisory Panel, which presented recommendations on right-sizing our overseas presence to the Secretary of State.

This concern is due in large part to the cost implications. It costs two to three times as much to maintain an employee outside of the

United States as it does within the United States. It is clear that rationalizing and systematizing staffing and operations in foreign countries has the potential for large budgetary savings. The Committee has included additional guidance under Title IV of this report related to the implementation of these recommendations.

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 remains intent upon finding the proper way to assure control of the deployment of personnel and resources outside of the United States.

TITLE I—DEPARTMENT OF JUSTICE

The Committee recommends $21,723,303,000 in new budget authority in the accompanying bill for the Department of Justice for fiscal year 2002. This amount is $693,828,000 above the appropriation for the current year and is $615,529,000 above the budget request.

Of the total amount provided, $21,548,585,000 is derived from general purpose discretionary funds, which represents an increase of $671,907,000 above the current year. The remaining $174,718,000 provided is scored as mandatory spending.

The Committee recommendation for the Department of Justice reflects the continuing commitment of the Congress to investments which have been made over the last six years to address the Nation's top domestic priority—fighting crime—while at the same time fulfilling the commitment to a balanced budget made by the Congress and the Administration in 1997. Over the past six years, Congress has increased funding for the Department of Justice by over $8.2 billion, representing a 50 percent increase in resources. As a result, our communities are safer, there are more partnerships between Federal law enforcement officers and State and local police officers, and violent criminals are serving longer sentences and are not being released back into the community prematurely.

For fiscal year 2002, an additional $455,730,000 above fiscal year 2001 is recommended to address critical detention requirements to house the Federal prisoner and criminal alien populations. The Committee also recommends increases totaling $469,485,000 for the Drug Enforcement Administration (DEA), the Federal Bureau of Investigation (FBI), and the United States Attorneys (USA) to maintain and enhance Federal law enforcement's ability to fight the war on violent crime and drugs, and provide new tools to investigate and prosecute new and emerging crimes in the information technology age as well as threats to our national security. To address the continuing problem of illegal immigration, the Committee recommends an increase of $197,064,000 for the Immigration and Naturalization Service (INS) for new border patrol agents and increased detention and removal capacity, and continued funding to maintain the interior enforcement initiative begun in fiscal year 1999. In addition, $565,000,000 is provided to reimburse States for the incarceration of criminal aliens. The Committee has also in-

cluded $45,000,000 in additional funding to continue the naturalization backlog reduction initiative begun in fiscal year 1999.

The Committee recommendation provides over $150,000,000 in additional resources to enforce gun laws and distribute gun safety locks. This includes $29,000,000 for Project Sentry, a Federal-State law enforcement partnership to identify and prosecute juveniles who violate firearms laws and adults who supply them with guns; $49,780,000 to assist States in targeting gun crimes through increased arrests, prosecution, and public awareness; and $75,000,000 for Project ChildSafe, a program to provide gun safety locks for every handgun in America.

The recommendation continues to reflect the Committee's commitment to empower our local communities to fight crime. Now is not the time to reduce our support for proven crime prevention and law enforcement programs that have achieved concrete results. The recommendation includes $4,333,928,000 for all State and local law enforcement assistance, which is $660,932,000 above the President's request. This includes funding for the State Criminal Alien Assistance Program ($565,000,000); the Local Law Enforcement Block Grant Program ($521,849,000); the Byrne Grant Program ($570,000,000); the Community Oriented Policing Services (COPS) Program ($1,013,498,000); Violence Against Women Act (VAWA) programs ($390,565,000); and the Juvenile Justice programs ($547,390,000), including $249,540,000 for the Juvenile Crime Block Grant.

Despite all of the progress that has been made to improve Federal law enforcement, the Committee is also mindful of serious problems that exist in some areas of the Department of Justice. To address concerns that have arisen regarding the FBI and DEA, the Committee directs that the Attorney General expand the authority of the Inspector General (IG) to cover allegations of employee misconduct within the FBI and the DEA. The present Department of Justice internal order confers this responsibility upon the FBI and DEA Offices of Professional Responsibility (OPR). This system of self-policing has not provided adequate oversight, and as a result, a number of serious allegations at the FBI and the DEA have come to light in recent months. These breaches of security, protocol, and policy have tarnished the reputation of the world's premier law enforcement agency and the world's leading drug enforcement agency, and have resulted in serious damage to the nation's national security program. To address this issue, additional funding is provided to the IG to support the expanded responsibilities being conferred upon this office.

The Committee directs that the Attorney General review the role of the Department of Justice, FBI and DEA OPRs, in light of the Inspector General's expanded role, to develop a plan to reduce or reallocate resources to avoid unnecessary overlap and expenses. The Committee expects that the fiscal year 2003 budget submission will reflect any reductions and reallocations as a result of this review.

The Committee reiterates its desire to channel most of its inquiries and requests for information and assistance through the budget offices or comptroller organizations, but reserves the right to call upon all organizations throughout the agencies. The Committee continues to stress the natural affinity between these offices and

the appropriations committee, which makes such a relationship imperative.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends a total of $91,668,000 for General Administration for fiscal year 2002. This amount is $1,765,000 below the request and $3,150,000 above the level provided in fiscal year 2001.

This account funds the development of policy objectives and the overall management of the Department of Justice. The recommendation provides inflationary adjustments to maintain the current operating level in fiscal year 2002.

The recommended level does not include $1,000,000 for seven positions and workyears to manage the integration of the INS's IDENT system and the FBI's IAFIS system. The FBI and INS should continue to reimburse the Justice Management Division for these positions.

The Committee recommends bill language, carried in previous years, which (1) specifies the amount of funding provided for the Department Leadership and Offices of Legislative and Public Affairs; and (2) makes up to $3,317,000 of this appropriation available until expended for the Departmental building, renovation, maintenance, and security needs.

JOINT AUTOMATED BOOKING SYSTEM

The Committee recommends a total of $15,957,000 for the Joint Automated Booking System (JABS), the same amount as requested and $77,000 above the amount provided in fiscal year 2001. Funding is provided for program management support and maintenance of the JABS production system.

The JABS will enable Department of Justice law enforcement components—the Bureau of Prisons (BOP), FBI, DEA, INS and the U.S. Marshals Service (USMS)—to build an automated booking capability using their respective infrastructures and to share information using the Department's common information technology platform.

NARROWBAND COMMUNICATIONS

The Committee recommends a direct appropriation of $104,615,000 for this account. This amount is $99,934,000 below the current year level and $9,000 above the request. The Committee expects the Department to continue implementation of a consolidated, regional, interagency Justice Wireless Network (JWN) to meet components' needs and to improve wireless capabilities, as such an approach will enhance interoperability and reduce costs associated with narrowband conversion by up to $1,000,000,000. Amounts provided will be used to continue implementation of the JWN, operate and maintain legacy systems, expand the use of commercial services, and support the Wireless Management Office. It is the Committee's continued expectation that narrowband requirements can be accommodated without significant additional new resources. The Committee is concerned that the JWN does not have a plan for implementation. Therefore, the Justice Wireless Manage-

ment Office is directed to submit an operational plan for expenditure of funds by October 1, 2001.

COUNTERTERRORISM FUND

The Committee recommends $4,989,000 for the Counterterrorism Fund to cover the extraordinary costs associated with a terrorist threat or incident. This level is the full amount requested and the same level provided in fiscal year 2001. The recommendation, when combined with the current unobligated balances from prior years, will provide up to $46,066,000 in the Fund for fiscal year 2002.

The Counterterrorism Fund was established in the 1995 Supplemental Appropriations Act after the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, and is under the control and direction of the Attorney General. These funds may be used to reimburse any Department of Justice organization for the costs incurred from the reestablishment of an office or facility damaged or destroyed as a result of a domestic or international terrorist incident, and to cover extraordinary expenses necessary to counter, investigate, or prosecute domestic or international terrorism activities. 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 obligation of any funds from this account.

The Committee recommends bill language, carried in previous Appropriations Acts, which makes funds available: (1) for costs incurred in reestablishing the operational capacity of an office or facility damaged or destroyed by a terrorist incident; and (2) for support to counter, investigate, or prosecute terrorism, including payments of rewards and detention costs in connection with these activities.

ADMINISTRATIVE REVIEW AND APPEALS

The Committee recommends $178,751,000 for Administrative Review and Appeals. This amount is an increase of $18,043,000 above the fiscal year 2001 level and $252,000 above the request. Of the total amount provided, $176,964,000 is for the Executive Office of Immigration Review (EOIR), and $1,787,000 is for the Pardon Attorney.

In light of the recent Supreme Court ruling on the detention of criminal aliens who have served their sentences, EOIR is directed to submit a report to the Committee by September 14, 2001, addressing the impact of this ruling on the Department of Justice and its components. The INS, BOP, USA, and other affected components of the Department are instructed to contribute to this report. EOIR is directed to consult with the Committee prior to beginning this effort.

This appropriation supports EOIR, which includes the Board of Immigration Appeals, Immigration Judges, and Administrative Law Judges who decide through administrative hearings on the admission or exclusion of aliens seeking to enter the country, and the transportation and adjustment of status of aliens whose status has been challenged; and the Office of the Pardon Attorney, which receives, investigates and considers petitions for all forms of Executive clemency.

DETENTION TRUSTEE

The Committee recommends $1,721,000 for the Federal Detention Trustee within the Department of Justice. This amount is $3,000 more than requested and $723,000 more than provided in fiscal year 2001. Technical bill language changes are included to reflect that the Detention Trustee was established in the fiscal year 2001 Appropriations Act.

The Committee notes that as of June 27, 2001, a Detention Trustee still has not been selected and urges the Attorney General to promptly conclude the hiring process so that the detention problems noted by the Committee can begin to be sufficiently addressed.

In response to the Committee's growing concerns about the problem of inadequate planning and management of detention space in the Department of Justice, in fiscal year 2000, the Committee directed that the Attorney General submit recommendations on a Department-wide strategy to plan for and manage its detention needs. As part of this effort, the Committee directed that the trustee establish two regional detention pilot projects, one along the Southwest border and one located in the Midwest. As directed in the fiscal year 2001 House report, the Detention Trustee should, at the outset of these pilot projects, conduct a needs assessment of detention and detainee handling requirements, and baseline the present efficiency and effectiveness of all aspects of detention and detainee handling against subsequent process improvements. This initial baseline report should also identify the specific operational areas of detention that will be targeted, as well as the specific geographic boundaries for the pilot. Additional elements of the pilot projects should include: centralized management of Inter-governmental Agreements under the detention trustee, prisoner transportation, healthcare management, and Cooperative Agreement Program grants. The Committee continues to intend that the trustee be given control to direct the use of INS and USMS detention resources. The Committee expects the Department of Justice to consult with the Committee in the development of these pilot projects. A baseline report should be submitted no later than December 5, 2001, and the completed assessment of the pilots one year later.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $50,735,000 for the Office of Inspector General, which is $5,240,000 above the request and $9,251,000 above the level provided in fiscal year 2001.

The Office of Inspector General conducts and supervises audits and investigations relating to the programs and operations of the Department of Justice. The Inspector General keeps the Attorney General and Congress informed about problems and deficiencies relating to the administration of such programs and activities.

The recommended level includes requested program increases to address corruption and civil rights cases involving Departmental employees along the Southwest border, and to cover increased audit responsibilities in the computer security and information technology arena, as well as Departmental contract and grant programs.

The Committee recommendation includes $5,000,000 to expand the Inspector General's authorities in investigating allegations of employee misconduct within the FBI and the DEA. Currently, this responsibility is conferred upon the FBI and DEA internal offices of professional responsibility. This system of self-policing has not provided adequate oversight and, as a result, a number of serious allegations of employee misconduct have been reported in recent months. Additional funding is provided to the Office of Inspector General to support the expanded responsibilities being conferred upon this office.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

The Committee recommends $10,915,000 for the Parole Commission for fiscal year 2002. This level is $53,000 above the request and $2,079,000 above the amount provided in fiscal year 2001.

The Commission is an independent body within the Department of Justice that makes decisions regarding requests for parole and supervision of Federal and District of Columbia (DC) Code prisoners. As a result of legislation that established sentencing guidelines, the Parole Commission is phasing down its Federal operations. Beginning in August 1998, the Commission assumed additional responsibilities by taking jurisdiction over D.C. felony prisoners and D.C. Code parolees.

When the D.C. Board of Parole went out of existence, the Commission inherited a parole revocation caseload with a significant backlog of warrant requests and revocation hearings. Additional resources are necessary to address the serious deficiencies associated with the D.C. parole program. The recommended level includes a program increase of 37 positions, 19 workyears, and $1,648,000 to continue the responsibility of making parole decisions for the District of Columbia Code prisoners.

LEGAL ACTIVITIES

GENERAL LEGAL ACTIVITIES

The Committee recommends a total of $568,011,000 for General Legal Activities for fiscal year 2002, which is an increase of $1,189,000 above the request and $33,419,000 above the amount provided in fiscal year 2001.

This appropriation supports the Attorney General through the establishment of litigation policy, conduct of litigation, and various other legal responsibilities. The recommendation provides for adjustments to base totaling $27,558,000 and program increases totaling $5,861,000. The distribution of funding provided is as follows:

GENERAL LEGAL ACTIVITIES

[In thousands of dollars]

	2002 recommendation
Solicitor General	$7,326
Tax Division	73,795
Criminal Division	119,449

GENERAL LEGAL ACTIVITIES—Continued

[In thousands of dollars]

	2002 recommendation
Civil Division	161,107
Environment and Natural Resources	71,687
Office of Legal Counsel	5,199
Civil Rights Division	101,957
Interpol-USNCB	8,323
Legal Activities Office Automation	18,835
Office of Dispute Resolution	333
Total	568,011

Criminal Division.—The recommendation includes an increase of $2,497,000, 26 positions, and 14 workyears, including 16 attorneys, for the Criminal Division to address cyber-terrorism, extradition and foreign legal assistance, foreign counterintelligence, and building security issues. The recommended level does not include funding for new encryption software and communications equipment for the Criminal Division. The Department of Justice should consider funding this equipment through the unobligated balances transferred to the Working Capital Fund.

Civil Division.—The Committee recommends new bill language to allow the Attorney General to provide additional resources for the Civil Division, if emergent circumstances warrant increased resources, through transfers of funds from other Department of Justice programs, subject to the requirements of section 605 of this Act.

Civil Rights Division.—The recommendation provides an increase of $1,230,000, 18 positions, and 9 workyears, including 10 attorneys, for the Civil Rights Division to enforce voting rights, disability rights, and other civil rights policies.

The recommendation also provides an increase of $1,000,000, 10 positions, and 5 workyears, including 5 attorneys, to increase civil and criminal investigations and prosecutions of facilities for individuals who are mentally ill and developmentally disabled, nursing homes, juvenile correctional facilities, and adult jails and prisons.

Trafficking.—In addition to amounts noted above, $770,000, 12 positions, and 6 workyears, including 7 attorneys, are provided for the Civil Rights Division to enforce the Victims of Trafficking and Protection Act of 2000. These additional resources will increase the prosecution of persons who violate the Act and support outreach to local communities to promote awareness of the trafficking issue. An estimated 1 to 2 million people are trafficked each year worldwide, with women and children making up at least 700,000 of this total. It is estimated that 45,000 to 50,000 women and children are trafficked into the United States annually by crime rings and loosely connected criminal networks.

The Committee applauds the Department of Justice's commitment to investigate and prosecute people who are accused of trafficking in humans, particularly women who are brought into this country and then enslaved as prostitutes. The Committee believes that the trafficking of humans is a criminal issue and should not be distinguished as a worker exploitation issue. Therefore, the Committee is concerned that these investigations and prosecutions

are being pursued under the Civil Rights Division, instead of the Criminal Division. It is suggested that the Department of Justice consider relocating these activities to the Criminal Division.

Interpol.—The recommendation provides an increase of $364,000 for Interpol-U.S. National Central Bureau (USNCB) to pay for increased dues.

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 $18,835,000 for office automation systems available until expended, and includes language allowing funds to be used for additional Departmental components; and (4) makes up to $1,000 available to the INTERPOL–USNCB for reception and representation expenses.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

The Committee recommends a reimbursement of $4,028,000 for fiscal year 2002 from the Vaccine Injury Compensation Trust Fund to cover the Department of Justice's expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986. This represents the full amount requested and $9,000 above the level provided in fiscal year 2001.

SALARIES AND EXPENSES, ANTITRUST DIVISION

The Committee recommendation assumes a total of $141,366,000 in budget authority for the Antitrust Division, $393,000 above the request and $20,528,000 above the current year appropriation. Of this amount, $105,366,000 will be derived from anticipated fee collections in fiscal year 2002, and $36,000,000 will be derived from available fiscal year 2001 collections, resulting in no net direct appropriation. The Committee notes that any use of remaining unobligated fee collections from prior years is subject to the reprogramming requirements outlined in section 605 of this Act.

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. Appropriations for both the Division and the Federal Trade Commission are financed with Hart-Scott-Rodino Act pre-merger filing fees.

The Committee's recommendation provides an increase of $13,799,000 and 113 positions and workyears for the civil merger program. These additional resources will allow the Antitrust Division to review premerger filings within statutorily mandated time frames.

The recommendation includes bill language for the Division, carried in previous fiscal years, which allows fees to be credited to this account and reduces appropriated funds as fees are collected.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The Committee recommends a total of $1,353,968,000 for the U.S. Attorneys for fiscal year 2002. The total amount provided is an increase of $7,679,000 above the request and $106,337,000 above the current year appropriation.

This appropriation supports the Executive Office of 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 recommendation includes a total of $93,185,000 for pay and inflationary adjustments and $13,152,000 in program increases.

Project Sentry.—The recommendation includes $9,000,000, 94 attorneys, and 40 workyears to establish a new Federal-State partnership that will identify and prosecute juveniles who violate State and Federal firearms laws, and adults who illegally furnish firearms to them.

Cybercrime and Intellectual Property Enforcement.—The recommendation includes an increase of $2,948,000, 24 positions, and 12 workyears, including 18 attorneys, for a total program level of $6,900,000, for the investigation and prosecution of intellectual property crimes, including software counterfeiting crimes and crimes identified in the No Electronic Theft (NET) Act. The U.S. Attorneys are to vigorously prosecute these violations of Federal copyright law. The U.S. Attorneys shall report to the Committee by April 30, 2002, on the number of copyright prosecutions undertaken in the preceding year, including those under Public Law 105–147, by type and location.

Habeas Corpus Overload.—The recommendation includes $1,204,000, 14 positions, and 7 workyears, including 9 attorneys, to handle the immigration workload generated from an increase in habeas corpus petitions filed by "post-order" detainees.

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 through fiscal year 2003; (2) makes available up to $8,000 to be used for official reception and representation expenses; (3) makes up to $10,000,000 for automated litigation support contracts available until expended; and (4) specifies the number of positions and workyears provided for the United States Attorneys.

UNITED STATES TRUSTEE SYSTEM FUND

The Committee recommendation provides a total of $145,937,000 for the U.S. Trustees for fiscal year 2002, to be entirely funded from offsetting collections and interest on U.S. securities. The amount recommended is $19,940,000 above the current level and $8,107,000 below the request. The Committee notes that any amounts collected or otherwise available in excess of the recommended level are subject to the reprogramming requirements outlined in section 605 of this Act.

The U.S. Trustees 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.

The recommendation includes $9,003,000 for pay and inflationary adjustments and $10,937,000 for program increases, including:

Abuse Litigation.—The recommendation includes $4,615,000, 76 positions, and 38 workyears, including 24 attorneys, to identify the number of debtors abusing the bankruptcy system. This initiative will target those who file for Chapter 7 bankruptcy but may have the income to sustain a Chapter 13 repayment plan.

Caseload Increase.—The recommendation provides an increase of $3,700,000, 55 positions, and 28 workyears, including 15 attorneys, to process the significant increase in bankruptcy filings. The Department of Justice estimates that by 2002 filings will increase by 24 percent over 2001.

Automation.—The recommendation includes an increase of $1,322,000 for automation hardware and software upgrades. The recommendation does not include an additional $6,000,000 requested for various automation projects. The Department of Justice should consider funding these projects through the unobligated balances transferred to the Working Capital Fund.

Bankruptcy Fraud.—The recommendation provides an increase of $1,000,000, 12 attorneys, and 6 workyears for a bankruptcy fraud team that will assist the U.S. Attorneys and the FBI in investigating bankruptcy fraud.

Physical Security.—The recommendation includes an increase of $300,000 to install 100 duress alarms in rooms where employees meet with creditors and debtors.

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 $145,937,000 in offsetting collections to be retained and used for necessary expenses in this appropriation; and (3) reduces appropriated funds as such offsetting collections are collected.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The Committee recommends $1,136,000 for the Foreign Claims Settlement Commission for fiscal year 2002. This amount is $6,000 above the request and $31,000 above the current year appropriation.

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 $622,646,000 for the United States Marshals Service (USMS) salaries and expenses for fiscal year 2002. This amount represents increases of $51,211,000 above the level for fiscal year 2001 and $2,828,000 above the request.

The recommendation includes a net increase of $35,631,000 in base adjustments, as follows: a $44,269,000 increase for pay and inflationary adjustments, partially offset by decreases of $8,638,000 for one-time equipment purchases and lease expirations. In addition, the recommendation provides program increases for the following:

Security at New and Expanded Courthouses.—An increase of $9,394,000 is provided for security at new and expanded courthouses anticipated to open in 2002, including $3,625,000 for security staffing and $5,769,000 for equipment. This amount provides the full amount requested for this activity based on the schedule

for courthouse openings submitted in the budget. The Committee notes that in previous years slippages have often occurred in this schedule. Therefore, the Committee directs the USMS to provide the Committee a revised schedule and spending plan for the use of these funds no later than November 1, 2001. Should slippages occur in the schedule, the Committee expects the revised plan to devote these excess resources to address additional workload requirements, particularly along the Southwest Border.

D.C. Revitalization.—Additional funding of $2,728,000 is provided as requested to support the anticipated workload increases as a result of the National Capital Revitalization and Self Government Act of 1997, and the mandated closure of the Lorton, VA, prison complex by December 31, 2001.

Movement of U.S. Prisoners.—An increase of $3,458,000 is provided as requested to accommodate the estimated increase in prisoner air movements to 56,371, compared to 51,540 in fiscal year 2001. The use of the Joint Prisoner Alien Transportation System (JPATS) continues to be a critical tool in the safe, efficient, and cost-effective movement of USMS detainees and sentenced prisoners, prisoners that require medical attention, and high threat prisoners requiring additional security.

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.

The Committee also recommends bill language, similar to that included in previous Appropriations Acts, which (1) allows for the acquisition of motor vehicles for police-type use without regard to the general purchase price limitation; (2) allows up to $6,000 to be used for official reception and representation expenses; and (3) makes up to $4,000,000 for development, implementation, maintenance and support, and training for an automated prisoner information system available until expended. In addition, language proposed for deletion is retained which specifies the number of positions and workyears provided for the USMS.

CONSTRUCTION, UNITED STATES MARSHALS SERVICE

The Committee recommendation includes $6,628,000 for USMS construction, $11,460,000 below the amount of the current year appropriation and $7,000 above the request. This account was created in fiscal year 1999 when responsibility for the construction of prisoner holding facilities for USMS was transferred from BOP. The Committee expects USMS to use this funding to undertake renovation projects which address the highest priority security needs identified.

FEDERAL PRISONER DETENTION

The Committee recommendation includes $724,682,000 for the Federal Prisoner Detention account for fiscal year 2002, which is $128,594,000 above the level provided in the current year appropriation and the full amount requested. 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 includes the amount of funding necessary to detain the current average population, adjusted for anticipated increases in jail day costs, as well as to allow for additional growth in the detainee population. This amount will enable the USMS to house detainees for a total of 10,603,381 non-Federal jail days, an 11 percent increase over fiscal year 2001, and equates to an average non-Federal daily prisoner population of 29,050.

FEES AND EXPENSES OF WITNESSES

The Committee recommends $148,494,000 for Fees and Expenses of Witnesses for fiscal year 2002, $22,921,000 above the amount provided for the current year appropriation and $7,651,000 below the request. This appropriation, which is considered mandatory for scorekeeping purposes, 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. Funds are also used to provide private counsel to pay certain legal expenses of Federal employees.

The Committee also recommends bill language, included in previous Appropriations Acts, which allows: (1) up to $6,000,000 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 $5,000,000 that may be made available for installation and operation of a secure automated network.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

The Committee recommends $9,269,000 for the Community Relations Service for fiscal year 2002, the same as the request and $813,000 above the current year appropriation. This level will fund pay and inflationary base adjustments. In addition, the recommendation includes a provision that allows the Attorney General to transfer $1,000,000 from funds made available to the Department of Justice to this account, thereby allowing for a total funding level of $10,269,000.

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 Committee recommends bill language, identical to that included in previous years, which allows the Attorney General to provide additional resources for the Community Relations Service, if emergent circumstances exist, through the transfer of funds from other Department of Justice programs, and subject to the requirements of section 605 of this Act.

ASSETS FORFEITURE FUND

The Committee recommends $21,949,000 for the Assets Forfeiture Fund for fiscal year 2002, which is $1,000,000 below the amount requested and the level provided in the current year appropriation.

This account provides funds for additional investigative expenses of the FBI, DEA, INS and USMS, such as purchase of evidence, equipping of conveyances, and investigative expenses leading to seizure. Funds for these activities are provided from receipts in the

Assets Forfeiture Fund resulting from the forfeiture of assets. Expenses related to the management and disposal of assets are also provided from these receipts in the Assets Forfeiture Fund by a permanent indefinite appropriation.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

The Committee recommends $1,996,000 for fiscal year 2002, the full amount requested and the same level provided in the current year appropriation, for the expenses of the Civil Division necessary to handle claims and litigation arising from the Radiation Exposure Compensation Act (RECA) of 1990, as amended.

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 RECA.

PAYMENT TO THE RADIATION EXPOSURE COMPENSATION TRUST FUND

The Committee recommends $10,776,000 for fiscal year 2002, to make payments to individuals who qualify under the Radiation Exposure Compensation Act. This is the same level as the request and the current year appropriation.

The Committee also recommends bill language, identical to that included last year, to limit compensation payments to claims covered by RECA as in effect on June 1, 2000.

The Committee is aware that over $200,000,000 is required in fiscal year 2002 to cover approximately 1,767 awards. The Committee strongly encourages the Administration to work with the appropriate authorizing committees to develop other funding options for the payment of these claims.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The Committee recommends $340,189,000 for Interagency Crime and Drug Enforcement for fiscal year 2002, an increase of $15,008,000 above the current year appropriation and $2,083,000 above the request, to provide for inflationary increases for Department of Justice agencies' participation in this program.

The Interagency Crime and Drug Enforcement (ICDE) program was created in 1982 to ensure a coordinated, multi-agency approach to attacking and dismantling high-level drug enterprises. Through its nine regional Task Forces, the ICDE program utilizes the combined resources and expertise of its 11 Federal agency members, in cooperation with State and local investigators and prosecutors, to target and destroy major narcotics trafficking and money laundering organizations. Amounts provided in the accompanying bill are to reimburse Department of Justice components for their costs to participate in ICDE task forces; additional funding for non-Justice Department agencies' participation in ICDE is provided in other Appropriations Acts.

The recommendation includes funding for the DOJ components as follows:

REIMBURSEMENTS BY AGENCY

	FTE	$(000)
DEA	1,000	$112,073
FBI	912	116,144
INS	117	16,199
Marshals	13	2,098
US Attorneys	887	89,623
Criminal Division	6	851
Tax Division	14	1,441
Administrative Office	12	1,760
Total	2,961	340,189

The Committee recommends bill language, similar to that included in previous Appropriations Acts, which: (1) allows for intergovernmental agreements with State and local law enforcement agencies; (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, subject to the reprogramming procedures described in Section 605 of this Act.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

The Committee recommends total budget authority of $3,491,073,000 for the FBI salaries and expenses account for fiscal year 2002. This amount is $14,786,000 below the request and $262,591,000 above the level provided for fiscal year 2001.

The Committee recommends an increase of $122,348,000 in adjustments to base. The Committee has provided the full amount for base adjustments to support the FBI's current staffing and operating level as reflected in the budget request.

The Committee is highly concerned about the recent and recurring problems plaguing the FBI, including the Hanssen espionage case that went undetected by the FBI for at least 15 years; the problems in turning over all the evidence in the McVeigh case; and reports that an agent has been selling secret documents for more than a year to criminal elements and defense attorneys. These severe lapses in security and procedure are particularly troubling, given that this Committee has increased the FBI's budget by more than 32% since 1996. These increases have supported information technology upgrades, more agents, and an expanded presence overseas.

The Committee notes that a number of reviews of the FBI are underway, the latest of which is at the direction of the Attorney General. The Committee commends the Attorney General for his recent action directing that the Department's Strategic Management Council conduct a comprehensive review of the FBI and submit recommendations for reform no later than January 1, 2002. The Committee directs the Strategic Management Council to consult with the Appropriations Committee during its review. The Committee believes that this review will enhance the institutional integrity of the Bureau, and enhance the perception of uncompro-

mising personal integrity of the employees of the world's premier law enforcement entity.

In order to provide on-going oversight, as set forth in the Inspector General report language and in the opening statement of this report, the Office of the Inspector General will now have the authority to conduct investigations into allegations of employee misconduct within the FBI. The Committee fully supports the planned revision to the Department's internal directive issued by the Attorney General, and expects that the FBI will comply with the direction included in that internal order. This expanded authority will enable the Department's Inspector General to investigate allegations of employee misconduct within the FBI.

The Committee continues to be concerned with the FBI's ability to execute its budget within the funding levels appropriated by Congress, and expects to be consulted if any problems should arise in maintaining an adequate level of agents and other personnel necessary to fulfilling the mission of the FBI. The Committee also reminds the FBI that it is awaiting several outstanding reports, and expects the FBI to take every opportunity to provide these reports to the Congress as quickly as possible.

The Committee requests that the new director, once confirmed, submit a comprehensive budget and financial review of the FBI no later than six months after being confirmed.

The Committee recommendation continues to include a provision that identifies the funded position and FTE levels provided in the bill. These staffing levels are consistent with full base funding requested and program increases provided in the Committee recommendation.

The following distribution represents the Committee recommendation:

FBI SALARIES AND EXPENSES

[In thousands of dollars]

Activity	Pos.	FTE	Amount
Criminal, Security and Other Investigations:			
Organized Criminal Enterprises	3,778	3,787	$467,246
White Collar Crime	4,164	4,068	497,066
Other Field Programs	10,362	10,130	1,449,170
Subtotal	18,304	17,985	2,413,482
Law Enforcement Support:			
Training, Recruitment, and Applicants	1,017	987	124,383
Forensic Services	730	697	138,195
Information, Management, Automation & Telecommunications	553	554	243,168
Technical Field Support & Services	260	242	150,710
Criminal Justice Services	2,010	2,021	210,354
Subtotal	4,570	4,501	866,810
Program Direction: Management and Administration	2,061	2,002	210,781
Total, Direct Appropriations	24,935	24,488	$3,491,073

The Committee reminds the FBI that changes in this distribution are subject to the reprogramming requirements in section 605 of this Act.

The Committee recommends program increases totaling $140,243,000, as follows:

Trilogy.—Trilogy, the FBI's information technology upgrade plan, will be implemented at all field offices, the Quantico, VA facilities, Clarksburg, WV, the FBI Headquarters building in Washington, D.C., and all Legal Attache Offices. The recommendation for Trilogy includes an increase of $67,660,000, as requested, for the second year of this three-year implementation plan. When combined with $100,700,000 in base and prior year funding, a total of $168,360,000 will be available to continue this program in fiscal year 2002. The Committee notes that the FBI submitted a revised strategy for this initiative in September, 2000, and that this plan was approved in that form by the Committee. The Bureau is again directed to continue to provide quarterly status reports to the Committee on implementation of this plan, including funding obligations. Any proposed changes to the plan as agreed upon must be reviewed with the Committee.

Information Technology Report.—As requested in fiscal year 2001, the Committee requests that the FBI provide an updated information technology report, to include: a complete listing of all information technology projects; the stage of each project's development and deployment; base funding for each project, to include all sources of funding; the fiscal year 2001 and 2002 funding level of each project; and the outyear cost projections for each project, including recurring requirements for operations and maintenance of these systems. This report is to be submitted no later than January 1, 2002.

Counterterrorism Initiative.—The recommendation includes $24,082,000 in increases for FBI's Counterterrorism needs, including $12,302,000 for the FBI's participation in the 2002 Salt Lake City Winter Olympics and $11,780,000 for the FBI's Incident Response Readiness program. The Committee directs the FBI to continue to coordinate its Counterterrorism activities with appropriate local, State, Federal and foreign entities.

Cybercrime Initiative.—Increases of $17,224,000 are provided for the FBI's cybercrime activities. When combined with $91,398,000 in base resources, a total of $108,642,000 is available to the FBI to address the growing threat of cybercrime. Funds are also provided under the U.S. Attorneys and other areas of this bill to address cybercrime. The Attorney General is directed to formulate a coordinated approach to preventing, detecting, and successfully prosecuting instances of cybercrime, and to submit a report by January 4, 2002, detailing its activities and successes in detecting and prosecuting criminals involved in cybercrime. This report is to include an update on the FBI's Innocent Images National Initiative, the Internet Fraud Complaint Center, and cybercrimes involving intellectual property rights.

Quantico, VA Laboratory Activation Costs.—The recommendation assumes a transfer of $25,073,000 from the Working Capital Fund, as requested, to meet one-time costs associated with the activation of the FBI's new lab at Quantico. Another $14,135,000 is provided for costs associated with decommissioning the old lab in the FBI headquarters building.

Counterintelligence Initiative.—The recommendation includes an increase of $31,277,000, 182 positions, and 91 FTE, the full amount

requested, for a counterintelligence initiative to allow the FBI to more effectively address foreign intelligence threats on an ongoing basis.

The Committee is aware of the FBI's efforts through the Jewelry and Gem (JAG) program to establish multi-agency task forces to address the increased incidents of violent crimes against jewelry vendors, and encourages the FBI to continue to devote appropriate resources to disrupting these criminal enterprises. The Committee also encourages the Bureau to continue to make technological improvements in its audio intelligence and forensics capabilities.

The Committee also includes bill language, similar to that included in previous Appropriations Acts, which provides: (1) for purchase of not to exceed 1,236 passenger vehicles, of which 1,142 will be for replacement only, 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 automated data processing, telecommunications and technical equipment, and up to $1,000,000 for undercover operations to remain available until September 30, 2003; (4) not less than $448,467,000 for counterterrorism investigations, foreign counterintelligence, and national security activities; (5) up to $10,000,000 to reimburse State and local police for assistance related to violent crime, terrorism and drug investigations; and (6) up to $45,000 for official reception and representation expenses. In addition, bill language is included, as carried in prior fiscal years, setting forth certain authorities. Bill language is deleted as requested which prohibits funds from being used to provide ballistics equipment to State or local entities that have received similar equipment from other Federal agencies.

CONSTRUCTION

The Committee recommendation includes $1,250,000 for FBI construction, which is the same amount as requested and $15,400,000 below the current year appropriation.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends total budget authority of $1,543,083,000 for the DEA Salaries and Expenses account for fiscal year 2002, of which $67,000,000 is derived from the Diversion Control Fund, resulting in a direct appropriation of $1,476,083,000. The recommendation is $99,414,000 above the fiscal year 2001 level and $4,846,000 below the request.

The recommended level provides for a net increase of $68,213,000 for pay and inflationary costs to maintain the current operating level. Of this amount, increases totaling $73,532,000 are provided, offset by a reduction of $5,319,000 for General Services Administration rent decreases. Base adjustments include the total amount requested to adjust for the DEA rent "shortfall." The Committee remains concerned that the DEA has opened a number of offices around the country with no clear, standard criteria for opening offices, and is still awaiting the DEA's criteria for opening new offices. DEA will recall that it received approval from the Committee, after the fact, to open these offices and begin incurring rent costs,

and that this approval was predicated on the agreement that DEA would develop and submit criteria for opening offices in the future. To that end, the DEA is directed to submit, by July 30, 2001, their criteria for when a new office opening is justified. The DEA is expected to consult with the Committee in developing these criteria.

Further, the Committee approves, with two minor modifications, the FY 2001 reprogramming received in June 2001, which includes a number of mostly technical corrections to DEA's budget. The Committee understands that the reprogramming will provide a more accurate accounting of DEA's present costs by decision unit, and that the vast majority of the changes proposed in the reprogramming are simply administrative in nature, and that this reprogramming does not change what DEA employees do, or their organizational or geographic assignments. The Committee commends the DEA for taking this step to accurately account for its funding, and to address the Committee's previously expressed concerns about DEA's inattention to its reprogramming and fiscal responsibilities.

In addition, the Committee recommends $47,560,000 for program enhancements. The following table represents funding provided under this account:

DEA SALARIES AND EXPENSES

[In thousands of dollars]

Activity	Pos.	FTE	Amount
Enforcement:			
Domestic Enforcement	2,092	2,044	$429,401
Foreign Cooperative Investigations	633	600	193,275
Drug and Chemical Diversion	165	165	18,961
State and Local Task Forces	1,699	1,696	244,385
Subtotal	4,589	4,505	886,022
Investigative Support:			
Intelligence	952	968	119,719
Laboratory Services	452	415	60,674
Training	99	98	24,754
RETO	587	567	121,870
ADP	125	121	159,044
Subtotal	2,215	2,169	486,061
Management and Administration	850	841	104,000
Total, DEA	7,654	7,515	1,476,083

DEA is reminded that any deviation from the above distribution is subject to the reprogramming requirements of section 605 of this Act.

The Committee recommends the following program increases:

Special Operations Division.—The Committee recommends $15,056,000, 62 positions and 32 FTE, including 13 special agents, within Domestic Enforcement for the Special Operations Division (SOD) to expand support for critical enhancements for drug enforcement investigations associated with the Southwest Border Initiative, Latin America, the Caribbean, Europe and Asia.

FIREBIRD Implementation.—FIREBIRD, DEA's primary office automation system, supports agency operations by providing crit-

ical investigative, operational and administrative tools to DEA personnel. To continue deployment and upgrades to DEA's FIREBIRD system, $19,400,000, 3 positions and 2 FTE are provided for FIREBIRD implementation. Of this amount, $2,500,000 is for deployment; $15,000,000 is for technology renewal; and $1,900,000 is for network security. The DEA is directed to submit an updated implementation and maintenance plan to the Committee by December 14, 2001. The DEA is directed to consult with the Committee prior to beginning this report.

Laboratory Operations.—The Committee recommends $13,104,000, 69 positions and 35 FTE including 46 chemists, to meet critical requirements within the Laboratory Services Program. The DEA is directed to submit a plan for distribution of this funding by December 14, 2001.

In order to ensure that DEA does not exceed its funded staffing level, the Committee recommendation continues to include a provision, as with the FBI and the INS, that identifies the funded position and FTE levels provided in the bill. These staffing levels are consistent with full base funding requested and program increases provided in the Committee recommendation.

Caribbean Initiative.—The Committee notes that significant additional resources have been provided to DEA, the FBI, and INS since fiscal year 1997 to augment activities in Puerto Rico, the Caribbean, and South Florida. The Committee earlier directed the Attorney General to provide a report, in consultation with the Secretaries of Treasury and Transportation, to the Committee on the status of the implementation of the enhancements that have been provided in prior fiscal years and outline any additional requirements necessary to address the flow of drugs coming through the Caribbean. The Committee directs that this report be submitted to the Committee by January 31, 2002. The Committee also reminds the DEA that it is awaiting several outstanding reports, and expects the DEA to take every opportunity to provide these reports to the Congress as quickly as possible.

The Committee directs that DEA continue to provide quarterly reports on the investigative workhours and funding, by type, within major source and transit countries, including the Caribbean, delineated by country and function.

Methamphetamines.—The Committee is concerned with the growing problem of Ecstasy and methamphetamine use in communities, particularly rural communities, throughout the United States. The Committee does not feel that the Department of Justice has developed an adequate, coordinated strategy to reduce and eliminate the use of these highly addictive drugs. Therefore, the Attorney General and DEA are directed to develop a coordinated strategy to address this escalating problem, and submit a report to the Committee no later than six months following the confirmation of the new Administrator of DEA.

OxyContin.—The Committee is concerned with the recent flourish of abuse and illicit availability of the prescription drug OxyContin throughout rural America, particularly in Southern and Eastern Kentucky and Virginia. The Committee notes that over 100 confirmed OxyContin overdose deaths have occurred in Kentucky and Virginia alone within the last year, and that state and local law enforcement agencies there are struggling with how to ef-

fectively combat this epidemic. Though the Committee commends the DEA for their public awareness campaign, and their continued outreach and negotiations with the manufacturer, the Committee is disappointed with the lack of attention paid to assisting law enforcement agencies at the local level, and feels DEA should redouble their efforts in this regard. In addition, as with methamphetamines and Ecstasy, the Committee is equally concerned that the Department has not implemented a coordinated strategy to reduce the illegal use and distribution of this powerful substance. Therefore, the Committee directs DEA to submit a report no later than November 1, 2001, which outlines a coordination strategy and distribution of resources for tackling the OxyContin problem, with particular attention to the unique circumstances facing rural law enforcement agencies throughout the country.

High Intensity Drug Trafficking Areas (HIDTA).—The Committee expects DEA to continue its participation in the High Intensity Drug Trafficking Areas, particularly those operating in the Midwest, to combat the influx of methamphetamines. Further, the Committee expects DEA to continue its support of State and Local Task Forces, and directs DEA to submit a report by January 4, 2002, outlining the successes of this program and suggesting areas for improvement and greater coordination. The DEA is expected to consult with its State and local partners in developing this report.

Drug Diversion Control Fee Account.—The recommendation includes $67,000,000 for DEA's Drug Diversion Control Program for fiscal year 2002, the full amount requested. The recommendation provides an increase of $2,478,000 for adjustments to base. The recommendation assumes that the level of balances in the Fee Account are sufficient to fully support diversion control programs in fiscal year 2002. As was the case in previous fiscal years, no funds are provided in the DEA salaries and expenses appropriation for this account in fiscal year 2002.

The Drug Diversion Control Program is responsible for control of diversion, distribution, manufacture and abuse of legitimate pharmaceuticals. DEA annually registers in excess of 900,000 drug handlers, of which over 1,670 are manufacturers, distributors, importers, exporters, and others handling large volumes of controlled substances. These registrants pay fees, which fully support the cost of this program.

The Committee also recommends bill language, similar to that included in previous Appropriations Acts, which provides: (1) up to $70,000 for unforeseen emergencies; (2) for expenses for drug education and training programs; (3) for 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 $10,000,000 for automated data processing and telecommunications, up to $2,000,000 for laboratory equipment, $4,000,000 for technical equipment, and $2,000,000 for aircraft replacement parts to remain available until September 30, 2003; and (6) up to $50,000 for official reception and representation expenses. In addition, language is continued which specifies the number of positions and workyears provided to DEA.

CONSTRUCTION

The Committee directs the DEA to submit a report by December 14, 2001 on the status of laboratory construction and renovation projects around the country.

IMMIGRATION AND NATURALIZATION SERVICE

The Committee recommends total new spending authority of $5,640,504,000 for the INS for fiscal year 2002. This includes a direct appropriation of $3,371,440,000 for salaries and expenses, which is $252,441,000 above the fiscal year 2001 level and $16,561,000 below the request. Also included in the total amount provided for new spending authority is $2,140,610,000 in anticipated fee collections and estimated carryover, which is $591,130,000 above the current year level and $146,669,000 above the amount requested. For construction, $128,454,000 is provided, which is $4,555,000 less than the amount provided in fiscal year 2001 and $44,000 above the request.

SALARIES AND EXPENSES

This year the Committee has once again devoted considerable resources to the INS. For this support, the Committee expects a return on investment that will be greater than what it has received in the past from the INS. The Committee understands that it is the intention of the Administration to submit legislation to reorganize the INS. The Committee urges the Administration to submit this legislation as soon as possible as reorganization of the INS remains one of this Committee's highest priorities.

The Committee is also concerned about how the INS is enforcing Section 212 of the Immigration and Nationality Act of 1952, as amended. This section pertains to the general classes of aliens ineligible to receive visas. The Committee is particularly concerned with people who are granted entrance into the United States who may have been foreign intelligence operatives against the United States; who have been or are involved in trafficking in persons; or who are foreign government officials who have engaged in particularly severe violations of human rights or religious freedom. The INS, in cooperation with the State Department's Bureau of Consular Affairs, is directed to submit a report by December 20, 2001, describing its efforts to enforce the provisions of Section 212.

The Committee also reminds the INS that it is awaiting several outstanding reports, and expects the INS to take every opportunity to provide these reports to the Congress as quickly as possible.

Backlogs in Naturalization and Other Benefits Applications Cases.—As in previous years, numerous Members of Congress and their constituents continue to have complaints about the lack of attentiveness to their requests for better service and enforcement. As a result, Members have requested either additional resources in the nearest INS office, the opening of new INS offices to deal with backlogs, or the upgrade of existing offices. Among the many complaints the Committee has received, Members have reported serious problems in the following areas: Northern Virginia; New York, New York; Bronx, New York; Sioux City, Iowa; Nashville, Tennessee; and Northern New Jersey. Many Members of Congress report that their district offices serve as "satellite" INS offices. This

situation is unacceptable and will not be tolerated any longer. The Committee continues to believe that additional resources or upgrading additional offices will not provide relief from poor service, lack of enforcement and mismanagement, and that management improvements need to be made immediately.

Enforcement and Border Affairs.—The Committee recommends $2,738,517,000 for Enforcement and Border Affairs. The account provides for activities related to inspections, border patrol, investigations, detention and deportation, and intelligence. This amount is $1,176,000 above the request and $197,064,000 above the fiscal year 2001 level. Of this amount, a net increase of $87,824,000 is provided for adjustments to base. Program increases are described below.

Border Patrol Agents.—To continue to ensure a safe and secure border, $66,352,000, 570 positions and 143 FTE are included for new border patrol agents. Should the INS be unable to hire up to the full amount, the INS is directed to consult with the Committee to determine how to reallocate funding provided for these additional 570 Border Patrol agents. The INS is reminded of the reprogramming obligations as set forth under Section 605 of this Act. While some increased level of border control is being witnessed on parts of the Southwest Border, namely in San Diego, as a result of the doubling of border patrol agents and technology in this region, the problem has shifted to other areas along the Southwest Border. In addition, the Committee remains concerned about the continued problem along the Northern Border. The Committee expects INS to submit a deployment plan to the Committee for the new agents provided, and expects the plan to pay particular attention to the needs along the Northern Border and areas along the Southwest Border experiencing the influx of illegal aliens due to operations along other parts of the border. The INS is also directed to provide the Committee with quarterly status reports on border patrol hiring, with the first such report due no later than January 15, 2002.

Quick Response Teams (QRTs).—In addition to this funding for border enforcement needs, the Committee is providing an additional $3,500,000 to establish three QRTs in New Jersey. The INS is directed to consult with the Committee regarding the establishment of these task forces. The Committee notes that from October through December 2000, the INS received 2,532 requests for assistance from state and local law enforcement, the largest number of requests received by the QRTs in any given quarter to date. In addition, these QRTs made 2,246 arrests and 1,214 of those arrested were voluntarily returned to their countries of citizenship. Further, the average response time was less then three hours. The INS is directed to continue submitting its quarterly reports on the status of QRT response rates and apprehensions.

The Committee recommendation continues to provide $30,737,000 of base resources for information resource management for border patrol equipment and technology. Of this amount, the Committee recommendation assumes no more than $5,000,000 for procurement of additional infrared night vision scopes and other equipment needs normally funded under this account.

The Committee is extremely frustrated and disappointed with the INS lack of responsiveness to Congress, especially as it relates

to the Tucson Border Patrol Sector in Arizona. The illegal immigration problem in the Tucson Sector is severe and demands immediate attention. As a result of the INS failing to comply or give proper explanation of numerous matters in the Tucson Sector, the Committee is requiring that the INS provide monthly expenditure reports from the Tucson Sector in order to allow more thorough oversight of the activities in this sector. The INS is directed to consult with the Committee to determine the expenditures that will be included in these reports. Further, the Committee is concerned with INS compliance with bill language that has been included for the last three fiscal years prohibiting the Tucson Sector from using funding to establish a permanent checkpoint. Bill language states that no funds shall be available for the site acquisition, design, or construction of any Border Patrol checkpoint in the Tucson sector. The INS is reminded that it must not operate a checkpoint at the same location for seven consecutive days during a 14 day period in the Tucson Sector. The Committee also directs the Tucson Sector to implement the negotiations that were directed to be completed last year to relocate Tucson Sector helicopter operations to Sierra Vista, Arizona.

The Committee continues bill language carried in previous Acts requiring that the San Clemente and Temecula checkpoints be fully operational on a continuous 24-hour basis.

Detention and Removals.—To support additional detention beds requested under the Breached Bond/Detention Fund, $20,309,000 and 116 positions are provided for additional staffing. Another $1,873,000 is provided for 40 additional vans and 7 buses for transportation of detainees. To accommodate expected increases in detainee transportation needs, $8,796,000 is provided for additional JPATS movements. In addition, $8,672,000 is provided for additional costs associated with providing medical care to detainees. Finally, $2,653,000 is provided to enable the INS legal proceedings program to assist the U.S. Attorney's Office and the Office of Immigration Litigation in immigration-related matters arising in Federal courts.

IDENT/IAFIS.—The Committee recommendation assumes $27,000,000 from the Working Capital Fund for continued deployment and integration needs of the IDENT/IAFIS systems. This funding will provide for the continued development and deployment of the ten-print workstation and a ten-print fingerprint file within IAFIS to support INS apprehension data; and the planning and design of the interface between INS' Enforcement Case Tracking System (ENFORCE) and the integrated IDENT/IAFIS system. The Committee directs the Justice Management Division (JMD) to consult with the Committee prior to the obligation of any of these funds. The Committee expects JMD to continue managing this program and directs the Department to report on the progress of this planned intergration.

Citizenship and Benefits, Immigration Support and Program Resources.—The Committee recommends $632,923,000, which is $55,377,000 above the current fiscal year and $17,737,000 below the request. Of this amount, $7,462,000 is provided for adjustments to base as requested. In addition, the recommendation includes an increase of $45,000,000 as requested, plus $35,000,000 in base

funds and $20,000,000 in fees, to continue the naturalization and other applications backlog reduction initiative.

The Committee has provided significant resources to the INS over the last three years—over $517 million—to address the naturalization backlog and to improve the integrity of the naturalization process, based upon INS' representation that it would achieve certain results. This funding is in addition to the fees that the INS collects to process immigration applications. Despite the Committee's continued concerns, once again the recommendation provides additional resources to the INS to address both the naturalization backlog and other immigration benefits applications backlogs. The Committee expects the INS to improve the services as promised, and directs the INS to continue to provide monthly reports to the Committee on the status of processing of naturalization, adjustment of status, and all other immigration benefits applications. Finally, the INS is asked to undertake as many naturalization ceremonies as possible on or near the 4th of July.

OFFSETTING FEE COLLECTIONS

The Committee recommendation assumes a total of $2,140,610,000 in offsetting fee collections, an increase of $591,130,000 from the current year and $146,669,000 above the request, to support activities related to the legal admission of persons into the United States. These activities are supported primarily by fees paid by persons who are either traveling internationally or applying for immigration benefits. The Committee notes that the fiscal year 2002 budget request proposed new or expanded fees to support a number of initiatives, including an increase in the fee charged certain airline passengers, and the lifting of the fee exemption for cruise ship passengers. The Committee adopts the recommendation for increasing the current airline passenger user fee from $6 to $7, and for lifting the current cruise ship fee exemption and charging $3 per passenger. The following levels are recommended:

Immigration Inspections User Fees.—Increases recommended under this account will be supported from the requested changes in the current fee structure. The Committee notes that a number of airports around the country are short of inspections personnel and expects that this fee increase will enable the INS to meet increasing staffing demands and meet the mandated 45 minute inspection timeframe at all airports. The Committee notes that the INS is about to undertake a study on the user fee program; prior to beginning this study or obligating any funds, the INS is directed to consult with the Committee. The Committee recommendation assumes $591,866,000 of spending from offsetting collections in this account, an increase of $97,482,000 above fiscal year 2001 and the same amount requested. For airport inspections, the recommendation includes adjustments to base as requested, plus 283 positions and 142 workyears for additional Immigration Inspectors at new and renovated airport terminals, as well as at high growth airports. The INS is expected to consult with the Committee prior to the deployment of these new positions. Other increases provided under this account include $4,510,000, 60 positions and 30 workyears for additional inspectors to enable the INS to analyze traveler information in advance of plane arrivals; $4,144,000 for

additional inspection assistants and clerks to perform ancillary inspection functions at medium and large airports; $6,512,000, 15 positions and 8 workyears for 7 detention enforcement officers, 3 deportation officers, 5 docket clerks, and 200 additional detention beds; and $14,370,000 to begin implementation of an automated entry/exit system at airports as mandated in the INS Data Management Improvement Act of 2000. This Act requires the development of an integrated entry and exit data system that would use available data to record alien arrivals and departures in an electronic format. Another $6,425,000 is provided for the National Automated Lookout System, an expansion of the Inspections Traveler Examination, and for purchase of additional Live Scan Devices that will send electronic fingerprint submissions to the FBI's Integrated Automated Fingerprint Identification System. Prior to the obligation of any of these additional funds, the INS is directed to submit a complete and detailed implementation plan for how these funds will be used. An additional $6,300,000 is also provided from increased fees to improve the Carrier Consultant Program. The INS is directed to ensure that its fee working group be consulted in the development of this enhanced program. To provide INS with adequate resources to address the expected increase in international travel as a result of the 2002 Salt Lake City Winter Olympics, $1,000,000 is provided for overtime and other needs associated with this event. For seaport inspections, $4,153,000 is provided for 54 positions and 27 workyears for additional inspectors. Another $2,273,000 is provided for passenger analysis units to analyze passengers in advance to identify inadmissible aliens. As for airport inspections, this allowance provides $1,069,000 for 25 positions and 12 workyears for additional inspection assistants. This increase will enable inspectors to devote their time exclusively to conducting inspections. Finally, $5,545,000 is provided for information technology initiatives. As in the airport inspection program, the INS is directed to consult with its fee user group to develop an implementation strategy for these technology programs prior to the obligation of any of these funds. The Committee notes that the INS must partner with the affected industries in order to ensure that these investments are used in a manner so as to achieve the highest return on investment.

Immigration Examinations Fees.—The Committee recommendation assumes $1,376,871,000 to support the adjudication of applications for immigration benefits to be derived from fees collected from persons applying for immigration benefits. This represents an increase of $407,020,000 above fiscal year 2001 spending on these activities and $118,783,000 above the request. This amount represents the expected increases from the Legal Immigration Family Equity Act (LIFE Act), Public Law 106–553, and the LIFE Act Amendments, Public Law 106–554, including extension of section 245(i) of the Immigration and Nationality Act. INS estimates that an additional 2,300,000 applications/petitions will be filed under the LIFE Act in fiscal year 2001, and upwards of 1,200,000 will be filed in fiscal year 2002. These amounts are in addition to the nearly 6,000,000 applications/petitions filed in fiscal year 2000. This funding, in addition to the funding provided in direct appropriations, will enable the INS to attain a six-month processing time in less than five years. The INS is also expected to provide no less

than $43,000,000 for the telephone customer service center and no less than $7,200,000 for the indexing and conversion of INS microfilm images.

Land Border Inspections Fees.—The Committee recommendation assumes $2,944,000 in spending from the Land Border Inspection Fund, an increase of $1,274,000 above the current year and $1,230,000 above the request. The current revenues generated in this account are from Dedicated Commuter Lanes in Blaine and Port Roberts, Washington; Detroit Tunnel and Ambassador Bridge, Michigan; and Otay Mesa, California; and Automated Permit Ports which provide pre-screened local border residents border crossing privileges by means of automated inspections.

Breached Bond/Detention Fund.—The recommendation assumes $139,935,000 in spending for detention of illegal aliens from the Immigration Breached Bond/Detention Fund in fiscal year 2002, an increase of $59,335,000 above the fiscal year 2001 level and $19,172,000 above the request. The allowance assumes increased receipts resulting from the temporary reinstatement of section 245(i). Of these increased receipts, $38,517,000 will be used to fund an additional 1,407 detention beds, and another $1,483,000 will fund vehicles to transport the increased number of detainees. Carryover balances from 245(i) fees collected in prior years remain in this account for expenditure in fiscal year 2002.

Resources available in this Fund are derived from the recovery of breached cash and surety bonds in excess of $8,000,000, which are deposited in the Fund as offsetting collections. In addition, resources are also available in this account from a portion of fees charged under section 245(i) of the Immigration and Nationality Act, which initially expired on January 14, 1998.

H–1B Fees.—The recommendation includes $16,000,000 to process H–1B visas. This amount assumes the proposed spending increase of $13,192,000 in this account as a result of Public Law 106–313, the American Competitiveness in the 21st Century Act of 2000 and fiscal year 2000 carryover. The H–1B is a temporary visa category for non-immigrant, highly skilled workers. The Committee understands that the increased revenues in this account will be used to hire term employees, to augment the Service Center's overtime budgets, and to provide enhancements and improvements to the Computer Linked Application Information Management System, or CLAIMS 3.

Other.—The Committee has again included provisions that limit the level of staffing for the INS Offices of Congressional and Public Affairs. This limitation is not to affect the level of staffing dedicated to casework. In addition, the recommendation continues the limitation on the number of non-career employees at not to exceed four employees.

The Committee also recommends bill language, similar to that included in previous Appropriations Acts, which provides: (1) up to $50,000 to meet unforeseen emergencies of a confidential nature; (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; (4) for research up to $400,000 to be available until expended; (5) up to $10,000,000 for basic officer training; (6) up to $5,000,000 for payments to State and local law enforcement agencies engaged in cooperative activi-

ties related to immigration; (7) up to $5,000,000 to fund or reimburse other Federal agencies for costs associated with the repatriation of smuggled aliens; (8) that up to $30,000 may be paid to individual employees for overtime; (9) up to $5,000 to be used for official reception and representation expenses; (10) that funds in this Act or any other Act may not be used for the continued operation of the San Clemente and Temecula checkpoints unless the checkpoints are open and traffic is being checked on a continuous 24-hour basis; (11) a limit on the level of funding for the Office of Legislative and Public Affairs; (12) a limit on the amount of funding available for non-career positions; (13) direction and authorization for the Attorney General to impose disciplinary actions, including termination of employment, for any INS employee who violates Department policies and procedures relative to granting citizenship or who willfully deceives the Congress or Department leadership on any matter; and (14) separate headings for Enforcement and Border Affairs and Citizenship and Benefits, Immigration Support, and Program Direction. In addition, bill language is included under both headings which specifies the number of positions and FTE available to the INS.

CONSTRUCTION

The Committee recommends $128,454,000 for Construction projects for the Immigration and Naturalization Service for fiscal year 2002, which is $44,000 above the request and $4,555,000 below the amount provided in fiscal year 2001.

Border Control Construction.—Of the amount recommended, $42,728,000 is for planning and construction of the following border patrol facilities to meet space requirements for additional agents on the Southwest Border:

Full Construction Projects:	
Temecula, CA, Border Patrol Station	$6,000,000
El Centro, CA, Border Patrol Station	6,050,000
Chula Vista, CA, Border Patrol Station	9,033,000
Yuma, AZ, Border Sector Headquarters	2,000,000
Alpine, TX, Border Patrol Station	2,692,000
Laredo, TX, Checkpoint System	7,028,000
Brownfield, CA, Lead Mitigation	3,925,000
San Diego, CA, Border Barriers	3,000,000
Southwest Border Infrastructure	3,000,000

The Committee directs that a portion of the funding provided for Southwest Border Infrastructure repairs be directed to the Tucson Sector Border Patrol to repair or replace rural fences along the Mexico/Arizona border. The INS is directed to consult with the Committee prior to beginning this effort, and to provide a report to the Committee by December 15, 2001, on the status of repairing and replacing fences in this area.

Detention Facility Construction.—Of the amount recommended, $31,890,000 is for planning and construction of additional bed space, to address expansion requirements at existing facilities, as follows:

Port Isabel, TX, Service Processing Center	$7,000,000
Krome, FL, Service Processing Center	14,890,000
El Centro, CA, Service Processing Center	3,000,000
El Paso, TX, Service Processing Center	7,000,000

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The Committee recommends a fiscal year 2002 appropriation of $3,830,971,000 for the salaries and expenses of the Federal Prison System, which is $1,534,000 more than requested and $361,799,000 above the current fiscal year. When combined with $15,000,000 of projected carry over from fiscal year 2001, this will provide an operating level of $3,845,971,000.

The Committee recommendation recognizes 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 recommendation provides for requested adjustments to base, including the annualization costs of new prisons activated and additional contract services provided in the fiscal year 2001 appropriation.

Activation of New Prisons.—The Committee includes funding for the activation of new facilities at the medium security facility in Petersburg, VA and the high security prison in Lee County, VA. Also provided is funding for equipment needed for the Glenville, WV Federal Correctional Institution (FCI) and the Canaan, PA United States Prison (USP).

The Committee has been made aware that the Youngstown, OH private prison facility may be able to fulfill some of the needs of the Bureau of Prisons in housing medium security inmates. The Committee directs the Bureau of Prisons (BOP) to conduct a review and submit a report to the Committee on the estimated cost to purchase the facility, and include an estimate on the cost to redesign the facility in order to fulfill the needs of housing medium security inmates. The report is to include estimates on the number of personnel and associated costs necessary to staff the facility. The BOP should compare the potential costs of running this facility with other BOP medium security facilities. This report is to be submitted to the Committee by September 10, 2001.

The recommendation also includes $18,913,000 for an additional 1,500 contract confinement beds to house criminal aliens, and another $38,530,000 for 1,499 additional contract confinement beds to house the general inmate population.

The Committee also supports the expansion of the drug treatment program as requested, as studies have shown that increases in treatment and other such rehabilitative programs can reduce recidivism rates. In addition, the Committee supports the request to establish a multi-faith based prison pre-release pilot program. The Committee directs that a fifth pilot be added, and that it be located at the Petersburg, VA facility. The Committee directs that the Bureau of Prisons, in conjunction with the Attorney General and the Office of Justice Programs, submit a report by April 1, 2002, assessing the implementation of this program. The BOP, in establishing these pilots, should build in baseline measures so as to enable the Department to assess the impact of this program on future recidivism rates.

The Committee also recommends bill language, similar to that included in previous Appropriations Acts, which provides: (1) for the purchase of motor vehicles for police-type use; (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 $20,000,000 for contract confinement expenses for the care and security of Cuban and Haitian entrants; and (7) for the Federal Prison System to enter into contracts and other agreements with private entities for multi-year periods for the confinement of Federal prisoners. The Committee also includes a proposed change in the number of new and replacement automobile purchases, and includes language, as requested, designating an amount to remain available for two years.

BUILDINGS AND FACILITIES

The Committee recommends $813,552,000 for fiscal year 2002 for the construction, modernization, maintenance and repair of prison and detention facilities housing Federal prisoners, which is $19,721,000 below the request and $20,270,000 below the current fiscal year. The amount provided includes the full request for adjustments to base.

The recommendation provides $630,047,000 as requested for facilities with prior funding:

[in thousands of dollars]

USP Western	$147,000
USP South East/Coleman, FL	133,000
FCI South East/SC	106,000
FCI Mid Atlantic	91,047
USP Western	11,500
FCI Butner, NC	11,500
USP Terre Haute, IN	130,000

The Committee also provides $20,000,000 for site and planning for new facilities requested in the budget, including:

Northern Florida (female facility)	$5,000
FCI North Central (female facility)	5,000
FCI South Central	5,000
USP North East/Northern Mid Atlantic	5,000

The Bureau is expected to consult with the Committee with respect to the siting and planning of these facilities.

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 $14,000,000 to construct inmate work areas; (5) for use of prisoner labor; and (6) up to 10 percent of this appropriation to be transferred to the salaries and expenses account.

FEDERAL PRISON INDUSTRIES, INCORPORATED

(LIMITATION ON ADMINISTRATIVE EXPENSES)

The Committee recommends a limitation on administrative expenses of $3,429,000 for Federal Prison Industries, Incorporated, for fiscal year 2002, which is $8,000 above the current limitation and equal to the request.

OFFICE OF JUSTICE PROGRAMS

The Committee recommends a total of $4,333,928,000 in new budget authority for fiscal year 2002 for the various law enforcement assistance programs, juvenile delinquency prevention programs, and research and statistics programs of the Office of Justice Programs (OJP). This amount is $660,932,000 above the request and $323,569,000 below the current year appropriation. Included in these amounts are funds for programs providing assistance to State and local entities, such as the Local Law Enforcement Block Grant program, the State Criminal Alien Assistance Program, the Violence Against Women Grant program, the Byrne Grant program, the Weed and Seed program, Juvenile Justice and Delinquency Prevention programs, and Victims of Child Abuse programs.

JUSTICE ASSISTANCE

The Committee recommends $408,371,000 in direct appropriations for the Justice Assistance program for fiscal year 2002, which is $694,000 above the request and $8,928,000 below the current year appropriation.

The Justice Assistance program provides assistance to States and localities 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. The distribution of funding provided is as follows:

JUSTICE ASSISTANCE

[In thousands of dollars]

	2002 recommendation
National Institute of Justice	$54,879
Bureau of Justice Statistics	32,335
Missing Children	22,997
Regional Information Sharing System	24,945
White Collar Crime Information Center	9,230
Counterterrorism Programs	220,494
Management and Administration	43,491
Total	408,371

National Institute of Justice.—The Committee recommendation provides $54,879,000 for the National Institute of Justice (NIJ) for fiscal year 2002, which is the same as the request and $14,967,000 below the current year appropriation.

NIJ is the nation's primary source of research and development in the field of criminal justice. NIJ fosters innovation in law enforcement technologies and practices, investigative causes and patterns of crime, and informs the public of research and development findings. Within the total funding level provided to NIJ for fiscal year 2002, the following initiatives should continue to be funded:

—National Law Enforcement and Corrections Technology Center system, a network of facilities and capabilities that converts non-lethal defense technology to law enforcement use. The system also provides actual casework assistance when highly specialized technologies are required, as well as help in identifying and locating high quality technologies and equip-

ment for law enforcement use. The current year level is provided for the technology commercialization initiative at the National Technology Transfer Center and for the Center for Rural Law Enforcement Technology and Training.

—DNA Technology Research and Development, a program to develop highly accurate, reliable, economic, quick, and acceptable DNA testing approaches.

—Facial Recognition, a project to locate and identify missing and exploited children, eradicate child pornography from the Internet, and conduct subject identification from video images in support of law enforcement agencies.

—High Intensity Drug Trafficking Areas, a project to develop information technology applications for these areas.

—Kitsap County Medical Examiner's Office, a grant to assist in the development of a new death investigation module for the FBI's ViCAP system.

Bureau of Justice Statistics.—The Committee recommendation provides $32,335,000 for the Bureau of Justice Statistics for fiscal year 2002, which is the same as the request and $3,643,000 above the current year appropriation. The Bureau of Justice Statistics 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 recommendation includes program increases of $1,500,000 to fund three statistical studies—traffic stops by police, deaths in law enforcement custody, and victimization of the disabled—and the conversion to automated data collection for the National Crime Victimization Survey.

Missing Children.—The Committee recommendation provides $22,997,000 for the Missing Children Program for fiscal year 2002, which is the same level as the request and the current year appropriation. This program provides funds to combat crimes against children, particularly kidnapping and sexual exploitation.

Within amounts provided, OJP should continue to support the National Center for Missing and Exploited Children and the Jimmy Ryce Law Enforcement Training Center. The Committee also directs OJP, working with the National Center for Missing and Exploited Children, to report to the Committee by September 4, 2001, on how other existing technologies for locating missing children can be integrated with the Center's activities.

The Committee is supportive of the Internet Crimes Against Children Task Force Program, which assists State and local law enforcement agencies to acquire the necessary knowledge, equipment, and personnel resources to prevent, interdict, or investigate child sexual exploitation on the Internet.

Regional Information Sharing System.—The Committee recommendation provides $24,945,000 for fiscal year 2002 for the Regional Information Sharing System (RISS), which is the same as the amount provided in the current year appropriation under this account and the full amount requested. The RISS program provides funds to maintain six regionally-based information sharing centers throughout the United States, which are connected electronically to form a nationwide network to allow for the automated exchange of information between law enforcement entities addressing major, multi-jurisdictional crimes.

White Collar Crime Information Center.—The Committee recommends a total of $9,230,000 for the National White Collar Crime Center for fiscal year 2002, which is equal to the current year appropriation and the request. This program provides assistance to State and local law enforcement and regulatory agencies in addressing multi-jurisdictional white collar crimes.

Counterterrorism Program.—The Committee recommends a total of $220,494,000 for the counterterrorism program, which is the same as the request and the current year appropriation. This program prepares, equips, and trains State and local entities to respond to incidents of chemical, biological, radiological, and other incidents of domestic terrorism.

The Committee understands that OJP is currently collecting State-wide Domestic Preparedness Strategic Plans, which will provide a comprehensive picture of the equipment, training, exercise and technical assistance needs for each State. The Committee supports OJP's proposal to restructure the funding streams of the Counterterrorism program to better address the needs of the first responder community. The Committee recommends the following distribution of funding:

COUNTERTERRORISM PROGRAM

[In thousands of dollars]

	2001 enacted	2002 recommendation
Equipment Grants:		
State & Other Equipment Grant Program	$104,171	$116,740
State & Local Bomb Technician Equipment Program	4,989	10,000
Subtotal, Equipment Grants	109,160	126,740
Training and Technical Assistance:		
Integrated Training & Technical Assistance Program	.....	35,485
Law Enforcement Training Program	7,982	.....
Nunn-Lugar-Domenici City Training Program	20,934	.....
Fort McClellan/Center for Domestic Preparedness	15,466	17,716
National Domestic Preparedness Consortium	17,960	13,969
Technical Assistance/Needs Assessment	1,996	.....
Distance Learning Program/NTPI	2,993	.....
State & Local Antiterrorism Training Program	998	.....
Subtotal, Training and Technical Assistance	68,329	67,170
Exercise, Evaluation, & Improved Response:		
Situational Exercises	3,991	3,991
Nunn-Lugar-Domenici Improved Response Plans	.....	2,600
TOPOFF II	2,993	2,993
Subtotal, Exercise, Evaluation, & Improved Response	6,984	9,584
Counterterrorism Research and Development Program	36,021	17,000
Total, Counterterrorism Programs	220,494	220,494

The Committee continues its direction, first included in the fiscal year 2000 conference report, regarding the distribution of general equipment grants only in accordance with State-wide plans. The Committee understands that these plans are currently being submitted to OJP. The Committee expects that these equipment resources will be used to meet the needs of the maximum number of

communities possible, based on a comprehensive needs assessment, which takes into account the relative risk to a community, as well as the availability of Federal, State, and local resources to address the problem.

The Committee recommends $17,000,000 for the National Institute of Justice to resume its counterterrorism technology development program, such as developing chemical detection and personal protective technologies.

Management and Administration.—The Committee recommendation provides $43,491,000 for the management and administration of the Office of Justice Programs, excluding the administration of Juvenile Justice programs, which are provided within funds under the Juvenile Justice heading. This amount is $694,000 above the request and $2,396,000 above the current year appropriation. In addition, reimbursable funding will be provided from the Community Oriented Policing Services and the State and Local Law Enforcement Assistance Programs for the administration of grants under these activities.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

The Committee recommends a total of $2,519,575,000 for fiscal year 2002 for State and Local Law Enforcement Assistance programs. This amount is $501,849,000 above the request and $323,085,000 below the current year appropriation. These funds will provide assistance to State and local governments in their drug control and crime fighting efforts as follows:

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

[In thousands of dollars]

	2001 enacted	2002 request	2002 recommendation
Local Law Enforcement Block Grant	$521,849	$400,000	$521,849
(Boys and Girls Club)	(60,000)	.....	(60,000)
(Police Athletic League)	.....	.....	(6,000)
(National Institute of Justice)	(19,956)	(19,956)	(19,956)
State Criminal Alien Assistance Program	[1] 399,120	265,000	565,000
State Prison Grants	684,990	.....	.....
Cooperative Agreement Program	[2] (34,923)	35,000	35,000
Indian Assistance	.....	.....	48,162
(Tribal Prison Construction Program)	[2] (33,925)	35,191	(35,191)
(Indian Tribal Courts Program)	7,982	7,982	(7,982)
(Alcohol and Substance Abuse)	4,989	4,989	(4,989)
Byrne Grants:			
Discretionary Grants	68,898	.....	70,000
Formula Grants	498,900	500,000	500,000
Total, Byrne Grants	567,798	500,000	570,000
Violence Against Women Grants	288,043	390,565	390,565
Victims of Trafficking Grants	.....	.....	10,000
State Prison Drug Treatment	62,861	73,861	73,861
Drug Courts	49,890	50,000	50,000
Juvenile Crime Block Grant	249,450	249,450	249,450
(Project ChildSafe)	.....	(38,000)	(38,000)
Other Crime Control Programs:			
Missing Alzheimer's Patients	898	898	898
Law Enforcement Family Support	1,497	1,497	1,497
Motor Vehicle Theft Prevention	1,298	1,298	1,298
Senior Citizens Vs. Marketing Scams	1,995	1,995	1,995

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE—Continued

[In thousands of dollars]

	2001 enacted	2002 request	2002 recommendation
Total, State and Local Assistance	2,842,660	2,017,726	2,519,575

[1] An additional $164,637,000 was earmarked in the State Prison Grants program for SCAAP in fiscal year 2001, for a total funding level of $563,757,000.

[2] Funding was included under the State Prison Grants in fiscal year 2001.

Local Law Enforcement Block Grant.—The Committee recommendation includes $521,849,000 for the Local Law Enforcement Block Grant program, which is $121,849,000 above the request and the same level as the current year appropriation. This program provides grants to localities to reduce crime and improve public safety. Of the amount included, $19,956,000 will be provided to NIJ for assisting local units of government to identify, select, develop, modernize, and purchase new technologies for use by law enforcement. The recommendation also includes language that allows $60,000,000 of these funds to be used for Boys and Girls Clubs and $6,000,000 to be used for the National Police Athletic League.

State Criminal Alien Assistance Program.—The recommendation provides $565,000,000 for the State Criminal Alien Assistance Program (SCAAP) for the reimbursement to States for the costs of incarceration of criminal aliens. This amount is $300,000,000 above the request and $1,243,000 above the total amount provided in fiscal year 2001.

Cooperative Agreement Program.—The recommendation provides $35,000,000 to provide resources for the improvement of State and local correctional facilities holding Federal prisoners. This amount is the same as the request and $77,000 above fiscal year 2001 appropriation.

Indian Assistance.—The Committee recommends $48,162,000 in Indian assistance grants, of which $35,191,000 is for the tribal prison construction program; $7,982,000 for Indian tribal courts, and $4,989,000 for alcohol and substance abuse grants. These amounts are the same as the request and $1,266,000 above the current year appropriation.

Edward Byrne Grants to States.—The Committee recommendation provides $570,000,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which $70,000,000 is for discretionary grants and $500,000,000 is for formula grants under this program. The recommended level is $70,000,000 above the level requested and $2,202,000 above the amount provided in the current year. These grants help to improve the functioning of the criminal justice system with an emphasis on drugs, violent crime and serious offenders.

Within the amount provided for discretionary grants, the Committee expects OJP to continue funding at the current level for the following programs:

- Drug Abuse Resistance Education (DARE) program;
- Search Group, Inc. and the National Technical Assistance Program; and
- National Crime Prevention Council's McGruff campaign;

In addition, within the amounts appropriated for discretionary grants, the Committee also expects OJP to examine each of the fol-

lowing proposals, to provide grants if warranted, and to submit a report to the Committee on its intentions for each proposal:

- The Women's Center, Vienna, VA;
- DuPage County, IL Fire Investigation Task Force, for arson investigations;
- The Julian Dixon Courtroom and Advocacy Center at the Southwestern University School of Law in Los Angeles, CA;
- Night Light Program in San Bernardino, CA;
- San Joaquin Valley, CA Rural Agricultural Crime Prevention Program;
- Center for Court Innovation throughout New York State, including Onondaga County and surrounding areas;
- Law Enforcement Innovation Center (LEIC), TN;
- Chattanooga Endeavors program;
- New Mexico Technology to Recover Abducted Kids (TRAK);
- National Fatherhood Initiative;
- National Center for Justice and the Rule of Law at the University of Mississippi School of Law to sponsor research and produce judicial education seminars and training for judges, court personnel, prosecutors, police agencies, and attorneys;
- National Association of Town Watch's National Night Out crime prevention program;
- Prevent underage drinking demonstration program;
- BiasHELP of Long Island;
- "Breaking the Cycle" Program, for Jacksonville, FL and Lane County, OR;
- City of San Luis Obispo, CA, for a gang prevention project;
- NYPD criminal justice coordination project;
- National Training and Information Center (NTIC);
- I–SAFE, for teaching children online safety;
- Community Security Initiatives (CSI) of the Local Initiatives Support Corporation;
- Atlanta, GA, for a comprehensive homicide reduction initiative;
- Excelsior College in NY, for a distance education degree program in criminal justice;
- Men Against Destruction, Defending Against Drugs and Social Disorder (MAD DADS) of Miami-Dade, FL;
- Washington Metropolitan Area Drug Enforcement Task Force (MATF);
- Northwestern MA District Attorney's Office special prosecution program, for crimes against seniors and the disabled;
- Expansion of law enforcement counseling programs at the On-Site Academy in Gardner, MA;
- Turtle Mountain Community College's "Project Peacemaker";
- Doe Fund's Ready Willing and Able Program;
- TELACU family-based gang violence prevention program; and
- Thin Blue Line of Michigan, for assistance to law enforcement families in crisis.

Violence Against Women Act.—The Committee recommends $390,565,000 to support grants under the Violence Against Women Act (VAWA), which is the same level as the request and

$102,522,000 above the current year appropriation. Grants provided under this recommendation are for the following programs:

VIOLENCE AGAINST WOMEN ACT PROGRAMS

[In thousands of Dollars]

	2002 recommendation
General Grants	$184,537
(National Institute of Justice)	(5,200)
(Safe Start Program)	(10,000)
(Domestic Violence Federal Case Processing Study)	(1,000)
(Research on Family Violence)	(5,000)
Victims of Child Abuse	15,269
(CASA Special Advocates)	(11,975)
(Training for Judicial Personnel)	(2,296)
(Grants for Televised Testimony)	(998)
Grants to Encourage Arrests Policies	64,925
Rural Domestic Violence Assistance Grants	39,945
Training Programs	4,989
Stalking Database	3,000
Violence on College Campuses	10,000
Civil Legal Assistance	40,000
Elder Abuse Grant Program	5,000
Safe Haven Project	15,000
Study on the Effects of Parental Kidnapping	200
Domestic Violence Forensic Exams Study	200
Education and Training for Disabled Female Victims	7,500
Total	390,565

Funding included for Violence Against Women Act programs will continue to provide resources to expand units of law enforcement officers and prosecutors specifically targeted at crimes against women, to develop and implement effective arrest and prosecution policies to prevent, identify and respond to violent crimes against women, and to provide much needed victims services, including specialized domestic violence court advocates to obtain protection orders.

Victims of Trafficking.—The Committee recommendation includes $10,000,000 for victims service programs to provide assistance to victims of trafficking, as authorized by the Victims of Trafficking and Violence Protection Act of 2000. This amount is $10,000,000 above the request and the current year appropriation.

Substance Abuse Treatment for State Prisoners.—The Committee recommends $73,861,000 for grants to 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. This amount is the same as the request and $11,000,000 above the current year appropriation.

The recommendation includes requested language expanding the use of these grants to provide treatment for released State prisoners. The Committee is concerned that expanding this program to treat parolees will divert needed funding from State prison treatment programs. Therefore, OJP may issue grants up to 10 percent of the total program level for these expanded purposes. In addition, these grants should only fund treatment for individuals up to one year after they are released from a State prison. OJP is directed to provide to the Committee, by February 15, 2002, an assessment

of the need for State prison substance abuse treatment programs for both incarcerated and released prisoners.

Drug Courts.—The recommendation includes $50,000,000 for the Drug Courts grant program, the same as the request and $110,000 above the current fiscal year. This program provides grants to State, local, and Indian tribal governments to develop dedicated drug courts that prescribe an integrated mix of treatment, drug testing, incentives, and sanctions for non-violent offenders.

Juvenile Accountability Incentive Block Grant.—The Committee recognizes the importance of supporting efforts that will continue to reduce juvenile crime. The recommendation includes $249,450,000 for the Juvenile Accountability Incentive Block Grant program, which is the same as the request and current year appropriation. Language is included that allows $38,000,000 of these funds to be used for Project ChildSafe, an initiative that will ensure gun safety locks are available for every handgun in America. An additional $37,000,000 is included for Project ChildSafe under Juvenile Justice, for a total funding level of $75,000,000.

Safe Return Program.—The Committee recommendation includes $898,000 to continue the national program to locate missing Alzheimer's disease patients, the same level as in fiscal year 2001 and the request.

Law Enforcement Family Support Programs.—The recommendation includes $1,497,000 for programs that provide support services to law enforcement officers and their families, the same level in the current year appropriation and the amount requested.

Motor Vehicle Theft Prevention.—The recommendation provides $1,298,000 for grants to combat motor vehicle theft through cooperative partnerships between car owners and State and local law enforcement to reduce car theft committed by professional auto thieves and to facilitate their recovery. This amount is the same as the level provided in the current fiscal year and the amount requested for this program.

Senior Citizens Against Marketing Scams.—The recommendation includes $1,995,000, the same level as provided in the current fiscal year and the full amount requested, for programs to assist law enforcement in preventing and stopping marketing scams against the elderly.

WEED AND SEED PROGRAM FUND

The Committee recommends $58,925,000 for the Weed and Seed Program. This amount is the same as the request and $25,000,000 above the current year appropriation.

The Weed and Seed program serves as a crime prevention catalyst, coordinating existing anti-crime efforts in high-crime neighborhoods and leveraging other resources for activities such as truancy prevention, conflict resolution, mentoring, gun abatement, justice innovations, jobs for at-risk youth, and anti-gang initiatives.

The recommendation provides $25,000,000 in requested program increases, including: $3,675,000 for 21 new Weed and Seed sites; $3,825,000 to support special emphasis programs such as gun law enforcement, anti-drug activities, and faith-based initiatives; $2,000,000 to enhance data collection and performance assessments; and $15,500,000 to replace the funding received in prior years from the Assets Forfeiture Fund.

The Committee recommends bill language, 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.

COMMUNITY ORIENTED POLICING SERVICES

The Committee recommendation includes $1,013,498,000 for the Community Oriented Policing Services program (COPS) for fiscal year 2002. This amount is $158,389,000 above the request and $16,556,000 below the current year appropriation. In addition, $46,000,000 in recoveries is available for use in the universal hiring program, which brings the total funding availability for the COPS program to $1,059,498,000. The Committee recommends the following distribution of funding:

COMMUNITY ORIENTED POLICING SERVICES

[In thousands of dollars]

	2001 enacted	2002 request	2002 recommendation
Public Safety and Community Policing:			
COPS Hiring Program	$408,323	$180,000	$330,000
(School Resource Officers)	(180,000)	(180,000)	(180,000)
Training and Technical Assistance	20,731	20,662	20,662
Tribal Law Enforcement	34,923	31,315	31,315
Police Corps	29,435	14,435	14,435
Methamphetamine Enforcement and Clean-up	48,393	48,393	48,393
Bulletproof Vests	25,444	25,444	25,444
School Violence	14,967		
Subtotal, Public Safety and Community Policing	582,216	320,249	470,249
Crime-Fighting Technologies:			
Law Enforcement Technology Program	139,692		150,000
COPS Information Technology Program		100,000	
Crime Identification Technology Act	129,714	150,404	103,611
(Safe Schools Technology)	(17,462)	(17,000)	(17,000)
(Criminal History Records)	(34,923)		
(DNA Backlog/Crime Lab. Improvement)	(29,934)		
(Information Integration Projects)	(18,311)		
National Criminal History Improvement		35,000	35,000
Crime Laboratory Improvement Program		35,000	35,000
DNA Backlog Elimination		35,000	40,000
Subtotal, Crime-Fighting Technologies	269,406	355,404	363,611
Prosecution Assistance:			
Community Prosecutors	24,945		
Gun Violence Prosecutors	74,835		
Southwest Border Prosecutors		50,000	50,000
Gun Violence Reduction Program		49,780	49,780
Subtotal, Prosecution Assistance	99,780	99,780	99,780
Community Crime Prevention:			
Police Integrity	16,963	16,963	16,963
Offender Reentry	29,934	14,934	14,934
Project Sentry		14,967	14,967
Subtotal, Community Crime Prevention	46,897	46,864	46,864

COMMUNITY ORIENTED POLICING SERVICES—Continued

[In thousands of dollars]

	2001 enacted	2002 request	2002 recommendation
Management and Administration	31,755	32,812	32,994
Total, Community Policing Services	1,030,054	855,109	1,013,498

COPS Hiring Program.—The Committee recommends $330,000,000 for the COPS hiring program. This amount is $150,000,000 above the request and $78,323,000 below the fiscal year 2001 appropriation. In addition, as of May 31, 2001, there is over $46,000,000 available in recoveries for the universal hiring program, which cannot be obligated until a reprogramming notification is submitted. This provides a total funding availability for the COPS Hiring Program of $376,000,000 in fiscal year 2002.

The recommendation provides up to $180,000,000 for the hiring of school resource officers—the same level as fiscal year 2001 and the request. The Committee also recommends the continuation of the COPS MORE program within the overall funding levels of the hiring program.

The Committee remains concerned at the level of funds that the COPS program recovers each year and does not understand how such amounts can be deobligated in a program that pays personnel compensation. The Committee prohibits the COPS program from obligating any funds available from prior year recoveries except through the normal reprogramming process.

Police Corps.—The Committee recommends $14,435,000 for the Police Corps Program, which is the same as the request and $15,000,000 below the fiscal year 2001 appropriation. The Committee understands that the Police Corps program has sufficient unobligated balances available to allow the program to maintain its activities in fiscal year 2002 at the current level.

Training and Technical Assistance.—The Committee recommends $20,662,000 to provide training and technical assistance for the advancement of community policing. Within the overall amounts recommended, the Committee expects the COPS office 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:

- Virginia Community Policing Institute; and
- Roger Williams University in Bristol, RI, for a law enforcement professional training program with the Justice System Research and Training Institute.

Methamphetamine Enforcement and Clean-Up.—The Committee recommends $48,393,000 in appropriations for State and local law enforcement programs to combat methamphetamine production and distribution, to target drug "hot spots," and to remove and dispose of hazardous materials at clandestine methamphetamine labs. This amount is the same as the request and the fiscal year 2001 appropriation.

The Committee is aware that the production, trafficking, and usage of methamphetamine, an extremely destructive and addictive synthetic drug, is a growing national problem. Despite some successes in the seizure of clandestine drug laboratories, limited State

and local law enforcement resources, coupled with the complexity of clandestine laboratory enforcement investigation and cleanup processes, have made the fight against illicit methamphetamine manufacturing a difficult one.

The Committee is concerned that the Department of Justice has not adequately focused its attention on the growing problem of methamphetamine production and trafficking and the strain this crime is placing on State and local law enforcement resources. The Committee directs the Department of Justice to undertake a review of its current efforts in assisting States and local communities with this growing problem and to prepare a report that (1) defines the scope of the methamphetamine problem nationwide; (2) identifies the regions of the country most adversely affected by methamphetamine production and trafficking; (3) identifies the needs of State and local law enforcement in addressing this issue; and (4) defines the Department's role in providing training, investigative, and clean-up assistance to States and localities. This plan shall be provided to the Committee by February 15, 2002.

Within the amount provided, the Committee has included $20,000,000 to be reimbursed to the Drug Enforcement Administration for assistance to State and local law enforcement for proper removal and disposal of hazardous materials at clandestine methamphetamine labs.

In addition, within the amount provided, the Committee expects OJP, in consultation with DEA, 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:

- California Department of Justice, Bureau of Narcotic Enforcement, for the California Methamphetamine Strategy (CALMS);
- Sioux City, IA Regional Methamphetamine Training Center, to provide training to officers from eight states in over 80 classes;
- Daviess County, KY, to combat methamphetamine;
- Methamphetamine Task Force in East Tennessee, to fight the spread of meth labs in this region;
- Oklahoma State Bureau of Investigations and Oklahoma Bureau of Narcotics and Dangerous Drug Control, to assist their methamphetamine clean-up operations;
- Western Kentucky Methamphetamine Initiative;
- Virginia State Police, to assist their efforts in combating methamphetamine;
- Washington State methamphetamine initiative and law enforcement methamphetamine initiative, including funding for Snohomish and King Counties and the Northeastern Washington State Four County Methamphetamine Task Force;
- Marion County, OR, methamphetamine project;
- Marathon and Douglas Counties, WI, methamphetamine cleanup;
- City of Phoenix, AZ, for methamphetamine laboratory cleanup;
- Minot State University, ND, rural methamphetamine project; and
- Jackson County, MS, Sheriff's office methamphetamine initiative.

Law Enforcement Technology Program.—The Committee recommendation provides $150,000,000 for continued development of technologies and automated systems to assist State and local law enforcement agencies in investigating, responding to and preventing crime. In particular, the Committee recognizes the importance of sharing criminal information and intelligence among State and local law enforcement agencies to address multi-jurisdictional crimes. The recommendation does not fund, as requested, a new COPS Information Technology program.

Within the amount provided, the Committee expects the COPS office 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:

- Walker County Jail, AL, for police radio system upgrade;
- Powell Police Department, AL, for policing equipment upgrades and technology enhancements;
- Blountsville Police Department, AL, for an integrated automated fingerprint information system;
- Simulated Prison Environment Crisis Aversion Tools (SPECAT);
- Mooresville, NC, for a Silent Dispatch and Automatic Vehicle Locator System;
- Springfield, MO, for security equipment for the Southside District Police Station;
- Springfield, MO, Police Department, for in-car video cameras;
- Alabama law enforcement SmartCOP technology initiative;
- City of Escondido, CA, for communications technology upgrades;
- Miami-Dade County, FL, Public Schools, for technology equipment for school policing activities;
- Placer County, CA, for public safety communications upgrades;
- Citrus Heights, CA, for technological improvements to centralize the police force;
- City of Sierra Madre, CA, for law enforcement equipment for the Emergency Operations Center;
- Arcadia Police Department, CA, for the conversion to narrowband radios;
- Northeast Wisconsin Technical College Tactical Training Facility, Green Bay, WI, for equipment;
- Cache County, UT Sheriff's Department, for law enforcement training simulators;
- Aliquippa Police Department, PA, for police equipment, training, and computer resources;
- Joint Venture 9–1–1 Communications Center (Tri-Com), IL, for law enforcement communications equipment replacement;
- Long Beach Police Department, CA, for imaging technology;
- Video teleconferencing grant program, through INS, to provide local sheriff's offices the ability to identify or arraign apprehended aliens;
- Redlands, CA East Valley Community Justice Center, to study and identify new technologies;

• Inyo County, CA, for public safety radio communications;
• Arlington County, VA Police Department and the New Jersey State Police, for Racial Profiling Self-Assessment Software;
• Jeffersontown Police Department, KY, for in-car video systems;
• Jefferson County, KY Domestic Violence Unit, for the purchase of cameras to be used during investigations;
• Louisville, KY Division of Police, for in-car video systems;
• Sacramento, CA Sheriff's Department, for law enforcement technology systems;
• Regional Law Enforcement Technology Program in KY;
• City of Norfolk, VA Police Department, for law enforcement technology equipment;
• Sedgwick County, KS Sheriff's Department, for integrated records management system;
• Jefferson County, AL, for law enforcement communication equipment upgrades;
• Washington Parish, LA, for law enforcement technology and automated systems;
• Tangipahoa Parish, LA, for law enforcement technology and automated systems;
• Jefferson Parish, LA, including the cities of Harahan, Kenner, and Gretna, for law enforcement technology and automated systems;
• St. Tammany Parish, LA Sheriff's Office, for automated systems to assist investigations;
• Orleans Parish, LA, for law enforcement technology and automated systems;
• Law Enforcement Online (LEO) Program;
• Chattanooga, TN Police Department, for law enforcement technology;
• Oklahoma Department of Public Safety, for in-car video cameras for the Highway Patrol;
• Allen County, KY, for the law enforcement component of an emergency systems upgrade;
• Page County, VA, for law enforcement equipment to consolidate 911 services;
• Virginia State Police, for in-car video cameras;
• Center for Criminal Justice Technology;
• Pinellas County, FL law enforcement agencies, for facial recognition technology;
• City of Thibodaux, LA Police Department, for in-car video cameras and computers;
• City of Mayaguez, PR, for municipal police technology improvements;
• City of Madison, WI, for laptop computers and video monitoring units in patrol cars;
• Las Vegas, NV Metropolitan Police Department's Interagency Cyber Crime Task Force, for technology improvements;
• City of Tallahassee, FL, for a joint law enforcement communications upgrade;
• City of Baltimore, MD, for law enforcement technology upgrades including laptop computers, cameras and wiretap equipment;

• Indianapolis, IN Police Department, for technology enhancements including in-car cameras;
• Territory of the Virgin Islands, for technology equipment and upgrades;
• Lane County/Springfield/Eugene, OR, for law enforcement area information records system (AIRS);
• City of Austin, TX, for police mobile data computers;
• City of Fresno, CA Police Department, for a law enforcement communications system;
• NYPD 47th Police Precinct, for equipping a mobile command center;
• East Palo Alto, CA Police Department, for communications and computer equipment;
• Marlboro Police Department in Monmouth County, NJ, for video cameras in patrol cars;
• Marion County, OR, for mobile probation computers and radio equipment;
• East Hazel Crest, IL SSMMA/Regional Law Enforcement Technology Support Center, for technological enhancements;
• City of Pawtucket, RI Police Department, for technology upgrades, including a digital radio system;
• Town of Portsmouth, RI Police Department, for technology upgrades including computing and communications systems;
• Galveston County, TX Sheriff's office, for the Southeast Texas Region Law Enforcement Technology Project, including data equipment and computers;
• Palos Park Police Department, for law enforcement equipment and new technology;
• Southwest Major Case Unit, IL, for video surveillance and related technology;
• Village of Larchmont, NY Police Department, for closed-circuit surveillance equipment;
• Town of Mamaroneck, NY, for police communications equipment;
• Village of Mamaroneck, NY Police Department, for an automated fingerprinting system;
• City of New Fairfield, CT Police Department, for technology improvements including laptop computers for patrol cars;
• Saint Paul, MN Police Department, for police radios;
• North Attleboro, MA, for technology upgrades at the new police facility;
• Facial recognition and data capture system demonstration for 5 cities in Massachusetts;
• Sacramento County, CA, for an integrated justice system;
• City of Jersey City, NJ, for radio system upgrade and fixed radio network equipment;
• Union City, NJ, for CAD and RMS Systems;
• Solano County, CA Regional Law Enforcement Training Center, for technology infrastructure;
• Holyoke, MA Police Department, for equipment;
• City of San Francisco, CA, for a geographic information crime mapping system;
• Wake County, NC, for law enforcement communications;

• City of South Bend, IN, for video and audio recording systems in squad cars;

• Minneapolis, MN Police Department, for an automated resources system;

• Santa Ana, CA Police Department Crime Analysis Unit, for equipment purchases;

• City of Norfolk, VA Police Department, for a computer aided dispatch system and video cameras;

• Ventura County, CA, for an Integrated Justice Information System;

• White County, AR, for technology upgrades at the county jail;

• City of Abilene, TX, for purchase of emergency response and public safety communications equipment for law enforcement;

• Charlevoix-Cheboygan-Emmett, MI Central Dispatch Authority, for computer aided dispatch/records management software;

• Citrus County, FL, Emergency Operations and Communications Center, for law enforcement technology enhancements;

• San Juan County Criminal Justice Training Authority/City of Farmington, NM, for an automated fingerprint identification system;

• Project Hoosier SAFE-T, for communications systems upgrades;

• Griffith, IN Police Department, for in-car video cameras;

• Northwest IN Police Department, for an automated fingerprint identification system;

• City of Inglewood, CA Police Department, for digital records management and equipment;

• City of Gardena, CA, for technology equipment for patrol cars;

• Town of Mooresville, NC, for a digital transmission system; and

• Columbia County, OR, for law enforcement communications.

Crime Identification Technology Act (CITA).—The Committee recommendation includes $103,611,000 to be used and distributed pursuant to the Crime Identification Technology Act of 1998, Public Law 105–251. Under that Act, eligible uses of the funds are (1) upgrading criminal history and criminal justice record systems; (2) improvement of criminal justice identification systems, including fingerprint-based systems; (3) promoting compatibility and integration of national, State, and local systems for criminal justice purposes, firearms eligibility determinations, identification of sexual offenders, identification of domestic violence offenders, and background checks for other authorized purposes; (4) capturing information for statistical and research purposes; (5) multijurisdictional, multiagency communications systems; and (6) improvement of capabilities of forensic sciences, including DNA.

Within the overall amounts recommended, the Committee expects OJP 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:

- Cyber Science Laboratory, for the acquisition and development of new and advanced investigative, analysis, and forensic tools for Federal, State and local law enforcement;
- Orange County, CA Strategic Integrated Justice System, for the electronic linking of law enforcement communities;
- Illinois State Police, for the implementation of an integrated records management system;
- Washington Association of Sheriffs and Police Chiefs (WASPC), for the statewide jail booking, reporting, and victim notification system;
- WEBCHECK, the Ohio background check system, for its integration into the FBI fingerprint system;
- Virginia Department of Criminal Justice Services, for the Integrated Criminal Justice Information System;
- Louisiana State Police, for Information and Management Systems within the Emergency Operations Center;
- Buncomb County, NC, for conversion of the City-County Bureau of Identification criminal arrest records into an accessible electronic format;
- Squad Car Unit Identification (SQUID) program, for remote fingerprint identification programs in Ontario and Rialto, CA; Redlands, CA; and Minneapolis, MN;
- Las Vegas, NV Metropolitan Police Department, for the Metro Automated Identification Network (MAIN) System;
- Great Cities Universities Coalition, for criminal justice data gathering and analysis;
- San Diego, CA Police Department, for the Criminal Records Management System (CRMS);
- Wayne Area Justice Information System (WAJIS), MI;
- Hennepin County, MN, for an integrated criminal database system; and
- Mecklenberg County, NC, Criminal Justice Information System (CJIS).

Crime Laboratory Improvement Program (CLIP).—The Committee recommendation includes $35,000,000 for the crime laboratory improvement program. This program supports State and local government crime laboratories to develop or improve their capability to analyze DNA in a forensic laboratory, as well as other general forensic science capabilities.

Within the overall amounts recommended, the Committee expects OJP 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:

- National Forensic Systems Technology Center;
- University of Connecticut for DNA research; and
- University of New Haven, CT for DNA research.

DNA Backlog Elimination.—The Committee recommendation includes $40,000,000 to reduce the DNA sample backlog. DNA technology is widely recognized as key to both fighting crime and preserving justice through the identification of the guilty and exoneration of the innocent. The Committee is concerned about the DNA backlog, especially with the need to increase the capacity of State laboratories to process and analyze crime scene DNA and to reduce the backlog of convicted offenders' DNA samples. The recommendation is $5,000,000 above the request.

Southwest Border Prosecutions.—The Committee recommends $50,000,000 to provide assistance to State and local prosecutors located along the Southwest Border. This program will provide financial assistance to Texas, New Mexico, Arizona, and California for the State and local costs associated with the handling and processing of drug and alien cases referred from Federal arrests. This program was funded through the U.S. Attorneys in fiscal year 2001.

Gun Violence Reduction Program.—The Committee recommends $49,780,000 for a new program that will encourage States to increase the prosecution of gun criminals. This program encompasses a broad range of gun violence strategies, including hiring and training of local prosecutors and implementing public awareness campaigns to advertise tough sentences for gun crimes and foster community support.

Offender Reentry.—The Committee recommends $14,934,000 for the law enforcement costs related to establishing offender reentry programs. This amount is the same as the request and $15,000,000 below the current year appropriation. Offender reentry programs establish partnerships among institutional corrections, community corrections, social services programs, community policing, and community leaders to prepare for the successful return of inmates to their home neighborhoods. The amount recommended is provided to fund law enforcement participation and coordination of offender reentry programs.

Project Sentry.—The Committee recommends $14,967,000 for Project Sentry. This program will create a new Federal and State partnership establishing safe schools task forces across the country that will prosecute and supervise juveniles who violate Federal and State firearms laws and adults who illegally furnish firearms to them. An additional $5,033,000 is provided for this initiative through the Juvenile Justice programs, for a total funding level of $20,000,000.

JUVENILE JUSTICE PROGRAMS

The Committee recommendation provides a total of $297,940,000 for Juvenile Justice Programs for fiscal year 2002, the same amount as the request and as provided in the current fiscal year. The Committee understands that addressing juvenile violence requires a combination of strategies that involve (1) focusing law enforcement on dangerous, violent youths and making sure the punishment fits the crime; (2) community intervention to help solve the underlying problems of first-time offenders; (3) quality prevention programs that are designed to reduce risks and develop competencies in at-risk juveniles; and (4) programs that hold juveniles accountable for their actions, including systems of graduated sanctions, victim restitution and community service. The recommendation provides funding for the following programs:

1. $6,832,000 for the Office of Juvenile Justice and Delinquency Prevention (OJJDP) (Part A), of which $200,000 is for the coordination of Federal efforts.
2. $88,804,000 for Formula Grants for assistance to State and local programs (Part B).
3. $50,139,000 for Discretionary Grants for National Programs and Special Emphasis Programs (Part C). Within the amounts pro-

vided for Part C discretionary grants, the Committee expects OJJDP to continue current year funding for Parents Anonymous, Inc.

In addition, the Committee is aware of a number of encouraging programs to develop partnerships with local communities and help prevent the cycle of abuse and delinquency. Within the overall amounts recommended for Part C, OJJDP is directed to review the following proposals, provide a grant if warranted, and submit a report to the Committee on its intentions regarding:

- University of South Alabama for youth violence prevention research;
- ARISE Foundation for at-risk youth;
- Youth Crime Watch of America;
- Teens, Crime and Community program;
- National Council of Juvenile and Family Courts, which provides continuing legal education in family and juvenile law;
- University of Montana for the Pathways to Discovery Project, a community based after-school program for at-risk youth;
- Prevent Child Abuse America for the programs of the National Family Support Roundtable;
- Family, Career and Community Leaders of America (FCCLA) "Stop the Violence" program;
- Detroit, MI Rescue Mission Ministries for its at-risk youth program;
- New Mexico State University for the After School Services Pilot Program for at-risk youth;
- Law related education for continued support;
- Wichita State University for a juvenile justice program;
- Hamilton Fish National Institute on School and Community Violence;
- Westside Gang Prevention Demonstration Program in Syracuse, NY;
- Loudoun County, VA School Probation Program;
- Anti-gambling public service media campaign grants for in-school educational networks;
- Pinellas County, FL, for the ABOUT FACE program;
- Oregon Museum of Science and Industry for the Science for At-Risk Youth program;
- Greater Philadelphia, PA and Camden, NJ, for The Rock School at-risk youth program;
- Jacksonville, FL collaborative partnership for the Truancy Interdiction Program;
- Roxbury Family, MA, YMCA for enhanced at-risk youth programs;
- West End House in Allston-Brighton, MA;
- South Carolina Law Enforcement Truancy Initiative;
- Bronx, NY Neighborhood Enhancement Training and Services (NETS), Inc. for the center for at-risk youth;
- Chicago, IL CeaseFire Project for Violence Prevention;
- Wayne County, MI Juvenile Justice Program for prevention activities and services;
- Clackamas County, OR, for juvenile detention programs;
- The Good Knight Child Empowerment Network's Million Knight Campaign for youth violence prevention;

- Port Chester, NY, Public Schools at risk youth program;
- Suffolk University Law School Juvenile Justice Center;
- Wausau, WI alternative juvenile offender program;
- Phoenix, AZ to expand Operation Quality Time;
- Para Los Niños collaborative program with the LA County Probation Department, schools and community agencies;
- Project Juvenile Assistance Diversion Effort (JADE) in Los Angeles, for a juvenile delinquency prevention program;
- L.A.'s BEST youth program;
- Glendale, CA, YMCA for "Your House" shelter and case management program for at-risk youth;
- West Farms Center, for at-risk youth assistance;
- Greater Heights Program, for high-risk youth mentoring;
- Bronx Youth Conservation Corps "Save a Generation" work and study program;
- Sports Foundation, Inc. (SFI), for a focused mentoring program; and
- "No Workshops . . . No Jump Shots" project for case management, counseling and mandatory workshops for at risk youth.

4. $11,974,000 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. $9,978,000 for Discretionary Grants for State Challenge Activities (Part E) to 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 designed to improve various aspects of a State's juvenile justice and delinquency prevention program.

6. $15,965,000 for the Juvenile Mentoring Program (Part G) to reduce juvenile delinquency, improve academic performance, and reduce the drop-out rate among at-risk youth by bringing young people in high crime areas together with law enforcement officers and other responsible adults who are willing to serve as long-term mentors.

7. $94,791,000 for the At-Risk Children's Program (Title V). Under Title V juvenile justice programs, the At-Risk Children's Program provides funding to support comprehensive delinquency prevention plans formulated at the community level. The program targets truancy and school violence; gangs, guns, and drugs; and other influences that lead juveniles to delinquency and criminality.

Safe Schools Initiative.—The Committee recommends $14,967,000 within Title V grants for the Safe Schools Initiative. Within this amount, $5,033,000 is provided for Project Sentry. This program will create a new Federal and State partnership establishing safe schools task forces across the country that will prosecute and supervise juveniles who violate Federal and State firearms laws and adults who illegally furnish firearms to them. An additional $14,967,000 is provided for this initiative through the COPS program, for a total funding level of $20,000,000.

In addition, $2,000,000 of the recommended level shall be used for purposes authorized in the Secure Our Schools Act (Public Law 106–386), such as metal detectors, locks, lighting and other deterrent measures; security assessments; security training of personnel and students; and coordination with local law enforcement.

Within the overall amounts recommended for the Safe Schools Initiative, OJJDP is directed to review the following proposals, provide grants if warranted, and submit a report to the Committee on its intentions regarding:

- "I Have a Dream" Foundation for at-risk youth;
- Home Run Program; and
- North Eastern Massachusetts Law Enforcement Council for the School Threat Assessment and Response System (STARS).

Tribal Youth Program.—The Committee recommends $12,472,000 within the Title V grants for programs to reduce, control, and prevent crime both by and against tribal and Native youth.

Project ChildSafe.—The Committee recommends $37,000,000 for Project ChildSafe, an initiative that will ensure gun safety locks are available for every handgun in America. An additional $38,000,000 is included for Project ChildSafe in the COPS program, for a total funding level of $75,000,000.

The Committee supports the use of gun safety locks and encourages the distribution of safety locks to handgun owners. However, the Committee is concerned with reports that some of these safety locks have failed or do not work on certain handguns. The Committee understands that the Department of Justice is reviewing the availability of national standards for gun safety locks. The Department of Justice is directed to work with the National Institute of Standards and Technology to develop national standards. Funds recommended for Project ChildSafe may be used to offset the cost of this effort. Until such national standards are established, no funds shall be obligated for the purchase and distribution of gun safety locks and only locks that meet these standards should be purchased and distributed.

The Committee directs the Department of Justice to submit a report by December 17, 2001, that (1) reports on the status of the development of national standards for handgun safety locks; (2) provides cost estimates for gun safety locks based on the new national standards; and (3) describes how funding for gun safety locks will be distributed to the States.

Victims of Child Abuse Act.—The Committee recommends a total of $8,481,000 for the various programs authorized under the Victims of Child Abuse Act (VOCA). The recommendation is the same as the request and the current level. The following programs are included in the recommendation to improve investigations and prosecutions:

- $1,247,000 to Regional Children's Advocacy Centers, as authorized by section 213 of VOCA;
- $4,989,000 to establish local Children's Advocacy Centers, as authorized by section 214 of VOCA;
- $1,497,000 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; and
- $748,000 for a continuation grant to the National Children's Alliance for technical assistance and training, as authorized by section 214a of VOCA.

PUBLIC SAFETY OFFICERS BENEFITS

The Committee recommendation provides a total of $33,224,000 for death benefits to public safety officers for fiscal year 2002, the full amount requested and the same amount provided in the current year appropriation. This program, which is considered mandatory for scorekeeping purposes, 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 traumatic injury sustained in the line of duty.

The Committee recommendation also includes $2,395,000 for disability benefits for fiscal year 2002, the full amount requested and the same amount provided in the current year appropriation. This discretionary program provides disability benefits for Federal State, and local public safety officers who are permanently disabled as the result of a catastrophic injury sustained in the line of duty.

No additional funding is required for the Public Safety Officers Educational Assistance Program for FY 2002. The Department of Justice indicates that the anticipated carryover balances, which are currently projected to be over $2,000,000, can cover requests for assistance under this program. This program provides payments for educational purposes to the children and spouses of Federal, State, and local public safety officers killed or 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 2002 that were contained in the Department of Justice Appropriation Authorization Act, Fiscal Year 1980.

Section 103 provides language, included in Appropriations Acts for the last five years and 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 use of the funds 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 removes 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, included in previous Appropriations Acts, which allows the Department of Justice to spend up to $10,000,000 for rewards for information regarding criminal acts and acts of terrorism against a United States person or property at levels not to exceed $2,000,000 per award.

Section 107 provides language, similar to 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, but limits to

10 percent the amount that can be transferred into any one appropriation.

Section 108 provides language, included in previous Appropriations Acts, allowing certain funds to be available for technical assistance from funds provided under the Juvenile Justice Delinquency Prevention Act of 1974, as amended.

Section 109 provides language, modified from the request, that authorizes the collection of certain immigration inspections fees, and increases the amount of other immigration fees already collected.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

The Committee recommends a total of $5,192,191,000 for the programs of the United States Trade Representative, the International Trade Commission and the Department of Commerce for fiscal year 2002. This amount is $21,186,000 above the total request. Compared to the current fiscal year, this amount is $38,019,000 below the total provided. Of the total amount provided, $4,745,191,000 is derived from general purpose discretionary funds and $440,000,000 is derived from the conservation category. The remaining $7,000,000 provided is scored as mandatory spending.

The Committee has continued a structure initiated in fiscal year 1996 under this Title, which reflects the fundamental functions that will need to be considered as the overall administrative structure of these programs is examined. This reflects the Committee's effort to identify and prioritize programs within these agencies and Departments.

TRADE AND INFRASTRUCTURE DEVELOPMENT

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

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

The Committee recommends an appropriation of $30,097,000 for the Office of the United States Trade Representative (USTR) for fiscal year 2002. The recommendation is $645,000 above the amount appropriated for fiscal year 2001, and the same as the request.

The Committee notes the importance of the Office of the United States Trade Representative at a time when several bilateral and multilateral negotiations could significantly affect the future course of U.S. trade.

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

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

The Committee recommends an appropriation of $51,440,000 for the International Trade Commission for fiscal year 2002, the same amount as in the request and $3,446,000 above fiscal year 2001.

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 $347,654,000 in total resources for the programs of the International Trade Administration (ITA) for fiscal year 2002, $15,064,000 above the amount requested and $10,952,000 above the current year appropriation. Of this amount, $344,654,000 is derived from direct appropriations and $3,000,000 from fee collections, which is the same amount of fees instituted in fiscal year 2001.

The Committee recommendation includes adjustments to base for all operating units of the International Trade Administration, including the U.S. and Foreign Commercial Service (US&FCS), to provide adequate resources to fund increased security costs for overseas posts. The Committee recommendation provides the same level of support for the operational units as in the current year, including the restoration of congressionally identified priorities.

The following table reflects the distribution of the Committee recommendation by subactivity:

[In thousands of dollars]

ITA	Request	Recommended
Trade Development	$52,792	$66,919
Market Access Compliance	27,687	27,741
Import Administration	43,245	43,346
US & FCS	195,600	196,791
Under Secretary/Administration	13,266	12,857
Offsetting Fee Collections	(3,000)	(3,000)
Total, ITA	329,590	344,654

Trade Development.—The recommendation provides a total of $66,919,000 for this component, an increase of $14,127,000 above the request and $2,172,000 above the current year. The Committee recommendation provides full adjustments to base for fiscal year 2002 to maintain program levels comparable to fiscal year 2001.

Funding is restored for two export promotion programs related to textiles and apparel, the export database, the international competitiveness program, and $500,000 for travel industry statistics.

Market Access Compliance.—The Committee recommends $27,741,000 for Market Access Compliance, $54,000 above the request and $2,186,000 above the current year. This funding level provides the full costs of maintaining the new trade compliance and enforcement personnel and the strike force teams as provided in fiscal year 2001.

Import Administration.—The Committee recommends $43,346,000 for the Import Administration, $2,701,000 above the current year and $101,000 above the request. The recommendation provides the full costs of maintaining the new positions provided in fiscal year 2001 for overseas compliance and enforcement and import surge monitoring.

U.S. and Foreign Commercial Service (US&FCS).—The Committee recommends $196,791,000 for the US&FCS, an increase of $2,967,000 above the request and $2,153,000 above the amount available in fiscal year 2001. This represents full base funding, including increased costs for payments under the International Cooperative Administrative Support Services (ICASS) system and for increased costs for local guard security services overseas. The Committee has provided an additional $1,000,000 to continue the Rural Export Initiative. The US&FCS should continue and expand its Global Diversity Initiative to support minority-owned businesses in underserved areas, including inner-city urban areas, empowerment zones and enterprise communities, and Indian reservations. This initiative should continue to include support for companies that are export-ready and hoping to enter into and/or expand international operations.

Executive Direction/Administration.—The Committee recommends $12,857,000 for the administrative and policy functions of ITA. This amount is $151,000 above the current year and $289,000 below the request.

Language is included in the bill, as has been carried since fiscal year 1999, designating the amounts available for each unit within ITA. The Committee reminds ITA that any changes from the funding distribution provided in the bill and report, including carryover balances, are subject to the standard reprogramming procedures set forth in section 605 of this Act. ITA shall submit to the Committee, not later than November 15, 2001, a spending plan for all ITA units that incorporates any carryover of funds.

Trade Missions.—The Committee continues the direction provided last year that all trade missions involving Department of Commerce agencies must be initiated, coordinated, and administered through ITA.

Buying Power Maintenance.—The Committee directs ITA to report on the impact of exchange rate fluctuations on ITA's budget on a quarterly basis, beginning with the last quarter of fiscal year 2001. That report should indicate what has been done with exchange rate gains, which the Committee presumes are being reserved to balance future exchange rate losses.

Trade Show Revenues.—The Committee directs ITA to submit a report by the date of the fiscal year 2003 budget submission on the amount of trade show revenues that are collected on an annual

basis, how those revenues are used, and how they are reflected in the budget.

The recommendation deletes language, as proposed, relating to teletype equipment.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The Committee recommends an appropriation of $68,893,000 for the Operations and Administration appropriation of the Bureau of Export Administration (BXA), $4,182,000 above the current year level and the same amount as provided in the request. Of the total amount available, the recommendation provides the following:

Export Administration.—$31,755,000 is provided for export administration activities, the same amount as in the request and $427,000 above the amount in the current year. The recommendation includes $750,000 to continue Chemical Weapons Convention implementation, and $496,000 for an additional four export licensing personnel, as requested.

Export Enforcement.—$26,438,000 is provided for export enforcement activities, which is $1,405,000 above the amount provided in the current year, to pay for continuing operations, including enforcement of dual-use export controls for reasons of national security and counterterrorism, to maximize legal export opportunities while ensuring illegal exports will be prevented.

Critical Infrastructure Assurance Office (CIAO).—$4,928,000 is provided for the activities of the CIAO, which is $61,000 above the current year. The CIAO was created by Presidential Decision Directive 63 (PDD–63) as an interim agency to facilitate coordination and integration among Federal agencies as those agencies develop and implement their own critical infrastructure protection and awareness plans. The Committee remains concerned that this office may be duplicative of other offices throughout the Federal government. The Committee directs the Department of Commerce to report to the committee on the continued requirements of this office before September 1, 2001.

Management and Policy Coordination.—$5,772,000 is provided for Management and Policy Coordination, the amount requested and $1,721,000 above the current year. The recommendation includes a requested increase of $1,600,000 for the completion of the development of the Export Control Automated Support System (ECASS). The Committee notes that the primary responsibility for non-proliferation activities lies with the Department of Defense, the Department of Energy and the Department of State, and believes that BXA participation in such activities should be carried out using funds provided from those agencies.

ECONOMIC DEVELOPMENT ADMINISTRATION

The accompanying bill provides a total of $365,557,000, which is equal to the amount requested and $73,354,000 below the current year, for the programs and administrative expenses of the Economic Development Administration (EDA) for fiscal year 2002, as described below:

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

A total of $335,000,000 is recommended for fiscal year 2002 for Economic Development Assistance Programs, $75,973,000 below the current year and the same as the request. The recommendation reflects the Committee's continued support for the traditional programs of the EDA that provide needed assistance to communities struggling with long-term economic downturns as well as sudden and severe economic downturns. The Committee has retained the funding structure enacted in previous years to support all communities facing economic hardship.

The Committee notes that EDA was reauthorized in 1999 (Public Law 105–393) through fiscal year 2003. That authorization locks into place the work that this Committee, the Transportation and Infrastructure Committee and EDA have done to reform EDA programs to ensure that funds provided under this account are targeted to the most severely distressed areas, which, absent the assistance provided by the EDA, would have little or no access to resources for critical infrastructure development and capacity building. This puts the program on firm ground to carry out its purpose to provide 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.

Of the amounts provided, $250,000,000 is for Public Works and Economic Development, $40,900,000 is for Economic Adjustment Assistance, $24,000,000 is for planning, $9,100,000 is for technical assistance, including university centers, $10,500,000 is for trade adjustment assistance, and $500,000 is for research. The Committee expects EDA to continue its efforts to assist communities impacted by economic dislocations related to coal industry downswings and timber industry downturns due to environmental concerns at no less than the current level of effort.

The Committee notes that the authorization for the Trade Adjustment Assistance program expires at the end of the current fiscal year.

The Committee continues its directive for EDA to discontinue the use of single purpose grant loans.

SALARIES AND EXPENSES

The Committee recommends $30,557,000 for the salaries and expenses of the Economic Development Administration. The amount provided is the same amount as requested and $2,619,000 above the amount provided in the current year.

The Committee has retained language in the bill that 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 $28,381,000 for the Minority Business Development Agency (MBDA) for fiscal year 2002. This amount is the same amount as in the request and $1,127,000 above

the amount provided in the current year. The Committee recommendation includes $750,000 for the expansion of the Phoenix Database, as requested. The Committee recommendation assumes that the Entrepreneurial Technology Apprenticeship Program (ETAP) will continue to be supported at its current levels.

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 $62,515,000 for the economic and statistical analysis programs of the Department of Commerce, including the Bureau of Economic Analysis, for fiscal year 2002. This amount is the same as the request and $8,888,000 above the current year. The request and recommendation include increases of $3,000,000 to continue to improve core statistics including the Gross Domestic Product, $3,500,000 to update the information technology systems of the Bureau, and $2,380,000 for increased costs of operations.

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.

BUREAU OF THE CENSUS

The Committee recommends a total appropriation of $519,800,000 for the Bureau of the Census for fiscal year 2002. This represents an increase of $87,121,000 above the current fiscal year direct appropriation, but is $201,030,000 below the total fiscal year 2001 program level, which included $300,000,000 in carryover funding, and is $23,596,000 below the total amount requested in the President's budget. In addition, $25,000,000 will be available from anticipated deobligations, resulting in a total fiscal year 2002 spending level of $544,800,000.

SALARIES AND EXPENSES

The Committee recommends $169,424,000 for the salaries and expenses of the Bureau of the Census for fiscal year 2002, $863,000 above the request and $12,543,000 above the current year level. The Committee continues to believe that the Bureau must continue to streamline and prioritize its programs to ensure that the highest priority core activities are supported. The Committee also expects the Bureau to be fully reimbursed for any non-core survey requested by any other Federal agency or private organization.

This appropriation provides for the current statistical programs of the Bureau of the Census, which includes the measurement of

the nation's economy, including exports, 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.

PERIODIC CENSUSES AND PROGRAMS

The Committee recommends a total spending level of $375,376,000 for all periodic censuses and related programs funded under this heading in fiscal year 2002, a decrease of $201,030,000 below the comparable fiscal year 2001 level, and $541,000 above the level requested. Of the total amount provided, $25,000,000 is from anticipated deobligations of contracts from the 2000 decennial census resulting in a total of $350,376,000 for fiscal year 2002.

Decennial Census Programs.—The recommendation provides full costs requested in the budget for the decennial census programs, including $139,238,000 for the costs of 2000 decennial census in fiscal year 2002, of which $25,000,000 is from deobligations from prior year contracts relating to the 2000 decennial census. The following represents the distribution of funds provided for 2000 Census activities:

Program Development and Management	$8,606,000
Data Content and Products	68,330,000
Field Data Collection and Support	9,455,000
Automated Data Processing and Telecommunications Support	24,462,000
Testing and Evaluation	22,844,000
Puerto Rico, Virgin Islands and Pacific Areas	3,105,000
Marketing, Communications and Partnerships	2,436,000
Deobligations	(25,000,000)
Total, 2000 Decennial Census	114,238,000

The Committee directs the Bureau to continue to provide the Committee with monthly reports of the obligation of funds against each framework.

In addition, the recommendation provides the full request for the planning, design, and implementation of the long-form transitional database for the 2010 decennial census, including the American Community Survey (ACS). Bill language is included designating funding for the 2010 decennial census. The following represents the distribution of funds provided for the 2010 Census:

Re-engineered Design Process	$21,000,000
Long-Form Transitional Database	29,000,000
Master Address File/Topologically Integrated Geographic Encoding and Referencing database (MAF/TIGER)	15,000,000
Total, 2010 Decennial Census	65,000,000

Other Periodic Programs.—In addition, the Committee recommends $171,138,000 for other periodic censuses and programs, an increase of $25,630,000 above the current year and $541,000 above the request. The following table represents the distribution of funds provided for other non-decennial periodic census and related programs:

Economic Censuses	$51,958,000
Census of Governments	5,745,000
Intercensal Demographic Estimates	6,048,000
Continuous Measurement	27,131,000
Demographic Survey Sample Redesign	12,583,000
Electronic Information Collection (CASIC)	6,254,000

Geographic Support	37,624,000
Data Processing Systems	23,795,000
Total	171,138,000

Suitland Facility Requirements.—The Committee recommendation includes language relating to the Suitland Federal Center. The Committee continues to direct the Census Bureau to work with the General Services Administration regarding the Suitland Facility.

The Committee recommends bill language, similar to language included in the fiscal year 2001 Appropriations Act, which provides separate appropriations for decennial and non-decennial programs and designates specific amounts for each decennial census framework. The Committee notes that in the recommendation the continuous measurement line combined with funding under the 2010 Decennial heading equals the full request for the ACS.

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

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

The Committee recommends a total of $72,017,000 for the National Telecommunications and Information Administration (NTIA) for fiscal year 2002. This amount is $28,199,000 below the current year appropriation and $1,006,000 below the budget request.

SALARIES AND EXPENSES

The Committee recommends $13,048,000 for the Salaries and Expenses appropriation of the NTIA, which is $1,636,000 above the current year for the radio spectrum measurement system and $1,006,000 below the request. The recommendation does not include the full funding for base in the request due to the number of vacancies remaining unfilled in the current fiscal year. Therefore, the personnel costs associated with these positions should be used to offset costs of the new measurement system. The Committee recommendation assumes an additional $22,055,000 will be available to the NTIA through reimbursements from other agencies for the costs of providing spectrum management, analysis and research services to those agencies, reflecting implementation of a policy of 80% reimbursement for such services that began in fiscal year 1999.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

The Committee recommends $43,466,000 for planning and construction grants for public television, radio, and non-broadcast facilities, an increase of $62,000 above the current year and the same amount as in the request. This amount will allow the continuation of the existing equipment and facilities replacement program.

Language carried in previous years has been included in the bill which: (1) provides authority to use a portion of funds under this heading for program administration as authorized by law; and (2) permits prior year unobligated balances to be available for grants

for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

The Committee recommends $15,503,000 for the Information Infrastructure Grants program under NTIA for demonstrations of new telecommunications technology applications. The recommendation is the same as the request and $29,897,000 below the current year funding level.

The Committee recommendation reflects the fact that the universal service requirements of the Telecommunications Act of 1996 (Public Law 104–104) will provide significant new opportunities for bringing the information superhighway to schools and libraries, which were not previously envisioned when this program was created. It is the Committee's expectation that this action will reduce the burden on the National Information Infrastructure (NII) program. The Committee notes some overlap between this program and technology programs under the Department of Justice, Community Oriented Policing Services, with respect to grants for public safety.

The Committee continues bill language making funds provided under this heading available for program administration and related program support activities at the fiscal year 2001 level. The bill also includes language carried in previous Appropriations Acts which will allow up to five percent of this appropriation to be available for telecommunications research activities directly related to the development of the NII.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

The bill provides a total funding level of $1,129,001,000 for the Patent and Trademark Office (PTO) in fiscal year 2002, which is $91,993,000 above the current year level and $10,000,000 below the request. In addition to $846,701,000 in direct appropriations, $10,000,000 is available from anticipated unobligated balances from the current year, for a total spending level of $1,139,001,000 for fiscal year 2002.

The Committee remains concerned that the Patent and Trademark Office is unable to meet the demands of the increasing number of patent applications. The Committee is concerned that, with the increased funding the Office has received in the past, there is no measurable increase in performance. Every agency must set performance measures and strive to meet them. If these goals are not met, then the agency must be able to answer the questions from Congress and their customers as to why it was unable to meet its goals. The PTO and the patent user community have continually criticized the Congress and the Administration for not allowing full access to their fees in the year they are received, yet PTO has been unsuccessful in proving that increased funding will decrease the amount of time it takes an applicant to receive a patent. PTO bases its budget submission on anticipated fee income, which is derived from an estimation of its anticipated workload. However, there is no indication that the existing level of fees was developed based on any direct relationship to the actual costs of doing business. There-

fore, the Committee directs the United States Patent and Trademark Office, in consultation with the Department of Commerce, to develop a requirements-based budget structure. This revised budget structure proposal should include the number of actual trademark examiners required to perform the examinations, the number of examiners the PTO would be able to hire and train during the fiscal year, the number of patent applications to be processed while maintaining accuracy, and a timeline and incremental budget plan for technological requirements to assist the processing of applications. This proposal is to be submitted to the House Appropriations Committee by September 30, 2001. In addition, the PTO is directed to provide to the Committee quarterly reports of obligations in the above-mentioned format beginning with the last quarter of fiscal year 2001. Further, the Committee directs the PTO to submit the fiscal year 2003 budget submission in the above-mentioned format.

The Committee commends the Patent and Trademark Office on its efforts to afford its employees the opportunity to telework.

The recommendation does not include requested language regarding representation funds. The recommendation does include other requested technical changes.

Within the amounts available to the PTO in fiscal year 2002, the Committee expects that not less than $3,000,000 will be provided to expand PTO's relationship with the National Inventor's Hall of Fame and Inventure Place, and not less than $1,000,000 will be provided to the International Intellectual Property Institute to promote sustainable development in developing countries and to protect business interests by assisting in the establishment of intellectual property legal frameworks.

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 responsible for scientific and technological research and programs.

TECHNOLOGY ADMINISTRATION

OFFICE OF THE UNDER SECRETARY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

The Committee recommends $8,094,000 for the Technology Administration's Office of the Under Secretary/Office of Technology Policy. This amount is $32,000 above the current year and $144,000 below the request. The Committee recommendation does not provide the full amount requested due to a number of positions remaining unfilled during fiscal year 2001. The Committee continues the direction included since fiscal year 1998 regarding the use of Technology Administration and Department of Commerce resources to support foreign policy initiatives and programs.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The Committee recommends a total of $488,996,000 for the appropriations accounts under the National Institute of Standards and Technology (NIST) for fiscal year 2002. The recommendation is $1,549,000 above the budget request for pay increases and $108,020,000 below the current year level due to two one-time only projects and the discontinuation of the Advanced Technology Program. A description of each account and the Committee recommendation follows:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The Committee has provided $348,589,000 for the Scientific and Technical Research and Services (core programs) appropriation of the National Institute of Standards and Technology. This amount is $36,660,000 above the amount provided in fiscal year 2001 and $1,301,000 above the request. It should be noted that the budget request includes a transfer of $20,000,000 and 154 positions from the Industrial Technology Services account to maintain the same level of research efforts as in the current year for NIST core research, despite the discontinuation of new funding for the Advanced Technology Program.

The Committee notes that, in an era of declining budgets, the core programs of NIST have enjoyed significant support, receiving continued program increases. Overall funding for these programs has grown from $240,000,000 in fiscal year 1995 to $311,929,000 in fiscal year 2001. The Committee understands the importance of the research done by this agency, and recommends funding to maintain the current level of operations. In addition, the Committee, by September 15, 2001, expects NIST to review NOAA's minority serving institutions program and report back to the Committee on NIST's plan to implement a similar program.

The following is a breakdown of the amounts provided under this account by activity.

[In thousands of dollars]

NIST STRS	FY02 request	FY02 recommendation
Electronics and Electrical	$41,132	$41,286
Manufacturing	20,352	20,428
Chemical	38,712	38,857
Physics	37,054	37,193
Materials	62,532	62,766
Building and Fire	15,982	16,042
Computer Science and Applied Mathematies	59,478	59,698
Technology Assistance	17,679	17,745
Baldridge	5,403	5,423
Research Support	43,972	37,651
National Institute for Infrastructure Protection	4,992	11,500
Total, STRS	347,288	348,589

Within the amounts provided for the Critical Infrastructure Protection Grants program, $6,500,000 is for the George Mason University School of Law and James Madison University to establish a critical infrastructure program to conduct research on critical infrastructure protection.

Within the Research Support program, $2,400,000 is for a grant to the Software Productivity Consortium to demonstrate technologically the effectiveness of telework.

Further, the Committee continues the directive included in previous years regarding the placement of additional NIST personnel or support for Foreign Service nationals overseas.

INDUSTRIAL TECHNOLOGY SERVICES

The Committee recommends $119,514,000 for the Industrial Technology Services appropriation of the National Institute of Standards and Technology. This amount is $130,771,000 below the current year appropriation and $248,000 above the request.

Manufacturing Extension Partnership Program.—The Committee has included $106,522,000 for the Manufacturing Extension Partnership (MEP) Program, $248,000 above the request for pay increases and $1,616,000 above the current year. This recommendation includes the expectation that funding is provided for the existing centers and not for new initiatives.

Advanced Technology Program.—The Committee recommendation includes $12,992,000 to fully fund prior year commitments of the Advanced Technology Program. The President's budget proposes to discontinue funding for new grants in fiscal year 2002. The fiscal year 2000 and 2001 House appropriation bills did not include funding for this program and recommended that the ATP program be terminated.

The advocates for the ATP program have always had to answer a number of fundamental questions, such as whether the program achieves results that could not be achieved through the private marketplace; whether it funded technology development and commercialization that would not be undertaken but for the existence of the program; and whether the Federal government should play a role in picking technologies to be developed and then funding that development at substantial government expense.

After many years in existence, the program has not produced a body of evidence to overcome those fundamental questions about whether the program should exist in the first place.

CONSTRUCTION OF RESEARCH FACILITIES

The Committee recommendation includes $20,893,000 for construction, renovation, and maintenance of NIST facilities. The recommendation is the same as the amount in the request and $13,909,000 below the current year due to non-recurring projects.

This account supports all NIST activities by providing the facilities necessary to carry out the NIST mission. The Institute has proposed a multiyear effort to renovate NIST's current buildings and laboratory facilities in compliance with more stringent science and engineering program requirements.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The Committee recommends a total of $3,092,728,000 in new budget authority, of which $7,000,000 is mandatory spending, for the six appropriation items of the National Oceanic and Atmospheric Administration (NOAA) and transfers totaling $71,000,000. This amount is an increase of $29,128,000 over the President's re-

quest, and an increase of $51,939,000 over the current year. The amount provided includes a total of $440,000,000 for programs in the conservation spending category.

For the fiscal year 2002 budget, the House and Senate Appropriations staff along with NOAA managers have realigned the NOAA budget structure. Funding is provided to maintain NOAA core operations, including the National Weather Service, mapping and charting, satellite operations, fishery management programs, atmospheric research and ocean conservation programs. Funding for new initiatives was provided at a lower level than requested, but most core programs were provided at least the requested level.

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

The bill includes $2,200,298,000 in new budget authority for the coastal, fisheries, marine, weather, environmental, satellite, and other programs funded in this appropriation. This amount is an increase of $19,989,000 above the fiscal year 2002 request. Of this amount, $304,000,000 is provided under the conservation account.

In addition to the new budget authority provided for the NOAA ORF account, the Committee recommends a transfer of $68,000,000 from balances in the account entitled, "Promote and Develop Fishery Products and Research Pertaining to American Fisheries." The total amount provided also includes prior year deobligations totaling $17,000,000, and $3,000,000 from collections from the Coastal Zone Management Fund, the same amount proposed in the budget. The bill also includes language to allow NOAA to retain gifts and contributions made under the Marine Sanctuary Program. The Committee expects NOAA to fully utilize the authorities provided for this program.

Language is also included in the bill specifying the total amount of direct obligations available for each of the six NOAA line offices and other related activities funded through this account. The Committee has taken this action to provide greater clarity and accountability in budgeting and management for the diverse activities funded in this account. In addition, the bill also modifies language from the fiscal year 2001 Act regarding the practice of assessing NOAA line organizations, programs, projects, and activities, to support NOAA and line office overhead and programs over and above the amounts specifically provided. The Committee reminds NOAA that administrative charges levied against certain activities assigned in the bill are limited to no more than five percent. Language carried in prior years regarding funding and personnel in Executive Direction and Administration has been discontinued, as proposed. In addition, language is continued from prior years regarding the use of deobligations in excess of amounts estimated in the budget.

Further, 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.

This year, the Committee and NOAA have worked together to prepare a new budget structure to realign resources within the National Marine Fisheries Service and the Office of Atmospheric Research line office, and realigns funding for data acquisition (ship

time) components under the Program Support account. In addition, there is a reallocation from the President's request of $10,750,000 from NESDIS, under the Procurement Acquisition, and Construction account to NESDIS, under the Operations, Research, and Facilities account.

The following revised and extended table compares the Committee recommendation to the President's request for the activities, sub-activities, and projects funded in this appropriation. The table has been expanded from prior years to provide greater clarity. Report language is provided for Committee direction or to provide additional information.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH, AND FACILITIES FISCAL YEAR 2002

[In thousands of dollars]

	FY 2002 President's request	FY 2002 House recommendation
NATIONAL OCEAN SERVICE		
Navigation Services:		
Mapping & Charting:		
Base	37,016	37,183
Electronic Navigational Charts	3,554	1,777
Shoreline Mapping	1,000	1,500
Coastal Storms	1,000	500
Joint Hydrographic Center	2,580	2,580
Address Survey Backlog/Contracts	20,450	24,985
Subtotal, Mapping & Charting	65,600	68,525
Geodesy:		
Base	20,550	20,612
National Spacial Reference System	500	0
Height Modernization Study—NGS Implementation	250	250
Height Modernization Study—NC	1,000	1,000
Height Modernization Study—CA Spatial Ref. Center	1,000	1,000
SC Geodetic Survey	500	0
Subtotal, Geodesy	23,800	22,862
Tide & Current Data	17,250	19,295
Total, Navigation Services	106,650	110,682
Ocean Resources Conservation & Management—Estuarine and Coastal Assessment:		
Ocean Assessment Program:		
Base	13,608	13,721
Coastal Storms	1,000	0
Beaufort/Oxford	3,500	2,917
Ocean Assessment Program—Conservation:		
Pfiesteria and HAB Rapid Response	3,925	3,925
South Florida Ecosystem	900	900
Coastal Services Center	18,900	18,900
JASON	2,500	2,500
Coral Reef Program	14,000	14,000
Harmful Algal Blooms	5,000	5,000
CICEET	5,800	4,800
Lake Pontchartrain	0	1,500
CREST	0	500
CI-CORE	0	2,000
National Coral Reef Institute—HI	1,000	1,000
National Coral Reef Institute—FL	500	500
National Coral Reef Institute—P.R.	500	500
National Fish and Wildlife Foundation	1,000	1,500

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH, AND FACILITIES FISCAL YEAR 2002—Continued

[In thousands of dollars]

	FY 2002 President's request	FY 2002 House recommendation
Subtotal, Ocean Assessment Program—Conservation	54,025	57,525
Total, Ocean Assessment Program	72,133	74,163
Response and Restoration:		
Base	2,000	2,078
Estuarine and Coastal Assessment	3,568	3,000
Damage Assessment Program	5,200	5,200
Oil Pollution Act of 1990	1,000	1,000
Coastal Protection and Restoration Project	1,000	1,000
Spill Response and Restoration Program	2,000	2,000
Estuary Restoration Act	2,000	0
Aquatic Resources Environmental Initiative	0	8,000
Subtotal, Response and Restoration	16,768	22,278
Ocean and Coastal Research:		
Base	6,000	6,020
Fish Forensics/Enforcement	1,300	1,247
MERHL	1,500	1,277
Pfiesteria/Toxins Research	1,000	1,000
Subtotal, Ocean and Coastal Research	9,800	9,544
Subtotal, Estuarine and Coastal Assessment	98,701	105,985
Coastal Ocean Program:		
Base	12,890	11,497
ECOHAB	4,200	4,300
Hypoxia	0	1,100
South Florida Ecosystem	1,300	1,300
Subtotal, Coastal Ocean Program	18,390	18,197
Total, Ocean Resources Conservation & Assessment	117,091	124,182
Coastal Management:		
Coastal Zone Management Grants	68,963	68,963
Program Administration	6,382	6,382
National Estuarine Research Reserve System	16,400	16,400
Nonpoint Pollution Implementation Grants	10,000	10,000
Marine Protected Areas	3,000	3,000
Subtotal, Coastal Management—Conservation	104,745	104,745
Marine Sanctuary Program:		
Base	34,000	33,500
Sanctuaries SSE Data Collection	2,000	2,000
Northwest Straits Citizens Advisory Commission	0	500
Subtotal, Marine Sanctuary Program—Conservation	36,000	36,000
Total, National Ocean Service—Conservation	194,770	198,270
Total, National Ocean Service	364,486	375,609
NATIONAL MARINE FISHERIES SERVICE		
Fisheries Research and Management Services:		
Science and Technology:		
Base, including information analysis and discrimination	86,614	86,930
AKFIN	3,000	3,000
Alaska Groundfish Monitoring—Base	2,087	2,087

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH, AND FACILITIES FISCAL YEAR 2002—Continued

[In thousands of dollars]

	FY 2002 President's request	FY 2002 House recommendation
Alaska Groundfish Monitoring—Bering Sea Fishermen	150	150
Alaska Groundfish Monitoring—Crab Research	850	850
Alaska Groundfish Monitoring—Gulf of Alaska Coastal Communities	175	175
Alaska Groundfish Monitoring—NMFS Field Fishery Monitoring	300	300
Alaska Groundfish Monitoring—NMFS Rockfish Research	350	350
Alaska Groundfish Monitoring—Rockfish Research/Crab	238	238
Alaska Groundfish Monitoring—State of AK crab, scallop license limitation	1,000	0
Alaska Groundfish Monitoring—Winter Pollock Survey	1,000	500
Alaska Groundfish Surveys—Base	661	661
Alaska Groundfish Surveys—Calibration Studies	239	0
Alaska—Steller Sea Lion/Pollock Research—N. Pacific Council	2,000	1,250
Alaska—Steller Sea lions Predator Prey Relationships	2,000	2,000
Alaska—Bering Sea Pollock Research	945	945
Alaska—Chinook Salmon Research at Auke Bay	300	150
Alaska—North Pacific and Bering Sea—Ocean Climate Impacts	6,000	3,000
Alaska—Magnuson Stevens Implementation	4,350	4,350
American Fisheries Act—Base	3,526	3,526
Aquaculture	1,000	250
Atlantic Herring and Mackerel	200	200
Bluefin Tuna Tagging	600	600
Bluefish/Striped Bass—Base	1,500	1,550
Computer Hardware and Software	4,000	4,000
Cooperative Research—National Cooperative Research	3,000	2,500
Cooperative Research—Southeast	3,000	3,000
Cooperative Research—Northeast	5,000	5,000
Cooperative Research—Northeast Consortium	5,000	0
Cooperative Research Implementation—NMFS	3,500	0
Cooperative Research and Marine Education—NEC	200	0
Driftnet Act Implementation—Base	1,800	1,800
Driftnet Act Implementation—Pacific Rim Fisheries	150	150
Driftnet Act Implementation—Science Observer Russian EEZ	250	250
Driftnet Act Implementation—State Participaton AK/WA	200	0
Expand Stock Assessments—Improve Data Collection	15,000	3,000
NMFS Facilities Maintenance	4,400	4,200
Fish Statistics—Base	13,902	13,902
Fish Statistics—Atlantic Coastal Cooperative Statistics Program	1,500	1,500
Fish Statistics—Economics and Social Sciences Research	3,365	1,996
Fish Statistics—National Fisheries Information System	8,000	2,350
Fish Statistics—National Standard 8	1,000	500
Fisheries Development Program—Product Quality and Safety/Seafood Inspection	8,685	8,685
Fisheries Oceanography	1,500	0
Great South Bay Hard Clams	0	500
GULFFIN Data Collection Effort	3,500	3,500
Gulf of Maine Groundfish Survey	567	567
Gulf of Mexico Consortium	1,500	2,500
Gulf and South Atlantic Fisheries	0	500
Hawaii Stock Management Plan	500	500
JIMAR	2,250	2,250
Lobster Sampling	150	0
MARFIN—Base	2,500	2,500
MARFIN—NE Activities	250	250
MARFIN—Red Snapper	750	750
MarMap	850	850
New England Stock Depletion	1,000	1,000
Observers/Training—Atlantic Coast Observers	3,350	3,350
Observers/Training—East Coast Observers	350	350
Observers/Training—HI Longline Observer Program	1,200	1,200
Observers/Training—N. Pacific Marine Resources Observers	1,875	1,875
Observers/Training—N. Pacific Observer Program	425	425
Observers/Training—West Coast Observers	2,275	3,275
Observers/Training—NMFS National Program	4,000	1,000

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH, AND FACILITIES FISCAL YEAR 2002—Continued

[In thousands of dollars]

	FY 2002 President's request	FY 2002 House recommendation
Ocean Coastal and Waterway/Pascagoula	1,000	0
PACFIN Catch Effort Data	3,000	3,000
Pacific Highly Migratory Species Research	1,000	500
RECFIN—Recreational Fishery Harvest Monitoring	3,700	3,700
Red Snapper Monitoring and Research	7,500	7,500
Reduce Fishing Impacts on Essential Fish Habitat	1,000	500
SEAMAP	1,400	1,400
Shrimp Pathogens	300	150
South Carolina Taxonomic Center	350	350
Swordfish Research	400	400
West Coast Groundfish	5,070	5,370
Subtotal, Science and Technology	254,549	215,907
Conservation and Management:		
Base	7,775	7,775
Alaska Near Shore Fisheries	500	500
Alaska/Bering Sea Crab	500	500
Alaska—Magnuson Stevens Implementation	2,050	2,050
Alaska—Yukon River Chinook Salmon—Base	1,000	1,000
Alaska—Yukon River Chinook Salmon—Y.R. Drainage Fisheries Asso	500	0
Alaska—American Fisheries Act	500	0
Alaska—North Pacific Council—American Fisheries Act	500	0
American Fisheries Act—Base	2,174	2,174
Anadromous Grants	2,100	2,100
Columbia River Hatcheries—Operations	11,457	11,457
Columbia River Hatcheries—Monitor, Evaluation and Reform	1,700	1,700
Fisheries Management Programs	31,257	31,257
Halibut/Sablefish	1,200	1,200
Interjurisdictional Fisheries Grants	2,590	2,590
International Fisheries Commissions	400	400
Interstate Fish Commissions—3 Commissions	750	750
Interstate Fish Commissions—Atlantic Cooperative Management	7,250	7,250
Management of George's Bank	478	478
NMFS NEPA	8,000	8,000
Pacific Salmon Treaty—NMFS Research Base	5,612	5,612
Pacific Salmon Treaty—NMFS Research Chinook Salmon Agreement	1,844	1,844
Refine Essential Fish Habitat Designations	1,500	1,500
Regional Councils	15,650	14,150
Subtotal, Conservation and Management	107,287	104,287
Total, Fisheries Research and Management Services	361,836	320,194
Protected Resources Research and Management Services:		
Science and Technology:		
Base	11,984	12,037
Alaska Sea Life Center—Steller Sea Lion Recovery	3,000	0
Alaska Steller Sea Lion Recovery Plan—Base	22,000	20,030
Alaska Steller Sea Lion Recovery Plan—N. Pacific Univ MM Consortium	800	0
Alaska Steller Sea Lion Recovery Plan—Univ of AK Gulf Apex Predator	1,000	0
Atlantic Salmon Research	710	710
Antarctic Research	1,500	1,500
Columbia River—Endangered Species Studies	299	299
Dolphin Encirclement	3,300	3,300
Dolphin Yellowfin Tuna Research	250	250
Protected Species—Conservation:		
Endangered Species Act—Atlantic Salmon	3,000	1,295
Marine Mammals	4,500	4,500
Other Species	2,700	2,700
Pacific Salmon Recovery	17,450	17,450
Right Whale Activities	3,100	3,100

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH, AND FACILITIES FISCAL YEAR 2002—Continued

[In thousands of dollars]

	FY 2002 President's request	FY 2002 House recommendation
Right Whale Activities NE Consortium	2,900	2,900
Sea Turtles	6,338	6,338
Steller Sea Lions	850	850
Habitat Conservation	4,598	4,598
Hawaiian Monk Seals	800	850
Hawaiian Sea Turtles	300	300
Hawaiian Sea Turtle research and data collection	3,000	3,000
Marine Mammal Protection—Base	2,641	2,641
Marine Mammal Protection—AK Harbor Seal Research	900	900
Habitat Conservation	1,761	1,761
Marine Mammal Protection—Base	4,584	4,584
Marine Mammal Strandings	4,000	4,000
Protected Species Management—Base	5,276	5,276
Protected Species Management—Bottlenose Dolphin Research	750	750
Rancho Nuevo Sea Turtles	350	350
Subtotal, Protected Species—Conservation	69,798	68,143
Subtotal, Protected Resources	114,641	106,269
Conservation and Management Services:		
Base	4,988	5,135
Atlantic Salmon Recovery Plan	450	450
Chinook Salmon Management	150	150
Endangered Species Act—Atlantic Salmon	500	500
Endangered Species Act—Pacific Salmon Recovery	20,500	20,500
Endangered Species Act—Right Whale Activities	1,000	1,000
Native Marine Mammals—Alaska Eskimo Whaling Commission	400	0
Native Marine Mammals—Alaska Harbour Seals	150	0
Native Marine Mammals—Aleut Pacific Marine Resources Observers	125	125
Native Marine Mammals—Beluga Whale Committee	225	225
Native Marine Mammals—Bristol Bay Native Association	50	0
Protected Species Management—Base	3,234	3,234
Protected Species Management—California Sea Lions	750	750
Protected Species Management—NFWF Species Management	1,000	1,000
Protected Species Management—State of Maine Salmon Recovery	1,500	1,000
Southestern Sea Turtles	300	300
State of Maine Recovery Plan	150	150
Steller Sea Lion Recovery—State of AK Work	2,500	711
Subtotal, Conservation and Management Services	37,972	35,230
Subtotal, Protected Resources	152,613	141,499
Habitat Conservation:		
Sustainable Habitat Management:		
Base	2,000	2,038
Charleston Bump	300	300
Chesapeake Bay Multi-Species Management	500	500
Chesapeake Bay Oyster Restoration	850	2,000
Chesapeake Bay Studies	2,000	2,500
Coral Reef	11,000	11,000
Habitat Conservation	2,960	2,960
Alaska—Magnuson Stevens Implementation	850	350
Subtotal, Sustainable Habitat Management	20,460	21,648
Fisheries Habitat Restoration:		
Base	1,316	1,324
Bronx River Recovery and Restoration	0	500
Fisheries Habitat Restoration—Base	10,000	10,000
Fisheries Habitat Restoration—Bronx River	1,000	1,000

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH, AND FACILITIES FISCAL YEAR 2002—Continued

[In thousands of dollars]

	FY 2002 President's request	FY 2002 House recommendation
Fisheries Habitat Restoration—Pinellas County	1,000	1,500
Habitat Conservation	1,116	1,116
Subtotal, Fisheries Habitat Restoration	14,432	15,440
Subtotal Habitat Conservation—Conservation	34,892	37,088
Enforcement and Surveillance:		
NMFS Enforcement:		
Driftnet Act Implementation/Base	1,375	1,375
Enforcement and Surveillance—Base	22,420	22,465
Enforcement and Surveillance—Coop agreements w/States	2,500	2,500
Enforcement and Surveillance—Vessel Monitoring System	7,400	2,000
Subtotal, NMFS Enforcement	33,695	28,340
Cooperative Enforcement with States	15,000	15,000
Subtotal, Enforcement and Surveillance	48,695	43,340
Total, National Marine Fisheries Service—Conservation	104,690	105,231
Total, National Marine Fisheries Service	598,036	542,441
OCEAN AND ATMOSPHERIC RESEARCH		
Climate Research:		
Laboratories & Joint Institutes:		
Aeronomy Laboratory	8,089	8,111
Atlantic Oceanographic and Meteorological Laboratory	5,676	5,691
Air Resources Laboratory	3,438	3,447
Climate Diagnostic Center	2,548	2,555
Climate Monitoring and Diagnostic Laboratory	5,937	5,952
Environmental Technology Laboratory	242	243
Forecast Systems Laboratory	156	156
Geophysical Fluid Dynamics Laboratory	14,191	14,229
Pacific Marine Environmental Laboratory	8,344	8,523
Space Environmental Center	235	236
Subtotal, Laboratories & Joint Institutions	48,856	49,143
Climate & Global Change Program:		
Climate and Global Change (Base, competitive grants)	67,854	69,875
Variability beyond ENSO	1,000	1,000
Climate Forcing Agents	1,000	1,000
Accelerating Climate Models—International Research Institute	2,750	2,750
Subtotal, Climate & Global Change Program	72,604	74,625
Climate Observations & Services:		
Climate Reference Network	3,000	3,000
Climate Data & Info	1,000	1,000
Baseline Observatories	2,000	2,000
Ocean Observations/Ocean Systems	4.352	3.852
Argo Floats	7,950	7,950
Regional Assessments, Education and Outreach	1,850	1,850
Climate Change Assessments	650	650
Weather-Climate Connection	900	900
Carbon Cycle Monitoring	2,300	2,300
Subtotal, Climate Observations & Services	24,002	23,502
Partnership Programs:		
Institute for Study of Earth, Ocean & Space (CCRC)	2,000	0
International Pacific Research Center (U of HI)	500	0

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH, AND FACILITIES FISCAL YEAR 2002—Continued

[In thousands of dollars]

	FY 2002 President's request	FY 2002 House recommendation
Central CA Ozone Study	0	250
Subtotal, Partnership Programs	2,500	250
Total, Climate Research	147,962	147,520
Weather & Air Quality Research:		
Laboratories & Joint Institutes:		
Aeronomy Laboratory	2,048	2,054
Atlantic Oceanographic and Meteorological Laboratory	3,910	3,921
Air Resources Laboratory	2,072	2,077
Climate Monitoring and Diagnostic Laboratory	166	166
Environmental Technology Laboratory	6,845	6,864
Forecast Systems Laboratory	10,617	10,646
Geophysical Fluid Dynamics Laboratory	3,069	3,077
National Severe Storms Laboratory	7,531	7,552
Pacific Marine Environmental Laboratory	263	264
Space Environmental Center	7,222	7,242
Subtotal, Laboratories & Joint Institutes	43,743	43,863
U.S. Weather Research Program:		
U.S. Weather Research Program Base (USWRP)	3,731	3,000
Space-Based Wind Profile Lidar Technology	1,000	0
Subtotal, U.S. Weather Research Program	4,731	3,000
Total, Weather & Air Quality Research	48,474	46,863
Ocean, Coastal, and Great Lakes Research:		
Laboratories & Joint Institutes:		
Atlantic Oceanographic and Meteorological Laboratory	2,720	2,720
Coral Reef Watch—Conservation Category	499	499
Environmental Technology Laboratory	445	445
Great Lakes Environmental Research Laboratory	8,232	8,232
Pacific Marine Environmental Laboratory	7,389	7,389
Subtotal, Laboratories & Joint Institutes	19,285	19,285
National Sea Grant College Program:		
National Sea Grant College Program Base (Base)	56,400	56,410
Aquatic Nuisance Species/Zebra Mussel Research	3,000	3,000
Gulf of Mexico Oyster Initiative	1,000	1,000
Oyster Disease Research	2,000	2,000
Subtotal, National Sea Grant College Program	62,400	62,410
National Undersea Research Program (NURP)	13,848	11,503
Ocean Exploration	14,000	6,000
Partnership Programs:		
Aquatic Ecosystems	0	4,300
Arctic Research	1,650	0
NISA/Ballast Water Demonstrations	0	2,494
NISA/Prevent & Control Invasive Species	800	800
Marine Aquaculture Program	3,606	0
Tsunami Hazard Mitigation	2,300	1,000
Subtotal, Partnership Programs	8,356	8,594

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH, AND FACILITIES FISCAL YEAR 2002—Continued

[In thousands of dollars]

	FY 2002 President's request	FY 2002 House recommendation
Total, Ocean, Coastal, & Great Lakes Research	117,889	107,792
Information Technology R&D, & Science Education:		
GLOBE	3,057	2,500
High Performance Computing & Communications (HPCC)	12,806	12,808
Total, Information Technology, R&D, & Science Education	15,863	15,308
Total, Oceanic and Atmospheric Research—Conservation	499	499
Total, Ocean and Atmospheric Research—ORF	330,188	317,483
NATIONAL WEATHER SERVICE		
Local Warnings and Forecasts:		
Local Warnings and Forecasts Base	518,708	520,084
Alaska Data Buoys	1,700	650
Sustain Cooperative Observer Network	2,299	1,890
Subtotal, Local Warnings and Forecasts	522,707	522,624
Advanced Hydrological Prediction Service	1,000	1,500
WFO Maintenance	4,550	4,230
Weather Radio Transmitters:		
Weather Radio Transmitters Base	2,323	2,323
NOAA Weather Radio Transmitters—Big Horn, WY	0	76
NOAA Weather Radio Transmitters—WI	0	500
Subtotal, Weather Radio Transmitters	2,323	2,899
Total, Local Warnings and Forecasts	530,580	531,253
Central Forecast Guidance	43,745	40,850
Total, Operations and Research	574,325	572,103
Systems Operations & Maintenance (O&M):		
NEXRAD	39,996	43,021
ASOS	7,651	7,667
AWIPS	36,484	36,558
Total, Systems Operation & Maintenance	84,131	87,246
Total, National Weather Service—ORF	658,456	659,349
NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE		
Environmental Satellite Observing System:		
Satellite Command and Control	32,791	32,842
Product Processing and Distribution	28,696	25,747
Product Development, Readiness & Application	23,471	22,518
Global Wind Demonstration	1,000	1,000
Commercial Remote Sensing Licensing & Enforcement	1,200	250
Total, Environmental Satellite Observing Systems	87,158	82,357
NOAA's Data Centers & Information Services:		
Archive, Access & Assessment	32,192	31,371
Climate Database Modernization	6,214	16,048
Coastal Data Development	4,513	4,513
Regional Climate Centers	0	3,000
Environmental Data Systems Modernization	12,335	12,335

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH, AND FACILITIES FISCAL YEAR 2002—Continued

[In thousands of dollars]

	FY 2002 President's request	FY 2002 House recommendation
Total, NOAA's Data Centers & Information Services	55,254	67,267
Total, Nat'l Environmental Satellite, Data and Information Service	142,412	149,624
PROGRAM SUPPORT		
Corporate Services:		
Under Secretary and Associate Offices	23,981	21,823
Policy Formulation and Direction:		
Policy Formulation and Direction Base	36,366	33,940
Minority Serving Institutions	15,000	15,000
Subtotal, Policy Formulation and Direction	51,366	48,940
Total, Corporate Services	75,347	70,763
Office of Marine and Aviation Operations:		
Aviation Operations:		
Aircraft Services	14,184	13,918
Subtotal, Aviation Operations	14,184	13,918
Marine Operations:		
Marine Services	63,829	61,615
Fleet Planning and Maintenance	11,120	11,000
Total, Marine Operations	74,949	72,615
Total, Office of Marine and Aviation Operations	89,133	86,533
Facilities and Projects:		
NOAA Maintenance and Repairs	3,636	2,816
Environmental Compliance	2,000	2,000
Boulder Facilities Operations	5,000	4,500
Columbia River Facilities	3,365	4,000
Pribilof Island Cleanup	4,000	5,500
Total, Facilities and Projects	18,001	18,816
Total, Program Support—ORF	182,481	176,112
Total, Conservation Category—ORF	168,000	304,000
Total ORF	2,276,059	2,220,298
Deobligations	(17,000)	(17,000)
Coastal Zone Management Fund offset	(3,000)	(3,000)
Total, Budget Authority—ORF	2,256,059	2,200,298

NATIONAL OCEAN SERVICE

The Committee has included a total of $375,609,000 for activities of the National Ocean Service (NOS) for fiscal year 2002.

Mapping and Charting.—The recommendation includes $68,525,000 for mapping and charting activities, which is $2,925,000 above the budget request and $9,768,000 above the current year. The recommendation includes $24,985,000 for the hydrographic survey backlog line. The recommendation is consistent with the position the Committee has supported for years that at least 50 percent of hydrographic surveying should be contracted out. The Committee considers mapping and charting that promotes com-

merce and ensures safe navigation to be a priority for NOAA. At the President's request level, it would take 20 years for NOAA to update maps and charts of the critically important areas. The Committee recommendation includes an increase to the "address survey backlog" line of $4,535,000 for the Gulf of Mexico, including Lake Pontchartrain.

Further, the Committee directs NOAA to enter into a long-term lease or charter of a U.S. purpose-built, U.S. flag hydrographic survey vessel which is capable of performing the full scope of necessary hydrographic services. To provide optimal quality survey data to NOAA, the intended vessel should be equipped with a suite of state-of-the-art survey equipment capable of providing quality data from inshore waters to full ocean depths. It is the Committee's intent to provide the most efficient and cost-effective use of the survey backlog funding, including using longer-term private vessel charters. This model would allow NOAA to sustain its goal of maintaining accurate and timely charts of the Nation's waters without additional Federal capital outlays.

Acquisition of data funding (ship time) has been moved to Program Support.

Geodesy.—The Committee has included $22,862,000 for NOAA's geodesy programs, an increase of $527,000 above fiscal year 2001 and $938,000 above the request. No funding is provided for the National Spacial Reference System or for the South Carolina Geodetic survey. NOAA is directed to work with the states of Louisiana and Wisconsin to assess their requirements for similar programs and report back to the Committee by September 15, 2001.

Tide and Current Data.—The Committee has recommended $19,295,000 for this activity, an increase of $4,239,000 above fiscal year 2001 and $2,045,000 above the request. The increase from current year levels is for the continued implementation of the Physical Oceanographic Real-Time System (PORTS) program and increased funding for the National Water Level Observation Network (NWLON) on the Great Lakes.

Ocean Assessment Program.—The Committee recommendation provides $74,163,000 for this activity, of which $57,525,000 is under the conservation category. Of the amount provided for the Coastal Services Center, $1,000,000 is for the Alliance for Coastal Technologies.

Coastal Zone Management.—The Committee recommendation provides a total of $104,745,000, as requested, under the National Ocean Service to assist coastal States in implementing clean water programs. Of this amount, $68,963,000 is for grants to States in accordance with sections 306 and 306A of the Coastal Zone Management Act (CZMA), the same amount as in the request and $8,596,000 above the current year. In the fiscal year 2001 Appropriations Act, the Committee directed NOAA to provide an assessment of the national impact of this program and submit such assessment to the Committees on Appropriations no later than March 15, 2001. The Committee has not received this report. The recommendation does not make language changes to the limits of each grant. While the Administration's request includes an increase of $12,184,000 for the CZMA program, the Committee notes the CZMA authorization has expired. Further, $10,000,000 is requested by the Administration for the Non-Point Source Pollution Imple-

mentation grants program, which is not authorized under sections 306 and 306A of the CZMA, but rather section 6217 of the CZMA. In fiscal year 2001, the Committee provided $10,000,000 for the program, and the Environmental Protection Agency (EPA) nonpoint source program was funded at $238,000,000. The Committee remains concerned that the program remains unauthorized, and has questioned whether NOAA's program is duplicative of programs funded under the Environmental Protection Agency and the Department of Agriculture.

Marine Sanctuaries.—The recommendation provides $36,000,000 for the program, $3,571,000 above the current year, of which $500,000 is for the activities of the Northwest Straits Citizens Advisory Commission, the same amount provided in fiscal year 2001. The Commission was established to focus on the marine resources in the area, mobilize science and support marine resource committees, and establish a forum for coordination and consensus building, in lieu of Federal designation of the area as a Marine Sanctuary. The Committee believes that such a consensus-based approach is an innovative and novel way to promote marine conservation, the goal of the Marine Sanctuary Program.

The Committee continues to believe that NOAA should redouble its efforts to pursue revenue enhancement initiatives and to explore other voluntary, innovative means to identify partners and raise additional resources for the sanctuaries. In addition, the bill includes language, carried in previous years, allowing the collection of user fees for the sanctuaries.

Marine Protected Areas.—$3,000,000 is provided, as requested, for marine protected areas to develop an atlas of local, regional, state, Federal and international marine protected areas at least partially in the United States Exclusive Economic Zone. The atlas should include Geographic Information System compatible maps of these areas, descriptions of the statutory and regulatory establishment documents for these areas, and any regulations or restrictions imposed on such areas. Marine Protected Areas included in the atlas should not include land areas adjacent to marine areas. No funds should be used to evaluate, propose or designate new marine protected areas.

NATIONAL MARINE FISHERIES SERVICE

The Committee has provided a total of $542,121,000 for the programs of the National Marine Fisheries Service (NMFS), as compared to $598,036,000 as requested. Bill language is not included designating funding for Alaska Steller sea lions.

The Committee's actions reflect the fact that the key to building sustainable fisheries lies in the ability to accurately assess the status of the stock. Early assessment enables more accurate and timely decisions by managers of the resource to ensure continued viability of the resource. Thus the Committee has placed highest priority on, and provided increases for, programs and activities which ensure that the National Marine Fisheries Service (NMFS) and its resource management partners have access to the necessary information to make fishery management decisions. The Committee remains concerned at the increasing number of lawsuits against NMFS. As of March 30, 2001 there were 102 open lawsuits against NMFS. Of these lawsuits, 40 percent were brought by the environ-

mental community, 30 percent by the commercial fishing industry, 13 percent by local government, 14 percent by community developers/other industry, and the remaining 3 percent were filed by tribes and recreational fishing groups. The majority of these lawsuits were based on the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA). In last year's conference agreement, a total of $21 million was provided to assist NOAA in meeting its research requirements due to lawsuits. The Committee has continued this funding level in fiscal year 2002.

Science and Technology.—The Committee also expects NMFS to continue the collaborative multi-regional biological research on highly migratory species of sharks to provide NMFS with the information necessary for effective management of the highly migratory shark fishery and conservation of imminently threatened shark fishery resources. Of the amounts provided under Science and Technology, $250,000 is for aquaculture work at the NMFS Milford, CT laboratory.

Atlantic Bluefish/Striped Bass.—The Committee recommendation includes $1,550,000 in funding under Fisheries Research and Management Services, Science and Techology for the ongoing program under the Cooperative Education Marine Research program to study the decline of nearshore Atlantic bluefish stocks and striped bass population monitoring.

Data Collection Efforts for States.—The Committee remains concerned that there are a number of different mechanisms in place to collect data and these data may not be available to fishery managers in a useable format. As a result, the Committee directs NMFS to ensure that information from fishery observers and state data is incorporated into the National Fisheries Information System. The Committee recommendation includes $2,350,000 to ensure this coordination.

Protected Species Management.—The recommendation includes $141,819,000 for protected species management, of which $68,143,000 is under the conservation budget category. Marine Mammal Stranding funding of $4,000,000 is for the Prescott Marine Mammal Stranding grant program as authorized in Public Law 106–555.

Habitat Restoration.—The recommendation includes $37,088,000, which is funded under the conservation category. A total of $5,000,000 is provided through the Chesapeake Bay Office, of which $2,000,000 is for oyster reef construction, to be divided evenly between Maryland Oyster Reef Partnership and the Virginia Oyster Reef Heritage Foundation. The Partnership and the Foundation should consult with their respective state marine resource agencies in planning, locating and building oyster reefs.

Right Whales.—The Committee expects NMFS to continue its right whale research and to focus on much needed gear modification research. The Committee is concerned that strikes by large vessels have resulted in right whale fatalities. The Committee continues its direction from last year for NMFS to work with the Coast Guard and the Department of the Navy to reduce the strikes in whale habitat areas.

The Committee expects NOAA to maintain as a priority under the Saltonstall-Kennedy grant program proposals for research and education efforts directed at the protection of high-risk consumers

from naturally occurring bacteria associated with raw molluscan shellfish. Specifically, the Committee expects continuation of ongoing efforts to address concerns associated with Vibrio vulnificus.

Columbia River.—The Committee is aware of the National Marine Fisheries Service's obligations, under the 2000 Biological Opinion for the Federal Columbia River Power System, to address the impacts of the operation of federal hydroelectric dams on the Columbia and Snake Rivers on endangered and threatened salmon. The Committee is also mindful that record-low water levels in the river systems could result in severe energy and water shortages in many states. Therefore, the Committee urges NMFS to use full flexibility under the Biological Opinion. In addition, the Committee is concerned that NMFS may be delaying consultation with the U.S. Army Corps of Engineers on its implementation of critical interim maintenance of navigational channels through dredging activities on the Snake, Clearwater, and mid-Columbia Rivers. These delays could significantly and adversely impact barge transportation as well as fish stocks, including juvenile smolts, along the river system. The Committee directs NMFS to devote resources to expedite its review of the Walla Walla Corps of Engineers' environmental assessment. The Committee understands that if the assessment is not received from the U.S. Corps of Engineers by August 2001, there may be affects on the maintenance of navigational channels during the 2001 winter season.

OCEANIC AND ATMOSPHERIC RESEARCH

The Committee has provided a total of $317,483,000 for the Oceanic and Atmospheric Research Programs of NOAA, instead of $330,188,000 as requested. The revised budget structure table identifies the available funding for each of the OAR laboratories. The Committee recommendation includes the following amounts for basic laboratory research and support under Oceanic and Atmospheric Research:

Climate Research.—The Committee has included $147,520,000 for the Climate Research category. Within the amounts for the Climate and Global Change base, $1,000,000 is provided to the University of Arizona.

Of funds available to the Pacific Marine Environmental Laboratory, $2.5 million shall be available for the VENTS program. Of the amounts provided for OAR, $499,000 for the coral reef watch program is provided under the conservation category.

National Undersea Research Program (NURP).—Of the amount provided for the National Undersea Research Program, $1 million is for administration, $1.8 million is for Alvin and Aquarius, and the remaining funds are to be split evenly between the East Coast and West Coast Centers.

NATIONAL WEATHER SERVICE

The Committee recommendation includes a total of $659,349,000 for the National Weather Service for fiscal year 2002 under the ORF account, which is $29,945,000 above fiscal year 2001 and $893,000 above the request. Additional amounts for NWS are provided under the Procurement, Acquisition and Construction account to support NWS systems modernization and facilities requirements. Of the amounts provided under systems operation and

maintenance, $3.1 million is for the relocation and installation of a WSR–88D from Keesler Air Force Base in Mississippi to Brandon, Mississippi.

Funding for the Susquehanna River Basin flood system should remain at current year levels.

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE

The recommendation includes $149,624,000 for the operational and research and development programs of the National Environmental Satellite, Data, and Information Service (NESDIS), an increase of $7,212,000 from the request and $24,665,000 above current year. The revised budget structure transfers $10,500,000 from the PAC account to this appropriations account.

Environmental Data Management Systems.—Funding is provided to continue a multi-year program of climate database modernization and utilization.

The recommendation includes $3,000,000 for continuation of the Regional Climate Centers program, which was proposed for elimination. Further, the Committee recognizes the value of NOAA climate data centers as the U.S. repositories for historical environmental data and encourages the Administration to ensure that in future years adequate funding is requested to maintain these centers.

PROGRAM SUPPORT

The Committee has included $176,112,000 for Program Support. Of the amounts provided for Pribilof Island Cleanup, $1,500,000 is for assistance authorized under the Section 206(b) of the Fur Seal Act of 1966 (16 USC 1166(b)), and $4,000,000 is to carry out Section 3 of Public Law 104–91 (16 USC 1165 note).

The University of Louisiana at Lafayette may occupy the presently vacant space in the National Oceanic and Atmospheric Administration facility in Lafayette, Louisiana, and conduct classroom teaching, scientific research and related activities on the premises at no expense to the University.

A number of Members of Congress and staff have raised the issue of the amount of time it takes for NOAA to process grant applications and provide funding to external granters. As a result, the Committee directs NOAA, through the Department of Commerce, to submit to the Committee an operating plan for expenditure of funds available to NOAA in fiscal year 2002, based on the Committee's distribution as shown in the accompanying table. In addition, the Committee directs NOAA to report to the Committee on a quarterly basis on the status of obligations against the Committee's distribution.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

The recommendation includes $749,000,000 in fiscal year 2002 for this account, of which $26,000,000 is under the conservation category. The revised budget structure includes a transfer of $10,750,000 from the President's request for NESDIS under this account to NESDIS under the ORF account. The recommendation is $67,603,000 above the current year and $15,861,000 below the

President's request. This account funds capital assets acquisition activities, including systems acquisition and continued construction. The following distribution reflects the activities funded within this account:

PROCUREMENT, ACQUISITION AND CONSTRUCTION

[In thousands of dollars]

	FY 2002 President's request	FY 2002 House recommendation
NOS-Construction:		
Beaufort Lab Repairs	1,000	500
Coastal Service Center	1,000	0
Marine Sanctuaries Construction	15,993	15,993
National Estuarine Research Reserve Construction	9,912	9,912
Total NOS–PAC	27,905	26,405
NMFS–Construction:		
Alaska Facilities Fisheries Center Juneau—continuation	11,700	5,850
Aquatic Resources—continuation	0	5,000
N.Y. Botanical Gardens—continuation	0	4,034
Honolulu Laboratory—continuation	3,000	1,500
Santa Cruz Laboratory—continuation	0	550
Total, NMFS—PAC	14,700	16,934
OAR-Systems Acquisition:		
Comprehensive Large Array Data Stewardship System	3,626	3,626
Research Supercomputing	6,984	8,984
Total, OAR–PAC	10,610	12,610
NWS-Systems Acquisition:		
ASOS	5,125	5,125
AWIPS	16,264	16,264
NEXRAD	8,261	11,261
NWSTG Backup—CIP	7,460	7,460
Radiosonde Network Replacement	4,989	4,989
Weather and Climate Supercomputing	15,052	15,052
WFO Construction	12,000	9,505
Total, NWS—PAC	69,151	69,656
NESDIS-Systems Acquisition:		
Geostationary Systems	289,474	289,474
Polar Orbiting Systems	295,902	295,902
Continuity of Critical Facilities	4,550	2,550
Suitland Facility	5,700	5,700
Total, NESDIS—PAC	595,626	593,626
Program Support-Systems Acquisition:		
Commerce Administrative Management System (CAMS)	19,804	19,254
Subtotal, PS Systems Acquisition	19,804	19,254
Program Support—OMAO:		
ADVENTUROUS Refurbishment (Hawaii)	4,200	0
ALBATROSS IV Repairs (New England)	4,000	1,000
FAIRWEATHER Refurbishment (Ketchikan, Alaska)	9,515	9,515
GORDON GUNTER (Gulf of Mexico)	1,800	0
Subtotal, Program Support—OMAO Fleet Replacement	19,515	10,515
Total, Program Support—PAC	39,319	29,769
Total, PAC-non-conservation	731,311	723,000
Total—PAC-conservation	26,000	26,000
Total Direct Obligations, PAC	757,311	749,000

Marine Sanctuaries Construction Account.—Of the amounts provided, $2,000,000 is for the Gray's Reef National Marine Reef Sanc-

tuary, which must be matched 3 to 1 by State and local partners, and $5,000,000 for the National Monitor Sanctuary's USS Monitor Center for planning, design, and engineering of the exhibits for the Center.

National Estuarine Research Reserves.—Of the amount provided, $500,000 is for the Elkhorn Slough NERR and $1,000,000 is for support of the Hackensack watershed project, for which the amount must be matched 3 to 1 by State and local partners.

National Weather Service.—The funding provided for the Advanced Weather Interactive Processing System (AWIPS) will complete the third year of a three-year effort to develop and deploy Build 5.0 software.

Of the amounts provided for the next generation radar (NEXRAD), $3,000,000 is included for the establishment of a weather forecast office at the National Space Science and Technology Center located at the University of Alabama at Huntsville, which shall be consistent in capabilities, functions, and mission with similarly constituted NWS offices.

PACIFIC COASTAL SALMON RECOVERY FUND

The recommendation includes $110,000,000 under the conservation category for the Pacific Salmon Recovery Fund. This amount is $20,000,000 above the request. In the fiscal year 2001 Act, language was included to authorize the appropriation of funds for fiscal years 2001, 2002, and 2003. The Committee has included bill language making fiscal year 2002 funds available subject to express authorization. In addition, $20,000,000 is included for the Northern and Southern Boundary funds, and $5,000,000 for a direct payment to the State of Washington for the obligations of the 1999 Pacific Salmon Treaty.

COASTAL ZONE MANAGEMENT FUND

The Committee has included language in the bill, identical to that included in the request, which makes $3,000,000 in the Coastal Zone Management Fund available for transfer to the Operations, Research, and Facilities account.

FISHERMEN'S CONTINGENCY FUND

The Committee recommends $952,000 for the Fishermen's Contingency Fund, the full amount requested and $2,000 above the current year.

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 manmade obstructions related to oil and gas exploration, development, and production on the Outer Continental Shelf.

FOREIGN FISHING OBSERVER FUND

The Committee recommends $191,000 for the Foreign Fishing Observer Fund for fiscal year 2002, an amount equal to the current year level and the request.

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 Sec-

retary of Commerce to finance the cost of placing United States observers aboard such fishing vessels.

FISHERIES FINANCE PROGRAM ACCOUNT

The Committee recommends $287,000 in subsidy amounts for the Fisheries Finance Program account, the same amount as in the request and in the current year.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The Committee recommends $37,843,000 for the Commerce Department's Salaries and Expenses appropriation for fiscal year 2001, $2,002,000 over the current year and $191,000 above the budget request. The Committee directs the Department of Commerce to provide quarterly reports on obligations of the National Oceanic and Atmospheric Administration, the Patent and Trademark Office, and the Bureau of the Census. The Department is directed to consult with the Committee prior to submitting the first report, covering the first quarter of fiscal year 2002.

Further, the General Accounting Office has raised concerns that the Commerce Administrative Management System (CAMS) does not meet core financial requirements to timely produce a usable accounts payable list and does not have archiving capabilities. The Committee directs the Department of Commerce to review these concerns and provide a report on the findings to the Committee no later than August 30, 2001.

The recommendation retains language, proposed for modification, regarding reception and representation.

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

Office Relocations.—The Committee continues its direction for the Department to submit quarterly reports providing details of all office moves, openings, reductions and closings, which will be considered as reprogrammings under section 605 of the Act.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $21,176,000 for the Commerce Department's Office of Inspector General for fiscal year 2002. This amount is the same as the request and $1,220,000 above the current year level.

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 2001 Appropriations Act:

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 hire of passenger motor ve-

hicles 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 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.

Section 205 provides that any costs incurred by the Department in response to funding reductions shall be absorbed within the total budgetary resources available to the Department and shall not be subject to the reprogramming limitations in this Act.

Section 206, allows the Secretary to award contracts for certain mapping and charting activities in accordance with the Federal Property and Administrative Services Act.

Section 207 allows the Department of Commerce franchise fund to retain a percentage of earnings from services provided for capital investments.

TITLE III—THE JUDICIARY

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

The Committee recommendation provides $4,681,132,000, which is an increase of $426,351,000 over last year's enacted level and $191,581,000 below the request. This amount is provided to fund the ongoing activities of the Federal courts; to allow the Defender Services account to keep pace with growing workload and funding requirements; to fund increased security requirements; and to begin the long-overdue restoration of the Supreme Court building.

The Judiciary formulates its budget based on total obligations, including appropriated funds and funds available from other sources, including fees and carryover. The Judiciary is able to offset its request for appropriated funds by the amount of fees estimated to be collected in a given year and the level of carryover balances estimated to be available. In prior years, at the direction of the Committee, the Judiciary presented its budget request based on total obligations. For the fiscal year 2002, the Judiciary adjusted the presentation of its budget request to compare the fiscal year 2001 available appropriation to the fiscal year 2002 requested appropriation. This presentation is similar to that of the Executive Branch. The Committee is pleased with the change in budget presentation.

SUPREME COURT OF THE UNITED STATES

The Committee recommends a total of $112,066,000 for the Supreme Court of the United States for fiscal year 2002, $67,041,000 above the fiscal year 2001 level, and $47,790,000 below the request.

The total amount is provided in two separate appropriations accounts, as follows:

SALARIES AND EXPENSES

The Committee recommends an appropriation of $42,066,000 for fiscal year 2002 for the salaries and expenses of the Justices and their supporting personnel, and the cost of operating the Supreme Court, excluding the care of the building and grounds. The recommendation is $4,554,000 above the current year appropriation, and is $48,000 below the Court's request.

The recommendation fully funds the Court's adjustments to base for court supporting staff. The recommendation also fully funds the Court's request for additional staff, training, and equipment. The Committee is pleased with the Court's efforts to increase its use of information technologies.

A former member of the Committee, the late Julian Dixon of California, worked tirelessly to remind the Supreme Court of the importance of fair hiring practices in the selection of law clerks. This year, a number of Members of the Committee raised questions about the progress in hiring of minority and women law clerks at the Supreme Court. The Justices who testified before the Committee responded by stating that there is a "heightened awareness" about this issue. The Court has been responsive in providing information regarding its practices and in continuing to make every effort to expand the pool of applicants in a manner to bring about fairness in hiring. The Subcommittee appreciates the efforts of the Court and looks forward to continuing progress in this matter.

CARE OF THE BUILDING AND GROUNDS

The Committee recommends an appropriation of $70,000,000 for fiscal year 2002 for personnel and other services relating to the Supreme Court building and grounds, which are supervised by the Architect of the Capitol. The recommendation is $47,742,000 below the request and is $62,487,000 above the current year appropriation.

The Committee recommendation provides a $63,500,000 increase to begin the critical upgrades of the Supreme Court building. The Committee understands that an additional $53,500,000 will be required in fiscal year 2003 to complete the project. The Architect of the Capitol, who is responsible for maintaining this historic structure, believes that a single contract would be the most advantageous means to ensure the accountability of contractors. It would also be the least disruptive to the operations of the Court. The budget authority is made available until expended to give the Architect maximum flexibility in structuring the contract. The Committee notes its full intention to provide the amounts needed to complete the project as soon as practicable.

The Supreme Court building has serious deficiencies in its life safety, security, mechanical, electrical, and plumbing systems. These obsolete systems create the risk of an emergency to the health and safety of the Justices, the court staff, the Supreme Court police, and the nearly one million visitors to the building each year. To correct these deficiencies, the Architect has proposed the building's first significant upgrade in its 65-year history. The Committee believes that each day this project is delayed dramati-

cally increases the potential for the building's outdated systems to fail, placing human life and safety at risk as well as increasing the costs required to perform the necessary modernization.

In order to address the building's fire safety deficiencies, the Committee understands the Architect plans to provide the following: full fire detection and suppression coverage for currently unprotected areas; protected egress paths to provide safe avenues of escape in the event of an emergency; and smoke evacuation and smoke purge systems for the entire building.

The Committee also supports the Architect's plans to address the building's security deficiencies by: construction of a dedicated police facility; enhancement of visitor screening capabilities; and installation of bullet and blast proof windows where appropriate.

The Committee understands that the building's antiquated heating, ventilating, and air conditioning systems require extraordinary and daily maintenance precautions to avoid sick-building syndrome conditions. The Committee further understands that the systems have outlived their anticipated life expectancy, two and a half times the normal industry standards, and that replacement parts for maintenance and system failures are no longer manufactured. The Committee therefore recognizes the urgent need to replace these systems to assure no disruption to the Court's functions and supports the Architect's plan to do so.

The Committee also understands that the building's electrical system is operating at full capacity, which not only is a fire hazard but also hinders the Court's ability to implement new information technologies critical to the functioning of the Court. The Committee supports the Architect's plan to replace this system to ensure that both the present and future electrical needs of the Court will be accommodated.

The Committee expects the Architect to minimize the impact that this project will have on the operations of the Court. The Committee supports the Architect's plan to install all needed systems simultaneously so that each area of the building is disturbed only once. The Committee also supports the Architect's plan to hire a construction management firm to assist the Architect in managing and overseeing the project.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The Committee recommends an appropriation of $19,287,000 for fiscal year 2002 for the salaries and expenses of the United States Court of Appeals for the Federal Circuit. The Committee recommendation is $1,392,000 above the current year appropriation and $1,159,000 below the request.

The Committee recommendation funds the Court's requested adjustments to base for court support staffing and funds the Court's request for additional technical assistants. If the Court determines that its other requested enhancements are a higher priority than the technical assistants, the Court may submit a reprogramming request for the Committee's consideration under section 605 of this Act.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

The Committee recommends an appropriation of $13,073,000 for fiscal year 2002 for the salaries and expenses of the United States Court of International Trade. The Committee recommendation is $39,000 below the amount requested and $641,000 above the fiscal year 2001 appropriation. The Committee recommendation funds the requested adjustments and also includes $75,000 for an architectural analysis of the Court's facility, which is over 35 years old and in need of several repairs and upgrades.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The Committee recommends an appropriation of $3,631,940,000 for the operations of the regional courts of appeals, district courts, bankruptcy courts, the Court of Federal Claims, and probation and pretrial services officers. The recommendation is $103,834,000 below the request and $279,061,000 above the fiscal year 2001 appropriation.

Non-appropriated Funds.—In addition to appropriations, the courts collect fees and have various carryover authorities. The Judiciary uses these non-appropriated funds to reduce its appropriation request. For fiscal year 2002, the budget request estimates that $226,062,000 will be available in fee collections and carryover balances. If additional non-appropriated funds become available in fiscal year 2002, either through savings in fiscal year 2001 or increased fee collections, the Committee expects the Judiciary to apply these funds to its fiscal year 2002 financial plan to meet the highest priority needs of the courts.

Workload.—The Committee understands the workload of the courts continues to escalate. Nationally, between FY 1997 and FY 2001, the courts have seen a 34% increase in criminal filings, a 30% increase in offenders receiving substance abuse treatment, a 27% increase in pretrial services reports, and a 14% increase in the number of persons under the supervision of a probation officer. This growth in workload is most significant in the 5 districts along the Southwest Border, which account for a staggering 27% of all criminal filings.

The Committee also understands that, unlike Executive Branch agencies, the Judiciary is unable to control either the volume of its workload or the rate at which it must complete that work. The significant growth in the Judiciary's workload is largely attributable to the expanding jurisdiction of the Federal courts through legislation passed by the Congress as well as the significant increases in funding provided to the Department of Justice in recent years for investigating and prosecuting crimes.

In fiscal year 2001, the Committee was able to fully fund the staffing needs of the courts for the first time in three years. The Committee is pleased that staffing resources were allocated based on formulas recently updated by the Administrative Office of the U.S. Courts (AO) that equitably allocated staff based on the actual workload of each district. The Committee expects the Judiciary to

allocate its fiscal year 2002 staffing resources using the formulas approved by the Judicial Conference.

Bankruptcy Reform.—The Committee is aware that H.R. 333, as passed by the House on March 1, 2001, and S. 420, as passed by the Senate on March 15, 2001, will increase costs in bankruptcy courts by an estimated $100 million over five years. No funds are included in this recommendation to implement the Bankruptcy Reform Bill. However, upon enactment, the Judiciary should submit a report to Congress regarding the additional funding, which may be required to implement the bill, as well as a plan for providing for the new financial needs facing the Bankruptcy Courts.

In the language in the accompanying bill, $27,817,000 is permitted to remain available until expended for space alteration projects and for furniture costs related to new space alteration or construction projects.

VACCINE INJURY COMPENSATION TRUST FUND

The Committee recommends a reimbursement of $2,692,000 for fiscal year 2002 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 equal to the request and is $96,000 above the amount available in the current fiscal year.

As in past years, the bill language is included under the title Vaccine Injury Compensation Trust Fund. The language was not moved into the Salaries and Expenses account as requested.

DEFENDER SERVICES

The Committee recommends an appropriation of $500,671,000 for fiscal year 2002. The recommendation is $66,628,000 above the available current year appropriation and $20,846,000 below the request. This account provides funding for the operation of the Federal Public Defender and Community Defender organizations and for compensation and reimbursement of expenses of panel attorneys appointed pursuant to the Criminal Justice Act (CJA), as amended, for representation in criminal cases.

The recommendation provides for inflationary pay and non-pay increases for Federal Defender Organizations, additional representations, and an increase in the hourly rate of compensation for private panel attorneys appointed to provide representation to $90 per hour in-court and out-of-court.

Workload.—Between fiscal year 1996 and the end of fiscal year 2001, the number of CJA representations provided by the Judiciary has increased by approximately 50 percent. The Committee recognizes that the Judiciary is unable to control the number of representations it must provide and its workload is dependent upon the number of cases prosecuted by the Department of Justice (DOJ). As funding for DOJ has increased for initiatives such as increased firearms prosecutions and the Southwest Border Initiative, the number of CJA representations has increased, as has the complexity of these cases. In order to address this growth in workload in fiscal year 2002, the Committee recommends funds for additional CJA representations.

Panel Attorney Rate Increase.—The Judiciary's budget requests $35,135,000 to increase panel attorney compensation in most dis-

tricts from $55 per hour out-of-court and $75 per hour in-court to $113 per hour for in-court and out-of-court time. This is the level authorized by the Criminal Justice Act, as amended. The Committee is supportive of the need to raise hourly rates and provides funding to increase the panel attorney rates to $90 per hour.

The Committee recognizes that panel attorney rates have not kept pace with inflation over the past 15 years and that this has negatively impacted the Judiciary's ability to attract and retain attorneys to the panel. The Committee understands that the current rates often do not cover private attorneys' overhead costs. Since over 90 percent of panel attorney appointments are made to sole practitioners or firms with 2 to 5 attorneys, the low compensation rates place a significant financial burden on the individual attorneys accepting appointments. This low rate of pay has resulted in a decline in the number of attorneys willing to take Federal cases, especially complex cases that involve a significant investment of time. This is particularly problematic as the number of CJA representations continues to escalate. In testimony before this Committee, the Judiciary stated that one of the biggest impediments to maintaining a fair system of justice is the low rate of pay that private panel attorneys receive.

In order to address this problem, the Committee has provided sufficient funding to increase panel attorney rates to $90 per hour. The Committee recommends that in-court hours and out-of-court hours should no longer be compensated at different rates. The Committee directs the Judiciary to fund in- and out-of-court time at the same level. The Committee expects the Judiciary to implement this increase as soon as is technically feasible.

The bill also includes language making funds available for training and general administrative expenses.

FEES OF JURORS AND COMMISSIONERS

The Committee recommends an appropriation of $48,131,000. This amount is $11,305,000 below the amount enacted in fiscal year 2001 and $2,000,000 below the request.

COURT SECURITY

The Committee recommends an appropriation of $224,433,000 for Court Security for fiscal year 2002 to provide for necessary expenses of security and protective services for the United States Courts in courtrooms and adjacent areas. This is $25,297,000 above the amount appropriated in fiscal year 2001 and $4,000,000 below the request. The recommendation provides for the inflationary increases, and additional staff and equipment associated with new and renovated space.

As requested, language in the bill clarifies the current responsibilities of the Court Security Program to provide protective guard service for United States courthouses, the installation and maintenance of security equipment in all buildings housing judiciary operations and the inspection of mail and packages. Bill language is also included allowing up to $10,000,000 in court security funding to remain available until expended.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

The Committee recommends an appropriation of $60,029,000 for the salaries and expenses of the Administrative Office of the United States Courts, which is $1,817,000 above the fiscal year 2001 appropriation and $3,000,000 below the request.

The Administrative Office (AO) provides administrative and management support to the United States Courts, including the probation and bankruptcy systems. It also supports the Judicial Conference of the United States in determining Judiciary policies; developing methods to allow the courts to conduct business more efficiently and economically; and enhancing the use of information technology in the courts.

Historically, the Judiciary has been able, as the fiscal year progresses, to identify additional prior year unobligated fee balances to supplement appropriated funds. Should such other sources of funds be forthcoming, the Committee would consider a request from the Administrative Office to use such funds.

The Committee recognizes that as the courts continue to grow, the administrative workload and policy responsibility of the AO also grows. Given the size and continued growth of the Federal Judiciary, the Committee feels that it is important that the policy and oversight functions of the AO are adequately funded. In addition, the AO is in the midst of developing and deploying a number of major new or upgraded automated systems for the courts. The additional FTEs are required to provide technical assistance and oversight to the probation and pretrial services program, develop of new case management systems, and improve financial management and internal controls in the courts.

Language is included in the bill permitting not to exceed a total of $8,500 for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

The Committee recommends an appropriation of $20,235,000 for the salaries and expenses of the Federal Judicial Center (the Center) for fiscal year 2002, which is $88,000 below the request and $1,499,000 above the fiscal year 2001 appropriation.

The Center improves the management of Federal judicial dockets and court administration through education for judges and staff and research, evaluation, and planning assistance for the courts and the Judicial Conference.

The Committee's recommendation funds the Center's inflationary pay and non-pay increases and provides additional funds to increase the Center's use of satellite broadcasting and new distance education programs.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

The Committee provides $37,000,000 for payments to the Judicial Officers' Retirement Fund and the Claims Court Judges Retirement Fund for fiscal year 2002. This amount is the same as the

budget request and $1,300,000 above the current year. These payments are considered mandatory for budget scorekeeping purposes.

These Funds 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 $11,575,000 for the salaries and expenses of the United States Sentencing Commission for fiscal year 2002, which is $1,666,000 above the current year appropriation and $825,000 below the Commission's full request.

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.

The Committee's recommendation funds the Commission's pay and non-pay inflationary increases and annualizes the cost of new staff funded in fiscal year 2001.

GENERAL PROVISIONS—THE JUDICIARY

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

The recommended bill continues to carry Sections 301, 302, and 303 from previous years.

Section 301 provides language 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 which permits up to 5 percent of any appropriation made available for fiscal year 2002 to be transferred between Judiciary appropriations 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 except in certain circumstances. 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 303 provides language permitting not to exceed $11,000 for official reception and representation expenses incurred by the Judicial Conference of the United States.

Section 304 provides language allowing up to $400,000 of unexpended balances available to the Commission on Structural Alternatives in Federal Appellate Courts to be expended on court operations.

The recommended bill defers without prejudice a proposal to include a modified version of section 309 of the fiscal year 2001 Act related to salary adjustments for Federal Justices and judges.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

In total, the recommendation in this Title for the Department of State and the Broadcasting Board of Governors includes $7,882,222,000, which is $94,314,000 below the budget request and $840,934,000 above the amount provided in fiscal year 2001. Of the total amount provided, $7,746,593,000 is derived from general purpose discretionary funds and $135,629,000 is scored as mandatory spending. The recommended funding levels support requested program increases to improve diplomatic readiness and security. The recommendation includes the full amount requested, $1,303,695,000, to continue worldwide security activities, including the design and construction of replacement facilities for the most vulnerable overseas posts.

DEPARTMENT OF STATE

The Committee's fiscal year 2002 recommendation for the Department of State is intended to support dramatic improvements in the Department's efforts to achieve diplomatic readiness and to institute sweeping management reforms. Despite receiving appropriations for operations of the Department that averaged almost four percent above inflation over each of the past four years, the Department's request for fiscal year 2002 reflected a determination of inadequate current resources for major functions, including staffing, security, technology, and overseas infrastructure. The overall Committee recommendation for the Administration of Foreign Affairs accounts represents an increase of more than 17 percent above the amounts available in the current fiscal year, including funding to support the hiring and training of an additional 668 employees. The Committee expects that this enormous infusion of resources will allow the Department to meet all its staffing requirements, modernize its technology and equipment, and undertake vigorous reform initiatives to improve management and right-size America's overseas presence.

The Committee recommends a total of $7,403,216,000 for fiscal year 2002 for the Department of State. This amount is $103,314,000 below the budget request and $802,380,000 above the amounts appropriated for fiscal year 2001. Of the total amount provided, $7,267,587,000 is derived from general purpose discretionary funds and $135,629,000 is scored as mandatory spending.

The Committee recommendation includes a total of $5,460,107,000 for the discretionary appropriation accounts under Administration of Foreign Affairs; $1,694,139,000 for the appropriation accounts under International Organizations and Conferences; $60,316,000 for International Commissions; and $53,025,000 for Other activities. 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 $3,653,735,000 for the Diplomatic and Consular Programs account, including $487,735,000 to con-

tinue funding for worldwide security upgrades and $270,259,000 for public diplomacy international information programs.

This appropriation 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. The account includes funding for all of the program and operations bureaus and offices of the Department of State and the Foreign Service.

The recommendation represents a reduction of $51,405,000 from the budget request and an increase of $486,561,000 above the fiscal year 2001 appropriation. The recommendation of $487,735,000 for worldwide security upgrades is $78,637,000 above the fiscal year 2001 level and the same amount as requested. Exclusive of security programs, the recommendation represents an increase of $407,924,000 above fiscal year 2001, which includes all requested adjustments to base and $320,671,000 for requested program increases for staffing, information technology, information security, and overseas infrastructure.

Changes from the Budget Request.—The Committee recommendation does not include $25,000,000 requested under this account to implement the 1999 Pacific Salmon Treaty Agreement. Funding for costs related to that agreement is included in Title II of this Act. The Committee recommendation does not include requested increases totaling $16,950,000 for foreign policy program enhancements in this account. The Committee recommendation provides $68,402,000 for program increases related to improving overseas infrastructure, a reduction of $9,455,000 from the request. The Committee encourages the Department to prioritize the replacement of overseas equipment and vehicles accordingly. As in past years, the Committee expects that there will be additional savings available to the Department, including exchange rate gains and vacancies in funded positions. The Department will have the ability to propose that savings be used for needs not funded by the recommendation through the normal reprogramming process.

Reform and Restructuring.—The Committee continues to support the combination of similar activities and the achievement of all possible efficiencies in the management of a consolidated State Department. The Committee remains convinced that the Department's bureaucratic structure and inadequate attention to management issues hamper its effectiveness and efficiency. The Committee recommendation therefore assumes that management improvements will be the Department's highest priority. The Committee understands that the Department intends to fill the position of Deputy Secretary of State for Management and Resources created in the current year Appropriations Act. The filling of this position is a critical first step toward ensuring that management, budgeting, and financial issues receive the appropriate attention at the highest levels of the Department. The Committee expects that this move will also ensure that there will be one official within the Department with the responsibility and authority to ensure that all the Department's operating, capital and program resources are rationally and efficiently managed. The Committee directs the Department to submit a corresponding reorganization plan through the regular reprogramming process, and within 60 days after the

Deputy Secretary of State for Management and Resources position has been filled.

Diplomatic Readiness and Reform.—The recommendation includes $305,761,000 for program increases to help the Department put the right people in the right places at the right times with the right skills to advance the national interest. The recommendation includes funding to support the hiring and training of 360 new employees, the consolidation under this account of over $100,000,000 in technology operations and maintenance costs formerly funded from fees and from the Capital Investment Fund, adjustment of pay scales for foreign national employees, the further consolidation of financial services functions, and a large-scale replacement program for overseas equipment and vehicles.

Public Diplomacy.—The recommendation includes language, similar to language included in the fiscal year 2001 bill, specifying that $270,259,000 is available only for Public Diplomacy programs. The integration of the United States Information Agency in fiscal year 2000 resulted in public diplomacy resources being spread across several different bureaus. The Committee believes that separately identifying these resources will facilitate the Committee's ability to monitor funding levels and trends for these activities. The amount identified for public diplomacy programs includes the costs of personnel and programs throughout the Department, and is the same as the amount requested for these activities.

Worldwide Security Upgrades.—The Committee recommendation includes $487,735,000, the full amount requested under Diplomatic and Consular Programs, for the costs of worldwide security upgrades. This funding includes $349,323,000 to provide full year costs of maintaining base security activities at current levels. These activities include guard services, physical security equipment, armored vehicles, personnel, training and wireless communications. In addition, the recommendation includes $74,000,000 for a perimeter security initiative. This initiative will enable the Department to complete perimeter security upgrades at 59 posts in fiscal year 2002. The recommendation also includes $17,147,000 to support an additional 186 positions in the Bureau of Diplomatic Security, including 86 special agents and 19 security engineers and technicians. This staffing increase will ensure that sufficient resources are allocated to address continuing high threat levels overseas, to improve the management of overseas security improvement programs, and also to maintain domestic protective and other responsibilities. Finally, the recommendation includes $47,265,000 for the Department's global security and law enforcement mission. The Department shall submit a detailed spending plan by December 31, 2001, for the entire amount provided for worldwide security upgrades.

Carrying out the recommendations of the Overseas Presence Advisory Panel (OPAP).—The Committee expects the Department to continue efforts to implement the recommendations of the OPAP issued in November, 1999. Some recommendations are limited to changes within the Department, but others call for interagency mechanisms to better coordinate, rationalize and manage the overall deployment of U.S. Government personnel overseas. The Committee has directed the Department over the last several years to take various measures to rationalize staffing levels and to align

staffing with foreign policy objectives. Those efforts have borne few results, largely because the Department does not have the authority to overrule other agencies' decisions regarding overseas presence. The Committee remains convinced that the proliferation of overseas staff without regard to mission priorities and the duplication of effort overseas due to the absence of interagency coordination remain significant problems. The Committee also agrees with the OPAP that right-sizing can result in significant overall budget savings by reducing the size of overstaffed posts. The Department shall submit a report to the Committee before November 30, 2001, laying out an interagency methodology, timetable and spending plan to extend an effective right-sizing analysis to all posts worldwide. The continuing support of the Committee for increased resources will be contingent upon the accomplishments of the Department in response to the mandates of the Panel, particularly in regard to right-sizing the American overseas presence and improvements in the management of overseas property. These issues are also discussed under the Embassy Security, Construction and Maintenance account.

Border Security Program.—The Department's budget submission includes funding of $414,174,000 for the Department's Border Security program, to be entirely funded through collection of Machine Readable Visa (MRV) fees. This level of operations includes a program increase of 71 positions, reflecting projected workload increases in relation to visa applications, passport adjudications, citizen services and associated management. Based on information from the Department, the Committee expects there to be $112,000,000 in carryover funds from fiscal year 2001 available to support the fiscal year 2002 program, and has included language capping expenditure of fees collected in fiscal year 2002 at $323,000,000, with funds collected in excess of that amount available for expenditure in fiscal year 2003. This is consistent with the way offsetting fee collections are treated throughout the bill, and assures that the Congress has the ability to monitor how these funds are being expended. The Committee expects the Department to work with the INS to review the implementation of visa laws, as described under Title I of this report. The Committee continues to support Bureau of Consular Affairs efforts to implement the diversity visa program.

Trafficking in Persons.—The Committee is concerned about the serious and growing problem of international trafficking in persons. The Committee notes the important role given to the Department to monitor and combat trafficking in persons in the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386). The Committee recommendation includes $2,000,000 for costs of operating an office within the Department to conduct programs to monitor and combat trafficking in persons. The Committee expects to receive a proposal via the reprogramming process to establish such an office during fiscal year 2001, pursuant to section 105(e) of Public Law 106–386. The Committee recommendation also includes an additional $1,800,000 for the costs of an international conference on combating sex trafficking to be held in Washington, DC. Such a conference would bring additional international attention to the issue and be an opportunity for international networking and information sharing and a forum to develop inter-

national plans of action on prevention, prosecution and protection. The Committee expects that uses of this funding will include support for the participation of individuals from other countries who would be unable to attend without such support.

Minority Recruitment and Hiring.—The Department is directed to provide $1,500,000 to continue its educational partnership begun in fiscal year 2001 with Hostos Community College and Columbia University in New York. This model program will support the Department's ongoing efforts to increase minority hiring and diversity by facilitating the preparation of non-traditional and minority students for careers in the Foreign Service and the State Department. The Committee also notes that the Department has identified additional continuing base funding of at least $2,000,000 to improve efforts to recruit members of minority groups for careers in the Foreign Service and international affairs. The recommendation includes resources to continue these efforts, including an ongoing partnership with Howard University.

Diplomatic Telecommunications Service/Program Office (DTS/PO).—The Committee recommendation includes requested funding for the continuing costs associated with the management of the nation's overseas communications infrastructure. The Committee is concerned about ongoing problems with the management of this program. The expenditure of any amount above the current year funding level in fiscal year 2002 will be subject to reprogramming under Section 605 of this Act.

Africa Policy/Sudan.—The Committee is concerned about the lack of sufficient attention to foreign policy issues regarding Africa, and supports the Department's efforts to improve the effectiveness of its diplomatic efforts in the region. The Committee expects the Department to conduct a top-to-bottom review of Africa policy, and communicate the revised regional policy priorities to the Committee. The Committee expects the Department to take all necessary actions to help bring about an end to the conflict in Sudan, including the naming of a special envoy.

Egypt.—The Committee is troubled by the deteriorating human rights situation in Egypt. In particular, religious and ethnic minorities, especially the Copts, are in certain circumstances denied equal treatment by law and in practice by Government of Egypt officials. The Committee is concerned by reports that the Coptic community must obtain permission directly from the President of Egypt before constructing new churches. The Committee also is alarmed at government-sanctioned anti-Israeli and anti-Copt press activities, and at the sentencing of leaders of the human rights community in Egypt to long prison terms on questionable charges. The Committee urges the Department to exercise every opportunity to encourage Egypt to grant the same basic rights to all citizens.

Embassy Bombings.—The Committee directs the State Department and the Justice Department to ensure that victims of the Nairobi and Dar es Salaam Embassy bombings receive the maximum services and compensation allowable under all existing authorities, including new regulations that are currently being drafted by the Justice Department in response to last year's Victims of Trafficking and Violence Protection Act.

Lebanon.—The Committee expects that within the amount provided under this heading, the Department will allocate the nec-

essary amount to complete funding for a memorial at the U.S. Embassy in Beirut honoring the Americans killed in the bombing of the U.S. Marine barracks on October 23, 1983.

Overseas Schools.—The Committee commends the Consolidated Overseas Schools Assistance Program for its accomplishments in improving educational opportunities for dependent children of American families living abroad. The program fulfills the dual purpose of providing a quality, American-style education for children of Americans assigned overseas and demonstrating the best practices in American education to children of other countries and local educators. The Committee also commends the continuing contribution of the Overseas Schools Advisory Council and its annual Program of Educational Assistance that helps to provide educational excellence to American-sponsored overseas schools. In addition, the Council successfully promotes financial and in-kind support to these schools from American businesses and foundations, as well as volunteer participation in activities of the schools by U.S. firms' employees and their spouses stationed overseas.

Office of Defense Trade Controls (ODTC).—The Committee notes that concerns continue to arise regarding delays in the processing of export licenses by the ODTC despite significant funding increases over the past few years. The Committee is particularly concerned by reports of a lack of support given to small companies, delays by the various agencies involved in rendering decisions, and unresponsiveness to requests for status reports on pending applications. The Committee expects ODTC to examine its procedures, and redirect resources to address these areas of concern.

Extradition.—The Committee expects the Department to work with the Department of Justice to bolster efforts to negotiate effective extradition treaties.

The Committee has included language in the bill, similar to language in prior years, which: (1) permits not to exceed $4,000,000 to be transferred to the Emergencies in the Diplomatic and Consular Service account for emergency evacuations and terrorism rewards; (2) provides $1,343,000 in fees collected from other Executive Branch agencies and $490,000 from reserves for lease or use of facilities at the International Center Complex, as authorized by law; (3) 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 of 1956; (4) requires notification of Congress before processing licenses for the export of satellites to China; and (5) makes not to exceed $6,000,000 in fee collections available until expended for various activities. The recommendation does not include requested language to permanently authorize the collection of MRV fees, or language allowing spending of certain fee collections.

CAPITAL INVESTMENT FUND

The Committee recommends $210,000,000 for the Capital Investment Fund, $113,213,000 above the fiscal year 2001 level and the same as the request. In addition, the budget request estimates that an additional $63,000,000 in expedited passport fees will be used to support the information technology modernization effort, for a total fiscal year 2002 spending availability of $273,000,000.

The entire amount available under this heading, including fees, will support investments in new information technologies and infrastructure to improve the efficiency of Department operations. The total amount available, $273,000,000, represents an increase of $215,959,000, or 379 percent above the comparable fiscal year 2001 level for new technology investments. Costs associated with information technology operations and maintenance, formerly supported by amounts under this heading, are instead included under the Diplomatic and Consular Programs account, as requested. The recommended level under that account includes $102,746,000 for operations and maintenance activities formerly funded under this heading.

The Committee recommendation provides the full requested amounts for two major technology initiatives:

—$106,600,000 for the Classified Connectivity Project. This amount will enable the Department to replace obsolete computer and communications equipment that posts use for classified operations.

—$109,631,000 for the OpenNet Plus project. This amount will enable the Department to undertake, and complete, the expansion of desktop Internet access to all Department employees worldwide.

The Committee notes that the Department plans to use only $650,000 during fiscal year 2002 to establish a common information technology platform at overseas posts, highlighted by the Overseas Presence Advisory Panel as a critical information technology priority. The Committee expects the Department to continue to work to correct this impediment to communications among agencies and among posts. Should additional funding become available under this account, the Committee encourages the Department to reprogram funds, as needed, to this activity, in accordance with section 605 of this Act.

The amount provided under this heading, when combined with expedited passport fees, the portion of Machine Readable Visa fees used for consular affairs technology improvements, and amounts for information resource management in other Administration of Foreign Affairs accounts, results in a Department-wide information resources budget of $782,979,000. This represents approximately 18 percent of the Department's total operating budget—a larger percentage than is allocated to the Diplomatic Relations, Public Diplomacy, or Consular Relations functions.

The Committee is concerned that this increasing allocation of resources to technology infrastructure is not clearly linked to quantifiable achievements and efficiencies, either overseas or domestically. The Committee directs the Department to submit, by December 31, 2001, a detailed list of measurable performance targets under the two major initiatives in this account, a corresponding implementation timetable, and specific efficiencies and savings that will result.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $29,264,000 for the Office of Inspector General (OIG), which is $837,000 above the current year level and the same as the request. The Inspector General conducts oversight at the State Department and the Broadcasting Board of Gov-

ernors. The Committee recommendation includes funding for OIG oversight of the Department's efforts to implement worldwide security upgrades.

The Committee recommends that the Inspector General exercise appropriate oversight over the programs for International Commissions and International Broadcasting funded under this title.

The bill includes language, as in previous years, waiving the statutory requirement that every post be inspected every five years, in order to provide greater flexibility to the Inspector General to use resources in the most productive areas. Despite this waiver of the statutory requirement, the Committee understands that the OIG is renewing its commitment to review and evaluate embassies, missions and bureaus every five years. The Committee expects that the OIG can begin to meet this goal by re-engineering its inspection processes and reprioritizing within the existing level of resources, making continuation of the waiver unnecessary in future years.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The bill includes a total of $237,000,000 for the Educational and Cultural Exchange Programs of the Department of State. This amount is $5,922,000 above the fiscal year 2001 level, and $5,000,000 below the budget request. In addition to the amount provided under this heading, the Department expects to receive transfers from accounts in other appropriations acts for exchange programs with nations of east and central Europe, and of the former Soviet Union. In fiscal year 2001, the Department expects to obligate an additional $152,000,000 in this account for such programs.

Funding provided under this heading supports international educational and cultural exchange programs, including the Fulbright student and scholar exchanges and the International Visitors Program, as well as staff costs to implement these and other exchange programs. To the maximum extent possible, the Committee urges that the following exchange programs be supported: the Congress-Bundestag youth exchange program, the disability exchange clearinghouse, foreign study grants for U.S. undergraduates, educational advising and counseling, citizen exchange programs, interparliamentary exchanges with China and Korea, youth science leadership exchanges, American overseas research centers, regional scholar exchanges, and student exchanges with Tibet, the South Pacific and East Timor. With respect to the Congress-Bundestag Program, the Committee intends that the amount provided will support 380 exchanges in fiscal year 2002, the same level as in fiscal year 2001.

The Committee also anticipates that the Department may propose to continue support for the North/South Center under this account. The Committee encourages the Department to consider reducing the funding level for this sole-source award 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 $45,295,000 for its operations. Prior to 1991, the Center operated on private funding, and competed for and received project-specific Federal grants. The Committee notes that the Center can solicit contribu-

tions and can compete for other Federal grants to support its activities.

With respect to exchanges with the newly independent states of the former Soviet Union (NIS), the Committee expects that funding provided under this heading shall be allocated in recognition of the amounts available for similar programs via transfer from other appropriations. The Committee is concerned that amounts provided in other appropriations acts and transferred to this account are resulting in significant geographical resource inequalities that do not correspond with worldwide policy priorities. The Committee notes that as a result of such transfers, over 57 percent of the total funding available for Exchange Programs in fiscal year 2000 was allocated to programs for Europe and the former Soviet Union. The Committee expects the Department to certify to the Committee that no more than 25 percent of the amount provided under this heading for fiscal year 2002 shall be for exchange programs with Europe and the former Soviet Union.

The Committee expects that a proposal for the programmatic distribution of available resources (including unobligated balances and recoveries) will be submitted through the normal reprogramming process within 60 days from the date of enactment of this Act. The Committee expects that the overall funding distribution will conform to the geographical guidelines described in the previous paragraph.

The Committee supports the continuation of graduate exchange fellowships with the former Soviet Union. Should the amount transferred from other appropriations for this activity decline in fiscal year 2002, the Committee would support an allocation within the spending plan from amounts available under this heading.

The Committee notes that funding provided under this account supports the Working Group on United States Government Sponsored International Exchanges and Training. This Working Group is charged with identifying the most efficient and cost-effective uses of Federal resources for international exchanges. The Committee encourages the Working Group and the Department to ensure interagency cooperation and efficiency, and to identify unnecessary duplication in carrying out all exchange programs, particularly those with the independent states of the former Soviet Union.

The Committee recommendation includes a limitation of not to exceed $2,000,000 on the use of fees or other payments received from or in connection with English teaching, educational advising and counseling, and exchange visitor programs as authorized by law.

The Committee is aware of an international initiative to develop and implement new technologies to deliver higher education and training content from American institutions to Africans. The Committee believes this initiative could have significant potential benefits to African workforce development and competitiveness in the global economy. The Committee encourages the Department to consider supporting international exchanges that are designed to advance this initiative.

The Committee also encourages the Office of Citizen Exchanges to consider proposals through competitive grant processes for grant awards to support programs that build linkages between American and foreign musicians and musical institutions.

The Committee supports efforts to increase competition in awarding grants to administer exchange programs. Increasing competition will allow more organizations to compete, including those having expertise in specific regions of the world, and may lead to the achievement of significant efficiencies. Maximizing the number of grants that are subject to open competition also ensures that the most meritorious applications are funded. The Committee encourages the Department to continue efforts to expand competition in all exchange programs.

The Committee notes that exchange programs owe their success in great measure to the partnerships that exist between the Federal government and private, nonprofit U.S. organizations, as such programs are carried out through grants and cooperative agreements. The Committee urges the Department to renew and sustain the existing partnerships with U.S. exchange organizations, and to fully use the expertise and experience of such organizations.

REPRESENTATION ALLOWANCES

The Committee recommends $6,485,000 for representation allowances authorized by section 905 of the Foreign Service Act of 1980. This is the same as the amount available in the current fiscal year and $2,515,000 below the budget request. 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 Committee recommends a total of $9,400,000 for the Protection of Foreign Missions and Officials account. This is $6,033,000 below the amount available in fiscal year 2001 and $600,000 below the budget request.

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 incurring such costs must submit a certified billing for such costs in accordance with program regulations. The Committee also believes that in those instances where a local jurisdiction will realize a financial benefit from a visit by a foreign dignitary through increased tax revenues, 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, $1,300,000 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, $8,100,000 is allocated to reimburse New York City for the protection of foreign missions and officials accredited 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.

The bill includes language making these funds available until September 30, 2003, as requested in the budget.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The Committee recommends a total appropriation of $1,285,960,000 for Embassy Security, Construction, and Maintenance. This is $208,360,000 above the amount available in fiscal year 2001 and $5,046,000 below the budget request. The recommendation designates $815,960,000 as available only for priority worldwide security upgrades, acquisition, and construction, the full amount requested for such activities. The recommendation includes $470,000,000 for non-security related costs, which is $53,941,000 above fiscal year 2001 and $5,046,000 below the budget request.

This account provides funding to the Department to manage U.S. Government real property worth more than $10,000,000,000 in over 200 countries, including maintaining 3,000 Government-owned and long-term leased properties at 250 posts and leasing approximately 1,100 office and functional facilities and 8,000 residential units, not only for the Department of State, but for all U.S. employees overseas. The Department's latest inspection survey identified in excess of 4,200 maintenance and repair needs, as well as major rehabilitation requirements. The Committee recommendation assumes that at least $5,046,000 in unallocated carryover balances and recoveries will be available in fiscal year 2002 to allow the Department to carry out the activities under this heading at requested funding levels.

Worldwide Security Upgrades.—The Committee recommendation includes $815,960,000 for security projects, the full amount requested, including $665,000,000 for the security capital program. The budget request indicated that this amount would provide for the design and/or construction of approximately seven facilities. The Committee notes that the Department has recently notified the Committee of significant downward adjustments to earlier total funding estimates for a number of capital security projects. The Committee therefore expects the Department to exceed the level of activity projected in the request.

The Committee is concerned by the Department's requests to reprogram funds under this activity for projects that do not address top priority security vulnerabilities and for projects that will not result, when complete, in a facility that meets existing security standards. The Committee recommendation for fiscal year 2002 includes funding for the non-security capital program (discussed below). The Committee expects that such projects will be funded from that source in the future, and that worldwide security funds will be used for the purposes established in law.

The recommendation does not designate amounts for U.S. Agency for International Development facilities, as was requested. Instead, the Committee intends that the entire amount provided for the security capital program shall be allocated for projects at posts that

are determined by the Department to be most in need of secure facilities. The Committee expects that the Department will continue to report to the Congress on its findings in this regard. The Committee expects that a proposed spending plan for the entire amount of available resources provided for worldwide security upgrades will be submitted through the normal reprogramming process within 60 days from the date of enactment of this Act. The Committee expects the Department to notify it immediately if there are any facilities that the Department believes face serious security risks.

Capital Program.—The Committee recommendation includes $19,000,000 for the non-security capital program. The Committee does not designate this funding specifically for the construction of a classified annex in Colombia, as was proposed in the request. The Committee is aware of several additional non-security capital funding needs, including projects that correspond with proposed post openings, that may be priorities for funding under this activity. The Committee expects the Department to propose an allocation of this funding through the normal reprogramming process.

Physical Security Upgrades.—The Committee recommends $5,920,000 for physical security upgrades, the amount in the budget request. This amount does not include any new funding for the Department's share of a joint program to acquire living quarters to enable the deployment of Marine Security Guards to selected posts that currently lack such support.

Administration.—The Committee recommendation includes $23,396,000 for administration costs associated with programs under this heading, the same as the requested amount. The Committee understands that this amount will support the maintenance of existing staffing levels and will not be used for the creation of new positions.

Responding to the Recommendations of the Overseas Presence Advisory Panel.—The Committee directs the Department to continue to vigorously implement the recommendations of the Overseas Presence Advisory Panel (OPAP) that pertain to the security of facilities, management of overseas property, and the size and location of overseas posts.

- All diplomatic facility construction and major renovation/rehabilitation projects funded under this account, including from assets management funds, shall result in facilities that fully comply with the Department's security standards.
- The Committee notes the Department's failure to submit a plan to implement the Panel's recommendation to establish a new federally chartered government corporation to exercise responsibility for building, renovating, maintaining, and managing the Federal Government's civilian overseas facilities, as directed the fiscal year 2001 Conference Report. The Committee understands that the Department has rejected this recommendation of the Panel without further study or review. The Committee approved the Department's proposal to realign the reporting chain for the Office of Foreign Buildings Operations, so that the Office now reports directly to the Undersecretary for Management. The Committee now expects the Department to continue to develop organizational improvements to ensure the efficient conduct of the U.S. Government's overseas real estate function, and to propose such changes to the Committee. A reliance on personnel changes as a substitute for fundamental or-

ganizational changes increases the likelihood that the problems identified in the Panel's report will persist over time. The Committee expects the Department to submit a report by no later than January 15, 2002, outlining a comprehensive plan for organizational and structural changes to the Department's foreign buildings function, including a plan to ensure that all agencies represented overseas share in the cost of overseas facilities, and to emulate private sector best practices in contracting and human resources management.

• The Committee is disappointed at the Department's failure to make discernable progress in the pursuit of an Administration-wide process of determining the right size and makeup of overseas posts. In testimony before the Committee, the Department reported that the right-sizing process proposed by the Panel is not workable. The continued absence of any systematic control over the size and growth of Federal department and agency presence outside of the United States ensures the misallocation and waste of resources. Past initiatives to improve the situation, including the Department's Overseas Staffing Model, have been wholly unsuccessful, and have served no purpose other than to be manipulated to support justifications for further staffing increases. The cost implications of a continuing failure to right-size are enormous. It costs two to three times as much to maintain an employee outside of the United States as it does within the United States. The Committee is convinced, and agrees with the Overseas Presence Advisory Panel, that rationalizing staffing and operations abroad has the potential for large budgetary savings. The justification for all facilities projects funded under this account must include a full explanation of regional efficiency and security planning, and related staffing assumptions, and such projects will not be approved for funding absent evidence of the application of a uniform right-sizing methodology.

Assets Management.—The budget request designates $95,615,000 in assets management funds planned for expenditure in fiscal year 2002. The Committee expects that these funds will be used for opportunity purchases to replace uneconomical leases and for other priority capital acquisition purposes. In addition, as in previous years, the Committee expects that assets management funds will continue to be allocated in part to security construction needs. Any use of these or additional assets management funds in fiscal year 2002 is subject to reprogramming. In addition, with respect to the requirement that a reprogramming for any major new start be submitted, the Committee understands that requirement to mean that rehabilitation or construction of projects involving ambassador's residences will be subject to the requirement.

The recommendation includes language, as requested, reflecting the renaming of the State Department Headquarters building, but does not include a requested minor technical change to a citation. The recommendation continues language carried in the bill in previous years that prohibits funds from being used for acquisition of furniture and furnishings and generators for other departments and agencies.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

The Committee recommends $10,000,000 to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service. This amount is $4,535,000 above the amount available in fiscal year 2001 and $5,500,000 below the budget request. The Committee does not provide the full requested increase, and notes that the Department had $5,500,000 in carryover funding available in fiscal year 2001. The Committee funding recommendation anticipates at least $3,000,000 of carryover into fiscal year 2002. Funding provided in this account is available until expended.

The Committee has included a provision in the bill that 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 2002 due to an unanticipated increase in the number of loans.

This 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 employees of the United States Government 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 activities.

REPATRIATION LOANS PROGRAM ACCOUNT

The Committee recommendation includes $612,000 for the subsidy cost of repatriation loans, which is $22,000 above the amount available in the current fiscal year and the same as the budget request, and $607,000 for administrative costs of the program as authorized by 22 U.S.C. 2671, which is $4,000 above the amount available in the current fiscal year and the same as the budget request.

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 Committee recommends $17,044,000 for the appropriation entitled "Payment to the American Institute in Taiwan". This amount is the same as the budget request and $735,000 above the current year amount. The recommendation provides for the Institute's pay and inflationary base adjustments. In addition, the Institute is authorized to collect Machine Readable Visa fees, which are expected to generate an additional $12,000,000 in revenues in fiscal year 2002, as well as reimbursements from agencies and user fees from trade show exhibitors.

The Committee expects that the American Institute in Taiwan (AIT) will cover anticipated operating expenses in fiscal year 2002 through a combination of appropriations and visa fee revenues, and

encourages the Institute to continue to pursue cost saving measures. The Committee expects the Department to submit by December 31, 2001, an AIT spending plan for fiscal year 2002, indicating the total amount of estimated fee collections, the amount of such fee collections allocated for operating expenses, and the total amount planned for operating expenses from all funding sources.

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 $135,629,000 for the appropriation entitled "Payment to the Foreign Service Retirement and Disability Fund". This amount is the full budget request and is $4,405,000 above the amount appropriated for the current fiscal year. The amount provided in the Committee recommendation is required to amortize the unfunded liability in the system, as documented by the annual evaluation of Fund balances.

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. The Retirement Fund is maintained through contributions by participants; matching government contributions; special government contributions, including this account; interest on investments; and voluntary contributions.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The bill includes a total of $850,000,000 for payment of the obligations of United States membership in international organizations as authorized by conventions, treaties, or specific Acts of Congress for fiscal year 2002. This is $18,917,000 below the amount available in the current fiscal year and $28,767,000 below the request.

The amount provided in the bill is intended to cover anticipated assessments for membership in international organizations, including the United Nations. In addition, the amount provides the requested levels for assessments for membership in the North Atlantic Treaty Organization and the related North Atlantic Assembly, International War Crimes Tribunals for Rwanda and the former Yugoslavia, the Organization of American States, and the Pan American Health Organization, among others.

Over the past several months, estimates of the amount required to cover fiscal year 2001 assessments have varied based on the most recent foreign currency exchange rates for the dollar, which has risen in value since the budget request was formulated. The Committee recommendation is based on a downward adjustment of

the fiscal year 2002 request by $10,000,000 based on exchange rate fluctuations, and also reflects the application of an estimated $15,267,000 in available balances from fiscal year 2001 that the Committee directs the Department to apply to the fiscal year 2002 assessment for the United Nations regular budget.

The Committee notes, with approval, the Department's recent actions to formally withdraw from certain international organizations where continued U.S. participation was determined to be a low priority in the context of overall U.S. national interests. The Committee continues to support the comprehensive reassessment of U.S. membership in each of the 50 international organizations for which funding is requested under this account.

The recommended funding level does not include $3,500,000 requested to fund future renovations to the Organization for Economic Cooperation and Development (OECD) headquarters building in Paris. The Committee is not convinced of the need for the United States to assume the largest funding share for an undefined capital project in Paris with costs that could exceed $200,000,000. The Committee expects to review detailed plans, cost estimates, and potential financing methods through the reprogramming process before any funds are expended for this project.

The Committee notes that the Department's request includes $12,011,000 for anticipated assessments for the International Civil Aviation Organization (ICAO). The Committee understands that this funding may not be necessary, due to the payment of 2001 United States assessments from amounts appropriated for the Federal Aviation Administration. The payment from this account of any fiscal year 2002 funds for ICAO assessments will be subject to the reprogramming requirements in section 605 of this Act. Any such reprogramming shall include a report to the Committee on the final status of fiscal year 2001 assessment payments from all sources.

The Committee notes that the Department will continue to revise the fiscal year 2001 operating budget and the fiscal year 2002 request over the next few months, and expects that those changes will result in significant additional savings to allow the Department to live within the recommended level and still pay, in full, all approved assessments.

The Committee continues to insist on reform as the highest priority for all of the international organizations, including the maintenance of zero nominal growth budgets and the development of processes to evaluate and terminate programs. The Committee believes that the onus is on each international organization and the State Department representatives to those organizations to reduce overall budgets and eliminate duplicative activities, excessive administrative costs, and inefficient operations.

As indicated, the funding level assumes full payment of the U.S. assessment to the United Nations regular budget, as has been provided every year since fiscal year 1989. This assessment is estimated at $266,244,000 for calendar year 2001. In order to assure that the United Nations lives up to the fiscal discipline that the Congress has insisted upon, the bill contains language, similar to that carried last year and in previous fiscal years, and proposed for deletion, that conditions release of $100,000,000 of the current year assessment for the United Nations on a certification by the Sec-

retary of State that the United Nations has taken no action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations to exceed its 2000–2001 budget of $2,535,700,000. The Committee directs the Department to continue its policy of insisting on the maintenance of zero nominal growth budgets in the United Nations and other international organizations. Any planned exception to this policy should be communicated to the Committee far in advance of the formal consideration and adoption of such an exception.

The Committee continues to believe that additional reforms are required at the United Nations and other international organizations. The Committee directs the Department to insist on maintaining any reforms that have been achieved to date and to report to the Committee on any actions taken that threaten the maintenance of such reforms, including the maintenance of reduced staffing levels at the United Nations.

The Committee is deeply concerned by the secret ballot vote of U.N. member nations to keep the United States off the U.N. Human Rights Commission. The exit of the United States, and the election at the same time of the Government of Sudan, effectively cancels the ability of the United Nations to speak or act with credibility on human rights issues. The Committee views this vote as part of a continuing effort by nations that routinely violate human rights to escape scrutiny. The Committee expects the Department to work to regain full United States membership on the Human Rights Commission. The Committee notes that despite being voted off, the United States will continue to be assessed for the largest financial share of the U.N.'s human rights activities. At current year levels, the United States annual share of assessed costs for U.N. human rights activities is approximately $4,300,000. The Committee encourages the Department to consider making the payment of such funds in fiscal year 2002 contingent upon the U.N. discontinuing the use of secret ballots. The Committee also encourages the Department to consider the establishment of a coalition of democratic states at the United Nations to more effectively promote the rule of law and human rights. Adherence to universal standards of democracy and human rights should be among the criteria for membership in such a coalition.

The recommendation includes full requested funding for the international criminal tribunals for Rwanda and Yugoslavia. The Committee notes a continuing failure to budget accurately for the costs of these activities. The actual fiscal year 2001 appropriations requirement for assessed contributions for these Tribunals is $32,312,000 less than the Department's corresponding budget requests under this account and under the Contributions for International Peacekeeping Activities account. The Committee is dismayed at the possibility that U.S. payments to the Tribunals could end up in the pockets of accused war criminals or their families in the form of kickbacks from Tribunal attorneys, as reported by the U.N.'s Office of Internal Oversight Services. The Committee expects the Department to confirm the cessation and vigorous prosecution of these abuses and report back to the Committee. The Committee also expects the Department to work with the U.N. to

ensure the establishment and maintenance of strong internal controls at the Tribunals.

The Committee continues to support the work done by the Pan American Health Organization (PAHO). PAHO has continued to take the lead in health issues, including border health concerns and emerging diseases that have an impact on citizens of the United States and all citizens of the Americas. The Committee encourages the Department to continue to support PAHO's efforts.

In addition, the bill includes language carried in previous years stating that any payment of arrearages under this Title shall be directed toward special activities that are mutually agreed upon by the U.S. and the respective international organization.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The Committee recommendation includes $844,139,000 for United States payments for Contributions for International Peacekeeping Activities for fiscal year 2002, the same amount available in fiscal year 2001 and the same as the amount requested in the budget.

The Committee recommendation provides for the payment of anticipated fiscal year 2002 assessments for United Nations (U.N.) peacekeeping missions.

The Committee is particularly concerned about the future of the UNAMSIL mission in Sierra Leone. The Committee did not oppose the expansion of UNAMSIL to 17,500 troops with the understanding that the current concept of operation assumes the beginning of U.N. occupation of RUF-controlled diamond producing areas before the expiration of the current six-month mandate. In light of the tragic consequences of past UNAMSIL failures, the Committee intends to closely monitor the progress of this mission, and to hold the U.N. and the Department accountable for achieving the goals of the new concept of operation.

The Committee is also concerned about the continuing lack of any demonstrable progress resulting from the MINURSO mission in Western Sahara, despite an enormous investment of funds over the past decade. The Committee notes that the Secretary General and his Personal Envoy both recently recommended that the settlement plan upon which MINURSO is based should be put on hold. The Committee urges the Department to work to encourage a negotiated settlement to the dispute, and a re-evaluation of the U.N. peacekeeping presence.

The establishment of several large, complex missions over the past two years has overtaken the capacity of the U.N. to plan and manage such operations successfully. The Brahimi report last year addressed many deficiencies in U.N. peacekeeping efforts, including problems in doctrine, strategy, decision-making, planning, deployment, support and information technology. The Committee supports efforts to improve the performance and efficiency of U.N. peacekeeping missions through structural and procedural reforms. The Committee also supports efforts to better limit and focus the goals of such missions, and to set specific benchmarks for performance and mission termination.

Finally, the Committee acknowledges the efforts of the United Nations Office of Internal Oversight Services (OIOS) to identify waste, fraud and abuse with regard to peacekeeping operations,

and to recommend specific reforms to ensure that such practices are brought to an end. The Committee directs the Department to provide the necessary support to ensure that the work of the OIOS is maintained and strengthened as it relates to oversight of peacekeeping operations.

The bill retains language carried in previous years requiring 15-day advance notice of any new or expanded mission, together with a statement of cost, duration, exit strategy, vital national interest, and source of funds to pay the cost. The bill also retains language requiring certification that American manufacturers and suppliers are provided equal procurement opportunities, and language prohibiting the use of funds under this account for the costs of court monitoring. The bill does not include requested language to make a portion of appropriations under this account available for two fiscal years.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

The bill includes a total of $30,225,000 for the International Boundary and Water Commission, United States and Mexico (IBWC). This amount is $199,000 above the amount available in fiscal year 2001, and $2,881,000 less than the total budget request for fiscal year 2002. The total amount provided includes $24,705,000 for Salaries and Expenses and $5,520,000 for construction. The recommendation does not reflect the request to include operations and maintenance costs in the construction account and instead includes those costs under the salaries and expenses account. The recommendation includes language authorizing not to exceed $6,000 for representation expenses.

SALARIES AND EXPENSES

The Committee recommendation for the Salaries and Expenses account is $24,705,000, which is $17,579,000 above the amount available in fiscal year 2001 and $17,253,000 above the budget request. The recommendation includes $17,199,000 in this account representing the adjusted base funding level for operations and maintenance. Within the amount provided, the Committee expects the Commission to take the necessary actions to maintain the flood warning system of the Nogales Wash Project in the binational watershed. The Committee understands that the cost of this maintenance is estimated to be less than $5,000.

CONSTRUCTION

The Committee recommendation for IBWC construction provides $5,520,000, which is $17,380,000 below the amount available in the current fiscal year and $20,134,000 below the budget request. Since the recommendation does not include operations and maintenance costs, the recommendation does not include requested language to add "operations and maintenance" to the allowable uses of funds under this account.

The recommendation provides funding for ongoing projects as follows: Boundary-wide construction—$2,226,000; Rio Grande construction—$2,954,000; and Colorado River construction—$340,000.

Any reallocation of funding may be proposed to the Committee under the reprogramming procedures set forth in section 605 of this Act.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The Committee recommends a total of $10,311,000 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 2002. This amount is $3,585,000 above the amount available in fiscal year 2001 and the same as the budget request, and includes $989,000 for the International Boundary Commission, $7,282,000 for the International Joint Commission and $2,040,000 for the Border Environment Cooperation Commission. The recommended funding level for the International Joint Commission includes $3,432,000 for the second year costs of a five-year study of the water regulation plan governing Lake Ontario and the St. Lawrence River. The Committee encourages the Commission to designate a portion of this funding to develop a plan of study for reviewing additional lake level controls in the Great Lakes system.

INTERNATIONAL FISHERIES COMMISSIONS

The Committee recommends a total of $19,780,000 to fund the U.S. share of the expenses of twelve international fisheries commissions or related organizations, as well as the travel expenses of the United States commissioners. This amount is $431,000 above the amount available in fiscal year 2001 and the same as the budget request.

OTHER

PAYMENT TO THE ASIA FOUNDATION

The Committee recommends an appropriation of $9,250,000 for payment to the Asia Foundation for fiscal year 2002, the same as the budget request and $20,000 above the amount available in fiscal year 2001. The Committee recommendation also includes a minor technical change to a citation, as requested.

The Asia Foundation is a private, nonprofit institution, the purpose of which is to stimulate Asian democratic development and assist the peoples of Asian countries to shape their own destinies.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

The Committee recommends an appropriation for fiscal year 2002 of interest and earnings from the Eisenhower Exchange Fellowship Program Trust Fund, expected to total $500,000.

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 the appropriation of interest and earn-

ings is provided to Eisenhower Exchange Fellowships, Incorporated.

ISRAELI ARAB SCHOLARSHIP PROGRAM

The Committee recommends language in the accompanying bill that will appropriate for fiscal year 2002 interest and earnings of the Israeli Arab Scholarship Endowment Fund, expected to total $375,000. 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.

EAST-WEST CENTER

The Committee recommends an appropriation of $9,400,000 for the costs of maintaining and operating the East-West Center. This amount is $4,070,000 below the amount available in the current fiscal year and $4,100,000 below the budget request.

The reduction from the current level and the request reflects the Committee's desire to reduce the reliance of the Center on a direct sole-source subsidy from the Federal government. The Committee notes that the Center can solicit contributions and can compete for other Federal grants to support its activities.

The purpose of the Center is to promote better relations and understanding between the United States and the nations of Asia and the Pacific through cooperative programs of research, study and training. The Center started receiving a direct subsidy from the Federal government in fiscal year 1961.

NATIONAL ENDOWMENT FOR DEMOCRACY

The Committee recommends $33,500,000 for the National Endowment for Democracy (NED) for fiscal year 2002, $2,569,000 above the amount available in fiscal year 2001 and $2,500,000 above the budget request. The Committee expects that funding provided above the request will allow NED to provide additional targeted grants to indigenous groups on the cutting edge of Africa's dynamic democracy movement, including groups in Sudan and the Democratic Republic of Congo.

The National Endowment for Democracy is a private, non-profit corporation established to encourage and strengthen the development of democratic institutions and processes internationally through private-sector initiatives, training, and other activities, including those which promote pluralism, democratic governance, civic education, human rights, and respect for the rule of law. 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.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The Committee recommends $453,106,000 to carry out United States International Broadcasting Operations for fiscal year 2002. The recommendation includes language and funding for Broadcasting to Cuba under this account, instead of as a separate account as provided in fiscal year 2001 and in the request. The recommended level is the same amount as the comparable budget request and $32,967,000 above the comparable amounts available for international broadcasting operations in fiscal year 2001. The increase above the 2001 level provides all requested adjustments to base for all entities funded under this account and full requested funding for the initiative to expand and improve broadcasting to the Middle East.

Arabic Broadcasting to the Middle East.—The Committee supports the Board's efforts to redefine and enhance the effectiveness of Voice of America broadcasting in Arabic to the Middle East. Including the existing base funding for VOA Arabic broadcasting, additional resources reallocated through language service review, and a program increase of $5,000,000, the recommendation assumes total funding of at least $14,300,000 under this account for the Arabic broadcasting initiative. Within this amount, the Committee expects the Board to place the highest priority on initiating broadcasting to Sudan, and the lowest priority on broadcasting to Iraq. The Committee funding recommendation already includes base funding to continue eight hours per day of Arabic broadcasting to Iraq by Radio Free Europe/Radio Liberty. Additional requirements associated with the Arabic broadcasting initiative are discussed under the Broadcasting Capital Improvements heading. The Committee believes that additional opportunities may exist to allocate additional funding to this and other priority initiatives, as described below.

Reprogramming of Exchange Rate Gains/Other Savings.—As in past years, the Committee expects that there will be additional savings available to the Board, including exchange rate gains and vacancies in funded positions. The Committee notes that the Board will have the ability to propose that savings be used for additional requirements related to the Arabic broadcasting initiative, broadcasting to China, and other emerging priority programs, through the normal reprogramming process.

Language Service Review and Research.—The Committee strongly supports the Board's efforts to objectively and systematically review and evaluate the performance, results, and importance of every U.S. Government-sponsored international broadcasting language service and to propose corresponding reallocations of funds. The Committee endorses this process as a means to improve broadcast quality and meet emerging program priorities within limited resources. The Committee notes that through language service reviews in fiscal years 2000 and 2001 the Board expects to reallocate as much as $10,000,000 to emerging priorities. The Committee supports the continuation and expansion of this effort in fiscal year 2002 and expects the Board to proceed with its plan to consolidate

and strengthen the research function to ensure that prioritization decisions are based on the most complete and accurate data. Accordingly, the Committee recommendation includes the establishment of a central, enhanced, core research fund of $5,000,000. The Committee encourages the Board to ensure that foreign policy implications are given full consideration before adopting language service review recommendations. The Committee expects that the continuing language service review effort may also result in the dedication of additional resources to the Arabic broadcasting initiative, broadcasting to China, and other emerging priority programs, through the normal reprogramming process.

The recommendation provides funding for the principal broadcasting entities as follows:

Voice of America.—The recommendation provides $139,910,000 for VOA. The Committee notes that this amount includes amounts previously allocated separately for international television broadcasting programs. The Committee continues to urge the Board to undertake a top-to-bottom review of television-related activities and eliminate lower-priority, less cost effective programs. The Committee expects that such a review could result in significant future savings. The overall recommended funding level for VOA includes $9,526,000 above the fiscal year 2001 level to provide for requested adjustments to base and program increases.

Radio Free Europe/Radio Liberty.—The recommendation provides the full requested amount of $68,697,000 for RFE/RL, including the requested amounts for broadcasting to Iran and Iraq. The recommended amount includes $829,000 above the fiscal year 2001 level to provide for adjustments to base.

Radio Free Asia.—The recommendation provides the full requested amount of $25,221,000 for RFA. This amount includes $996,000 above the fiscal year 2001 level to provide for adjustments to base, and will allow RFA to continue its expanded schedule of broadcasting to China, Tibet, Burma, Vietnam, North Korea, Laos, and Cambodia. The Committee has included additional funding under the Broadcasting Capital Improvements account to overcome jamming of RFA broadcasts.

Broadcasting to Cuba.—The recommendation provides the full requested amount of $24,872,000 for Broadcasting to Cuba. This amount includes $2,826,000 above the fiscal year 2001 level to provide for requested adjustments to base.

BROADCASTING CAPITAL IMPROVEMENTS

The Committee recommends $25,900,000 in new budget authority for broadcasting capital improvements, which is $9,000,000 above the request and $5,587,000 above the amount available in fiscal year 2001. The amount recommended will provide for the continuation of base costs for maintenance, improvements, replacements and repairs, digital production capability development, and security upgrades at transmitting stations overseas.

Within the amount provided, the Committee expects the Board to allocate at least the requested amount of $3,900,000 for the installation of medium wave transmission facilities associated with the Arabic broadcasting initiative. The Committee expects that the uses of this funding will include the development of a capability for broadcasting to Sudan.

The Committee recommendation also includes $9,000,000 above the request for additional transmission infrastructure to defeat jamming and reach a wider audience for Radio Free Asia and Voice of America broadcasts to China, Tibet, Vietnam and North Korea.

The Committee directs the Board to submit a spending plan within sixty days from the date of enactment of this Act allocating funds available in this account, including carryover balances, to various activities. The plan shall include detailed proposals for the Arabic and East Asia enhancements. The Board shall also continue to keep the Committee informed regarding costs and results of the ongoing digital conversion project.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

The Committee recommends the following general provisions for the Department of State, similar to provisions that were included in the fiscal year 2001 Appropriations Act:

Section 401 of the bill permits funds appropriated in this Act for the Department of State to be available for allowances and differentials as authorized by subchapter 59 of Title 5 of the United States Code; 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 State Department appropriation to be transferred to another State Department appropriation, but no program can be increased by more than ten percent, and also provides the same authority to Broadcasting Board of Governors programs. 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 of the bill prohibits the use of funds by the Department of State or the Broadcasting Board of Governors to provide assistance to the Palestinian Broadcasting Corporation.

TITLE V—RELATED AGENCIES

The Committee recommends $2,102,167,000 in new budget authority in the accompanying bill for the Related Agencies in this Title for fiscal year 2002. This amount is $94,465,000 below current year appropriations, and $297,975,000 below the budget request.

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

The Committee recommendation includes a total of $231,732,000 in new budget authority for the Maritime Administration (MARAD) for fiscal year 2002, as described below:

MARITIME SECURITY PROGRAM

The Committee recommends $98,700,000 for the Maritime Security Program. No funds were requested for this program under the Maritime Administration. The President's budget requested $98,700,000 for this program under the Department of Defense. The recommendation provides the funding instead to the Maritime

Administration and assumes that the Maritime Administration will continue to administer the program. The recommendation will provide all the resources necessary for the operation of the program through fiscal year 2002. The purpose of the Maritime Security Program is to maintain and preserve a U.S. flag merchant fleet to serve the national security needs of the United States. The program provides direct payments to U.S.-flag ship operators engaged in U.S.-foreign trade. Participating operators are required to keep the vessels in active commercial service and are required to provide intermodal sealift support to the Department of Defense in times of war or national emergency. This program is funded under the allocation for national security programs.

The Committee recommendation provides funding for payments to U.S. carriers for 47 ships, capped at $2,100,000 per ship, per year.

OPERATIONS AND TRAINING

The Committee recommends an appropriation of $89,054,000 to fund programs under the Operations and Training account of the Maritime Administration. This amount is $2,335,000 above the current fiscal year and the same as the budget request. This account provides funding for the U.S. Merchant Marine Academy, the State maritime schools, and MARAD operations.

The Committee recommendation includes $47,822,000 for the operation and maintenance of the U.S. Merchant Marine Academy, an increase of $690,000 above the fiscal year 2001 level. The Committee recommendation includes language, modified from the request, designating $13,000,000 to remain available until expended for the continuation of an initiative to maintain and repair the Academy's infrastructure, and thereby improve safety and health conditions for the midshipmen and faculty. MARAD has submitted to the Committee a master plan to address the Academy's long-term maintenance and renovation needs. The Committee has approved the allocation of $13,000,000 from fiscal year 2001 appropriations to address specific capital improvement needs, including the elimination of lead in Academy drinking water, renovations to bring buildings into compliance with the Americans with Disabilities Act, renovations to the Mallory pier and bulkhead, and the completion of architectural and engineering design to renovate the barracks buildings. The additional $13,000,000 provided for fiscal year 2002 will enable the Academy to pursue additional capital improvements consistent with the facilities master plan. The Committee directs MARAD to submit, no later than November 30, 2001, and prior to the expenditure of fiscal year 2002 funds, a spending plan for this initiative, subject to the reprogramming requirements under section 605 of this Act. The Committee reminds MARAD and the Academy that deviations from approved spending plans are also subject to section 605 reprogramming requirements.

The Committee notes with concern that MARAD has still not fully complied with the directive in the report accompanying the fiscal year 1999 House bill to submit information on various aspects of Maritime Education and Training. The Committee continues its interest in accurately determining the need for Federal support for maritime education, measuring results of these programs in relation to their national security goals, and ensuring a

minimum of duplication and inefficiency among the U.S. Merchant Marine Academy, State academies, and other institutions that do not receive funding under this account. The Committee understands that MARAD has thus far been unable to determine the impact of licensed officer education programs funded under this account on the achievement of national security goals. As a first step in this regard, the Committee directs MARAD to conduct a survey of currently licensed mariners in conjunction with the Bureau of Transportation Statistics, and to submit the report to the Committee by September 30, 2001.

The recommendation includes the requested level of $7,457,000 for State maritime schools, the same as the fiscal year 2001 level. The Committee encourages MARAD to pursue its "level-funding" initiative for schoolship maintenance and repair, and endorses the goals of increased cost-sharing, increased local responsibility, and the elimination of periodic spikes in costs. The Committee notes that, in addition to the funds provided for State schools under this account, MARAD expects to receive additional funding in fiscal year 2002 of at least $2,000,000 for school ship maintenance and repair under the Department of Defense Ready Reserve Force program. The Committee notes that MARAD has again requested $1,200,000 under this activity to maintain the Student Incentive Payment program at the current level. The Committee directs MARAD to report to the Committee by November 30, 2001, with a justification for the annual target for new reservists in relation to documented emergency requirements that cannot be met from other sources.

The Committee recommendation includes $33,775,000 for operating programs and general administration of MARAD, an increase of $1,645,000 above fiscal year 2001 to support requested adjustments to base. This funding level is intended to support 945 full-time equivalents, the same level as in fiscal year 2001.

SHIP DISPOSAL

The Committee recommendation includes $10,000,000 for expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet (NDRF), the same amount as requested. The Committee is aware of the need to reduce the current inventory of 115 vessels in the NDRF awaiting disposal. The Committee directs MARAD to submit a plan for the expenditure of resources under this account by November 15, 2001, in accordance with the procedures outlined in section 605 of this Act. The budget request indicated that this funding would allow MARAD to scrap at least three vessels. The Committee urges MARAD to consider every feasible alternative for the use of fiscal year 2002 funding in order to accelerate the disposal rate of these vessels, particularly those which pose the greatest environmental risk. The spending plan shall include: a multi-year plan for reducing the inventory based on level funding; a plan to reduce the average scrapping cost; the methodology used to prioritize disposal based on environmental risk management; a target number of vessels to be disposed of by means other than scrapping; and a plan to expedite the sale of vessels that meet environmental requirements.

MARITIME GUARANTEED LOAN PROGRAM

The Committee recommends a total of $33,978,000 for the Maritime Guaranteed Loan (Title XI) Program. This amount is $30,000,000 above the budget request, and is $66,000 above the amount available in fiscal year 2001. The Committee recommendation also includes language that requires MARAD to submit a reprogramming under section 605 of the Act before exceeding a loan program level of $1,000,000,000.

The amount provided includes $30,000,000 in subsidies for the guaranteed loan program. The Committee directs that MARAD shall not make commitments exceeding the $1,000,000,000 program limitation in FY 2002, including commitments made with appropriations from previous fiscal years, without prior notification of the Committee in accordance with section 605 reprogramming procedures. The Committee further directs MARAD to continue to submit quarterly reports to the Committee on Title XI obligations, including information on total loan principal guaranteed by each separate fiscal year's subsidy appropriation.

The Committee notes that the amount of loans that the appropriation supports depends upon the risk factor in the loans that MARAD approves. To the extent that the program concentrates on lower-risk loans, the appropriation will support a higher total program level, and the risk of defaults will be decreased. The Committee urges MARAD to continue to ensure that any loan guarantees issued under this program meet the economic soundness requirement under Title XI.

The amount provided also includes $3,978,000 for administrative expenses related to this program, the same amount provided in fiscal year 2001 and the same as the request. The amount provided for administrative expenses may be transferred to and merged with appropriations for MARAD operations and training on a reimbursable basis to cover the common overhead expenses associated with maritime guaranteed loans.

ADMINISTRATIVE PROVISIONS

The bill includes 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 $489,000 for the expenses of the Commission for the Preservation of America's Heritage Abroad. This amount is the same as the level in the budget request and the current year. The recommendation for this year 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 Committee notes and en-

courages the efforts of the Commission to attract additional funding for the Commission's efforts.

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 $9,096,000 for the salaries and expenses of the Commission on Civil Rights for fiscal year 2002. The amount recommended is $216,000 above the fiscal year 2001 level and the same as the budget request.

The Commission was established by the Civil Rights Act of 1957 and is directed by eight part-time commissioners. The Commission was created to protect the civil rights of people within the U.S. and was intended to be an independent, bipartisan, fact-finding agency. The Commission investigates charges of citizens being deprived of voting rights, and collects, studies and disseminates information on the impact of Federal laws and policies on civil rights.

The Committee reminds the Commission that agencies seeking appropriations from Congress must submit budget justification material to the Committee. The Committee expects that in the future the Commission will submit such material in a timely fashion, and that the amount of the Commission's budget request will correspond with the amount requested in the President's budget.

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 chairwoman, 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.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

The Committee recommendation includes $3,000,000 for the Commission on International Religious Freedom, the same amount as the budget request.

The Commission, established pursuant to the International Religious Freedom Act of 1998, conducts independent reviews and reporting of facts and circumstances of violations of religious freedom abroad, and recommends options for United States policies with respect to foreign countries engaging in or tolerating violations of religious freedom.

COMMISSION ON OCEAN POLICY

SALARIES AND EXPENSES

The Committee does not include requested language regarding reporting requirements. No funding was requested or recommended for this account.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

The Committee recommends an appropriation of $1,499,000 for the Commission on Security and Cooperation in Europe, the same amount as the request, and an increase of $132,000 above the amount provided in the current fiscal year.

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.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

The Committee recommends an appropriation of $500,000 for the Congressional-Executive Commission on the People's Republic of China, the same amount as the request and $1,000 above the amount provided in the current fiscal year.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The Committee recommends $310,406,000 for the salaries and expenses of the Equal Employment Opportunity Commission (EEOC) for fiscal year 2002. This amount is the same as the request, and $7,211,000 above the amount available in the current year.

Within the funding provided, the Committee directs the Commission to continue reducing the backlog of pending private sector discrimination charges, and expanding the use of alternative dispute resolution (ADR) techniques, including mediation and "early resolution". The Committee funding recommendation assumes that the Commission will at least maintain the current level of spending on contract mediation ($1,800,000), in addition to the mediation being performed by EEOC staff.

The Committee expects the EEOC to submit a spending plan to the Committee in accordance with section 605 of this Act before December 31, 2001, describing the allocation of funding to various Commission activities, including private sector charge backlog reduction, ADR and mediation initiatives, litigation, and automation improvements.

The Committee again expresses concern regarding the failure to achieve further private sector charge backlog reduction. The Committee notes that the budget request assumes a reduction of less than 6% by the end of fiscal year 2002. The Committee directs the Commission to make the reduction of this backlog its highest priority. The Committee expects the Commission to submit a spending plan that allocates the increased resources in this account to backlog reduction on a priority basis, and expects the Commission to exceed the backlog reduction targets included in the budget request. The EEOC may be able to achieve even greater backlog reductions depending on the intake rate for new charges and the extent to which "early resolution" methods are adopted.

The Committee notes that the State and local Fair Employment Practices Agencies (FEPAs) will resolve an estimated 55,785 charges in fiscal year 2002. The bill includes language similar to that included in previous Appropriations Acts allowing not to exceed $30,000,000 for payments to State and local FEPAs. The Committee encourages the EEOC to use the experience the FEPAs have in mediation, as the Commission implements its ADR programs. The Committee is willing to entertain proposals in the spending plan to reprogram additional funds to the FEPAs for this purpose.

The bill also includes language similar to that included in previous Appropriations Acts allowing non-monetary awards to private citizens, and up to $2,500 for official reception and representation expenses.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

The Committee recommends total budget authority of $238,597,000 for the salaries and expenses of the Federal Communications Commission (FCC) for fiscal year 2002, of which $218,757,000 is to be derived from offsetting collections, resulting in a direct appropriation of $19,840,000. The recommended total budget authority is $9,948,000 below the request, and $9,103,000, above the current year appropriation.

The Committee directs the Commission to submit, no later than December 15, 2001, a financial plan proposing a distribution of all funds in this account, subject to the reprogramming requirements under section 605 of this Act.

The Committee recommendation includes bill language, similar to that included in previous Appropriations Acts, which allows: (1) up to $600,000 for land and structure; (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, 2003; (5) purchase of uniforms and acquisition of vehicles: (6) special counsel fees; (7) collection of $218,757,000 in section 9 fees; (8) the sum appropriated to be reduced as section 9 fees are collected; and (9) fees in excess of $218,757,000 to be available in fiscal year 2003.

The mission of the Federal Communications Commission is to implement the Communications Act of 1934, as amended, in a manner that promotes competition, innovation, and deregulation in the communications industry and the availability of high quality communications services for all Americans. The Committee commends the Commission on its efforts to keep pace with industry changes and to set rational productivity goals. The recommendation includes a total of $238,597,000 in direct appropriations and offsetting collections for this purpose.

The FCC faces a number of complex issues related to spectrum licensing and allocation this year—the ramifications of which will affect communications policy over the long term. The Committee supports thorough and timely reviews and will avoid any effort to impose arbitrary deadlines upon consideration of these matters. The Committee also wishes to note that, given funding constraints, it would caution against the development of regional projects, which might not benefit the Nation as a whole.

The Committee would also emphasize the importance of the FCC's commitment to the availability of high quality communications. In addition to technical quality, the Committee hopes the Commission will take greater steps toward carrying out its responsibilities under Title 18 of the United States Code, Section 1464. The procedures developed by the FCC for addressing "* * * obscene, indecent, or profane, language by means of radio communication * * *" are cumbersome and reactive only. The Committee commends recent FCC efforts to take a more aggressive stance in curbing an assault of obscene matter over the airwaves while remaining cognizant of the Constitutional rights of our citizens.

The Committee does not include in its bill a new authorization requested in the President's Budget, to alter the E-rate program. The proposal did not appear in the budget justification submitted by the FCC and Administration support for the proposal is uncertain at this time.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

The Committee recommends an appropriation of $15,466,000 for the salaries and expenses of the Federal Maritime Commission (FMC) for fiscal year 2002. This amount is a reduction of $984,000 below the budget request and the same as the amount available in the current fiscal year. The Committee directs the Commission to maintain a zero growth budget as the Commission continues to advance the deregulatory mandates of the Ocean Shipping Reform Act. The Committee expects that any pay and inflationary increases shall be absorbed through hiring below attrition and other cost-cutting measures.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

The Committee recommends total budget authority of $155,982,000 for the salaries and expenses of the Federal Trade Commission for fiscal year 2002, which is $8,828,000 above the current year appropriation and $288,000 below the request. This amount is to be derived from current year offsetting fee collections from premerger filing fees under the Hart-Scott-Rodino Act, resulting in no net direct appropriation.

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. Appropriations for both the Antitrust Division of the Department of Justice and the Commission are financed with Hart-Scott-Rodino Act pre-merger filing fees.

The recommended level provides for pay and inflationary base adjustments to maintain the current operating level. The Committee notes that any use of remaining unobligated fee collections

from prior years are subject to the reprogramming requirements outlined in section 605 of this Act.

The Committee recommends bill language, similar to that included in previous Appropriations Acts, which: (1) allows for 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) prohibits the use of funds to implement section 151 of the Federal Deposit Insurance Corporation Improvements Act of 1991; and (6) makes funds appropriated from the Treasury for the FTC available until expended.

LEGAL SERVICES CORPORATION

SALARIES AND EXPENSES

The Committee recommendation includes $329,300,000 for the Legal Services Corporation for fiscal year 2002. This amount is the same as the request and $26,000 above the current year appropriation. This amount includes: (1) $310,000,000 for grants to basic field programs; (2) $2,500,000 for the Office of Inspector General; (3) $12,400,000 for Corporation management and administration; and (4) $4,400,000 for client self-help and information technology. The Committee notes that $40,000,000 is provided for civil legal assistance under the Violence Against Women Act program funded under Title I of this bill.

The Legal Services Corporation is a private, nonprofit corporation that provides low-income individuals with access to legal assistance and information concerning civil legal problems. Created in 1974, the Legal Services Corporation is charged by Congress to provide assistance to those who would otherwise be unable to afford adequate legal counsel.

The Committee supports LSC's efforts to streamline its service area configurations through the State planning process. However, the Committee has been made aware of concerns that LSC has attempted to impose its own reconfiguration plans on certain States without clearly articulating standards for such decisions. In several instances the Corporation rejected reconfiguration plans developed and approved by all relevant stakeholders within a State, and provided no opportunity for the State to appeal that decision. The Committee expects LSC to review the State planning process and the concerns raised, and report back to the Committee by no later than September 4, 2001, with a proposal that articulates the reconfiguration standards and process for States to appeal LSC's decisions. The Committee intends that LSC consult with appropriate stakeholders in developing this proposal.

The Committee reminds the Legal Services Corporation that its grantees are prohibited by section 504(a)(7) of Public Law 105–119 from participating in class action lawsuits and directs the Corporation to ensure its grantees comply.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

The Committee recommendation includes bill language to continue statutory requirements and restrictions contained in previous Appropriations Acts, as requested. A legal correction is rec-

ommended to reflect the recent Supreme Court ruling in the Legal Services Corporation v. Velazquez case.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

The Committee recommends $1,732,000 for the Marine Mammal Commission for fiscal year 2002. The recommendation is the same amount as the request and $36,000 above the current year level. The Committee recommendation provides for continuation of research on the impacts of sea ice and other environmental changes on Arctic marine resources and the Alaska Natives that depend upon them; for continuation of studies to further protect the Florida manatee; and for research stemming from the Commission's contaminants research project.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

SALARIES AND EXPENSES

The Committee recommends $4,000,000 under a new separate account for the National Veterans Business Development Corporation, the same as the budget request. The same amount was made available in the current fiscal year from the "Salaries and Expenses" account of the Small Business Administration.

The Corporation was established pursuant to the Veterans Entrepreneurship and Small Business Development Act of 1999 to expand the provision of and improve access to technical assistance regarding entrepreneurship for the nation's veterans, and to assist veterans, including service-disabled veterans, with the formation and expansion of small business concerns.

PACIFIC CHARTER COMMISSION

SALARIES AND EXPENSES

The Committee recommends $2,500,000 as an initial appropriation to support the establishment of the Pacific Charter Commission. No funding was requested for this Commission. The role of the Commission as articulated in the Pacific Charter Commission Act of 2000 is the promotion of consistent and coordinated foreign policy in the Asia-Pacific region, including support for democratization, the rule of law, and human rights.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

The Committee recommends overall funding for the Securities and Exchange Commission (SEC) of $437,900,000, which is the same as the request and $16,030,000 above the level provided in fiscal year 2001. The overall funding is made up of the following components: (1) an appropriation of fiscal year 2002 offsetting fee collections of $109,500,000; and (2) an appropriation of prior year offsetting fee collections of $328,400,000. The recommendation provides the Commission with the full amount of requested adjustments to base funding for pay and inflation changes. The Committee is aware of the "pay parity" provisions contained in the In-

vestor and Capital Markets Fee Relief Act (H.R. 1088), and will address additional requirements related to "pay parity" in the event that bill is enacted. The Committee recommendation also includes requested language to preserve the current allocation of Section 31 fees notwithstanding the registration of Nasdaq as an exchange.

The Committee recommendation includes bill language providing offsetting fee collections in accord with levels authorized in the National Securities Markets Improvement Act of 1996. The Committee intends that any such collections in excess of the amounts made available in fiscal year 2002 will remain available for the Securities and Exchange Commission in future years through the regular appropriations process.

The Committee commends the SEC on the important actions recently taken to increase enforcement of disclosure rules. Foreign corporations playing a direct role in human rights abuses in Sudan have been able to offer securities to American investors, and as a result, these investors are unwittingly helping to subsidize these atrocities. The SEC has a responsibility and an obligation to require these corporations to disclose such involvements to U.S. investors. The Committee is pleased by the progress already made, and will continue to insist on the full exercise of existing authorities to inform and protect American investors in this area.

In addition, 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; and (4) makes up to $100,000 available for expenses of meetings and consultations with foreign governmental and regulatory officials.

The SEC was created by the Securities Exchange Act of 1934 as an independent, quasi-judicial agency. It administers a group of statutes in the area of securities and finance which seek to protect the investing public by providing full disclosure, regulating the nation's securities markets, and preventing and policing fraud and malpractice in the securities and financial markets.

SMALL BUSINESS ADMINISTRATION

The accompanying bill provides a total of $727,872,000 for four appropriations items of the Small Business Administration (SBA). This amount is $185,872,000 above the budget request, and $129,729,000 below the amount appropriated in fiscal year 2001. The details for the four SBA appropriation accounts are contained in the following paragraphs.

The Committee is disappointed by the failure of the SBA to put forward a credible appropriations request. The funding request includes major reductions to credit and non-credit programs that are predicated on the enactment of separate authorization measures. The enactment of these measures, in most cases, is highly unlikely. The Committee rejects this approach, and directs the SBA to re-examine its budget formulation process and to base future funding requests on credible estimates of true program requirements.

The Committee recommendation for fiscal year 2002 again includes funding to improve portfolio management and systems modernization efforts. The Committee expects the SBA to continue to

place a high priority on these improvements that will make possible further streamlining and efficiencies.

SALARIES AND EXPENSES

The Committee recommends $303,581,000 for the salaries and expenses account of the Small Business Administration. This amount is $64,243,000 below the amount provided in fiscal year 2001, and $17,638,000 below the request.

Of the amount provided under this heading, $157,681,000 is for operating expenses of the SBA. In addition, a total of $138,854,000 may be transferred to and merged with the salaries and expenses account for indirect operating costs. This amount consists of $129,000,000 from the Business Loans Program account for administrative expenses, and $9,854,000 from the Disaster Loans Program account for administrative expenses. The Committee also anticipates that SBA will have an additional $3,000,000 in fee receipts available for operating expenses. This will result in a total availability of $299,535,000 for the operating expenses of the SBA, an increase of $6,000,000 above the comparable fiscal year 2000 amount.

In addition, the recommendation includes language under the Disaster Loans Program account providing that $110,000,000 of the amount provided for administrative expenses may be transferred to and merged with the salaries and expenses account for the direct administrative costs of disaster loan making and servicing.

The amount provided includes $4,500,000 for the continuation of initiatives to strengthen the management of SBA's loan portfolio, modernize automated systems, and train the workforce to meet the agency's changing roles. The Committee expects the SBA to submit a plan for the expenditure of resources for these initiatives by December 31, 2001, in accordance with section 605 of this Act.

The Committee notes that $32,000,000 has been provided previously for loan monitoring and systems modernization, much of which remains unexpended. The Committee expects that any funding requirements to complete the loan monitoring system, and the first phase of the joint accounting and administrative management system (core financial system) will be the highest priority for the use of fiscal year 2002 funding. Should additional funding be available within the amount provided, the Committee urges the SBA to implement the next phase of the joint accounting and administrative management system initiative. The Committee expects that the modernization of the SBA's human resources, travel, procurement and payroll functions will yield significant savings and efficiencies.

Within the amounts provided under this heading, the Committee expects the SBA to continue to help small businesses adapt to a paperless procurement environment. The Committee recommendation also includes the full amount requested for Low Documentation Processing Centers. The Committee recommendation for salaries and expenses includes a total of $141,400,000 for non-credit initiatives, as follows:

Small Business Development Centers	$87,806,000
7(j)	2,600,000
SCORE	3,500,000
Microloan technical assistance	20,000,000

One-stop Capital Shops	3,100,000
Export Assistance Centers	3,100,000
Regulatory Fairness Boards/National Ombudsman	500,000
Women's Business Centers	12,000,000
Women's Business Council	750,000
Advocacy Research	1,100,000
Veterans Programs	750,000
Small Business Drug-free Workplace Program	5,000,000
Survey of Women-Owned Businesses	694,000
Business Information Centers	500,000
Total, non-credit initiatives	141,400,000

Of the amounts provided for the SBDC program, $2,000,000 is to continue the SBDC defense transition program and $1,000,000 is for a regulatory compliance simplification program to increase coordination of environmental, Occupational Health and Safety Administration and Internal Revenue Service compliance requirements and to avoid duplication among programs for compliance assistance to small businesses.

The Committee expects that within the overall amount provided under this account, full funding will be provided for the operations of the Office of Advocacy. In addition, the recommendation includes $1,100,000 for Advocacy Research.

The Committee recommendation deletes language, as requested, designating funding under this account for the National Veterans Business Development Corporation. The Committee has included a direct appropriation of $4,000,000 for the Corporation under a separate heading in this title.

The Committee recommendation includes $5,000,000 to continue funding for a drug-free workplace demonstration program to provide technical assistance to small business concerns seeking to start a drug-free workplace program. The recommendation also includes $694,000 for the second year funding requirement associated with the 2002 Survey of Woman-Owned Businesses.

The Committee recommendation includes requested language authorizing $3,500 for official reception and representation expenses as well as language authorizing the 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 recommendation deletes language, as requested, making amounts available for New Markets assistance programs subject to authorization. Also, the recommendation does not include the requested authority for a specified amount of program funds to remain available for two years. Finally, the recommendation does not include requested language allowing the SBA to retain not to exceed $3,000,000 of increased collections of delinquent debt for qualified expenses.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $11,927,000 for the Office of Inspector General of the Small Business Administration under this heading, the same amount as requested, and the same amount available in fiscal year 2001. The recommendation assumes that, as in fiscal year 2001, the appropriation under this heading will be supplemented by an additional $500,000 provided under the administra-

tive expenses of the Disaster Loans Program for oversight of that program, which may be transferred to this account. The Committee recommendation includes resources for continued oversight of the SBA's business loan portfolio and the SBA's administration of the 7(a) and disaster assistance programs.

BUSINESS LOANS PROGRAM ACCOUNT

The Committee recommends a total of $207,500,000 under this account, consisting of: $77,000,000 for the Business Loans Program Account for subsidies for guaranteed business loans; $1,500,000 for subsidies for direct business loans; and $129,000,000 for administrative expenses related to business loan programs. 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. In addition, the recommendation includes a provision in the bill, also carried in previous years, which allows up to $45,000,000 to remain available for two fiscal years.

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 2002, 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.

7(a) Business loan program.—The recommendation includes $77,000,000 in new budget authority for the 7(a) loan program. When combined with an estimated $30,000,000 in carryover balances, and assuming a subsidy rate of 1.07 percent, this appropriation will support an estimated program level of $10,000,000,000, an increase of at least $800,000,000 over the current year. The budget request did not include any new budget authority for the 7(a) program in conjunction with an assumption that new, separate authorizing legislation would be enacted that would have the effect of bringing the program to zero subsidy. This legislation has not been enacted, nor does the Committee expect that it will be enacted. Should changes in the program level occur due to changes in the subsidy rate, or as a result of changes in estimated carryover or recoveries, the Committee expects to be notified in accordance with section 605 of this Act prior to the SBA taking any actions to change the program level provided for fiscal year 2002. The Committee recommendation includes language, as carried in the fiscal year 2001 Appropriations Act, requiring the SBA to submit a reprogramming under section 605 of the Act before exceeding a 7(a) program level of $10,000,000,000.

Small Business Investment Corporation (SBIC) Debentures and Participating Securities.—The Committee recommendation does not include an appropriation of new budget authority for the SBIC debentures and participating securities programs, as none was requested. The Committee continues to support these highly successful programs that facilitate the formation of privately-owned and operated investment companies to serve as sources of equity capital and long-term loans to new or expanding small businesses, and to supplement investment companies' private capital with funds made available through SBA guarantees. The debentures program cur-

rently operates at a zero subsidy rate and therefore requires no appropriation. The Committee recommendation and the Administration's request for the participating securities program assume that authorization changes will be enacted that will allow the program to operate with a zero subsidy rate in fiscal year 2002. The recommendation also includes language, modified from the request, that the SBIC total program level shall not exceed $4,100,000,000. In recognition that the assumed authorization changes include an appropriate increase in fees, the Committee expects the SBA to ensure that fee increases do not create prohibitive barriers to participation in the program.

Microloan Direct and Guaranty Programs.—The Committee recommendation includes new appropriations of $1,500,000 for the Microloan Direct Loan Program, as requested, and no new appropriations for the Microloan Guaranty Program, as none was requested. The recommendation for direct Microloans assumes that no carryover balances will be available. The appropriation of $1,500,000 will provide for a program level of $20,575,000. For the Microloan Guaranty program, the Committee understands that few, if any program obligations are projected for fiscal years 2001 or 2002.

504 Development Company Loans.—The Committee recommendation provides no new budget authority for the section 504 development company loan program, as requested, and includes language limiting the 504 guaranteed lending program to $3,750,000,000, as requested. This program will operate with a zero subsidy rate in fiscal year 2002.

The Committee is aware that there are continuing concerns about the accuracy of the subsidy rate model for the 7(a) general business loan program, and that modeling decisions are overestimating projected default rates, resulting in large downward re-estimates. The Committee encourages SBA to continue to work with the Office of Management and Budget to maximize the validity of its models to ensure that requested appropriations to guarantee such loans are, in fact, necessary.

The recommendation includes language, proposed for deletion, making $45,000,000 under this heading available for two fiscal years. The recommendation deletes language included in the fiscal year 2001 bill earmarking an amount for a specific business loan program, subject to authorization.

DISASTER LOANS PROGRAM ACCOUNT

The Committee recommends a total of $204,864,000 for the Disaster Loans Program Account for loan subsidies and associated administrative expenses, which is $20,776,000 above the amount provided in fiscal year 2001, and $126,510,000 above the request. The Committee recommendation includes $84,510,000 for the subsidy costs of disaster loans, which when combined with estimated recoveries of $37,850,000 will provide a disaster loan level of $800,000,000. The Committee notes that the fiscal year 2002 request did not include a realistic estimate for an average annual direct disaster loan program from discretionary appropriations.

The Committee recommendation includes $120,354,000 for administrative expenses of carrying out the program, which may be transferred to and merged with appropriations for salaries and ex-

penses. The recommendation includes language specifying that, of the amount provided for administrative expenses, $110,000,000 is for the direct administrative expenses of loan making and loan servicing, and $9,854,000 is for indirect administrative expenses. The recommendation also includes language requiring that any amount in excess of $9,854,000 transferred to the salaries and expenses account for indirect administrative expenses shall be subject to reprogramming requirements, as detailed under section 605. In addition, the recommendation retains language transferring $500,000 of the amount provided for administrative expenses to the Office of Inspector General for audits and reviews of the disaster loan portfolio.

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 2002, 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.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

The Committee recommends $6,835,000 for the State Justice Institute for fiscal year 2002, same as the current year appropriation and $8,165,000 below the request.

The State Justice Institute is a private, non-governmental organization, which awards grants to improve the administration of justice in State courts. While the State Justice Institute requested an appropriation of $15,000,000 for fiscal year 2002, the Administration only included $6,835,000.

The Committee recommendation takes into account that assistance to State courts is available through the Office of Justice Programs within the Department of Justice.

TITLE VI—GENERAL PROVISIONS

The Committee recommends the following general provisions for the departments and agencies funded in the accompanying bill. Except where modifications are indicated, these general provisions were included in the fiscal year 2001 Appropriations Act.

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 of any appropriation contained in the Act for any consulting service 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 circumstance shall be held invalid, the remainder of the Act and the application of such provi-

sions 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 again 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 for 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, 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, and makes any person determined to have misused "Made in America" labeling ineligible from receiving grants or contracts made with funds provided under this Act.

Section 608 prohibits funds 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.

Section 609 prohibits the use of funds for any United Nations peacekeeping mission when it is made known that United States Armed Forces are under the command or operational control of a foreign national and the President has not submitted to the Congress a recommendation that such involvement is in the national security interest of the United States.

Section 610 prohibits the use of funds to pay for expansion of diplomatic or consular operations in Vietnam beyond the level of operations on July 11, 1995, unless the President certifies within 60 days that Vietnam is cooperating in full faith with the U.S. on POW/MIA issues.

Section 611 prohibits the use of funds to provide certain amenities and personal comforts in the Federal prison system.

Section 612 includes language prohibiting the use of funds under the NOAA Fleet Modernization, Shipbuilding and Conversion account to implement sections 603, 604, and 605 of Public Law 102–567, except for development of a modernization plan for fisheries research.

Section 613 provides that any closing or downsizing costs incurred by a department or agency funded under this Act resulting from funding reductions in the Act shall be absorbed within the budgetary resources available to the Department or agency, and provides transfer authority between appropriation accounts to carry out the provision, subject to reprogramming procedures.

Section 614 prohibits funds made available in this Act to the Federal Bureau of Prisons from being used to distribute publications that include sexually explicit material.

Section 615 limits funding under the Local Law Enforcement Block Grant to 90 percent to an entity that does not provide public safety officers injured in the line of duty and, as a result, separated or retired from their jobs with health insurance benefits equal to the insurance they received while on duty.

Section 616 prohibits funds made available in this Act from being used to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal of foreign restrictions on the marketing of tobacco products, provided that such restrictions are applied equally to all tobacco products or tobacco products of the same type. This provision is not intended to impact routine international trade services provided to all U.S. citizens, including the processing of applications to establish foreign trade zones.

Section 617, modified from the previous year and the request, prohibits funds for the issuance of visas to persons involved in political and extrajudicial killings in Haiti.

Section 618 prohibits funds made available in this Act from being used to implement a Federal user fee for background checks conducted pursuant to the Brady Handgun Control Act of 1993, or to implement a background check system that does not require and result in the destruction of certain information.

Section 619, modified from the current year, delays the obligations of any receipts deposited into the Crime Victims Fund in excess of $575,000,000 until October 1, 2002. Due to unprecedented antitrust criminal fines in recent years, receipts deposited have greatly exceeded historical levels. The Committee has continued to take this action to ensure that a stable source of funds will remain available for the program.

Section 620 prohibits the use of Department of Justice funds for programs that discriminate against or denigrate the religious beliefs of students participating in such programs.

Section 621 prohibits the use of funds to process visas for citizens of countries that deny or delay the repatriation of deported citizens.

Section 622 prohibits the use of Department of Justice funds to transport high security prisoners to facilities not certified by the Bureau of Prisons as appropriate to receive such prisoners.

Section 623 prohibits the use of funds to take certain actions for the purpose of implementing, or in contemplation of preparing to implement, the Kyoto Protocol.

TITLE VII—RESCISSIONS

DEPARTMENT OF COMMERCE

EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM ACCOUNT

(RESCISSION)

The Committee recommends a rescission of $115,000,000 from remaining unobligated balances in this account.

EMERGENCY STEEL GUARANTEED LOAN PROGRAM ACCOUNT

(RESCISSION)

The Committee recommends a rescission of $10,000,000 from remaining unobligated balances in this account.

HOUSE OF REPRESENTATIVES REPORT REQUIREMENTS

The following items are included in accordance with various requirements of the Rules of the House of Representatives.

CONSTITUTIONAL AUTHORITY

Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives states that:

Each report of a committee on a bill or joint resolution of a public character, shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution.

The Committee on Appropriations bases its authority to report this legislation from Clause 7 of Section 9 of Article I of the Constitution of the United States of America, which states:

No money shall be drawn from the Treasury but in consequence of Appropriations made by law. * * *

Appropriations contained in this Act are made pursuant to this specific power granted by the Constitution.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

The Committee on Appropriations considers program performance, including a program's success in development and attaining outcome-related goals and objectives in development funding recommendations.

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1) of rule XIII of Rules of the House of Representatives, the following statements are 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 that places limitations on reception and representation allowances in order to reduce the amount of money that could otherwise be spent on these activities.

Language is included in various parts of the bill to continue ongoing activities which require annual authorization or additional legislation, which to date has not been enacted.

The bill includes provisions which place limitations on the use of funds in the bill or change existing limitations and which might, under some circumstances, be construed as changing the application of existing law.

The bill includes a number of provisions, which have been virtually unchanged for many years, which are technically considered legislation.

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.

Language is included under a number of accounts, in which appropriations are offset by collections, that specify the level of offsetting collections to be credited to the account and in certain cases makes collections in excess of the level available in the following fiscal year.

In various places in the bill, the Committee has earmarked funds within appropriation accounts in order to fund specific programs and has adjusted some existing earmarks.

Language is included in various parts of the bill to allow appropriations or unexpended balances of prior year appropriations to be transferred and merged with appropriations under this Act.

Those additional changes in the fiscal year 2002 bill, which might be interpreted as changing existing law, are as follows:

Under Immigration and Naturalization Service, language is included which increases the current inspection fee, and lifts the cruise ship fee exemption.

Under Federal Prison System, Salaries and Expenses, language is amended changing the limitation on the number of passenger and replacement motor vehicles.

Language has been included under the Office of Justice Programs to allow funds to be used for additional purposes.

Under the State and Local Law Enforcement Assistance Program, language is included to expand the allowable use of State Prison Drug Treatment funds;

Under Community Oriented Policing Services, language is included to allocate hiring funds for a school violence initiative and to provide for grants for certain purposes.

Under Department of Commerce, Patent and Trademark Office, Salaries and Expenses, language is included limiting the availability of carryover into fiscal year 2003.

Under National Oceanic and Atmospheric Administration, Operations, Research, and Facilities, Procurement, Acquisition, and Construction, and the Pacific Salmon Recovery Fund accounts, language is included designating amounts and activities for the conservation spending category.

Under National Oceanic and Atmospheric Administration, Operations, Research, and Facilities account, the bill includes language requiring standard reprogramming notification for the use of unanticipated deobligations.

Under Department of State, Administration of Foreign Affairs, Diplomatic and Consular Programs, language is included limiting the Machine Readable Visa fees that can be spent in fiscal year 2002 and providing that any amount collected in excess of the limit will be available in fiscal year 2003. In addition, language is included designating specific amounts for public diplomacy international information programs and worldwide security upgrades. Language is also included prohibiting funds for the export of satellites of U.S. origin to the Peoples' Republic of China unless the Committee is notified in advance.

Under Embassy Security, Construction, and Maintenance, language is included designating a specific amount for worldwide security upgrades.

Under Repatriation Loans Program Account, language is included allowing administrative expenses to be merged with the Diplomatic and Consular Programs account under Administration of Foreign Affairs.

Under Contributions to International Organizations, language is included requiring certification that the U.N. is keeping within its budget.

Under Broadcasting Board of Governors, International Broadcasting Operations, language is included to provide authorities for broadcasting to Cuba under this account.

Under Department of Transportation, Maritime Administration, Operations and Training, language is included designating an amount to remain available until expended for capital renovations at the U.S. Merchant Marine Academy.

Under Maritime Guaranteed Loan (Title XI) Program Account, language is included designating a limitation on the total loan program level.

Under Legal Services Corporation, language clarifying current statutory requirements is included.

Under Securities and Exchange Commission, Salaries and Expenses, language is included allowing certain offsetting collections to continue to be credited to this account.

Under Small Business Administration, Business Loans Program Account, language is included designating limitations to loan programs at authorized levels.

Under Disaster Loans Program Account, language is amended to designate amounts for the direct and indirect administrative expenses of disaster loan making and servicing and to describe a reprogramming requirement. In addition, language is included to allow a specified amount of funding to be transferred to the Office of Inspector General.

Under Department of Commerce, Departmental Management, Emergency Oil and Gas Guaranteed Loan Program Account, (Rescission), language is included rescinding funds.

Under Emergency Steel Guaranteed Loan Program Account, (Rescission), language is included rescinding funds.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law:

[In thousands of dollars]

Agency/Program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
Department of Justice: [1]				
Office of Justice Programs:				
Justice Assistance:				
Management and Administration	1995	$28,000	$27,100	$43,491
National Institute of Justice	1995	33,000	27,000	54,879
Bureau of Justice Assistance	1995	33,000	21,379	32,335
Counterterrorism Programs	1997	15,000	29,450	220,494
Missing Children	2001	Such sums	22,997	22,997
RISS	1995	Such sums	14,500	24,945
White Collar Crime				9,230
Juvenile Justice Programs:				
Delinquency Programs	1996	150,000	100,000	145,775
Gang Free Schools	1996	Such sums	10,000	11,974
State Challenge	1996	Such sums	10,000	9,978
Mentoring	1996	Such sums	40,000	15,965
Incentive Grants for Local Delinquency Prevention	1996	Such sums	20,000	94,791
Victims of Child Abuse Act	1996	Such sums	4,500	8,481
State and Local Law Enforcement Act, Juvenile Accountability Block Grants	2001	249,450	249,450	249,450
Weed and Seed	2001	33,925	33,925	58,925
Community Oriented Policing Services (COPS):				
Community Policing	2000	268,000	269,937	444,805
Criminal Records Upgrades	2000	20,000		35,000
Community Prosecutors			99,780	99,780
Bullet Proof Vests	2001	25,000	25,444	25,444
State and Local Assistance:				
Local Law Enforcement Block Grants	2001	521,849	521,849	521,849
Drug Courts	2001	49,890	49,890	50,000
Byrne Grants	1995	100,000	500,000	570,000
Violence Against Women:				
Training Programs	1997	1,000	1,000	4,989
State Criminal Alien Assistance Programs	2000	340,000	420,000	565,000
Substance Abuse Treatment	2000	72,000	63,000	73,861
Missing Alzheimer's Patients	1998	900	900	898
Family Support	2000	7,500	1,500	1,497
Telemarketing Fraud	2000	2,500	2,000	19,995
Motor Vehicle	1998	1,800	750	1,297
United States Trade Rep	1992	21,077	19,992	28,000
Department of Commerce [2]:				
International Trade Administration	1996	Such sums	248,726	344,654
Bureau of Export Administration	2001	Such sums	64,711	68,893
NOAA		370,738	394,370	627,586
Office of Technology Policy	1993	8,500	6,070	8,094
National Institute of Standards and Technology	1993	383,500	310,677	488,996
National Telecommunications and Information Administration	1993	59,900	71,823	72,017
Department of State:				
Administration of Foreign Affairs	2001	4,162,950	4,777,175	5,595,736
International Organizations	2001	Such sums	1,713,056	1,694,139
International Commissions	2001	50,228	56,101	60,316
Other State	2001	59,500	54,504	53,025
Broadcasting Board of Governors	2001	467,229	467,229	479,006
Maritime Administration	2001	148,439	120,631	133,032
Federal Maritime Commission	1998	15,000	14,000	15,466
Federal Trade Commission	1998	110,000	106,500	155,982
Legal Services Corporation	1979	Indef	270,000	329,300
Marine Mammal Commission	1999	1,750	1,240	1,732
Securities and Exchange Commission	1999	351,280	324,000	437,900
State Justice Institute	1996	25,000	6,850	6,835

[1] The fiscal year 2001 Commerce, Justice, State and the Judiciary and Related Agencies Appropriation Act, Public Law 106–553, Section 102, hereafter continued the authorizations contained in Public Law 96–132, the Department of Justice Appropriations Authorizations Act, Fiscal Year 1980, until the effective date of a subsequent Department of Justice appropriation authorization act.

[2] Programs under the jurisdiction of the Department of Commerce are funded pursuant to a number of expiring authorizing statutes. The statutes address a number of projects and activities that do not directly correspond to the account structure in this Act.

Following are the relevant authorizing statutes and estimates of the relative funding provided pursuant to each statute:

Agency/program	Last year of authorization	Authorization leval	Appropriations in last year of authorization	Appropriation in this bill
National Oceanic and Atmospheric Administration				542,441
National Marine Fisheries Service:				
Endangered Species Act Amendments of 1988, P.L. 100–478	FY 1992	8,750	8,236	
Marine Mammal Protection Act, P.L. 103–238	FY 1999	14,766	22,927	
Magnuson-Stevens Fisheries Conservation Act, P.L. 104–297	FY 1999	159,000	165,286	
NOAA Marine Fisheries Program Authorization Act, P.L. 104–297	FY 2000	110,470	125,596	
Anadramous Fishery Conservation & Management Act, P.L. 104–297	FY 2000	4,250	2,342	2,100
Interjurisdictional Fisheries Act, P.L. 104–297	FY 2000	4,400	3,190	2,590
International Dolphin Conservation Program Act, P.L. 105–42	FY 2001	4,000	3,293	
National Ocean Service:				
Coastal Zone Management Act, P.L. 104–150	FY 1999	55,100	58,500	91,745
Coastal Zone Management Act, P.L. 101–508 section 6217, Coastal Nonpoint Source Program	FY 1995	12,000	5,000	10,000
International Trade Administration:				
Export Promotion, P.L. 103–392	FY 1996	Such sums	248,726	347,654
Bureau of Export Administration:				
Export Administration Act of 1979, P.L. 106–508	FY 2001	Such sums	64,711	68,893
Under Secretary/Office of Technology Policy:				
American Technology Preeminence Act of 1991, P.L. 102–245	FY 1993	8,500	6,070	8,094
National Institute of Standards & Technology:				
American Technology Preeminence Act of 1991, P.L. 102–245:				
Scientific & Technical Research & Services	FY 1993	221,200	201,911	348,589
Industrial Technology Services	FY 1993	127,500	86,067	119,514
Construction of Research Facilities	FY 1993	34,800	22,699	20,893
National Telecommunications and Information Administration:				
Telecommunications Authorization Act of 1992, P.L. 102–538: Salaries and Expenses	FY 1993	17,900	21,823	13,048
Public Telecommunications Authorization Act of 1992, P.L. 102–356:				
Public Telecommunications Facilities & Digital Broadcasting Applications	FY 1994	42,000	24,000	43,466
Information Infrastructure Grants	FY 1994		26,000	15,503

Comparison With the Budget Resolution

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives requires an explanation of compliance with section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, which requires that the report accompanying a bill providing new budget authority contain a statement detailing how that authority compares with the reports submitted under section 302 of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year from the Committee's section 302(a) allocation.

	Section 302(b) allocation	Recommended in this bill
Budget authority:		
Mandatory	$572	$572
Discretionary	38,541	38,541
Total budget authority	39,113	39,113
Outlays:		
Mandatory	581	581
Discretionary	39,000	38,905
Total outlays	39,581	39,486

Five-Year Outlay Projections

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

Fiscal year 2002 outlays

[In millions of dollars]

Budget authority:	
Outlays:	
2002	$26,673
2003	7,057
2004	3,961
2005	1,666
2006 and future years	599

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

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 financial assistance to State and local governments is as follows:

	Millions
FY 2002 new budget authority	$3,576
FY 2002 outlays resulting therefrom	543

COMPLIANCE WITH RULE XIII, CL. 3(e) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 286 OF THE IMMIGRATION AND NATIONALITY ACT OF 1952

§ 286. Dispositions of moneys collected under provisions of this subchapter

(a) * * *

* * * * * * *

(d) SCHEDULE OF FEES.—In addition to any other fee authorized by law, the Attorney General shall charge and collect **[**$6**]** *$7* per individual for the immigration inspection of each passenger arriving at a port of entry in the United States, or for the preinspection of a passenger in a place outside of the United States prior to such arrival, aboard a commercial aircraft or commercial vessel.

(e) LIMITATIONS ON FEES.—(1) **[**No**]** *Except as provided in paragraph (3), no* fee shall be charged under subsection (d) of this section for immigration inspection or preinspection provided in connection with the arrival of any passenger, other than aircraft passengers, whose journey originated in the following:

(A) Canada,

(B) Mexico,

(C) a territory or possession of the United States, or

(D) any adjacent island (within the meaning of section 1101(b)(5) of this title).

(2) No fee may be charged under subsection (d) of this section with respect to the arrival of any passenger—

(A) who is in transit to a destination outside the United States, and

(B) for whom immigration inspection services are not provided.

(3) The Attorney General is authorized to charge and collect $3 per individual for the immigration inspection or pre-inspection of each commercial vessel passenger whose journey originated in the United States or in any place set forth in paragraph (1): Provided, That this authorization shall not apply to immigration inspection at designated ports of entry of passengers arriving by the following vessels, when operating on a regular schedule: Great Lakes international ferries, or Great Lakes vessels on the Great Lakes and connecting waterways.

* * * * * * *

SECTION 504 OF AN ACT MAKING APPROPRIATIONS FOR FISCAL YEAR 1996 TO MAKE A FURTHER DOWNPAYMENT TOWARD A BALANCED BUDGET, AND FOR OTHER PURPOSES

PUBLIC LAW 104–134

SEC. 504. (a) * * *

(1) * * *

* * * * * * *

(16) that initiates legal representation or participates in any other way, in litigation, lobbying, or rulemaking, involving an effort to reform a Federal or State welfare system, except that this paragraph shall not be construed to preclude a recipient from representing an individual eligible client who is seeking specific relief from a welfare agency [if such relief does not involve an effort to amend or otherwise challenge existing law in effect on the date of the initiation of the representation];

* * * * * * *

TRANSFER OF FUNDS

Pursuant to clause 3(f)(2) of rule XII of the Rules of the House of Representatives, language included under "National Oceanic and Atmospheric Administration, Operations, Research and Facilities" and "National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction" provides certain transfer authority.

RESCISSIONS

Pursuant to clause 3(f)(2) of rule XII of the Rules of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

Department of Commerce, Emergency Oil and Gas Guaranteed Loan Program Account	−$115,000,000
Department of Commerce, Emergency Steel Guaranteed Loan Program Account	−10,000,000

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 2001 enacted amounts and budget estimates presented for fiscal year 2002:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2001 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2002

(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses	88,518	93,433	91,668	+3,150	-1,765
Joint automated booking system	15,880	15,957	15,957	+77	.....
Narrowband communications	204,549	104,606	104,615	-99,934	+9
Counterterrorism fund	4,989	4,989	4,989	.....	.....
Telecommunications carrier compliance fund	100,488	.....	.....	-100,488	.....
Defense function	100,488	.....	.....	-100,488	.....
Administrative review and appeals:					
Direct appropriation	160,708	178,499	178,751	+18,043	+252
Detention trustee	998	1,718	1,721	+723	+3
Office of Inspector General	41,484	45,495	50,735	+9,251	+5,240
Total, General administration	718,102	444,697	448,436	-269,666	+3,739
United States Parole Commission					
Salaries and expenses	8,836	10,862	10,915	+2,079	+53
Legal Activities					
General legal activities:					
Direct appropriation	534,592	566,822	568,011	+33,419	+1,189
Vaccine injury compensation trust fund (permanent)	4,019	4,028	4,028	+9	.....

Antitrust Division	120,838	140,973	141,366	+20,528	+393
Offsetting fee collections - carryover	-25,000	-51,550	-36,000	-11,000	+15,550
Offsetting fee collections - current year	-95,838	-89,423	-105,366	-9,528	-15,943
Direct appropriation	.....	.....	.....	.....	.....
United States Attorneys:					
Direct appropriation	1,247,631	1,346,289	1,353,968	+106,337	+7,679
United States Trustee System Fund	125,997	154,044	145,937	+19,940	-8,107
Offsetting fee collections	-119,997	-147,044	-138,937	-18,940	+8,107
Interest on U.S. securities	-6,000	-7,000	-7,000	-1,000	.....
Direct appropriation	.....	.....	.....	.....	.....
Foreign Claims Settlement Commission	1,105	1,130	1,136	+31	+6
United States Marshals Service:					
Direct appropriation	571,435	619,818	622,646	+51,211	+2,828
Construction	18,088	6,621	6,628	-11,460	+7
Justice prisoner and alien transportation system fund	13,470	.....	.....	-13,470	.....
Total, United States Marshals Service	602,993	626,439	629,274	+26,281	+2,835
Federal prisoner detention	596,088	724,682	724,682	+128,594	.....
Fees and expenses of witnesses	125,573	156,145	148,494	+22,921	-7,651
Community Relations Service	8,456	9,269	9,269	+813	.....
Assets forfeiture fund	22,949	22,949	21,949	-1,000	-1,000
Total, Legal activities	3,143,406	3,457,753	3,460,811	+317,405	+3,058

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2001 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2002—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Radiation Exposure Compensation					
Administrative expenses	1,996	1,996	1,996	.....	.....
Payment to radiation exposure compensation trust fund	10,776	10,776	10,776	.....	.....
Total, Radiation Exposure Compensation	12,772	12,772	12,772	.....	.....
Interagency Law Enforcement					
Interagency crime and drug enforcement	325,181	338,106	340,189	+15,008	+2,083
Federal Bureau of Investigation					
Salaries and expenses	2,791,795	3,050,472	3,042,606	+250,811	-7,866
Counterintelligence and national security	436,687	455,387	448,467	+11,780	-6,920
Direct appropriation	3,228,482	3,505,859	3,491,073	+262,591	-14,786
Construction	16,650	1,250	1,250	-15,400	.....
Total, Federal Bureau of Investigation	3,245,132	3,507,109	3,492,323	+247,191	-14,786
Drug Enforcement Administration					
Salaries and expenses	1,443,669	1,547,929	1,543,083	+99,414	-4,846
Diversion control fund	-83,543	-67,000	-67,000	+16,543	.....
Total, Drug Enforcement Administration	1,360,126	1,480,929	1,476,083	+115,957	-4,846

Immigration and Naturalization Service					
Salaries and expenses	3,118,999	3,388,001	3,371,440	+252,441	-16,561
Enforcement and border affairs	(2,541,453)	(2,737,341)	(2,738,517)	(+197,064)	(+1,176)
Citizenship and benefits, immigration support and program direction	(577,546)	(650,660)	(632,923)	(+55,377)	(-17,737)
Fee accounts:					
Immigration user fee	(494,384)	(591,866)	(591,866)	(+97,482)	.....
Land border inspection fund	(1,670)	(1,714)	(2,944)	(+1,274)	(+1,230)
Immigration examinations fund	(969,851)	(1,258,088)	(1,376,871)	(+407,020)	(+118,783)
Breached bond fund	(80,600)	(120,763)	(139,935)	(+59,335)	(+19,172)
Immigration enforcement fines	(1,850)	(5,510)	(12,994)	(+11,144)	(+7,484)
H-1b Visa fees	(1,125)	(16,000)	(16,000)	(+14,875)	.....
Subtotal, Fee accounts	(1,549,480)	(1,993,941)	(2,140,610)	(+591,130)	(+146,669)
Construction	133,009	128,410	128,454	-4,555	+44
Total, Immigration and Naturalization Service	(4,801,488)	(5,510,352)	(5,640,504)	(+839,016)	(+130,152)
Appropriations	(3,252,008)	(3,516,411)	(3,499,894)	(+247,886)	(-16,517)
(Fee accounts)	(1,549,480)	(1,993,941)	(2,140,610)	(+591,130)	(+146,669)
Federal Prison System					
Salaries and expenses	3,500,172	3,829,437	3,845,971	+345,799	+16,534
Prior year carryover	-31,000	.....	-15,000	+16,000	-15,000
Direct appropriation	3,469,172	3,829,437	3,830,971	+361,799	+1,534
Buildings and facilities	833,822	833,273	813,552	-20,270	-19,721

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2001 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2002—Continued

(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Prison Industries, Incorporated (limitation on administrative expenses)	3,421	3,429	3,429	+8	.....
Total, Federal Prison System	4,306,415	4,666,139	4,647,952	+341,537	-18,187
Office of Justice Programs					
Justice assistance	417,299	407,677	408,371	-8,928	+694
(By transfer)	(6,632)	(6,632)	(6,632)	.....	.....
State and local law enforcement assistance:					
Direct appropriations:					
Local law enforcement block grant	521,849	400,000	521,849	.....	+121,849
Boys and Girls clubs (earmark)	(60,000)	.....	(60,000)	.....	(+60,000)
Police athletic league (earmark)	.....	.....	(6,000)	(+6,000)	(+6,000)
Grants, contracts, and other assistance (earmark)	(19,956)	(19,956)	(19,956)	.....	.....
State prison grants	684,990	.....	.....	-684,990	.....
Tribal prison construction	.....	35,191	35,191	+35,191	.....
State criminal alien assistance program	399,120	265,000	565,000	+165,880	+300,000
Cooperative agreement program	.....	35,000	35,000	+35,000	.....
Indian tribal courts program	7,982	7,982	7,982	.....	.....
Indian grants	4,989	4,989	4,989	.....	.....
Byrne grants (formula)	498,900	500,000	500,000	+1,100	.....
Byrne grants (discretionary)	68,898	.....	70,000	+1,102	+70,000
Juvenile crime block grant	249,450	249,450	249,450	.....	.....

Drug courts	49,890	50,000	50,000	+110	.....
Violence Against Women grants	288,044	309,665	309,665	+21,621	.....
State prison drug treatment	62,861	73,861	73,861	+11,000	.....
Stalking and domestic violence grants program	.....	3,000	3,000	+3,000	.....
Violent Crimes Against Women on Campus	.....	10,000	10,000	+10,000	.....
Legal assistance for victims	.....	40,000	40,000	+40,000	.....
Protection for older and disabled women	.....	5,000	5,000	+5,000	.....
Safe Havens for Children pilot program	.....	15,000	15,000	+15,000	.....
Parental kidnapping laws report	.....	200	200	+200	.....
Forensic exams of domestic violence study	.....	200	200	+200	.....
Education and training to end violence against and abuse of women with disabilities	.....	7,500	7,500	+7,500	.....
Other crime control programs	5,687	5,688	5,688	+1	.....
Assistance for victims of trafficking	.....	.....	10,000	+10,000	+10,000
Total, State and local law enforcement	2,842,660	2,017,726	2,519,575	-323,085	+501,849
Weed and seed program fund	33,925	58,925	58,925	+25,000	.....
Community oriented policing services:					
Direct appropriations:					
Public safety and community policing grants	533,823	271,856	421,856	-111,967	+150,000
Management administration	31,755	32,812	32,994	+1,239	+182
Crime identification technology	129,714	255,404	213,611	+83,897	-41,793
Safe schools initiative	(17,462)	(17,000)	(17,000)	(-462)	.....
Upgrade criminal history records	(34,923)	(35,000)	(35,000)	(+77)	.....
DNA identification/crime lab	(29,934)	(70,000)	(75,000)	(+45,066)	(+5,000)
Methamphetamine	48,393	48,393	48,393	.....	.....
Community prosecutors	99,780	99,780	99,780	.....	.....
Crime prevention	46,897	46,864	46,864	-33	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2001 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2002—Continued

(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
COPS technology	139,692	100,000	150,000	+10,308	+50,000
Total, Community oriented policing services	1,030,054	855,109	1,013,498	-16,556	+158,389
Juvenile justice programs	297,940	297,940	297,940	.....	.....
Public safety officers benefits program:					
Death benefits	33,224	33,224	33,224	.....	.....
Disability benefits	2,395	2,395	2,395	.....	.....
Total, Public safety officers benefits program	35,619	35,619	35,619	.....	.....
Total, Office of Justice Programs	4,657,497	3,672,996	4,333,928	-323,569	+660,932
Total, title I, Department of Justice	21,029,475	21,107,774	21,723,303	+693,828	+615,529
(By transfer)	(6,632)	(6,632)	(6,632)	.....	.....
TITLE II - DEPARTMENT OF COMMERCE AND RELATED AGENCIES					
TRADE AND INFRASTRUCTURE DEVELOPMENT					
Office of the United States Trade Representative					
Salaries and expenses	29,452	30,097	30,097	+645	.....

International Trade Commission					
Salaries and expenses	47,994	51,440	51,440	+3,446	.....
Total, Related agencies	77,446	81,537	81,537	+4,091	.....
DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration	336,702	332,590	347,654	+10,952	+15,064
Offsetting fee collections	-3,000	-3,000	-3,000	.....	.....
Direct appropriation	333,702	329,590	344,654	+10,952	+15,064
Export Administration					
Operations and administration	57,477	61,643	61,643	+4,166	.....
CWC enforcement	7,234	7,250	7,250	+16	.....
Total, Export Administration	64,711	68,893	68,893	+4,182	.....
Economic Development Administration					
Economic development assistance programs	410,973	335,000	335,000	-75,973	.....
Salaries and expenses	27,938	30,557	30,557	+2,619	.....
Total, Economic Development Administration	438,911	365,557	365,557	-73,354	.....
Minority Business Development Agency					
Minority business development	27,254	28,381	28,381	+1,127	.....
Total, Trade and Infrastructure Development	942,024	873,958	889,022	-53,002	+15,064

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2001 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2002—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
ECONOMIC AND INFORMATION INFRASTRUCTURE					
Economic and Statistical Analysis					
Salaries and expenses	53,627	62,515	62,515	+8,888	.....
Bureau of the Census					
Salaries and expenses	156,881	168,561	169,424	+12,543	+863
Periodic censuses and programs	275,798	374,835	350,376	+74,578	-24,459
Total, Bureau of the Census	432,679	543,396	519,800	+87,121	-23,596
National Telecommunications and Information Administration					
Salaries and expenses	11,412	14,054	13,048	+1,636	-1,006
Public telecommunications facilities, planning and construction	43,404	43,466	43,466	+62	.....
Information infrastructure grants	45,400	15,503	15,503	-29,897	.....
Total, National Telecommunications and Information Administration	100,216	73,023	72,017	-28,199	-1,006
United States Patent and Trademark Office					
Current year fee funding	782,119	856,701	846,701	+64,582	-10,000
(Prior year carryover)	(254,889)	(282,300)	(282,300)	(+27,411)	.....
Total, Patent and Trademark Office	(1,037,008)	(1,139,001)	(1,129,001)	(+91,993)	(-10,000)

Offsetting fee collections	-782,119	-856,701	-846,701	-64,582	+10,000
Total, Economic and Information Infrastructure	586,522	678,934	654,332	+67,810	-24,602
SCIENCE AND TECHNOLOGY					
Technology Administration					
Under Secretary for Technology/ Office of Technology Policy					
Salaries and expenses	8,062	8,238	8,094	+32	-144
National Institute of Standards and Technology					
Scientific and technical research and services	311,929	347,288	348,589	+36,660	+1,301
Industrial technology services	250,285	119,266	119,514	-130,771	+248
Construction of research facilities	34,802	20,893	20,893	-13,909	.....
Total, National Institute of Standards and Technology	597,016	487,447	488,996	-108,020	+1,549
National Oceanic and Atmospheric Administration					
Operations, research, and facilities	1,865,058	2,009,309	1,893,298	+28,240	-116,011
Conservation	.....	168,000	304,000	+304,000	+136,000
(By transfer from Promote and Develop Fund)	(67,850)	(68,000)	(68,000)	(+150)	.....
(By transfer from Coastal zone management)	3,193	3,000	3,000	-193	.....
Total, Operations, research and facilities	1,868,251	2,180,309	2,200,298	+332,047	+19,989
Procurement, acquisition and construction	681,397	738,861	723,000	+41,603	-15,861
Conservation	.....	26,000	26,000	+26,000	.....
Total, Procurement, acquisition and construction	681,397	764,861	749,000	+67,603	-15,861

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2001 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2002—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Coastal and ocean activities	419,076	.....	.....	-419,076	.....
Pacific coastal salmon recovery	73,837	20,000	25,000	-48,837	+5,000
Conservation	.....	90,000	110,000	+110,000	+20,000
Coastal zone management fund	-3,200	-3,000	-3,000	+200	.....
Fishermen's contingency fund	950	952	952	+2	.....
Foreign fishing observer fund	191	191	191	.....	.....
Fisheries finance program account	287	287	287	.....	.....
Environmental improvement and restoration fund	.....	10,000	10,000	+10,000	.....
Total, National Oceanic and Atmospheric Administration	3,040,789	3,063,600	3,092,728	+51,939	+29,128
Total, Science and Technology	3,645,867	3,559,285	3,589,818	-56,049	+30,533
Appropriations	(3,645,867)	(3,275,285)	(3,149,818)	(-496,049)	(-125,467)
Conservation	.....	(284,000)	(440,000)	(+440,000)	(+156,000)
Departmental Management					
Salaries and expenses	35,841	37,652	37,843	+2,002	+191
Office of Inspector General	19,956	21,176	21,176	+1,220	.....
Total, Departmental management	55,797	58,828	59,019	+3,222	+191
Total, Department of Commerce	5,152,764	5,089,468	5,110,654	-42,110	+21,186

Total, title II, Department of Commerce and related agencies	5,230,210	5,171,005	5,192,191	-38,019	+21,186
Appropriations	(5,230,210)	(4,887,005)	(4,752,191)	(-478,019)	(-134,814)
Conservation	.....	(284,000)	(440,000)	(+440,000)	(+156,000)
(By transfer)	(67,850)	(68,000)	(68,000)	(+150)	.....
TITLE III - THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	1,698	1,698	1,808	+110	+110
Other salaries and expenses	35,814	40,416	40,258	+4,444	-158
Total, Salaries and expenses	37,512	42,114	42,066	+4,554	-48
Care of the building and grounds	7,513	117,742	70,000	+62,487	-47,742
Total, Supreme Court of the United States	45,025	159,856	112,066	+67,041	-47,790
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	2,021	2,021	2,079	+58	+58
Other salaries and expenses	15,874	18,425	17,208	+1,334	-1,217
Total, Salaries and expenses	17,895	20,446	19,287	+1,392	-1,159

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2001 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2002—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,525	1,525	1,633	+108	+108
Other salaries and expenses	10,907	11,587	11,440	+533	-147
Total, Salaries and expenses	12,432	13,112	13,073	+641	-39
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	248,000	250,000	250,434	+2,434	+434
Other salaries and expenses	3,104,879	3,485,774	3,381,506	+276,627	-104,268
Direct appropriation	3,352,879	3,735,774	3,631,940	+279,061	-103,834
Vaccine Injury Compensation Trust Fund	2,596	2,692	2,692	+96	.....
Defender services	434,043	521,517	500,671	+66,628	-20,846
Fees of jurors and commissioners	59,436	50,131	48,131	-11,305	-2,000
Court security	199,136	228,433	224,433	+25,297	-4,000
Total, Courts of Appeals, District Courts, and Other Judicial Services	4,048,090	4,538,547	4,407,867	+359,777	-130,680
Administrative Office of the United States Courts					
Salaries and expenses	58,212	63,029	60,029	+1,817	-3,000

Federal Judicial Center					
Salaries and expenses	18,736	20,323	20,235	+1,499	-88
Judicial Retirement Funds					
Payment to Judiciary Trust Funds	35,700	37,000	37,000	+1,300	.....
United States Sentencing Commission					
Salaries and expenses	9,909	12,400	11,575	+1,666	-825
General Provisions					
Judges pay raise (sec. 304)	8,782	8,000	.....	-8,782	-8,000
Total, title III, the Judiciary	4,254,781	4,872,713	4,681,132	+426,351	-191,581
TITLE IV - DEPARTMENT OF STATE					
Administration of Foreign Affairs					
Diplomatic and consular programs	2,758,076	3,217,405	3,166,000	+407,924	-51,405
Worldwide security upgrade	409,098	487,735	487,735	+78,637	.....
Total, Diplomatic and consular programs	3,167,174	3,705,140	3,653,735	+486,561	-51,405
Capital investment fund	96,787	210,000	210,000	+113,213	.....
Office of Inspector General	28,427	29,264	29,264	+837	.....
Educational and cultural exchange programs	231,078	242,000	237,000	+5,922	-5,000
Representation allowances	6,485	9,000	6,485	.....	-2,515
Protection of foreign missions and officials	15,433	10,000	9,400	-6,033	-600
Embassy security, construction and maintenance	416,059	475,046	470,000	+53,941	-5,046
Worldwide security upgrade	661,541	815,960	815,960	+154,419	.....
Emergencies in the diplomatic and consular service	5,465	15,500	10,000	+4,535	-5,500
(By transfer)	(3,991)	(4,000)	(4,000)	(+9)	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2001 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2002—Continued

(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Commission on Holocaust Assets in U.S. (by transfer)	(1,397)	.....	.....	(-1,397)	.....
Repatriation Loans Program Account:					
Direct loans subsidy	590	612	612	+22	.....
Administrative expenses	603	607	607	+4	.....
(By transfer)	(998)	(1,000)	(1,000)	(+2)	.....
Total, Repatriation loans program account	1,193	1,219	1,219	+26	.....
Payment to the American Institute in Taiwan	16,309	17,044	17,044	+735	.....
Payment to the Foreign Service Retirement and Disability Fund	131,224	135,629	135,629	+4,405	.....
Total, Administration of Foreign Affairs	4,777,175	5,665,802	5,595,736	+818,561	-70,066
International Organizations and Conferences					
Contributions to international organizations, current year assessment	868,917	878,767	850,000	-18,917	-28,767
Contributions for international peacekeeping activities, current year	844,139	844,139	844,139	.....	.....
Total, International Organizations and Conferences	1,713,056	1,722,906	1,694,139	-18,917	-28,767
International Commissions					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses	7,126	7,452	24,705	+17,579	+17,253
Construction	22,900	25,654	5,520	-17,380	-20,134
American sections, international commissions	6,726	10,311	10,311	+3,585	.....

International fisheries commissions	19,349	19,780	19,780	+431	.....
Total, International commissions	56,101	63,197	60,316	+4,215	-2,881
Other					
Payment to the Asia Foundation	9,230	9,250	9,250	+20	.....
Eisenhower Exchange Fellowship program trust fund	499	500	500	+1	.....
Israeli Arab scholarship program	374	375	375	+1	.....
East-West Center	13,470	13,500	9,400	-4,070	-4,100
National Endowment for Democracy	30,931	31,000	33,500	+2,569	+2,500
Total, Department of State	6,600,836	7,506,530	7,403,216	+802,380	-103,314
RELATED AGENCY					
Broadcasting Board of Governors					
International Broadcasting Operations	398,093	428,234	453,106	+55,013	+24,872
Broadcasting to Cuba	22,046	24,872	.....	-22,046	-24,872
Broadcasting capital improvements	20,313	16,900	25,900	+5,587	+9,000
Total, Broadcasting Board of Governors	440,452	470,006	479,006	+38,554	+9,000
Total, title IV, Department of State	7,041,288	7,976,536	7,882,222	+840,934	-94,314
(By transfer)	(6,386)	(5,000)	(5,000)	(-1,386)	.....
TITLE V - RELATED AGENCIES					
DEPARTMENT OF TRANSPORTATION					
Maritime Administration					
Maritime security program	98,483	.....	98,700	+217	+98,700
Operations and training	86,719	89,054	89,054	+2,335	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2001 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2002—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Ship disposal	.....	10,000	10,000	+10,000	.....
Maritime Guaranteed Loan (Title XI) Program Account:					
Guaranteed loans subsidy	29,934	.....	30,000	+66	+30,000
Administrative expenses	3,978	3,978	3,978	.....	.....
Total, Maritime guaranteed loan program account	33,912	3,978	33,978	+66	+30,000
Total, Maritime Administration	219,114	103,032	231,732	+12,618	+128,700
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses	489	489	489	.....	.....
Commission on Civil Rights					
Salaries and expenses	8,880	9,096	9,096	+216	.....
Commission on International Religious Freedom					
Salaries and expenses	.....	3,000	3,000	+3,000	.....
Commission on Ocean Policy					
Salaries and expenses	998	.....	.....	-998	.....
Commission on Security and Cooperation in Europe					
Salaries and expenses	1,367	1,499	1,499	+132	.....

Congressional-Executive Commission on the People's Republic of China					
Salaries and expenses	499	500	500	+1	.....
Equal Employment Opportunity Commission					
Salaries and expenses	303,195	310,406	310,406	+7,211	.....
Federal Communications Commission					
Salaries and expenses	229,494	248,545	238,597	+9,103	-9,948
Offsetting fee collections - current year	-200,146	-218,757	-218,757	-18,611	.....
Direct appropriation	29,348	29,788	19,840	-9,508	-9,948
Federal Maritime Commission					
Salaries and expenses	15,466	16,450	15,466	.....	-984
Federal Trade Commission					
Salaries and expenses	147,154	156,270	155,982	+8,828	-288
Offsetting fee collections - carryover	-1,900	.....	.....	+1,900	.....
Offsetting fee collections - current year	-145,254	-156,270	-155,982	-10,728	+288
Direct appropriation	.....	.....	.....	.....	.....
Legal Services Corporation					
Payment to the Legal Services Corporation	329,274	329,300	329,300	+26	.....
Marine Mammal Commission					
Salaries and expenses	1,696	1,732	1,732	+36	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2001 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2002—Continued

(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Veterans Business Development Corporation					
Salaries and expenses	.....	4,000	4,000	+4,000	.....
Pacific Charter Commission					
Salaries and expenses	.....	.....	2,500	+2,500	+2,500
Securities and Exchange Commission					
Current year fees	127,519	109,500	109,500	-18,019	.....
2000 fees	294,351	328,400	328,400	+34,049	.....
Direct appropriation	421,870	437,900	437,900	+16,030	.....
Small Business Administration					
Salaries and expenses	367,824	321,219	303,581	-64,243	-17,638
Office of Inspector General	11,927	11,927	11,927	.....	.....
Business Loans Program Account:					
Direct loans subsidy	2,245	1,500	1,500	-745	.....
Guaranteed loans subsidy	162,801	.....	77,000	-85,801	+77,000
Administrative expenses	128,716	129,000	129,000	+284	.....
Total, Business loans program account	293,762	130,500	207,500	-86,262	+77,000
Disaster Loans Program Account:					
Direct loans subsidy	75,972	.....	84,510	+8,538	+84,510
Administrative expenses	108,116	75,354	120,354	+12,238	+45,000

Gainsharing	.....	3,000	.....	.....	-3,000
Total, Disaster loans program account	184,088	78,354	204,864	+20,776	+126,510
Total, Small Business Administration	857,601	542,000	727,872	-129,729	+185,872
State Justice Institute					
Salaries and expenses 1/	6,835	15,000	6,835	.....	-8,165
Total, title V, Related agencies	2,196,632	1,804,192	2,102,167	-94,465	+297,975
TITLE VII - RESCISSIONS					
DEPARTMENT OF JUSTICE					
Drug Enforcement Administration					
Drug diversion fund (rescission)	-8,000	.....	.....	+8,000	.....
DEPARTMENT OF COMMERCE					
Departmental Management					
Emergency oil and gas guaranteed loan program account (rescission)	.....	-115,000	-115,000	-115,000	.....
Emergency steel guaranteed loan program account (rescission)	.....	-10,000	-10,000	-10,000	.....
RELATED AGENCIES					
DEPARTMENT OF TRANSPORTATION					
Maritime Administration					
Maritime Guaranteed Loan (Title XI) Program Account:					
Guaranteed loans subsidy (rescission)	-7,644	.....	.....	+7,644	.....
Total, title VII, Rescissions	-15,644	-125,000	-125,000	-109,356	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2001 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2002—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IX					
Wildlife conservation and restoration planning	49,890	.....	.....	-49,890	.....
Grand total:					
New budget (obligational) authority	39,786,632	40,807,220	41,456,015	+1,669,383	+648,795
Appropriations	(39,802,276)	(40,648,220)	(41,141,015)	(+1,338,739)	(+492,795)
Conservation	.....	(284,000)	(440,000)	(+440,000)	(+156,000)
Rescissions	(-15,644)	(-125,000)	(-125,000)	(-109,356)	.....
(By transfer)	(80,868)	(79,632)	(79,632)	(-1,236)	.....

1/ The President's budget proposed $6.85 million for State Justice Institute.

MINORITY VIEWS OF THE HONORABLE JOSE SERRANO, THE HONORABLE ALAN MOLLOHAN, THE HONORABLE LUCILLE ROYBAL-ALLARD, THE HONORABLE BUD CRAMER, THE HONORABLE PATRICK KENNEDY AND THE HONORABLE DAVID OBEY

At the outset, we wish to express our appreciation for the cooperative and bipartisan manner in which the Commerce, Justice, State, Judiciary and Related Agencies Appropriations bill for fiscal year 2002 has been handled by the Subcommittee Chairman and the Majority. The Minority has been consulted at every stage of the process thus far, and our views have been reflected in many aspects of this bill. While we do not agree with every recommendation in the bill, and will continue to work for improvements in funding levels for several critical areas, we believe that on the whole this fiscal year 2002 CJSJ bill is one that Members on both sides of the aisle should support.

We endorse the recommendations made in this bill to restore many of the unreasonable cuts proposed in the President's budget request for the State and local law enforcement and community oriented policing services (COPS) programs. The budget request had cut these critical programs by almost $1 Billion below FY 2001 levels. This bill provides a total of $4.3 Billion for the activities of the Office of Justice Programs and COPS, an increase of $661 million over the budget request. It should be noted that this total amount is still $323 million below the current year funding levels, and that the amount appropriated for public safety and community policing grants under COPS—including funds for both the COPS universal hiring program and the COPS-MORE program—is still $112 million below the FY 2001 appropriated level. We support the bill's rejection of the Administration's proposed elimination of funding for these specific COPS activities through the restoration of $150 million in new appropriations for these programs.

We also appreciate the support this bill shows for the Secretary of State's initiatives to invest in the nation's diplomatic readiness as well as the security, technology and infrastructure requirements of the State Department. This bill includes $7.4 Billion for the State Department, an increase of $802 million or 12 percent above the current year appropriated level for the entire Department, including an increase of 17 percent above current year levels for the Administration of Foreign Affairs activities. We agree that a significant investment is needed to ensure that the Secretary has the adequate resources—people and technology—to carry out our foreign policy and national security objectives, and to ensure that our employees overseas work in the most secure environment possible.

In contrast to the CJSJ bills reported out of Committee in the past several years, this bill fully funds the request for Contributions to International Peacekeeping Activities. International peace-

keeping operations are critical to eliminating tensions and reducing tragedies throughout the world, and can eliminate the need for direct involvement of U.S. military forces at a fraction of the cost. We commend the Subcommittee Chairman for his foresight in providing this funding level.

It should be noted that the amount provided in the bill for assessed contributions to the United Nations and other international organizations (the Contributions to International Organizations account) is slightly less than the amount requested, and does not include additional funds that will be necessary if the U.S. rejoins UNESCO as proposed in the State Department authorization bill which passed the House on May 16, 2001. We look forward to working with the majority to ensure that the appropriate funding level is made available for this account as the bill progresses through the Congress. We also would note that the bill includes a provision fencing off $100 million for the United Nations until there is a certification that the UN is staying within its 2000–2001 biennial budget. In a letter to the Committee regarding this bill dated July 10, 2001, the Director of the Office of Management and Budget indicated that such language "may unduly restrict the President's ability to conduct foreign policy". We want to work with the Majority to make sure that nothing in this bill results in the creation of further arrearages in our assessed obligations to the UN and related agencies.

We are pleased to note the overall funding levels for the Commerce Department's National Oceanic and Atmospheric Administration (NOAA) in this bill. NOAA's activities in coastal and ocean conservation, the management and preservation of our nation's fisheries, the operations of the National Weather Service as well as satellites and data systems that support weather forecasts, plus critical research into global climate change and other oceanic and atmospheric phenomena, are all critical to our Nation's economic and environmental future, as well as to the safety and health of our people. While not every request from Members or from the Administration could be accommodated in this recommendation, we feel that, considering the competing requirements in this bill, NOAA is funded at a level that reflects the importance of the agency's overall mission. Included in this bill is full funding for NOAA programs under the new Conservation Trust Fund created last year by the Congress (Title VIII of the Fiscal Year 2001 Interior Appropriations Act).

We also want to commend the Chairman for the funding levels in this bill for the Legal Services Corporation. Level funding for the LSC will eliminate the need to go through the exercise carried out over the past six years to restore (or partially restore) draconian cuts in this program—cuts that are not supported by a majority in the Congress.

We also applaud full funding in this bill for the budget requests of the Equal Employment Opportunity Commission and the U.S. Commission on Civil Rights. In addition, funding for the Justice Department's Civil Rights Division is increased above the current services level, supporting not only the Administration's initiatives on voting rights and the rights of the disabled, but also an initiative to investigate allegations of possible civil rights abuses against

those incarcerated in our nation's prisons or otherwise institutionalized.

While we have attempted in these views to indicate the many areas of the bill we fully support, we must express some mixed feelings about funding for certain programs under the Small Business Administration (SBA). We commend the Majority for rejecting the Administration's proposal to decrease the appropriations needed for the SBA Disaster Loan Program and the 7(a) General Business Loan Program by assuming increases in fees that will never be approved by the Congress. Yet we note that concerns have been raised that the funding level provided in this bill for subsidy budget authority for the 7(a) program makes assumptions about available carryover that may result either in the program running out of money and having to shut down new loan-making activity in the third quarter of the next fiscal year, or in a reduction in annual loan activity below the $10 Billion assumed in the mark.

In addition, the bill endorses the Administration's request of a zero-subsidy appropriation for Small Business Investment Corporation (SBIC) participating securities program that will require changes in the authorization for this program to raise the fees charged under this program for small businesses to access capital. Since the budget request and this bill do not include additional funds for the PRIME program or the New Markets program (including the BusinessLINC program)—developed to assist minority or disadvantaged entrepreneurs in low income communities access capital not otherwise available or to provide technical assistance to businesses in these communities not available through other sources—we are concerned that the proposed changes to the SBIC program could result in an erosion of efforts made recently to close the gap between the economic "haves" and "have-nots". We hope to work with the Chairman and the Majority—as well as with the Administration once a Small Business Administrator is confirmed—to restore the necessary funds for appropriate programs to assist entrepreneurs in these less-advantaged communities to continue to close that economic gap.

As stated at the beginning of these views, we believe this legislation on balance is a good bill produced through an open and bi-partisan process. We will work with the Majority to continue to make improvements to the bill as it moves through the Congress. Barring significant negative changes during Floor action on the bill, we believe that it deserves an "aye" vote at final passage.

JOSÉ E. SERRANO.
ALAN B. MOLLOHAN.
LUCILLE ROYBAL-ALLARD.
BUD CRAMER.
PATRICK J. KENNEDY.
DAVID OBEY.

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