AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

106TH CONGRESS, 2d Session | HOUSE OF REPRESENTATIVES | REPORT 106–1005

MAKING APPROPRIATIONS FOR THE GOVERNMENT OF THE DISTRICT OF COLUMBIA AND OTHER ACTIVITIES CHARGEABLE IN WHOLE OR IN PART AGAINST REVENUES OF SAID DISTRICT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2001, AND FOR OTHER PURPOSES

OCTOBER 26 (legislative day, OCTOBER 25), 2000.—Ordered to be printed

Mr. ISTOOK, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 4942]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4942) "making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2001, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

Section 1. (a) The provisions of the following bills of the 106th Congress are hereby enacted into law:

(1) H.R. 5547, as introduced on October 25, 2000.

(2) H.R. 5548, as introduced on October 25, 2000.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

67–407

And the Senate agree to the same.

ERNEST J. ISTOOK, Jr.,
RANDY "DUKE" CUNNINGHAM,
TODD TIAHRT,
ROBERT B. ADERHOLT,
JO ANN EMERSON,
JOHN E. SUNUNU,
C.W. BILL YOUNG,
Managers on the Part of the House.

KAY BAILEY HUTCHISON,
JON KYL,
TED STEVENS,
RICHARD J. DURBIN (DC only),
DANIEL K. INOUYE (DC only),
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4942) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the actions agreed upon by the managers and recommended in the accompanying conference report.

This conference agreement includes more than the District of Columbia Appropriations Act, 2001. The conference agreement has been expanded to include the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001, as well as the District of Columbia Appropriations Act, 2001. Both of these Acts have been enacted into law by reference in this conference report; however, a copy of the referenced legislation has been included in this statement for convenience.

DISTRICT OF COLUMBIA APPROPRIATIONS

The conference agreement would enact the provisions of H.R. 5547 as introduced on October 25, 2000. The text of that bill follows:

A BILL Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending September 30, 2001, and for other purposes, namely:

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia for a nationwide program to be administered by the Mayor for District of Columbia resident tuition support, $17,000,000, to remain available until expended: Provided, That such funds may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, usable at both public and pri-

vate institutions for higher education: Provided further, That the awarding of such funds may be prioritized on the basis of a resident's academic merit and such other factors as may be authorized.

FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF CHILDREN

The paragraph under the heading "Federal Payment for Incentives for Adoption of Children" in Public Law 106–113, approved November 29, 1999 (113 Stat. 1501), is amended to read as follows: "For a Federal payment to the District of Columbia to create incentives to promote the adoption of children in the District of Columbia foster care system, $5,000,000: Provided, That such funds shall remain available until September 30, 2002, and shall be used to carry out all of the provisions of title 38, except for section 3808, of the Fiscal Year 2001 Budget Support Act of 2000, D.C. Bill 13–679, enrolled June 12, 2000.".

FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Chief Financial Officer of the District of Columbia, $1,250,000, of which $250,000 shall be for payment to a mentoring program and for hotline services; $250,000 shall be for payment to a youth development program with a character building curriculum; $250,000 shall be for payment to a basic values training program; and $500,000, to remain available until expended, shall be for the design, construction, and maintenance of a trash rack system to be installed at the Hickey Run stormwater outfall.

FEDERAL PAYMENT FOR COMMERCIAL REVITALIZATION PROGRAM

For a Federal payment to the District of Columbia, $1,500,000, to remain available until expended, for the Mayor, in consultation with the Council of the District of Columbia, to provide offsets against local taxes for a commercial revitalization program, such program to provide financial inducements, including loans, grants, offsets to local taxes and other instruments that promote commercial revitalization in Enterprise Zones and low and moderate income areas in the District of Columbia: Provided, That in carrying out such a program, the Mayor shall use Federal commercial revitalization proposals introduced in Congress as a guideline: Provided further, That not later than 180 days after the date of the enactment of this Act, the Mayor shall report to the Committees on Appropriations of the Senate and House of Representatives on the progress made in carrying out the commercial revitalization program.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS

For a Federal payment to the District of Columbia Public Schools, $500,000: Provided, That $250,000 of said amount shall be used for a program to reduce school violence: Provided further, That $250,000 of said amount shall be used for a program to enhance the reading skills of District public school students.

FEDERAL PAYMENT TO THE METROPOLITAN POLICE DEPARTMENT

For a Federal payment to the Metropolitan Police Department, $100,000: Provided, That said funds shall be used to fund a youth safe haven police mini-station for mentoring high risk youth.

FEDERAL CONTRIBUTION TO COVENANT HOUSE WASHINGTON

For a Federal contribution to Covenant House Washington for a contribution to the construction in Southeast Washington of a new community service center for homeless, runaway and at-risk youth, $500,000.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

For salaries and expenses of the District of Columbia Corrections Trustee, $134,200,000 for the administration and operation of correctional facilities and for the administrative operating costs of the Office of the Corrections Trustee, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712) of which $1,000,000 is to fund an initiative to improve case processing in the District of Columbia criminal justice system: Provided, That notwithstanding any other provision of law, funds appropriated in this Act for the District of Columbia Corrections Trustee shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: Provided further, That in addition to the funds provided under this heading, the District of Columbia Corrections Trustee may use any remaining interest earned on the Federal payment made to the Trustee under the District of Columbia Appropriations Act, 1998, to carry out the activities funded under this heading.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $105,000,000 to be allocated as follows: for the District of Columbia Court of Appeals, $7,409,000; for the District of Columbia Superior Court, $71,121,000; for the District of Columbia Court System, $17,890,000; $5,255,000 to finance a pay adjustment of 8.48 percent for nonjudicial employees; and $3,325,000, including $825,000 for roofing repairs to the facility commonly referred to as the Old Courthouse and located at 451 Indiana Avenue, Northwest, to remain available until September 30, 2002, for capital improvements for District of Columbia courthouse facilities: Provided, That none of the funds in this Act or in any other Act shall be available for the purchase, installation or operation of an Integrated Justice Information System until a detailed plan and design has been submitted by the courts and approved by the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other

Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Code, and payments for counsel authorized under section 21–2060, D.C. Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $34,387,000, to remain available until expended: Provided, That the funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the $3,325,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: Provided further, That, in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia shall use funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the $3,325,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: Provided further, That such funds shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: Provided further, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives: Provided further, That the District of Columbia Courts shall implement the recommendations in the General Accounting Office Report GAO/AIMD/OGC–99–226 regarding payments to court-appointed attorneys and shall report quarterly to the Office of Management and Budget and to the House and Senate Appropriations Committees on the status of these reforms.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712), $112,527,000, of which $67,521,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to supervision of adults subject to protection orders or provision of services for or related to such persons; $18,778,000 shall be transferred to the Public Defender Service; and $26,228,000 shall be available to the Pretrial Services Agency: Provided, That of the amount provided under this heading, $17,854,000 shall be used to improve pretrial defendant and post-conviction offender supervision, enhance drug testing and sanctions-based treatment programs and other treatment services, expand intermediate sanctions and offender re-entry programs, continue planning and design proposals for a residential Sanctions Center and improve administrative infrastructure, including information technology; and $836,000 of the $17,854,000 referred to in this proviso is for the Public Defender Service: Provided further, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: Provided further, That notwithstanding section 446 of the District of Columbia Home Rule Act or any provision of subchapter III of chapter 13 of title 31, United States Code, the use of interest earned on the Federal payment made to the District of Columbia Offender Supervision, Defender, and Court Services Agency under the District of Columbia Appropriations Act, 1998, by the Agency during fiscal years 1998 and 1999 shall not constitute a violation of such Act or such subchapter.

FEDERAL PAYMENT FOR WASHINGTON INTERFAITH NETWORK

For a Federal payment to the Washington Interfaith Network to reimburse the Network for costs incurred in carrying out preconstruction activities at the former Fort Dupont Dwellings and Additions, $1,000,000: Provided, That such activities may include architectural and engineering studies, property appraisals, environmental assessments, grading and excavation, landscaping, paving, and the installation of curbs, gutters, sidewalks, sewer lines, and other utilities: Provided further, That the Secretary of the Treasury shall make such payment only after the Network has received matching funds from private sources (including funds provided through loans) to carry out such activities in an aggregate amount which is equal to the amount of such payment (as certified by the Inspector General of the District of Columbia) and has provided the Secretary of the Treasury with a request for reimbursement which contains documentation certified by the Inspector General of the District of Columbia showing that the Network carried out the ac-

tivities and that the costs incurred in carrying out the activities were equal to or less than the amount of the reimbursement requested: Provided further, That none of the funds provided under this heading may be obligated or expended after December 31, 2001 (without regard to whether the activities involved were carried out prior to such date).

FEDERAL PAYMENT FOR PLAN TO SIMPLIFY EMPLOYEE COMPENSATION SYSTEMS

For a Federal payment to the Mayor of the District of Columbia for a contract for the study and development of a plan to simplify the compensation systems, schedules, and work rules applicable to employees of the District government, $250,000: Provided, That under the terms of the contract the plan shall include (at a minimum) a review of the current compensation systems, schedules, and work rules applicable to such employees; a review of the best practices regarding the compensation systems, schedules, and work rules of State and local governments and other appropriate organizations; a proposal for simplifying the systems, schedules, and rules applicable to employees of the District government; and the development of strategies for implementing such proposal, including an identification of any statutory, contractual, or other barriers to implementing the proposal and an estimated time frame for implementing the proposal: Provided further, That under the terms of the contract the contractor shall submit the plan to the Mayor and to the Committees on Appropriations of the House of Representatives and Senate: Provided further, That the Mayor shall develop a proposed solicitation for the contract not later than 90 days after the date of the enactment of this Act and shall submit a copy of the proposed solicitation to the Comptroller General for review at least 90 days prior to the issuance of such solicitation: Provided further, That not later than 45 days after receiving the proposed solicitation from the Mayor, the Comptroller General shall review the solicitation to ensure that it adequately addresses all of the necessary elements described under this heading and report to the Committees on Appropriations of the House of Representatives and Senate on the results of this review: Provided further, That for purposes of this contract the term "District government" has the meaning given such term in section 305(5) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (sec. 47–393(5), D.C. Code), except that such term shall not include the courts of the District of Columbia and shall include the District of Columbia Financial Responsibility and Management Assistance Authority.

METRORAIL CONSTRUCTION

For the Washington Metropolitan Area Transit Authority [WMATA], a contribution of $25,000,000, to remain available until expended, to design and build a Metrorail station located at New York and Florida Avenues, Northeast: Provided, That prior to the release of said funds from the U.S. Treasury, the District of Columbia shall set aside an additional $25,000,000 for this project in its Fiscal Year 2001 Budget and Financial Plan and, further, shall establish a special taxing district for the neighborhood of the proposed

Metrorail station to provide $25,000,000: Provided further, That the requirements of 49 U.S.C. 5309(a)(2) shall apply to this project.

FEDERAL PAYMENT FOR BROWNFIELD REMEDIATION

For a Federal payment to the District of Columbia, $3,450,000 for environmental and infrastructure costs at Poplar Point: Provided, That of said amount, $2,150,000 shall be available for environmental assessment, site remediation and wetlands restoration of the 11 acres of real property under the jurisdiction of the District of Columbia: Provided further, That no more than $1,300,000 shall be used for infrastructure costs for an entrance to Anacostia Park: Provided further, That none of said funds shall be used by the District of Columbia to purchase private property in the Poplar Point area.

PRESIDENTIAL INAUGURATION

For a payment to the District of Columbia to reimburse the District for expenses incurred in connection with Presidential inauguration activities, $5,961,000, as authorized by section 737(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 824; D.C. Code, sec. 1–1132), which shall be apportioned by the Chief Financial Officer within the various appropriation headings in this Act.

CHILDREN'S NATIONAL MEDICAL CENTER

For a Federal contribution to the Children's National Medical Center in the District of Columbia, $500,000 to be used for the network of satellite pediatric health clincs for children and families in underserved neighborhoods and communities in the District of Columbia.

CHILD ADVOCACY CENTER

For a Federal contribution to the Child Advocacy Center for its Safe Shores program, $500,000.

ST. COLETTA OF GREATER WASHINGTON EXPANSION PROJECT

For a Federal contribution to St. Coletta of Greater Washington, Inc. for costs associated with the establishment of a day program and comprehensive case management services for mentally retarded and multiple-handicapped adolescents and adults in the District of Columbia, including property acquisition and construction, $1,000,000.

DISTRICT OF COLUMBIA SPECIAL OLYMPICS

For a Federal contribution to the District of Columbia Special Olympics, $250,000.

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: Provided, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act and section 126 of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2001 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $5,677,379,000 (of which $172,607,000 shall be from intra-District funds and $3,250,783,000 shall be from local funds): Provided further, That the Chief Financial Officer of the District of Columbia and the District of Columbia Financial Responsibility and Management Assistance Authority shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2001, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY

For the District of Columbia Financial Responsibility and Management Assistance Authority (Authority), established by section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (109 Stat. 97; Public Law 104–8), $3,140,000: Provided, That these funds be derived from accounts held by the Authority on behalf of the District of Columbia: Provided further, That none of the funds contained in this Act may be used to pay any compensation of the Executive Director or General Counsel of the Authority at a rate in excess of the maximum rate of compensation which may be paid to such individual during fiscal year 2001 under section 102 of such Act, as determined by the Comptroller General (as described in GAO letter report B–279095.2): Provided further, That none of the funds contained in this Act or any other funds available to the Authority or any other entity of the District of Columbia government from any source (including any accounts of the Authority) may be used for any payments (including but not limited to severance or bonus payments, and payments under agreements in effect before the enactment of this Act) to any individual upon or following the individual's separation from employment with the Authority (other than a payment of the individual's regular salary for services performed prior to separation or a payment for unused annual leave accrued by the individual), except that an individual who is employed by the Authority during the entire period which begins on the date of the enactment of this Act and ends on September 30, 2001, may receive a severance

payment after such date in an aggregate amount which does not exceed the product of 200 percent of the individual's average weekly salary during the final 12-month period (or portion thereof) during which the individual was employed by the Authority and the number of full years during which the individual was employed by the Authority.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $195,771,000 (including $162,172,000 from local funds, $20,424,000 from Federal funds, and $13,175,000 from other funds): Provided, That not to exceed $2,500 for the Mayor, $2,500 for the Chairman of the Council of the District of Columbia, and $2,500 for the City Administrator shall be available from this appropriation for official purposes: Provided further, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: Provided further, That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: Provided further, That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues: Provided further, That all employees permanently assigned to work in the Office of the Mayor shall be paid from funds allocated to the Office of the Mayor: Provided further, That notwithstanding any other provision of law, or Mayor's Order 86–45, issued March 18, 1986, the Office of the Chief Technology Officer's delegated small purchase authority shall be $500,000: Provided further, That the District of Columbia government may not require the Office of the Chief Technology Officer to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed $500,000: Provided further, That $303,000 and no fewer than 5 FTEs shall be available exclusively to support the Labor-Management Partnership Council: Provided further, That, effective September 30, 2000, section 168(a) of the District of Columbia Appropriations Act, 2000 (Public Law 106–113; 113 Stat. 1531) is amended by inserting ", to remain available until expended," after "$5,000,000": Provided further, That not later than March 1, 2001, the Chief Financial Officer of the District of Columbia shall submit a study to the Committees on Appropriations of the House of Representatives and Senate on the merits and potential savings of privatizing the operation and administration of St. Elizabeths Hospital.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, $205,638,000 (including $53,562,000 from local funds, $92,378,000 from Federal funds, and $59,698,000 from other funds), of which $15,000,000 collected by the District of Columbia in the form of BID tax revenue shall be paid to the respective BIDs pursuant to the Business Improvement Districts Act of 1996 (D.C. Law 11–134; D.C. Code, sec. 1–2271 et seq.), and the Business Improvement Districts Amendment Act of 1997

(D.C. Law 12–26): Provided, That such funds are available for acquiring services provided by the General Services Administration: Provided further, That Business Improvement Districts shall be exempt from taxes levied by the District of Columbia.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, including purchase or lease of 135 passenger carrying vehicles for replacement only, including 130 for police-type use and five for fire-type use, without regard to the general purchase price limitation for the current fiscal year, and such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government $762,546,000 (including $591,565,000 from local funds, $24,950,000 from Federal funds, and $146,031,000 from other funds): Provided, That the Metropolitan Police Department is authorized to replace not to exceed 25 passenger-carrying vehicles and the Department of Fire and Emergency Medical Services of the District of Columbia is authorized to replace not to exceed five passenger-carrying vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths of the cost of the replacement: Provided further, That not to exceed $500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: Provided further, That notwithstanding any other provision of law, or Mayor's Order 86–45, issued March 18, 1986, the Metropolitan Police Department's delegated small purchase authority shall be $500,000: Provided further, That the District of Columbia government may not require the Metropolitan Police Department to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed $500,000: Provided further, That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: Provided further, That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved: Provided further, That the Metropolitan Police Department is authorized to maintain 3,800 sworn officers, with leave for a 50 officer attrition: Provided further, That no more than 15 members of the Metropolitan Police Department shall be detailed or assigned to the Executive Protection Unit, until the Chief of Police submits a recommendation to the Council for its review: Provided further, That $100,000 shall be available for inmates released on medical and geriatric parole: Provided further, That commencing on December 31, 2000, the Metropolitan Police Department shall provide to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives, quarterly re-

ports on the status of crime reduction in each of the 83 police service areas established throughout the District of Columbia.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, $998,918,000 (including $824,867,000 from local funds, $147,643,000 from Federal funds, and $26,408,000 from other funds), to be allocated as follows: $769,943,000 (including $629,309,000 from local funds, $133,490,000 from Federal funds, and $7,144,000 from other funds), for the public schools of the District of Columbia; $200,000 from local funds for the District of Columbia Teachers' Retirement Fund; $1,679,000 from local funds for the State Education Office, $17,000,000 from local funds, previously appropriated in this Act as a Federal payment, for resident tuition support at public and private institutions of higher learning for eligible District of Columbia residents; and $105,000,000 from local funds for public charter schools: Provided, That there shall be quarterly disbursement of funds to the District of Columbia public charter schools, with the first payment to occur within 15 days of the beginning of each fiscal year: Provided further, That the District of Columbia public charter schools will report enrollment on a quarterly basis upon which a quarterly disbursement will be calculated: Provided further, That the quarterly payment of October 15, 2000, shall be fifty (50) percent of each public charter school's annual entitlement based on its unaudited October 5 enrollment count: Provided further, That if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation through the per pupil funding formula, the funds shall be available for public education in accordance with the School Reform Act of 1995 (D.C. Code, sec. 31–2853.43(A)(2)(D); Public Law 104–134, as amended): Provided further, That $480,000 of this amount shall be available to the District of Columbia Public Charter School Board for administrative costs: Provided further, That $76,433,000 (including $44,691,000 from local funds, $13,199,000 from Federal funds, and $18,543,000 from other funds) shall be available for the University of the District of Columbia: Provided further, That $200,000 is allocated for the East of the River Campus Assessment Study, $1,000,000 for the Excel Institute Adult Education Program to be used by the Institute for construction and to acquire construction services provided by the General Services Administration on a reimbursable basis, $500,000 for the Adult Education State Plan, $650,000 for The Saturday Academy Pre-College Program, and $481,000 for the Strengthening of Academic Programs; and $26,459,000 (including $25,208,000 from local funds, $550,000 from Federal funds and $701,000 other funds) for the Public Library: Provided further, That the $1,020,000 enhancement shall be allocated such that $500,000 is used for facilities improvements for 8 of the 26 library branches, $235,000 for 13 FTEs for the continuation of the Homework Helpers Program, $166,000 for 3 FTEs in the expansion of the Reach Out And Roar (ROAR) service to license day care homes, and $119,000 for 3 FTEs to expand literacy support into branch libraries: Provided further, That $2,204,000 (including $1,780,000 from local funds, $404,000 from Federal funds and $20,000 from other funds) shall be avail-

able for the Commission on the Arts and Humanities: Provided further, That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: Provided further, That not to exceed $2,500 for the Superintendent of Schools, $2,500 for the President of the University of the District of Columbia, and $2,000 for the Public Librarian shall be available from this appropriation for official purposes: Provided further, That none of the funds contained in this Act may be made available to pay the salaries of any District of Columbia Public School teacher, principal, administrator, official, or employee who knowingly provides false enrollment or attendance information under article II, section 5 of the Act entitled "An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes", approved February 4, 1925 (D.C. Code, sec. 31–401 et seq.): Provided further, That this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary and secondary school during fiscal year 2001 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100 percent of the costs incurred by the District of Columbia which are attributable to the education of the nonresident (as established by the Superintendent of the District of Columbia Public Schools): Provided further, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2001, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area: Provided further, That $2,200,000 is allocated to the Temporary Weighted Student Formula to fund 344 additional slots for pre-K students: Provided further, That $50,000 is allocated to fund a conference on learning support for children ages 3–4 hosted jointly by the District of Columbia Public Schools and District of Columbia public charter schools: Provided further, That no local funds in this Act shall be used to administer a system-wide standardized test more than once in FY 2001: Provided further, That no less than $436,452,000 shall be expended on local schools through the Weighted Student Formula: Provided further, That notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia Public School employees shall be a non-negotiable item for collective bargaining purposes: Provided further, That the District of Columbia Public Schools shall spend $250,000 to engage in a Schools Without Violence program based on a model developed by the University of North Carolina, located in Greensboro, North Carolina: Provided further, That the District of Columbia Public Schools shall spend $250,000 to implement a Failure Free Reading program in the District's public schools: Provided further, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1, 2001, an amount equal to 25 percent of the

total amount provided for payments to public charter schools in the proposed budget of the District of Columbia for fiscal year 2002 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments under the District of Columbia Appropriations Act, 2002: Provided further, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia Public Schools on July 1, 2001, an amount equal to 10 percent of the total amount provided for the District of Columbia Public Schools in the proposed budget of the District of Columbia for fiscal year 2002 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the District of Columbia Public Schools under the District of Columbia Appropriations Act, 2002.

HUMAN SUPPORT SERVICES

(INCLUDING TRANSFER OF FUNDS)

Human support services, $1,535,654,000 (including $637,347,000 from local funds, $881,589,000 from Federal funds, and $16,718,000 from other funds): Provided, That $25,836,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: Provided further, That the District of Columbia shall not provide free government services such as water, sewer, solid waste disposal or collection, utilities, maintenance, repairs, or similar services to any legally constituted private nonprofit organization, as defined in section 411(5) of the Stewart B. McKinney Homeless Assistance Act (101 Stat. 485; Public Law 100–77; 42 U.S.C. 11371), providing emergency shelter services in the District, if the District would not be qualified to receive reimbursement pursuant to such Act (101 Stat. 485; Public Law 100–77; 42 U.S.C. 11301 et seq.): Provided further, That $1,250,000 shall be paid to the Doe Fund for the operation of its Ready, Willing, and Able Program in the District of Columbia as follows: $250,000 to cover debt owed by the District of Columbia government for services rendered shall be paid to the Doe Fund within 15 days of the enactment of this Act; and $1,000,000 shall be paid in equal monthly installments by the 15th day of each month: Provided further, That $400,000 shall be available for the administrative costs associated with implementation of the Drug Treatment Choice Program established pursuant to section 4 of the Choice in Drug Treatment Act of 2000, signed by the Mayor on April 20, 2000 (D.C. Act 13–329): Provided further, That $7,000,000 shall be available for deposit in the Addiction Recovery Fund established pursuant to section 5 of the Choice in Drug Treatment Act of 2000, signed by the Mayor on April 20, 2000 (D.C. Act 13–329): Provided further, That the District of Columbia is authorized to enter into a long-term lease of Hamilton Field with Gonzaga College High School and that, in exchange for such a lease, Gonzaga will introduce and implement a youth baseball program focused on 13 to 18 year old residents, said program to include summer and fall baseball programs and baseball clinics: Provided further, That notwithstanding any other provision of law, to augment the District of Columbia subsidy for the District of Columbia Health

and Hospitals Public Benefit Corporation, the District of Columbia may transfer from other non-Federal funds appropriated under this Act to the Human Support Services appropriation under this Act an amount not to exceed $90,000,000 for the purpose of restructuring the delivery of health services in the District of Columbia: Provided further, That such restructuring shall be pursuant to a restructuring plan approved by the Mayor of the District of Columbia, the Council of the District of Columbia, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Board of Directors of the Public Benefit Corporation: Provided further, That—

(1) the restructuring plan reduces personnel levels of D.C. General Hospital and of the Public Benefit Corporation consistent with the reduction in force set forth in the August 25, 2000, resolution of the Board of Directors of the Public Benefit Corporation regarding personnel structure, by reducing personnel by at least 500 full-time equivalent employees, without replacement by contract personnel;

(2) no transferred funds are expended until 10 calendar days after the restructuring plan has received final approval and a copy evidencing final approval has been submitted by the Mayor to the Committee on Government Reform of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committees on Appropriations of the House of Representatives and the Senate; and

(3) the plan includes a certification that the plan does not request and does not rely upon any current or future request for additional appropriation of Federal funds.

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, $278,242,000 (including $265,078,000 from local funds, $3,328,000 from Federal funds, and $9,836,000 from other funds): Provided, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business: Provided further, That $100,000 shall be available for a commercial sector recycling initiative, $250,000 to initiate a recycling education campaign, $10,000 for community clean-up kits, $190,000 to restore a 3.5 percent vacancy rate in Parking Services, $170,000 to plant 500 trees, $118,000 for two water trucks, $150,000 for contract monitors and parking analysts within Parking Services, $1,409,000 for a neighborhood cleanup initiative, $1,000,000 for tree maintenance, $600,000 for an anti-graffiti program, $226,000 for a hazardous waste program, $1,260,000 for parking control aides, and $400,000 for the Department of Motor Vehicles to hire additional ticket adjudicators, conduct additional hearings, and reduce the waiting time for hearings.

RECEIVERSHIP PROGRAMS

For all agencies of the District of Columbia government under court ordered receivership, $389,528,000 (including $234,913,000

from local funds, $135,555,000 from Federal funds, and $19,060,000 from other funds).

RESERVE

For replacement of funds expended, if any, during fiscal year 2000 from the Reserve established by section 202(j) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, Public Law 104–8, $150,000,000 from local funds: Provided, That none of these funds shall be obligated or expended under this heading until the emergency reserve fund established under this Act has been fully funded for fiscal year 2001 pursuant to section 450A of the District of Columbia Home Rule Act as set forth herein.

EMERGENCY RESERVE FUND

For the emergency reserve fund established under section 450A(a) of the District of Columbia Home Rule Act, the amount provided for fiscal year 2001 under such section, to be derived from local funds.

REPAYMENT OF LOANS AND INTEREST

For payment of principal, interest and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act, approved December 24, 1973, $243,238,000 from local funds: Provided, That any funds set aside pursuant to section 148 of the District of Columbia Appropriations Act, 2000 (Public Law 106–113; 113 Stat. 1523) that are not used in the reserve funds established herein shall be used for Pay-As-You-Go Capital Funds: Provided further, That for equipment leases, the Mayor may finance $19,232,000 of equipment cost, plus cost of issuance not to exceed 2 percent of the par amount being financed on a lease purchase basis with a maturity not to exceed 5 years: Provided further, That $2,000,000 is allocated to the Metropolitan Police Department, $4,300,000 for the Fire and Emergency Medical Services Department, $1,622,000 for the Public Library, $2,010,000 for the Department of Parks and Recreation, $7,500,000 for the Department of Public Works, and $1,800,000 for the Public Benefit Corporation.

REPAYMENT OF GENERAL FUND RECOVERY DEBT

For the purpose of eliminating the $331,589,000 general fund accumulated deficit as of September 30, 1990, $39,300,000 from local funds, as authorized by section 461(a) of the District of Columbia Home Rule Act, (105 Stat. 540; D.C. Code, sec. 47–321(a)(1)).

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

For payment of interest on short-term borrowing, $1,140,000 from local funds.

PRESIDENTIAL INAUGURATION

For reimbursement for necessary expenses incurred in connection with Presidential inauguration activities as authorized by section 737(b) of the District of Columbia Home Rule Act, Public Law 93–198, as amended, approved December 24, 1973 (87 Stat. 824; D.C. Code, sec. 1–1803), $5,961,000 from local funds, previously appropriated in this Act as a Federal payment, which shall be apportioned by the Chief Financial Officer within the various appropriation headings in this Act.

CERTIFICATES OF PARTICIPATION

For lease payments in accordance with the Certificates of Participation involving the land site underlying the building located at One Judiciary Square, $7,950,000 from local funds.

WILSON BUILDING

For expenses associated with the John A. Wilson Building, $8,409,000 from local funds.

OPTICAL AND DENTAL INSURANCE PAYMENTS

For optical and dental insurance payments, $2,675,000 from local funds.

MANAGEMENT SUPERVISORY SERVICE

For management supervisory service, $13,200,000 from local funds, to be transferred by the Mayor of the District of Columbia among the various appropriation headings in this Act for which employees are properly payable.

TOBACCO SETTLEMENT TRUST FUND TRANSFER PAYMENT

Subject to the issuance of bonds to pay the purchase price of the District of Columbia's right, title and interest in and to the Master Settlement Agreement, and consistent with the Tobacco Settlement Financing and Trust Fund Amendment Act of 2000, there is transferred the amount available pursuant thereto, but not to exceed $61,406,000, to the Tobacco Settlement Trust Fund established pursuant to section 2302 of the Tobacco Settlement Trust Fund Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13–38; to be codified at D.C. Code, sec. 6–135), to be spent pursuant to local law.

OPERATIONAL IMPROVEMENTS SAVINGS (INCLUDING MANAGED COMPETITION)

The Mayor and the Council, in consultation with the Chief Financial Officer and the District of Columbia Financial Responsibility and Management Assistance Authority, shall make reductions of $10,000,000 for operational improvements savings in local funds to one or more of the appropriation headings in this Act.

MANAGEMENT REFORM SAVINGS

The Mayor and the Council, in consultation with the Chief Financial Officer and the District of Columbia Financial Responsibility and Management Assistance Authority, shall make reductions of $37,000,000 for management reform savings in local funds to one or more of the appropriation headings in this Act.

CAFETERIA PLAN SAVINGS

For the implementation of a Cafeteria Plan pursuant to Federal law, a reduction of $5,000,000 in local funds.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY AND THE WASHINGTON AQUEDUCT

For operation of the Water and Sewer Authority and the Washington Aqueduct, $275,705,000 from other funds (including $230,614,000 for the Water and Sewer Authority and $45,091,000 for the Washington Aqueduct) of which $41,503,000 shall be apportioned and payable to the District's debt service fund for repayment of loans and interest incurred for capital improvement projects.

For construction projects, $140,725,000, as authorized by the Act entitled "An Act authorizing the laying of watermains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes" (33 Stat. 244; Public Law 58–140; D.C. Code, sec. 43–1512 et seq.): Provided, That the requirements and restrictions that are applicable to general fund capital improvements projects and set forth in this Act under the Capital Outlay appropriation title shall apply to projects approved under this appropriation title.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act for the fiscal year ending September 30, 1982 (95 Stat. 1174, 1175; Public Law 97–91), for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia (D.C. Law 3–172; D.C. Code, sec. 2–2501 et seq. and sec. 22–1516 et seq.), $223,200,000: Provided, That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues: Provided further, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

SPORTS AND ENTERTAINMENT COMMISSION

For the Sports and Entertainment Commission, $10,968,000 from other funds: Provided, That the Mayor shall submit a budget for the Armory Board for the forthcoming fiscal year as required by section 442(b) of the District of Columbia Home Rule Act (87 Stat. 824; Public Law 93–198; D.C. Code, sec. 47–301(b)).

DISTRICT OF COLUMBIA HEALTH AND HOSPITALS PUBLIC BENEFIT CORPORATION

(INCLUDING TRANSFER OF FUNDS)

For the District of Columbia Health and Hospitals Public Benefit Corporation, established by D.C. Law 11–212 (D.C. Code, sec. 32–262.2), $123,548,000, of which $45,313,000 shall be derived by transfer from the general fund, and $78,235,000 from other funds: Provided, That no appropriated amounts and no amounts from or guaranteed by the District of Columbia government (including the District of Columbia Financial Responsibility and Management Assistance Authority) may be made available to the Corporation (through reprogramming, transfers, loans, or any other mechanism) which are not otherwise provided for under this heading until a restructuring plan for D.C. General Hospital has been approved by the Mayor of the District of Columbia, the Council of the District of Columbia, the Authority, the Chief Financial Officer of the District of Columbia, and the Chair of the Board of Directors of the Corporation: Provided further, That for each payment or group of payments made by or on behalf of the Corporation, the Chief Financial Officer of the District of Columbia shall sign an affidavit certifying that the making of the payment does not constitute a violation of any provision of subchapter III of chapter 13 of title 31, United States Code, or of any provision of this Act: Provided further, That more than one payment may be covered by the same affidavit under the previous proviso, but a single affidavit may not cover more than one week's worth of payments: Provided further, That it shall be unlawful for any person to order any other person to sign any affidavit required under this heading, or for any person to provide any signature required under this heading on such an affidavit by proxy or by machine, computer, or other facsimile device.

DISTRICT OF COLUMBIA RETIREMENT BOARD

For the District of Columbia Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act of 1979 (93 Stat. 866; D.C. Code, sec. 1–711), $11,414,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: Provided, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: Provided further, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

CORRECTIONAL INDUSTRIES FUND

For the Correctional Industries Fund, established by the District of Columbia Correctional Industries Establishment Act (78 Stat. 1000; Public Law 88–622), $1,808,000 from other funds.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

For the Washington Convention Center Enterprise Fund, $52,726,000 from other funds.

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

For construction projects, an increase of $1,077,282,000 of which $806,787,000 is from local funds, $66,446,000 is from highway trust funds, and $204,049,000 is from Federal funds, and a rescission of $55,208,000 from local funds appropriated under this heading in prior fiscal years, for a net amount of $1,022,074,000 to remain available until expended: Provided, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: Provided further, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: Provided further, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal Aid Highway Act of 1968 (82 Stat. 827; Public Law 90–495; D.C. Code, sec. 7–134, note), for which funds are provided by this appropriation title, shall expire on September 30, 2002, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 2002: Provided further, That upon expiration of any such project authorization, the funds provided herein for the project shall lapse.

GENERAL PROVISIONS

SEC. 101. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 102. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: Provided, That in the case of the Council of the District of Columbia, funds may be expended with the authorization of the chair of the Council.

SEC. 103. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government: Provided, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947 (70 Stat. 78; Public Law 84–460; D.C. Code, sec. 47–1812.11(c)(3)).

SEC. 104. (a) REQUIRING MAYOR TO MAINTAIN INDEX.—Effective with respect to fiscal year 2001 and each succeeding fiscal year, the Mayor of the District of Columbia shall maintain an index of all employment personal services and consulting contracts in effect on behalf of the District government, and shall include in the index

specific information on any severance clause in effect under any such contract.

(b) PUBLIC INSPECTION.—The index maintained under subsection (a) shall be kept available for public inspection during regular business hours.

(c) CONTRACTS EXEMPTED.—Subsection (a) shall not apply with respect to any collective bargaining agreement or any contract entered into pursuant to such a collective bargaining agreement.

(d) DISTRICT GOVERNMENT DEFINED.—In this section, the term "District government" means the government of the District of Columbia, including—

(1) any department, agency or instrumentality of the government of the District of Columbia;

(2) any independent agency of the District of Columbia established under part F of title IV of the District of Columbia Home Rule Act or any other agency, board, or commission established by the Mayor or the Council;

(3) the Council of the District of Columbia;

(4) any other agency, public authority, or public benefit corporation which has the authority to receive monies directly or indirectly from the District of Columbia (other than monies received from the sale of goods, the provision of services, or the loaning of funds to the District of Columbia); and

(5) the District of Columbia Financial Responsibility and Management Assistance Authority.

(e) No payment shall be made pursuant to any such contract subject to subsection (a), nor any severance payment made under such contract, if a copy of the contract has not been filed in the index. Interested parties may file copies of their contract or severance agreement in the index on their own behalf.

SEC. 105. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 106. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

SEC. 107. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, salary, past work experience, and salary history are not available for inspection by the House and Senate Committees on Appropriations, the House Committee on Government Reform, the Senate Committee on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized representative.

SEC. 108. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act of 1977 (D.C. Law 2–20; D.C. Code, sec. 47–421 et seq.).

SEC. 109. No part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy in-

cluding boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 110. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: Provided, That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the actual borrowings and spending progress compared with projections.

SEC. 111. (a) None of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2001, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for an agency through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or responsibility center; (3) establishes or changes allocations specifically denied, limited or increased by Congress in this Act; (4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted; (5) reestablishes through reprogramming any program or project previously deferred through reprogramming; (6) augments existing programs, projects, or responsibility centers through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less; or (7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center; unless the Committees on Appropriations of both the Senate and House of Representatives are notified in writing 30 days in advance of any reprogramming as set forth in this section.

(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a reprogramming of funds which transfers any local funds from one appropriation to another unless the Committees on Appropriations of the Senate and House of Representatives are notified in writing 30 days in advance of the transfer, except that in no event may the amount of any funds transferred exceed two percent of the local funds in the appropriation.

SEC. 112. Consistent with the provisions of 31 U.S.C. 1301(a), appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 113. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2–139; D.C. Code, sec. 1–601.1 et seq.), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (87 Stat. 790; Public Law 93–198; D.C. Code, sec. 1–242(3)), shall apply with respect to the compensation of District of Columbia employees: Provided, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

SEC. 114. No later than 30 days after the end of the first quarter of the fiscal year ending September 30, 2001, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the new fiscal year 2001 revenue estimates as of the end

of the first quarter of fiscal year 2001. These estimates shall be used in the budget request for the fiscal year ending September 30, 2002. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 115. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6–85; D.C. Code, sec. 1–1183.3), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical: Provided, That the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and said determination has been reviewed and approved by the District of Columbia Financial Responsibility and Management Assistance Authority.

SEC. 116. For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99–177), the term "program, project, and activity" shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be applied to each of the accounts rather than to the aggregate total of those accounts: Provided, That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 117. In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037: Public Law 99–177), after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: Provided, That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by such Act.

SEC. 118. ACCEPTANCE AND USE OF GIFTS. (a) APPROVAL BY MAYOR.—

(1) IN GENERAL.—An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 2001 if—

(A) the Mayor approves the acceptance and use of the gift or donation (except as provided in paragraph (2)); and

(B) the entity uses the gift or donation to carry out its authorized functions or duties.

(2) EXCEPTION FOR COUNCIL AND COURTS.—The Council of the District of Columbia and the District of Columbia courts may accept and use gifts without prior approval by the Mayor.

(b) RECORDS AND PUBLIC INSPECTION.—Each entity of the District of Columbia government shall keep accurate and detailed records of the acceptance and use of any gift or donation under subsection (a), and shall make such records available for audit and public inspection.

(c) INDEPENDENT AGENCIES INCLUDED.—For the purposes of this section, the term "entity of the District of Columbia government" includes an independent agency of the District of Columbia.

(d) EXCEPTION FOR BOARD OF EDUCATION.—This section shall not apply to the District of Columbia Board of Education, which may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the public schools without prior approval by the Mayor.

SEC. 119. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Code, sec. 1–113(d)).

SEC. 120. (a) MODIFICATION OF CONTRACTING REQUIREMENTS.—

(1) CONTRACTS SUBJECT TO NOTICE REQUIREMENTS.—Section 2204(c)(1)(A) of the District of Columbia School Reform Act (sec. 31–2853.14(c)(1)(A), D.C. Code) is amended to read as follows:

"(A) NOTICE REQUIREMENT FOR PROCUREMENT CONTRACTS.—

"(i) IN GENERAL.—Except in the case of an emergency (as determined by the eligible chartering authority of a public charter school), with respect to any procurement contract proposed to be awarded by the public charter school and having a value equal to or exceeding $25,000, the school shall publish a notice of a request for proposals in the District of Columbia Register and newspapers of general circulation not less than 7 days prior to the award of the contract.

"(ii) EXCEPTION FOR CERTAIN CONTRACTS.—The notice requirement of clause (i) shall not apply with respect to any contract for the lease or purchase of real property by a public charter school, any employment contract for a staff member of a public charter school, or any management contract entered into by a public charter school and the management company designated in its charter or its petition for a revised charter.".

(2) SUBMISSION OF CONTRACTS TO ELIGIBLE CHARTERING AUTHORITY.—Section 2204(c)(1)(B) of such Act (sec. 31–2853.14(c)(1)(B), D.C. Code) is amended—

(A) in the heading, by striking "AUTHORITY" and inserting "ELIGIBLE CHARTERING AUTHORITY";

(B) in clause (i), by striking "Authority" and inserting "eligible chartering authority"; and

(C) by amending clause (ii) to read as follows:

"(ii) EFFECTIVE DATE OF CONTRACT.—A contract described in subparagraph (A) shall become effective on the date that is 10 days after the date the school makes the submission under clause (i) with respect to the contract, or the effective date specified in the contract, whichever is later.".

(b) CLARIFICATION OF APPLICATION OF SCHOOL REFORM ACT.—

(1) WAIVER OF DUPLICATE AND CONFLICTING PROVISIONS.—Section 2210 of such Act (sec. 31–2853.20, D.C. Code) is amended by adding at the end the following new subsection:

"(d) WAIVER OF APPLICATION OF DUPLICATE AND CONFLICTING PROVISIONS.—Notwithstanding any other provision of law, and except as otherwise provided in this title, no provision of any law regarding the establishment, administration, or operation of public charter schools in the District of Columbia shall apply with respect to a public charter school or an eligible chartering authority to the extent that the provision duplicates or is inconsistent with any provision of this title.".

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if included in the enactment of the District of Columbia School Reform Act of 1995.

(c) LICENSING REQUIREMENTS FOR PRESCHOOL OR PREKINDERGARTEN PROGRAMS.—

(1) IN GENERAL.—Section 2204(c) of such Act (sec. 31–2853.14(c), D.C. Code) is amended by adding at the end the following new paragraph:

"(18) LICENSING AS CHILD DEVELOPMENT CENTER.—A public charter school which offers a preschool or prekindergarten program shall be subject to the same child care licensing requirements (if any) which apply to a District of Columbia public school which offers such a program.".

(2) CONFORMING AMENDMENTS.—(A) Section 2202 of such Act (sec. 31–2853.12, D.C. Code) is amended by striking clause (17).

(B) Section 2203(h)(2) of such Act (sec. 31–2853.13(h)(2), D.C. Code) is amended by striking "(17),".

(d) Section 2403 of the District of Columbia School Reform Act of 1995 (sec. 31–2853.43, D.C. Code) is amended by adding at the end the following new subsection:

"(c) ASSIGNMENT OF PAYMENTS.—A public charter school may assign any payments made to the school under this section to a financial institution for use as collateral to secure a loan or for the repayment of a loan.".

(e) Section 2210 of the District of Columbia School Reform Act of 1995 (sec. 31–2853.20, D.C. Code), as amended by subsection (b), is further amended by adding at the end the following new subsection:

"(e) PARTICIPATION IN GSA PROGRAMS.—

"(1) IN GENERAL.—Notwithstanding any provision of this Act or any other provision of law, a public charter school may acquire goods and services through the General Services Administration and may participate in programs of the Administration in the same manner and to the same extent as any entity of the District of Columbia government.

"(2) PARTICIPATION BY CERTAIN ORGANIZATIONS.—A public charter school may delegate to a nonprofit, tax-exempt organization in the District of Columbia the public charter school's authority under paragraph (1).".

SEC. 121. REPORTING REQUIREMENTS FOR THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS AND THE UNIVERSITY OF THE DISTRICT OF

COLUMBIA. (a) The Superintendent of the District of Columbia Public Schools (DCPS) and the University of the District of Columbia (UDC) shall each submit to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate no later than 15 calendar days after the end of each quarter a report that sets forth—

(1) current quarter expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections versus budget broken out on the basis of control center, responsibility center, and object class, and for all funds, non-appropriated funds, and capital financing;

(2) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and for all funding sources;

(3) a list of all active contracts in excess of $10,000 annually, which contains the name of each contractor; the budget to which the contract is charged, broken out on the basis of control center, responsibility center, and agency reporting code; and contract identifying codes used by DCPS and UDC; payments made in the last quarter and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(4) all reprogramming requests and reports that are required to be, and have been, submitted to the Board of Education;

(5) all reprogramming requests and reports that have been made by UDC within the last quarter in compliance with applicable law; and

(6) changes made in the last quarter to the organizational structure of DCPS and UDC, displaying for each entity previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

(b) The Superintendent of DCPS and UDC shall annually compile an accurate and verifiable report on the positions and employees in the public school system and the university, respectively. The annual report shall—

(1) set forth the number of validated schedule A positions in the District of Columbia public schools and UDC for fiscal year 2001, and thereafter on full-time equivalent basis, including a compilation of all positions by control center, responsibility center, funding source, position type, position title, pay plan, grade, and annual salary;

(2) set forth a compilation of all employees in the District of Columbia public schools and UDC as of the preceding December 31, verified as to its accuracy in accordance with the functions that each employee actually performs, by control center, responsibility center, agency reporting code, program (including funding source), activity, location for accounting purposes, job title, grade and classification, annual salary, and position control number; and

(3) be submitted to the Congress, the Mayor, the District of Columbia Council, the Consensus Commission, and the Authority, not later than February 15 of each year.

(c) No later than November 1, 2000, or within 30 calendar days after the date of the enactment of this Act, whichever occurs later, and each succeeding year, the Superintendent of DCPS and UDC shall submit to the appropriate congressional committees, the Mayor, the District of Columbia Council, the Consensus Commission, and the District of Columbia Financial Responsibility and Management Assistance Authority, a revised appropriated funds operating budget for the public school system and UDC for such fiscal year: (1) that is in the total amount of the approved appropriation and that realigns budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures; and (2) that is in the format of the budget that the Superintendent of DCPS and UDC submit to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia pursuant to section 442 of the District of Columbia Home Rule Act (Public Law 93–198; D.C. Code, sec. 47–301).

SEC. 122. (a) None of the funds contained in this Act may be made available to pay the fees of an attorney who represents a party who prevails in an action or any attorney who defends any action, including an administrative proceeding, brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) if—

(1) the hourly rate of compensation of the attorney exceeds 250 percent of the hourly rate of compensation under section 11–2604(a), District of Columbia Code; or

(2) the maximum amount of compensation of the attorney exceeds 250 percent of the maximum amount of compensation under section 11–2604(b)(1), District of Columbia Code, except that compensation and reimbursement in excess of such maximum may be approved for extended or complex representation in accordance with section 11–2604(c), District of Columbia Code; and

(3) in no case may the compensation limits in paragraphs (1) and (2) exceed $2,500.

(b) Notwithstanding the preceding subsection, if the Mayor and the Superintendent of the District of Columbia Public Schools concur in a Memorandum of Understanding setting forth a new rate and amount of compensation, then such new rates shall apply in lieu of the rates set forth in the preceding subsection to both the attorney who represents the prevailing party and the attorney who defends the action.

SEC. 123. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 124. None of the funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Code, sec. 36–1401 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples (whether homosexual, heterosexual, or les-

bian), including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 125. The District of Columbia Financial Responsibility and Management Assistance Authority, acting on behalf of the District of Columbia Public Schools (DCPS) in formulating the DCPS budget, the Board of Trustees of the University of the District of Columbia, the Board of Library Trustees, and the Board of Governors of the University of the District of Columbia School of Law shall vote on and approve the respective annual or revised budgets for such entities before submission to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia in accordance with section 442 of the District of Columbia Home Rule Act (Public Law 93–198; D.C. Code, sec. 47–301), or before submitting their respective budgets directly to the Council.

SEC. 126. (a) ACCEPTANCE AND USE OF GRANTS NOT INCLUDED IN CEILING.—

(1) IN GENERAL.—Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer, during a control year, as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (Public Law 104–8; 109 Stat. 152), may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(2) REQUIREMENT OF CHIEF FINANCIAL OFFICER REPORT AND AUTHORITY APPROVAL.—No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to paragraph (1) until—

(A) the Chief Financial Officer of the District of Columbia submits to the Authority a report setting forth detailed information regarding such grant; and

(B) the Authority has reviewed and approved the acceptance, obligation, and expenditure of such grant in accordance with review and approval procedures consistent with the provisions of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

(3) PROHIBITION ON SPENDING IN ANTICIPATION OF APPROVAL OR RECEIPT.—No amount may be obligated or expended from the general fund or other funds of the District government in anticipation of the approval or receipt of a grant under paragraph (2)(B) of this subsection or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such paragraph.

(4) QUARTERLY REPORTS.—The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this subsection. Each such report shall be submitted to the Council of the District of Columbia, and to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the quarter covered by the report.

(b) REPORT ON EXPENDITURES BY FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY.—Not later than 20 calendar days after the end of each fiscal quarter starting October 1, 2000, the Authority shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Government Reform of the House, and the Committee on Governmental Affairs of the Senate providing an itemized accounting of all non-appropriated funds obligated or expended by the Authority for the quarter. The report shall include information on the date, amount, purpose, and vendor name, and a description of the services or goods provided with respect to the expenditures of such funds.

SEC. 127. If a department or agency of the government of the District of Columbia is under the administration of a court-appointed receiver or other court-appointed official during fiscal year 2001 or any succeeding fiscal year, the receiver or official shall prepare and submit to the Mayor, for inclusion in the annual budget of the District of Columbia for the year, annual estimates of the expenditures and appropriations necessary for the maintenance and operation of the department or agency. All such estimates shall be forwarded by the Mayor to the Council, for its action pursuant to sections 446 and 603(c) of the District of Columbia Home Rule Act, without revision but subject to the Mayor's recommendations. Notwithstanding any provision of the District of Columbia Home Rule Act (87 Stat. 774; Public Law 93–198), the Council may comment or make recommendations concerning such annual estimates but shall have no authority under such Act to revise such estimates.

SEC. 128. (a) RESTRICTIONS ON USE OF OFFICIAL VEHICLES.—Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term "official duties" does not include travel between the officer's or employee's residence and workplace (except: (1) in the case of an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department; (2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day; (3) the Mayor of the District of Columbia; and (4) the Chairman of the Council of the District of Columbia).

(b) INVENTORY OF VEHICLES.—The Chief Financial Officer of the District of Columbia shall submit, by November 15, 2000, an inventory, as of September 30, 2000, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

SEC. 129. (a) SOURCE OF PAYMENT FOR EMPLOYEES DETAILED WITHIN GOVERNMENT.—For purposes of determining the amount of funds expended by any entity within the District of Columbia government during fiscal year 2001 and each succeeding fiscal year, any expenditures of the District government attributable to any officer or employee of the District government who provides services which are within the authority and jurisdiction of the entity (including any portion of the compensation paid to the officer or employee attributable to the time spent in providing such services) shall be treated as expenditures made from the entity's budget, without regard to whether the officer or employee is assigned to the entity or otherwise treated as an officer or employee of the entity.

(b) MODIFICATION OF REDUCTION IN FORCE PROCEDURES.—Section 2408 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2–139; D.C. Code, sec. 1–625.7), is amended as follows:

(1) Subsection (a) is amended by striking "September 30, 2000" and inserting "September 30, 2000, and each subsequent fiscal year".

(2) Subsection (b) is amended by striking "Prior to February 1, 2000" and inserting "Prior to February 1 of each year".

(3) Subsection (i) is amended by striking "March 1, 2000" and inserting "March 1 of each year".

(4) Subsection (k) is amended by striking "September 1, 2000" and inserting "September 1 of each year".

(c) No officer or employee of the District of Columbia government (including any independent agency of the District but excluding the District of Columbia Financial Responsibility and Management Assistance Authority, the Metropolitan Police Department, and the Office of the Chief Technology Officer) may enter into an agreement in excess of $2,500 for the procurement of goods or services on behalf of any entity of the District government until the officer or employee has conducted an analysis of how the procurement of the goods and services involved under the applicable regulations and procedures of the District government would differ from the procurement of the goods and services involved under the Federal supply schedule and other applicable regulations and procedures of the General Services Administration, including an analysis of any differences in the costs to be incurred and the time required to obtain the goods or services.

SEC. 130. Notwithstanding any other provision of law, not later than 120 days after the date that a District of Columbia Public Schools (DCPS) student is referred for evaluation or assessment—

(1) the District of Columbia Board of Education, or its successor, and DCPS shall assess or evaluate a student who may have a disability and who may require special education services; and

(2) if a student is classified as having a disability, as defined in section 101(a)(1) of the Individuals with Disabilities Education Act (84 Stat. 175; 20 U.S.C. 1401(a)(1)) or in section 7(8) of the Rehabilitation Act of 1973 (87 Stat. 359; 29 U.S.C. 706(8)), the Board and DCPS shall place that student in an appropriate program of special education services.

SEC. 131. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a–10c).

(b) SENSE OF THE CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products to the greatest extent practicable.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each agency of the Federal or District of Columbia government shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 132. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government (including the District of Columbia Financial Responsibility and Management Assistance Authority) for fiscal year 2001 unless—

(1) the audit is conducted by the Inspector General of the District of Columbia pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985 (D.C. Code, sec. 1–1182.8(a)(4)); and

(2) the audit includes a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year.

SEC. 133. None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

SEC. 134. None of the funds contained in this Act may be used to transfer or confine inmates classified above the medium security level, as defined by the Federal Bureau of Prisons classification instrument, to the Northeast Ohio Correctional Center located in Youngstown, Ohio.

SEC. 135. Subsection 3(e) of Public Law 104–21 (D.C. Code sec. 7–134.2(e)) is amended to read as follows:

"(e) INSPECTOR GENERAL AUDIT.—Not later than February 1, 2001, and each February 1 thereafter, the Inspector General of the District of Columbia shall audit the financial statements of the District of Columbia Highway Trust Fund for the preceding fiscal year and shall submit to Congress a report on the results of such audit. Not later than May 31, 2001, and each May 31 thereafter, the Inspector General shall examine the statements forecasting the conditions and operations of the Trust Fund for the next five fiscal years commencing on the previous October 1 and shall submit to Congress a report on the results of such examination.".

SEC. 136. No later than November 1, 2000, or within 30 calendar days after the date of the enactment of this Act, whichever occurs later, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the District of Columbia Financial Responsibility and Management Assistance Authority a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (Public Law 93–198; D.C. Code, sec. 47–301), for all agencies of the District of Columbia government for such fiscal year that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

SEC. 137. (a) None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives any funds contained in this Act and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this Act.

SEC. 138. (a) RESTRICTIONS ON LEASES.—Upon the expiration of the 60-day period that begins on the date of the enactment of this Act, none of the funds contained in this Act may be used to make rental payments under a lease for the use of real property by the District of Columbia government (including any independent agency of the District) unless the lease and an abstract of the lease have been filed (by the District of Columbia or any other party to the lease) with the central office of the Deputy Mayor for Economic Development, in an indexed registry available for public inspection.

(b) ADDITIONAL RESTRICTIONS ON CURRENT LEASES.—

(1) IN GENERAL.—Upon the expiration of the 60-day period that begins on the date of the enactment of this Act, in the case of a lease described in paragraph (3), none of the funds contained in this Act may be used to make rental payments under the lease unless the lease is included in periodic reports submitted by the Mayor and Council of the District of Columbia to the Committees on Appropriations of the House of Representatives and Senate describing for each such lease the following information:

(A) The location of the property involved, the name of the owners of record according to the land records of the

District of Columbia, the name of the lessors according to the lease, the rate of payment under the lease, the period of time covered by the lease, and the conditions under which the lease may be terminated.

(B) The extent to which the property is or is not occupied by the District of Columbia government as of the end of the reporting period involved.

(C) If the property is not occupied and utilized by the District government as of the end of the reporting period involved, a plan for occupying and utilizing the property (including construction or renovation work) or a status statement regarding any efforts by the District to terminate or renegotiate the lease.

(2) TIMING OF REPORTS.—The reports described in paragraph (1) shall be submitted for each calendar quarter (beginning with the quarter ending December 31, 2000) not later than 20 days after the end of the quarter involved, plus an initial report submitted not later than 60 days after the date of the enactment of this Act, which shall provide information as of the date of the enactment of this Act.

(3) LEASES DESCRIBED.—A lease described in this paragraph is a lease in effect as of the date of the enactment of this Act for the use of real property by the District of Columbia government (including any independent agency of the District) which is not being occupied by the District government (including any independent agency of the District) as of such date or during the 60-day period which begins on the date of the enactment of this Act.

SEC. 139. (a) MANAGEMENT OF EXISTING DISTRICT GOVERNMENT PROPERTY.—Upon the expiration of the 60-day period that begins on the date of the enactment of this Act, none of the funds contained in this Act may be used to enter into a lease (or to make rental payments under such a lease) for the use of real property by the District of Columbia government (including any independent agency of the District) or to purchase real property for the use of the District of Columbia government (including any independent agency of the District) or to manage real property for the use of the District of Columbia (including any independent agency of the District) unless the following conditions are met:

(1) The Mayor and Council of the District of Columbia certify to the Committees on Appropriations of the House of Representatives and Senate that existing real property available to the District (whether leased or owned by the District government) is not suitable for the purposes intended.

(2) Notwithstanding any other provisions of law, there is made available for sale or lease all real property of the District of Columbia that the Mayor from time-to-time determines is surplus to the needs of the District of Columbia, unless a majority of the members of the Council override the Mayor's determination during the 30-day period which begins on the date the determination is published.

(3) The Mayor and Council implement a program for the periodic survey of all District property to determine if it is surplus to the needs of the District.

(4) The Mayor and Council within 60 days of the date of the enactment of this Act have filed with the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate a report which provides a comprehensive plan for the management of District of Columbia real property assets, and are proceeding with the implementation of the plan.

(b) TERMINATION OF PROVISIONS.—If the District of Columbia enacts legislation to reform the practices and procedures governing the entering into of leases for the use of real property by the District of Columbia government and the disposition of surplus real property of the District government, the provisions of subsection (a) shall cease to be effective upon the effective date of the legislation.

SEC. 140. None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including the District of Columbia Financial Responsibility and Management Assistance Authority and any independent agency of the District) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer's agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted, and the District's Chief Financial Officer shall provide to the Committees on Appropriations of the Senate and the House of Representatives by the 10th day after the end of each quarter a summary list showing each report, the due date and the date submitted to the Committees.

SEC. 141. The proposed budget of the government of the District of Columbia for fiscal year 2002 that is submitted by the District to Congress shall specify potential adjustments that might become necessary in the event that the operational improvements savings, including managed competition, and management reform savings achieved by the District during the year do not meet the level of management savings projected by the District under the proposed budget.

SEC. 142. In submitting any document showing the budget for an office of the District of Columbia government (including an independent agency of the District) that contains a category of activities labeled as "other", "miscellaneous", or a similar general, nondescriptive term, the document shall include a description of the types of activities covered in the category and a detailed breakdown of the amount allocated for each such activity.

SEC. 143. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors

of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 144. Notwithstanding any other provision of law, the Mayor of the District of Columbia is hereby solely authorized to allocate the District's limitation amount of qualified zone academy bonds (established pursuant to 26 U.S.C. 1397E) among qualified zone academies within the District.

SEC. 145. (a) Section 11232 of the Balanced Budget Act of 1997 (sec. 24–1232, D.C. Code) is amended—

(1) by redesignating subsections (f) through (i) as subsections (g) through (j); and

(2) by inserting after subsection (e) the following new subsection:

"(f) TREATMENT AS FEDERAL EMPLOYEES.—

"(1) IN GENERAL.—The Trustee and employees of the Trustee who are not covered under subsection (e) shall be treated as employees of the Federal Government solely for purposes of the following provisions of title 5, United States Code:

"(A) Chapter 83 (relating to retirement).

"(B) Chapter 84 (relating to the Federal Employees' Retirement System).

"(C) Chapter 87 (relating to life insurance).

"(D) Chapter 89 (relating to health insurance).

"(2) EFFECTIVE DATES OF COVERAGE.—The effective dates of coverage of the provisions of paragraph (1) are as follows:

"(A) In the case of the Trustee and employees of the Office of the Trustee and the Office of Adult Probation, August 5, 1997, or the date of appointment, whichever is later.

"(B) In the case of employees of the Office of Parole, October 11, 1998, or the date of appointment, whichever is later.

"(C) In the case of employees of the Pretrial Services Agency, January 3, 1999, or the date of appointment, whichever is later.

"(3) RATE OF CONTRIBUTIONS.—The Trustee shall make contributions under the provisions referred to in paragraph (1) at the same rates applicable to agencies of the Federal Government.

"(4) REGULATIONS.—The Office of Personnel Management shall issue such regulations as are necessary to carry out this subsection.".

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of title XI of the Balanced Budget Act of 1997.

SEC. 146. It is the sense of the Congress that the District of Columbia Financial Responsibility and Management Assistance Authority should quickly complete the sale of the Franklin School property, a property which has been vacant for over 20 years.

SEC. 147. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

SEC. 148. (a) Chapter 23 of title 11, District of Columbia, is hereby repealed.

(b) The table of chapters for title 11, District of Columbia, is amended by striking the item relating to chapter 23.

(c) The amendments made by this section shall take effect on the date on which legislation enacted by the Council of the District of Columbia to establish the Office of the Chief Medical Examiner in the executive branch of the government of the District of Columbia takes effect.

PROMPT PAYMENT OF APPOINTED COUNSEL

SEC. 149. (a) ASSESSMENT OF INTEREST FOR DELAYED PAYMENTS.—If the Superior Court of the District of Columbia or the District of Columbia Court of Appeals does not make a payment described in subsection (b) prior to the expiration of the 45-day period which begins on the date the Court receives a completed voucher for a claim for the payment, interest shall be assessed against the amount of the payment which would otherwise be made to take into account the period which begins on the day after the expiration of such 45-day period and which ends on the day the Court makes the payment.

(b) PAYMENTS DESCRIBED.—A payment described in this subsection is—

(1) a payment authorized under section 11–2604 and section 11–2605, D.C. Code (relating to representation provided under the District of Columbia Criminal Justice Act);

(2) a payment for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Code; or

(3) a payment for counsel authorized under section 21–2060, D.C. Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986).

(c) STANDARDS FOR SUBMISSION OF COMPLETED VOUCHERS.—The chief judges of the Superior Court of the District of Columbia and the District of Columbia Court of Appeals shall establish standards and criteria for determining whether vouchers submitted for claims for payments described in subsection (b) are complete, and shall publish and make such standards and criteria available to attorneys who practice before such Courts.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the assessment of interest against any claim (or portion of any claim) which is denied by the Court involved.

(e) EFFECTIVE DATE.—This section shall apply with respect to claims received by the Superior Court of the District of Columbia or the District of Columbia Court of Appeals after the expiration of the 90-day period which begins on the date of the enactment of this Act.

SEC. 150. (a) Effective 120 days after the date of the enactment of this Act, it shall be unlawful for any person to distribute any needle or syringe for the hypodermic injection of any illegal drug in any area of the District of Columbia which is within 1000 feet of a public or private elementary or secondary school (including a public charter school). It is stipulated that based on a survey by the

Metropolitan Police Department of the District of Columbia that sites at 4th Street Northeast and Rhode Island Avenue Northeast, Southern Avenue Southeast and Central Avenue Southeast, 1st Street Southeast and M Street Southeast, 21st Street Northeast and H Street Northeast, Minnesota Avenue Northeast and Clay Place Northeast, and 15th Street Southeast and Ives Street Southeast are outside the 1000-foot perimeter. Sites at North Capitol Street and New York Avenue Northeast, Division Avenue Northeast and Foote Street Northeast, Georgia Avenue Northwest and New Hampshire Avenue Northwest, and 15th Street Northeast and A Street Northeast are found to be within the 1000-foot perimeter.

(b) The Public Housing Police of the District of Columbia Housing Authority shall prepare a monthly report on activity involving illegal drugs at or near any public housing site where a needle exchange program is conducted, and shall submit such reports to the Executive Director of the District of Columbia Housing Authority, who shall submit them to the Committees on Appropriations of the House of Representatives and Senate. The Executive Director shall ascertain any concerns of the residents of any public housing site about any needle exchange program conducted on or near the site, and this information shall be included in these reports. The District of Columbia Government shall take appropriate action to require relocation of any such program if so recommended by the police or by a significant number of residents of such site.

FEDERAL CONTRIBUTION FOR ENFORCEMENT OF LAW BANNING POSSESSION OF TOBACCO PRODUCTS BY MINORS

SEC. 151. (a) CONTRIBUTION.—There is hereby appropriated a Federal contribution of $100,000 to the Metropolitan Police Department of the District of Columbia, effective upon the enactment by the District of Columbia of a law which reads as follows:

"SECTION 1. BAN ON POSSESSION OF TOBACCO PRODUCTS BY MINORS.

"(a) IN GENERAL.—It shall be unlawful for any individual under 18 years of age to possess any cigarette or other tobacco product in the District of Columbia.

"(b) EXCEPTIONS.—

"(1) POSSESSION IN COURSE OF EMPLOYMENT.—Subsection (a) shall not apply with respect to an individual making a delivery of cigarettes or tobacco products in pursuance of employment.

"(2) PARTICIPATION IN LAW ENFORCEMENT OPERATION.—Subsection (a) shall not apply with respect to an individual possessing products in the course of a valid, supervised law enforcement operation.

"(c) PENALTIES.—Any individual who violates subsection (a) shall be subject to the following penalties:

"(1) For any violation, the individual may be required to perform community service or attend a tobacco cessation program.

"(2) Upon the first violation, the individual shall be subject to a civil penalty not to exceed $50.

"(3) Upon the second and each subsequent violation, the individual shall be subject to a civil penalty not to exceed $100.

"(4) Upon the third and each subsequent violation, the individual may have his or her driving privileges in the District of Columbia suspended for a period of 90 consecutive days.".

(b) USE OF CONTRIBUTION.—The Metropolitan Police Department shall use the contribution made under subsection (a) to enforce the law referred to in such subsection.

SEC. 152. Nothing in this Act bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 153. (a) Nothing in the Federal Grant and Cooperative Agreements Act of 1977 (31 U.S.C. 6301 et seq.) may be construed to prohibit the Administrator of the Environmental Protection Agency from negotiating and entering into cooperative agreements and grants authorized by law which affect real property of the Federal Government in the District of Columbia if the principal purpose of the cooperative agreement or grant is to provide comparable benefits for Federal and non-Federal properties in the District of Columbia.

(b) Subsection (a) shall apply with respect to fiscal year 2001 and each succeeding fiscal year.

SEC. 154. (a) IN GENERAL.—The District of Columbia Home Rule Act, as amended by section 159(a) of this Act, is further amended by inserting after section 450A the following new section:

"COMPREHENSIVE FINANCIAL MANAGEMENT POLICY

"SEC. 450B. (a) COMPREHENSIVE FINANCIAL MANAGEMENT POLICY.—The District of Columbia shall conduct its financial management in accordance with a comprehensive financial management policy.

"(b) CONTENTS OF POLICY.—The comprehensive financial management policy shall include, but not be limited to, the following:

"(1) A cash management policy.

"(2) A debt management policy.

"(3) A financial asset management policy.

"(4) An emergency reserve management policy in accordance with section 450A(a).

"(5) A contingency reserve management policy in accordance with section 450A(b).

"(6) A policy for determining real property tax exemptions for the District of Columbia.

"(c) ANNUAL REVIEW.—The comprehensive financial management policy shall be reviewed at the end of each fiscal year by the Chief Financial Officer who shall—

"(1) not later than July 1 of each year, submit any proposed changes in the policy to the Mayor and (in the case of a fiscal year which is a control year, as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995) the District of Columbia Financial Responsibility and Management Assistance Authority (Authority) for review;

"(2) not later than August 1 of each year, after consideration of any comments received under paragraph (1), submit the changes to the Council of the District of Columbia (Council) for approval; and

"(3) not later than September 1 of each year, notify the Committees on Appropriations of the Senate and House of Representatives, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate of any changes enacted by the Council.

"(d) PROCEDURE FOR DEVELOPMENT OF FIRST COMPREHENSIVE FINANCIAL MANAGEMENT POLICY.—

"(1) CHIEF FINANCIAL OFFICER.—Not later than April 1, 2001, the Chief Financial Officer shall submit to the Mayor an initial proposed comprehensive financial management policy for the District of Columbia pursuant to this section.

"(2) COUNCIL.—Following review and comment by the Mayor, not later than May 1, 2001, the Chief Financial Officer shall submit the proposed financial management policy to the Council for its prompt review and adoption.

"(3) AUTHORITY.—Upon adoption of the financial management policy under paragraph (2), the Council shall immediately submit the policy to the Authority for a review of not to exceed 30 days.

"(4) CONGRESS.—Following review of the financial management policy by the Authority under paragraph (3), the Authority shall submit the policy to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate for review, and the policy shall take effect 30 days after the date the policy is submitted under this paragraph.".

(b) CLERICAL AMENDMENT.—The table of contents for the District of Columbia Home Rule Act is amended by inserting after the item relating to section 450A the following new item:

"Sec. 450B. Comprehensive financial management policy.".

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on October 1, 2000.

APPOINTMENT AND DUTIES OF CHIEF FINANCIAL OFFICER

SEC. 155. (a) APPOINTMENT AND DISMISSAL.—Section 424(b) of the District of Columbia Home Rule Act (sec. 47–317.2, D.C. Code) is amended—

(1) in paragraph (1)(B), by adding at the end the following: "Upon confirmation by the Council, the name of the Chief Financial Officer shall be submitted to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives for a 30-day period of review and comment before the appointment takes effect."; and

(2) in paragraph (2)(B), by striking the period at the end and inserting the following: "upon dismissal by the Mayor and approval of that dismissal by a ⅔ vote of the Council. Upon approval of the dismissal by the Council, notice of the dismissal shall be submitted to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government

Reform of the House of Representatives for a 30-day period of review and comment before the dismissal takes effect.".

(b) FUNCTIONS.—

(1) IN GENERAL.—Section 424(c) of such Act (sec. 47–317.3, D.C. Code) is amended—

(A) in the heading, by striking "DURING A CONTROL YEAR";

(B) in the matter preceding paragraph (1), by striking "During a control year, the Chief Financial Officer" and inserting "The Chief Financial Officer";

(C) in paragraph (1), by striking "Preparing" and inserting "During a control year, preparing";

(D) in paragraph (3), by striking "Assuring" and inserting "During a control year, assuring";

(E) in paragraph (5), by striking "With the approval" and all that follows through "the Council—" and inserting "Preparing and submitting to the Mayor and the Council, with the approval of the Authority during a control year—";

(F) in paragraph (11), by striking "or the Authority" and inserting "(or by the Authority during a control year)"; and

(G) by adding at the end the following new paragraphs:

"(18) Exercising responsibility for the administration and supervision of the District of Columbia Treasurer (except that the Chief Financial Officer may delegate any portion of such responsibility as the Chief Financial Officer considers appropriate and consistent with efficiency).

"(19) Administering all borrowing programs of the District government for the issuance of long-term and short-term indebtedness.

"(20) Administering the cash management program of the District government, including the investment of surplus funds in governmental and non-governmental interest-bearing securities and accounts.

"(21) Administering the centralized District government payroll and retirement systems.

"(22) Governing the accounting policies and systems applicable to the District government.

"(23) Preparing appropriate annual, quarterly, and monthly financial reports of the accounting and financial operations of the District government.

"(24) Not later than 120 days after the end of each fiscal year, preparing the complete financial statement and report on the activities of the District government for such fiscal year, for the use of the Mayor under section 448(a)(4).".

(2) CONFORMING AMENDMENTS.—Section 424 of such Act (sec. 47–317.1 et seq., D.C. Code) is amended—

(A) by striking subsection (d);

(B) in subsection (e)(2), by striking "or subsection (d)"; and

(C) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

SEC. 156. (a) Notwithstanding the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2–139; D.C. Code 1–601.1 et seq.), or any other District of Columbia law, statute, regulation, the provisions of the District of Columbia Personnel Manual, or the provisions of any collective bargaining agreement, employees of the District of Columbia government will only receive compensation for overtime work in excess of 40 hours per week (or other applicable tour of duty) of work actually performed, in accordance with the provisions of the Fair Labor Standards Act, 29 U.S.C. § 201 et seq.

(b) Subsection (a) of this section shall be effective December 27, 1996. The Resolution and Order of the District of Columbia Financial Responsibility and Management Assistance Authority, dated December 27, 1996, is hereby ratified and approved and shall be given full force and effect.

SEC. 157. (a) IN GENERAL.—Notwithstanding section 503 of Public Law 100–71 and as provided in subsection (b), the Court Services and Offender Supervision Agency for the District of Columbia (in this section referred to as the "agency") may implement and administer the Drug Free Workplace Program of the agency, dated July 28, 2000, for employment applicants of the agency.

(b) EFFECTIVE PERIOD.—The waiver provided by subsection (a) shall—

(1) take effect on enactment; and

(2) terminate on the date the Department of Health and Human Services approves the drug program of the agency pursuant to section 503 of Public Law 100–71 or 12 months after the date referred to in paragraph (1), whichever is later.

SEC. 158. Commencing October 1, 2000, the Mayor of the District of Columbia shall submit to the Senate and House Committees on Appropriations, the Senate Governmental Affairs Committee, and the House Government Reform Committee quarterly reports addressing the following issues: (1) crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets; (2) access to drug abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs; (3) management of parolees and pre-trial violent offenders, including the number of halfway house escapes and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency; (4) education, including access to special education services and student achievement to be provided in consultation with the District of Columbia Public Schools; (5) improvement in basic District services, including rat control and abatement; (6) application for and management of Federal grants, including the number and type of grants for which the District was eligible but failed to apply and the number and type of grants awarded to the District but which the District failed to spend the amounts received; and (7) indicators of child well-being.

RESERVE FUNDS

SEC. 159. (a) ESTABLISHMENT OF RESERVE FUNDS.—

(1) IN GENERAL.—The District of Columbia Home Rule Act is amended by inserting after section 450 the following new section:

"RESERVE FUNDS

"SEC. 450A. (a) EMERGENCY RESERVE FUND.—

"(1) IN GENERAL.—There is established an emergency cash reserve fund (in this subsection referred to as the 'emergency reserve fund') as an interest-bearing account (separate from other accounts in the General Fund) into which the Mayor shall deposit in cash not later than February 15 of each fiscal year (or not later than October 1, 2000, in the case of fiscal year 2001) such amount as may be required to maintain a balance in the fund of at least 4 percent of the total budget appropriated for operating expenditures for such fiscal year which is derived from local funds (or, in the case of fiscal years prior to fiscal year 2004, such amount as may be required to maintain a balance in the fund of at least the minimum emergency reserve balance for such fiscal year, as determined under paragraph (2)).

"(2) DETERMINATION OF MINIMUM EMERGENCY RESERVE BALANCE.—

"(A) IN GENERAL.—The 'minimum emergency reserve balance' with respect to a fiscal year is the amount equal to the applicable percentage of the total budget appropriated for operating expenditures for such fiscal year which is derived from local funds.

"(B) APPLICABLE PERCENTAGE DEFINED.—In subparagraph (A), the 'applicable percentage' with respect to a fiscal year means the following:

"(i) For fiscal year 2001, 1 percent.

"(ii) For fiscal year 2002, 2 percent.

"(iii) For fiscal year 2003, 3 percent.

"(3) INTEREST.—Interest earned on the emergency reserve fund shall remain in the account and shall only be withdrawn in accordance with paragraph (4).

"(4) CRITERIA FOR USE OF AMOUNTS IN EMERGENCY RESERVE FUND.—The Chief Financial Officer, in consultation with the Mayor, shall develop a policy to govern the emergency reserve fund which shall include (but which may not be limited to) the following requirements:

"(A) The emergency reserve fund may be used to provide for unanticipated and nonrecurring extraordinary needs of an emergency nature, including a natural disaster or calamity as defined by section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 100–707) or unexpected obligations by Federal law.

"(B) The emergency reserve fund may also be used in the event of a State of Emergency as declared by the Mayor pursuant to section 5 of the District of Columbia Public Emergency Act of 1980 (sec. 6–1504, D.C. Code).

"(C) The emergency reserve fund may not be used to fund—

"(i) any department, agency, or office of the Government of the District of Columbia which is administered by a receiver or other official appointed by a court;

"(ii) shortfalls in any projected reductions which are included in the budget proposed by the District of Columbia for the fiscal year; or

"(iii) settlements and judgments made by or against the Government of the District of Columbia.

"(5) ALLOCATION OF EMERGENCY CASH RESERVE FUNDS.—Funds may be allocated from the emergency reserve fund only after—

"(A) an analysis has been prepared by the Chief Financial Officer of the availability of other sources of funding to carry out the purposes of the allocation and the impact of such allocation on the balance and integrity of the emergency reserve fund; and

"(B) with respect to fiscal years beginning with fiscal year 2005, the contingency reserve fund established by subsection (b) has been projected by the Chief Financial Officer to be exhausted at the time of the allocation.

"(6) NOTICE.—The Mayor, the Council, and (in the case of a fiscal year which is a control year, as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995) the District of Columbia Financial Responsibility and Management Assistance Authority shall notify the Committees on Appropriations of the Senate and House of Representatives in writing not more than 30 days after the expenditure of funds from the emergency reserve fund.

"(7) REPLENISHMENT.—The District of Columbia shall appropriate sufficient funds each fiscal year in the budget process to replenish any amounts allocated from the emergency reserve fund during the preceding fiscal year by the following fiscal year. Once the emergency reserve equals 4 percent of total budget appropriated from local funds for operating expenditures for the fiscal year, the District of Columbia shall appropriate sufficient funds each fiscal year in the budget process to replenish any amounts allocated from the emergency reserve fund during the preceding year to maintain a balance of at least 4 percent of total funds appropriated from local funds for operating expenditures by the following fiscal year.

"(b) CONTINGENCY RESERVE FUND.—

"(1) IN GENERAL.—There is established a contingency cash reserve fund (in this subsection referred to as the 'contingency reserve fund') as an interest-bearing account (separate from other accounts in the General Fund) into which the Mayor shall deposit in cash not later than October 1 of each fiscal year (beginning with fiscal year 2005) such amount as may be required to maintain a balance in the fund of at least 3 percent of the total budget appropriated for operating expenditures for such fiscal year which is derived from local funds (or, in the case of fiscal years prior to fiscal year 2007, such amount as may be required to maintain a balance in the fund of at least the min-

imum contingency reserve balance for such fiscal year, as determined under paragraph (2)).

"(2) DETERMINATION OF MINIMUM CONTINGENCY RESERVE BALANCE.—

"(A) IN GENERAL.—The 'minimum contingency reserve balance' with respect to a fiscal year is the amount equal to the applicable percentage of the total budget appropriated from local funds for operating expenditures for such fiscal year which is derived from local funds.

"(B) APPLICABLE PERCENTAGE DEFINED.—In subparagraph (A), the 'applicable percentage' with respect to a fiscal year means the following:

"(i) For fiscal year 2005, 1 percent.

"(ii) For fiscal year 2006, 2 percent.

"(3) INTEREST.—Interest earned on the contingency reserve fund shall remain in the account and may only be withdrawn in accordance with paragraph (4).

"(4) CRITERIA FOR USE OF AMOUNTS IN CONTINGENCY RESERVE FUND.—The Chief Financial Officer, in consultation with the Mayor, shall develop a policy governing the use of the contingency reserve fund which shall include (but which may not be limited to) the following requirements:

"(A) The contingency reserve fund may only be used to provide for nonrecurring or unforeseen needs that arise during the fiscal year, including expenses associated with unforeseen weather or other natural disasters, unexpected obligations created by Federal law or new public safety or health needs or requirements that have been identified after the budget process has occurred, or opportunities to achieve cost savings.

"(B) The contingency reserve fund may be used, if needed, to cover revenue shortfalls experienced by the District government for 3 consecutive months (based on a 2 month rolling average) that are 5 percent or more below the budget forecast.

"(C) The contingency reserve fund may not be used to fund any shortfalls in any projected reductions which are included in the budget proposed by the District of Columbia for the fiscal year.

"(5) ALLOCATION OF CONTINGENCY CASH RESERVE.—Funds may be allocated from the contingency reserve fund only after an analysis has been prepared by the Chief Financial Officer of the availability of other sources of funding to carry out the purposes of the allocation and the impact of such allocation on the balance and integrity of the contingency reserve fund.

"(6) REPLENISHMENT.—The District of Columbia shall appropriate sufficient funds each fiscal year in the budget process to replenish any amounts allocated from the contingency reserve fund during the preceding fiscal year by the following fiscal year. Once the contingency reserve equals 3 percent of total funds appropriated from local funds for operating expenditures, the District of Columbia shall appropriate sufficient funds each fiscal year in the budget process to replenish any amounts allocated from the contingency reserve fund during the preceding

year to maintain a balance of at least 3 percent of total funds appropriated from local funds for operating expenditures by the following fiscal year.

"(c) QUARTERLY REPORTS.—The Chief Financial Officer shall submit a quarterly report to the Mayor, the Council, the District of Columbia Financial Responsibility and Management Assistance Authority (in the case of a fiscal year which is a control year, as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995), and the Committees on Appropriations of the Senate and House of Representatives that includes a monthly statement on the balance and activities of the contingency and emergency reserve funds.".

(2) CLERICAL AMENDMENT.—The table of contents for the District of Columbia Home Rule Act is amended by inserting after the item relating to section 450 the following new item:

"Sec. 450A. Reserve funds.".

(b) CONFORMING AMENDMENTS.—

(1) CURRENT RESERVE FUND.—Section 202(j) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (sec. 47–392.2(j), D.C. Code) is amended—

(A) in paragraph (1), by striking "Beginning with fiscal year 2000, the plan or budget submitted pursuant to this Act" and inserting "For each of the fiscal years 2000 through 2004, the budget of the District government for the fiscal year"; and

(B) by adding at the end the following new paragraph:

"(4) REPLENISHMENT.—Any amount of the reserve funds which is expended in one fiscal year shall be replenished in the reserve funds from the following fiscal year appropriations to maintain the $150,000,000 balance.".

(2) POSITIVE FUND BALANCE.—Section 202(k) of such Act (sec. 47–392.2(k), D.C. Code) is repealed.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on October 1, 2000.

TREATMENT OF REVENUE BONDS SECURED BY TOBACCO SETTLEMENT PAYMENTS

SEC. 160. (a) PERMITTING COUNCIL TO DELEGATE AUTHORITY TO ISSUE BONDS.—

(1) IN GENERAL.—Section 490 of the District of Columbia Home Rule Act (sec. 47–334, D.C. Code) is amended—

(A) by redesignating subsections (i) through (m) as subsections (j) through (n); and

(B) by inserting after subsection (h) the following new subsection:

"(i)(1) The Council may delegate to the District of Columbia Tobacco Settlement Financing Corporation (hereafter in this subsection referred to as the "Corporation") established pursuant to the Tobacco Settlement Financing Act of 2000 the authority of the Council under subsection (a) to issue revenue bonds, notes, and other obligations which are used to borrow money to finance or assist in the financing or refinancing of capital projects and other undertakings of the District of Columbia and which are payable solely from and secured by payments under the Master Tobacco Settlement

Agreement. The Corporation may exercise authority delegated to it by the Council as described in the first sentence of this paragraph (whether such delegation is made before or after the date of the enactment of this subsection) only in accordance with this subsection and the provisions of the Tobacco Settlement Financing Act of 2000.

"(2) Revenue bonds, notes, and other obligations issued by the Corporation under a delegation of authority described in paragraph (1) shall be issued by resolution of the Corporation, and any such resolution shall not be considered to be an act of the Council.

"(3) The fourth sentence of section 446 shall not apply to—

"(A) any amount (including the amount of any accrued interest or premium) obligated or expended from the proceeds of the sale of any revenue bond, note, or other obligation issued pursuant to this subsection;

"(B) any amount obligated or expended for the payment of the principal of, interest on, or any premium for any revenue bond, note, or other obligation issued pursuant to this subsection;

"(C) any amount obligated or expended to secure any revenue bond, note, or other obligation issued pursuant to this subsection; or

"(D) any amount obligated or expended for repair, maintenance, and capital improvements to facilities financed pursuant to this subsection.

"(4) In this subsection, the term 'Master Tobacco Settlement Agreement' means the settlement agreement (and related documents), as may be amended from time to time, entered into on November 23, 1998, by the District of Columbia and leading United States tobacco product manufacturers.".

(2) CONFORMING AMENDMENT.—The fourth sentence of section 446 of such Act (sec. 47–304, D.C. Code) is amended by striking "and (h)(3)" and inserting "(h)(3), and (i)(3)".

(b) WAIVER OF CONGRESSIONAL REVIEW PERIOD FOR TOBACCO SETTLEMENT FINANCING ACT.—Notwithstanding section 602(c)(1) of the District of Columbia Home Rule Act (sec. 1–233(c)(1), D.C. Code), the Tobacco Settlement Financing Act of 2000 (title XXXVII of D.C. Act 13–375, as amended by section 8(e) of D.C. Act 13–387) shall take effect on the date of the enactment of such Act or the date of the enactment of this Act, whichever is later.

SEC. 161. Section 603(e) of the Student Loan Marketing Association Reorganization Act of 1996 (Public Law 104–208; 110 Stat. 3009–293), as amended by section 153 of the District of Columbia Appropriations Act, 2000, is amended—

(1) by amending the second sentence of paragraph (2)(B) to read as follows: "Of such amounts and proceeds, $5,000,000 shall be set aside for a credit enhancement fund for public charter schools in the District of Columbia, to be administered and disbursed in accordance with paragraph (3)."; and

(2) by adding at the end the following new paragraph:

"(3) CREDIT ENHANCEMENT FUND FOR PUBLIC CHARTER SCHOOLS.—

"(A) DISTRIBUTION OF AMOUNTS.—Of the amounts in the credit enhancement fund established under paragraph (2)(B)—

"(i) 50 percent shall be used to make grants under subparagraph (B); and

"(ii) 50 percent shall be used to make grants under subparagraph (C).

"(B) GRANTS TO ELIGIBLE NONPROFIT CORPORATIONS.—

"(i) IN GENERAL.—Using the amounts described in subparagraph (A)(i), not later than 1 year after the date of the enactment of the District of Columbia Appropriations Act, 2001, the Mayor of the District of Columbia shall make and disburse grants to eligible nonprofit corporations to carry out the purposes described in subparagraph (E).

"(ii) ADMINISTRATION.—The Mayor shall administer the program of grants under this subparagraph, except that if the committee described in subparagraph (C)(iii) is in operation and is fully functional prior to the date the Mayor makes the grants, the Mayor may delegate the administration of the program to the committee.

"(C) OTHER GRANTS.—

"(i) IN GENERAL.—Using the amounts described in subparagraph (A)(ii), the Mayor of the District of Columbia shall make grants to entities to carry out the purposes described in subparagraph (E).

"(ii) PARTICIPATION OF SCHOOLS.—A public charter school in the District of Columbia may receive a grant under this subparagraph to carry out the purposes described in subparagraph (E) in the same manner as other entities receiving grants to carry out such activities.

"(iii) ADMINISTRATION THROUGH COMMITTEE.—The Mayor shall carry out this subparagraph through the committee appointed by the Mayor under the second sentence of paragraph (2)(B) (as in effect prior to the enactment of the District of Columbia Appropriations Act, 2001). The committee may enter into an agreement with a third party to carry out its responsibilities under this subparagraph.

"(iv) CAP ON ADMINISTRATIVE COSTS.—Not more than 10% of the funds available for grants under this subparagraph may be used to cover the administrative costs of making grants under this subparagraph.

"(D) SPECIAL RULE REGARDING ELIGIBILITY OF NONPROFIT CORPORATIONS.—In order to be eligible to receive a grant under this paragraph, a nonprofit corporation must provide appropriate certification to the Mayor or to the committee described in subparagraph (C)(iii) (as the case may be) that it is duly authorized by two or more public charter schools in the District of Columbia to act on their behalf in obtaining financing (or in assisting them in obtaining financing) to cover the costs of activities described in subparagraph (E)(i).

"(E) PURPOSES OF GRANTS.—

"(i) IN GENERAL.—The recipient of a grant under this paragraph shall use the funds provided under the grant to carry out activities to assist public charter schools in the District of Columbia in—

"(I) obtaining financing to acquire interests in real property (including by purchase, lease, or donation), including financing to cover planning, development, and other incidental costs;

"(II) obtaining financing for construction of facilities or the renovation, repair, or alteration of existing property or facilities (including the purchase or replacement of fixtures and equipment), including financing to cover planning, development, and other incidental costs; and

"(III) enhancing the availability of loans (including mortgages) and bonds.

"(ii) NO DIRECT FUNDING FOR SCHOOLS.—Funds provided under a grant under this subparagraph may not be used by a recipient to make direct loans or grants to public charter schools.".

SEC. 162. (a) EXCLUSIVE AUTHORITY OF MAYOR.—Notwithstanding section 451 of the District of Columbia Home Rule Act or any other provision of District of Columbia or Federal law to the contrary, the Mayor of the District of Columbia shall have the exclusive authority to approve and execute leases of the Washington Marina and the Washington municipal fish wharf with the existing lessees thereof for an initial term of 30 years, together with such other terms and conditions (including renewal options) as the Mayor deems appropriate.

(b) DEFINITIONS.—In this section—

(1) the term "Washington Marina" means the portions of Federal property in the Southwest quadrant of the District of Columbia within Lot 848 in Square 473, the unassessed Federal real property adjacent to Lot 848 in Square 473, and riparian rights appurtenant thereto; and

(2) the term "Washington municipal fish wharf" means the water frontage on the Potomac River lying south of Water Street between 11th and 12th Streets, including the buildings and wharves thereon.

SEC. 163. Section 11201(g)(4)(A) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (D.C. Code, sec. 24–1201(g)(4)(A)) is amended—

(1) by redesignating clauses (vi) through (ix) as clauses (vii) through (x), respectively; and

(2) by inserting after clause (v) the following:

"(vi) immediately upon completing the remediation required under clause (ii) (but in no event later than June 1, 2003), transfer any property located south of Silverbrooke Road which is identified for use for educational purposes in the Fairfax County reuse plan to the County, without consideration, subject to the condition that the County use the property only for educational purposes;".

SEC. 164. (a) Section 208(a) of the District of Columbia Procurement Practices Act of 1985 (sec. 1–1182.8(a), D.C. Code) is amended—

(1) in paragraph (4)(A), by striking "the same auditor)" and inserting "the same auditor, except as may be provided in paragraph (5)); and

(2) by adding at the end the following new paragraph:

"(5) Notwithstanding paragraph (4)(A), an auditor who is a subcontractor to the auditor who audited the financial statement and report described in paragraph (3)(H) for a fiscal year may audit the financial statement and report for any succeeding fiscal year (as either the prime auditor or as a subcontractor to another auditor) if—

"(A) such subcontractor is not a signatory to the statement and report for the previous fiscal year;

"(B) the prime auditor reviewed and approved the work of the subcontractor on the statement and report for the previous fiscal year; and

"(C) the subcontractor is not an employee of the prime contractor or of an entity owned, managed, or controlled by the prime contractor.".

(b) The amendment made by subsection (a) shall apply with respect to financial statements and reports for activities of the District of Columbia Government for fiscal years beginning with fiscal year 2001.

SEC. 165. Section 11201(g) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (D.C. Code, sec. 24–1201(g)) is amended by adding at the end the following new paragraph:

"(6) MEADOWOOD FARM LAND EXCHANGE.—

"(A) IN GENERAL.—If, not later than January 15, 2001, Fairfax County, Virginia, agrees to convey fee simple title to the property on Mason Neck in excess of 800 acres depicted on the map dated June 2000, on file in the Office of the Director of the Bureau of Land Management, Eastern States (hereafter in this paragraph referred to as 'Meadowood Farm') to the Secretary of the Interior, then the Administrator of General Services shall agree to convey to Fairfax County, Virginia, fee simple title to the property located at the Lorton Correctional Complex north of Silverbrook Road, and consisting of more than 200 acres identified in the Fairfax County Reuse Plan, dated July 26, 1999, as land available for residential development in Land Units 1 and 2 (hereafter in this paragraph referred to as the 'Laurel Hill Residential Land'), the actual exchange to occur no later than December 31, 2001.

"(B) TERMS AND CONDITIONS.—(i) When Fairfax County transfers fee simple title to Meadowood Farm to the Secretary of the Interior, the Administrator of General Services shall simultaneously transfer to the County the Laurel Hill Residential Land.

"(ii) The transfer of property to Fairfax County, Virginia, under clause (i) shall be subject to such terms and conditions that the Administrator of General Services con-

siders to be appropriate to protect the interests of the United States.

"(iii) Any proceeds derived from the sale of the Laurel Hill Residential Land by Fairfax County that exceed the County's cost of acquiring, financing (which shall be deemed a County cost from the time of financing of the Meadowood Farm acquisition to the receipt of proceeds of the sale or sales of the Laurel Hill Residential Land until such time as the proceeds of such sale or sales exceed the acquisition and financing costs of Meadowood Farm to the County), preparing, and conveying Meadowood Farm and costs incurred for improving, preparing, and conveying the Laurel Hill Residential Land shall be remitted to the United States and deposited into the special fund established pursuant to paragraph (4)(A)(viii).

"(C) MANAGEMENT OF PROPERTY.—The property transferred to the Secretary of the Interior under this section shall be managed by the Bureau of Land Management for public use and recreation purposes.".

SEC. 166. Section 158(b) of the District of Columbia Appropriations Act, 2000 (Public Law 106–113; 113 Stat. 1527) is amended to read as follows:

"(b) SOURCE OF FUNDS; TRANSFER.—An amount not to exceed $5,000,000 from the National Highway System funds apportioned to the District of Columbia under section 104 of title 23, United States Code, may be used for purposes of carrying out the project under subsection (a).".

This Act may be cited as the "District of Columbia Appropriations Act, 2001".

DISTRICT OF COLUMBIA APPROPRIATIONS

Following is explanatory language on H.R. 5547, as introduced on October 25, 2000.

The conferees on H.R. 4942 agree with the matter included in H.R. 5547 and enacted in this conference report by reference and the following description of it. This bill was developed through negotiations by the conferees on the differences in H.R. 4942. References in the following description to the "conference agreement" mean the matter included in the introduced bill enacted by this conference report. References to the House bill mean the House passed version of H.R. 4942. References to the Senate bill or Senate Amendment mean the Senate passed version of H.R. 4942.

The conference agreement on the District of Columbia Appropriations Act, 2001, incorporates some of the provisions of both the House and Senate versions of the bill. The language and allocations set forth in House Report 106–786 and Senate Report 106–409 should be complied with unless specifically addressed in the accompanying bill and statement of the managers to the contrary. The agreement agreed to herein, while repeating some report language for emphasis, does not negate the language referenced above unless expressly provided.

A summary chart appears later in this statement just before the explanations of the general provisions showing the Federal appropriations by account and the allocation of District funds by agency or office under each appropriation title showing the fiscal year 2000 appropriation, the fiscal year 2001 request, the House and Senate recommendations and the conference allowance.

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

Appropriates $17,000,000 as proposed by the Senate instead of $14,000,000 as proposed by the House. The conference agreement deletes language limiting administrative expenses to not more than five percent of the appropriation.

FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

Appropriates $1,250,000 instead of $1,500,000 as proposed by the House. The appropriation includes $250,000 for payment to a mentoring program and for hotline services; $250,000 for payment to a character education initiative; $250,000 for a program to provide basic values training in the local public schools; and $500,000 for the design, construction, and maintenance of a trash rack system to mitigate environmental harm caused by trash carried in city runoff which flows through the National Arboretum via the Hickey Run Watershed into the Anacostia River.

The conferees direct the District's Chief Financial Officer to make the above payments within 30 days of the enactment of this Act as follows: $250,000 to the International Youth Service and Development Corp., for the mentoring program and hotline services; $250,000 to Values First, a 501(c)3 educational organization, to expand their current program that trains District public school teachers in how to instill basic values into the lives of their students; $250,000 to the Best Friends Foundation for the character education initiative; and $500,000 to the National Arboretum for the Hickey Run stormwater outfall project. The conferees do not expect the Chief Financial Officer to administer these programs or get involved in any way with the programs except to ensure that the funds are disbursed promptly and correctly to the proper organizations. The conferees direct that each of the organizations provide an annual report by November 30, 2001, to the Committees on Appropriations of the House and the Senate.

FEDERAL PAYMENT FOR COMMERCIAL REVITALIZATION PROGRAM

Appropriates $1,500,000 as proposed by the Senate to provide offsets against local taxes for a commercial revitalization program in enterprise zones and low and moderate income areas in the District of Columbia.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS

Appropriates $500,000 as proposed by the Senate for the District of Columbia Public Schools to be used for programs to reduce school violence and to enhance the reading skills of local public school students.

FEDERAL PAYMENT TO THE METROPOLITAN POLICE DEPARTMENT

Appropriates $100,000 to the Metropolitan Police Department to fund a youth safe haven police mini-station for mentoring high risk youth.

FEDERAL CONTRIBUTION TO COVENANT HOUSE WASHINGTON

Appropriates $500,000 as proposed by the Senate for a contribution to the construction in Southeast Washington of a new community service center for homeless, runaway and at-risk youth.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

Appropriates $134,200,000 as proposed by the Senate instead of $134,300,000 as proposed by the House.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

Appropriates $105,000,000 instead of $99,500,000 as proposed by the House and $109,080,000 as proposed by the Senate and allocates $7,409,000 for the District of Columbia Court of Appeals instead of $7,709,000 as proposed by the House and the Senate and $71,121,000 for the District of Columbia Superior Court instead of $72,399,000 as proposed by the House and the Senate and $17,890,000 for the Court System instead of $16,892,000 as proposed by the House and $17,892,000 as proposed by the Senate.

The appropriated amount includes (1) $5,255,000 to finance a pay adjustment of 8.48 percent for nonjudicial employees as proposed by the Senate, and (2) $3,325,000 for capital improvements of which $825,000 is for roofing repairs to the Old Courthouse instead of $2,500,000 for capital improvements as proposed by the House and $5,825,000 for capital improvements of which $825,000 is for roofing repairs to the Old Courthouse as proposed by the Senate. The conference agreement retains the proviso concerning the purchase, installation and operation of an Integrated Justice Information System as proposed by the House.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

Appropriates $34,387,000 as proposed by the House instead of $38,387,000 as proposed by the Senate and makes conforming technical changes.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

Appropriates $112,527,000 as proposed by the Senate instead of $115,752,000 as proposed by House and allocates $67,521,000 for Community Supervision and Sex Offender Registration as proposed by the Senate instead of $69,871,000 as proposed by the House, and $26,228,000 for the Pretrial Services Agency as proposed by the Senate instead of $27,103,000 as proposed by the House. The conference agreement also requires that $17,854,000 of this appropriation, of which $836,000 is for the Public Defender Service, be used to improve pretrial defendant and post-conviction offender supervision, to enhance drug testing and sanctions-based treatment programs and other treatment services, to expand intermediate sanctions and offender reentry programs, to continue planning and design proposals for a residential sanctions center, and to make improvements in the administrative infrastructure including information technology instead of $22,161,000 of which $836,000 is for the Public Defender Service as proposed by the House. The conference agreement inserts language as proposed by the Senate to allow the agency to use funds for the transfer and hire of motor vehicles. The conferees direct that vehicles be provided directly by the General Services Administration and not by a third party leasing company.

FEDERAL PAYMENT FOR WASHINGTON INTERFAITH NETWORK

Appropriates $1,000,000 as proposed by the House to the Washington Interfaith Network to reimburse the Network for costs incurred in carrying out preconstruction activities at the former Fort Dupont Dwellings and Additions.

FEDERAL PAYMENT FOR PLAN TO SIMPLIFY EMPLOYEE COMPENSATION SYSTEMS

Appropriates $250,000 to the Mayor as proposed by the House to contract for the study and development of a plan to simplify the pay and compensation systems and schedules and work rules that currently apply to employees of the District of Columbia. Simplifying the pay and compensation systems and schedules and work

rules should result in significant savings to District taxpayers and make the District government's operations more efficient.

The conferees agree that the solicitation for the contract is to provide that any contract awarded under the solicitation require that the contractor submit a plan to the Mayor and the House and Senate Committees on Appropriations that includes, at a minimum, certain specific elements. The first of these is a review of the current pay and compensation systems and schedules and work rules that apply to employees of the District of Columbia. Second, the plan the contractor develops must contain a review of the best practices of state and local governments and other appropriate organizations regarding pay and compensation systems. The conferees recognize that a substantial number of District employees are members of employee unions; therefore, a review of best practices should focus on state and local governments and other organizations that have similarly unionized workforces. Third, the plan must contain a proposal for simplifying pay and compensation systems and schedules that apply to employees of the District of Columbia. Finally, the contractor's plan must contain an estimated timeframe for completion and strategies for implementing the plan, including identification of any statutory, contractual, or other barriers to implementation. Included in the discussion of barriers should be discussion of mitigating strategies and a recognition of the potential barrier of collective bargaining agreements to the successful implementation of a simplified pay system. This section applies to all employees of the District of Columbia, including employees of all independent agencies, school board employees and employees of District agencies currently in receivership and other agencies, but does not apply to employees who work in the District court system.

The Mayor is to develop a proposed solicitation within 90 days of enactment of this Act and submit a copy to the Comptroller General for his review at least 90 days prior to issuance of the proposed solicitation. The Comptroller General shall, within 45 days after receipt of the copy of the proposed solicitation, review it to ensure that it adequately addresses all of the elements required by this section and report to the House and Senate Committees on Appropriations the results of his review. The conferees expect the District government to supplement this amount, if necessary, with local funds, and for the Mayor to allocate the contract cost as he deems appropriate.

METRORAIL CONSTRUCTION

Appropriates $25,000,000 in Federal funds for a contribution to the Washington Metropolitan Area Transit Authority as proposed by the Senate instead of $25,000,000 of which $17,900,000 would be by transfer as proposed by the House and inserts language concerning the release of the funds and the application of 49 U.S.C. 5309(a)(2) to this project as proposed by the Senate. The conferees agree that this contribution is contingent upon the District government setting aside $25,000,000 in its capital budget for the project and establishing a special taxing district for the neighborhood of the proposed Metrorail site to contribute an additional $25,000,000. The conferees note that the commitment of $25,000,000 has not

been secured by the establishment of a special taxing district. Until this funding has been secured, the Federal funds appropriated under this heading are to be held by the U.S. Treasury. The conferees agree that this appropriation is not to be considered a one-third contribution to this project and do not plan to revise the Federal contribution to reflect a percentage contribution. The conferees direct the Washington Metropolitan Area Transit Authority to closely monitor the development of this project, especially the cost containment issues, and will hold the Authority responsible and accountable.

FEDERAL PAYMENT FOR NATIONAL MUSEUM OF AMERICAN MUSIC

Deletes the paragraph appropriating $250,000 to the Federal City Council for planning costs for a National Museum of American Music proposed by the House and deleted by the Senate. The conferees have not recommended additional funding for the National Museum of American Music. The President's budget proposal includes $3,000,000 to fund the staff, consultants, design, environmental assessments and preparation of Request for Proposals to complete the planning phase of the museum.

In the District of Columbia Appropriations Act for fiscal year 1999 (Public Law 105–277), the Federal City Council, a private, non-profit organization, received $300,000 to conduct a needs and design study for a National Museum of American Music. Although the needs and design study has not been completed, the scope of the envisioned project has expanded to a multi-million dollar, mixed-use development that would include, in addition to the Museum, performance and entertainment venues, retail and dining facilities, hotels and housing, a performing arts theater, and an elementary school. The Federal City Council and other interested parties have targeted the current Washington Convention Center site as the preferred location for the development.

The conferees have determined that additional funding of the project is premature. First, local District officials have not had an opportunity to review and analyze the proposed project. Nor has the District government made a financial commitment to this project. Also at issue is whether the project envisioned by the Federal City Council constitutes the highest and best use of the real estate under consideration. Finally, the conferees have not been provided with a detailed analysis of the project scope and all potential funding sources.

The conferees direct the General Accounting Office to review the National Museum of American Music project proposal and report to the Committees on Appropriations of the Senate and the House by April 1, 2001, on: (1) total project cost estimates; (2) all potential project funding sources (including local District, Federal, and private funding sources); (3) an analysis of whether the proposed project is suited for the site of the current Convention Center; and (4) whether it constitutes the highest and best use of the property at issue. The conferees encourage the staff of the Library of Congress and the Smithsonian to collaborate with the staff of the Federal City Council in the preparation of this report. The requested data will enable the Committees to more carefully analyze the appropriateness of continued Federal funding.

FEDERAL PAYMENT FOR BROWNFIELD REMEDIATION

Appropriates $3,450,000 for environmental and infrastructure costs at Poplar Point as proposed by the Senate. The conference agreement allocates $2,150,000 for environmental assessment, site remediation and wetlands restoration of the 11 acres of real property under the jurisdiction of the District of Columbia and no more than $1,300,000 for infrastructure costs for an entrance to Anacostia Park as proposed by the Senate. The conference action also prohibits the use of any of these funds to purchase private property in the Poplar Point area as proposed by the Senate. The conferees note that in addition to the $3,450,000 provided under this heading, $4,615,000 in Federal funds appropriated for infrastructure needs in Public Law 105–277 (112 Stat. 2681–552,3) has also been allocated to the Poplar Point project.

PRESIDENTIAL INAUGURATION

Appropriates $5,961,000 as proposed by the House instead of $6,211,000 as proposed by the Senate to reimburse the District government for expenses incurred in connection with presidential inauguration activities.

CHILDREN'S NATIONAL MEDICAL CENTER

Appropriates $500,000 for a Federal contribution to the Children's National Medical Center to be used for the network of satellite pediatric health clinics for children and families in underserved neighborhoods and communities in the District.

CHILD ADVOCACY CENTER

Appropriates $500,000 for a Federal contribution to the Child Advocacy Center for its Safe Shores program. The conferees are concerned with the inadequate treatment received by young victims of abuse and neglect. Safe Shores is the District's only Child Advocacy Center and serves an ever-growing population of maltreated children in the District of Columbia. Safe Shores is equipped with clinicians trained to work specifically with children to help facilitate resolution and healing for the young victims of abuse and neglect. Safe Shores works with the Metropolitan Police Department and the Child and Family Services Agency as an integral part of the multidisciplinary child welfare team in the District and is vital to effective intervention and case management. The conferees are disturbed by the lack of financial support offered the Center by the District's current administration, particularly in light of recent discoveries by the General Accounting Office of the crisis situation of the District's child welfare system.

ST. COLETTA OF GREATER WASHINGTON EXPANSION PROJECT

Appropriates $1,000,000 for a Federal contribution to St. Coletta of Greater Washington, Inc., for costs associated with the establishment of a day program and comprehensive case management services for mentally retarded and multiple-handicapped adolescents and adults in the District of Columbia, including property acquisition and construction. The facility will be located at 212 M Street, S.E., and will provide vocational and functional life skills

training, speech/language therapy, occupational therapy, physical therapy and behavior management to 100 adolescents and 50 adults.

DISTRICT OF COLUMBIA SPECIAL OLYMPICS

Appropriates $250,000 for a Federal contribution to the District of Columbia Special Olympics which provides a year-round 15–sport program serving 2,500 mentally and developmentally disabled children and adults in the District.

FEDERAL CONTRIBUTION FOR ENFORCEMENT OF LAW BANNING POSSESSION OF TOBACCO PRODUCTS BY MINORS

The conference agreement appropriates $100,000 under section 151 of the general provisions to the Metropolitan Police Department on the condition that the District government enacts into law a ban on the possession of tobacco products by minors as specified in section 151. The funds are to be used by the Department to enforce the ban.

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

Inserts an additional exception to the spending ceiling for operating expenses to reflect the reserve fund and provides that operating expenses for the District for fiscal year 2001 shall not exceed $5,677,379,000 of which $172,607,000 is from intra-District funds and $3,250,783,000 is from local funds instead $5,689,176,000 of which $192,804,000 is from intra-District funds and $3,245,523,000 is from local funds as proposed by the House and $5,546,536,000 of which $192,804,000 is from intra-District funds and $3,096,383,000 is from local funds as proposed by the Senate. The changes in the amounts reflect actions taken by the conferees in the funding levels under the various appropriation headings.

DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY

Appropriates $3,140,000 from other funds instead of $3,140,000 from local funds as proposed by the House and $6,500,000 from other funds as proposed by the Senate. The conference agreement retains the proviso concerning the cap on the salary levels of the Executive Director and the General Counsel as proposed by the House and inserts a proviso that limits severance or bonus payments and payments under agreements in effect before the enactment of this Act to two weeks for each full year of employment with the Authority. The severance payments are only for employees who are employed by the Authority during the entire period which begins on the date of the enactment of this Act and ends on September 30, 2001. An employee who leaves prior to September 30, 2001 is not entitled to any payment other than their regular salary for services performed prior to separation and a payment for unused regular annual leave accrued by the individual.

The conferees believe the severance allowance recommended is generous.

GOVERNMENTAL DIRECTION AND SUPPORT

Appropriates $195,771,000 including $162,172,000 from local funds instead of $194,521,000 including $160,922,000 from local funds as proposed by the House and $194,271,000 including $160,672,000 from local funds as proposed by the Senate. The conference agreement deletes (1) the proviso proposed by the Senate regarding the use of freed-up appropriations and (2) the proviso proposed by the House that would have restricted the availability of funds for the Maximus, Inc., revenue recovery services contract GF 98104. The conference agreement includes language that provides the Office of the Chief Technology Officer with small purchase procurement authority of $500,000 as proposed by the House.

Office of the Mayor.—The conference agreement provides $7,467,000 instead of $5,967,000 provided by the House and $7,217,000 provided by the Senate. The allowance recommended by the conferees includes $1,500,000 in Federal funds to remain available until expended as proposed by the Senate for the commercial revitalization program and $250,000 in Federal funds as proposed by the House for the study and development of a plan to simplify the pay and compensation systems and schedules and work rules that currently apply to employees of the District of Columbia. A discussion of the requirements and expectations regarding the plan to simplify the District's pay and compensation systems can be found earlier in this report under "Federal Payment for Plan to Simplify Employee Compensation Systems". The Mayor's request of $10,717,000 was adjusted to exclude $5,000,000 for the one-time appropriation in fiscal year 2000 for the commercial revitalization program. The conference agreement includes language as proposed by the Senate that makes the $5,000,000 available until expended.

Office of the Chief Financial Officer.—The conference agreement includes an increase of $1,250,000 in Federal funds appropriated earlier in this Act for the Office of the Chief Financial Officer instead of $1,500,000 as proposed by the House. The allowance includes $250,000 for payment to a mentoring program and for hotline services; $250,000 for payment to a character education initiative; $250,000 for a program to provide basic values training in the local public schools; and $500,000 for the design, construction, and maintenance of a trash rack system to mitigate environmental harm caused by trash carried in city runoff which flows through the National Arboretum via the Hickey Run Watershed into the Anacostia River. Instructions to the Chief Financial Officer on the payment of these amounts are included under Federal Funds earlier in this report.

St. Elizabeths Hospital.—The conference agreement inserts a proviso that requires the Chief Financial Officer to submit a study by March 1, 2001, to the Committees on Appropriations of the House and the Senate on the merits and potential of privatizing the operation and administration of St. Elizabeths Hospital.

ECONOMIC DEVELOPMENT AND REGULATION

The conference agreement deletes the proviso proposed by the Senate regarding the use of freed-up appropriations.

PUBLIC SAFETY AND JUSTICE

Appropriates $762,546,000 including $591,565,000 from local funds instead of $762,346,000 including $591,365,000 from local funds as proposed by the House and the Senate. The increase of $200,000 reflects two Federal payments of $100,000 each appropriated elsewhere in this Act and described below.

Youth safe haven.—The conference agreement provides $100,000 in Federal funds for a youth safe haven police mini-station program to be established in coordination with the Milton S. Eisenhower Foundation. The program creates youth safe havens in which nonprofit groups work with young people after school in public housing, other low-income neighborhoods and middle schools in the District of Columbia.

Tobacco possession by minors.—The conference agreement provides $100,000 in Federal funds included in section 151 of the general provisions to the Metropolitan Police Department on the condition that the District government enacts into law a ban on the possession of tobacco products by minors as specified in section 151. The funds are to be used by the Department to enforce the ban.

Other.—The conference agreement includes a proviso that caps the number of police officers assigned to the Mayor's security detail at 15 as proposed by the Senate and deletes the proviso proposed by the Senate regarding the use of freed-up appropriations. The conference agreement also deletes the proviso proposed by the Senate concerning chapter 23 of title 11 of the District of Columbia Code relating to the Office of the Chief Medical Examiner. That proviso is replaced by section 148 under General Provisions.

PUBLIC EDUCATION SYSTEM

Appropriates $998,918,000 including $824,867,000 from local funds as proposed by the Senate instead of $995,418,000 including $821,367,000 from local funds as proposed by the House and deletes the proviso proposed by the Senate regarding the use of freed-up appropriations.

Public schools.—Allocates $769,943,000 including $629,309,000 from local funds for public schools as proposed by the Senate instead of $769,443,000 including $628,809,000 from local funds as proposed by the House. The increase above the House allowance includes $250,000 for a program to reduce school violence and $250,000 for a program to enhance the reading skills of public school students.

College tuition support.—Allocates $17,000,000 from Federal funds appropriated earlier in this Act as proposed by the Senate instead of $14,000,000 from Federal funds appropriated earlier in this Act as proposed by the House.

Public charter schools.—Inserts language as proposed by the Senate requiring quarterly reimbursements to be based on quarterly enrollment reports. The conference agreement includes language as proposed by the House requiring that the quarterly pay-

ment of October 15, 2000 to the public charter schools be 50 percent of each public charter school's annual entitlement based on the unaudited October 5 enrollment count. The conference agreement includes language as proposed by the House requiring that the balance of unused allocations for public charter schools be available for public education in accordance with the School Reform Act of 1995. The conference agreement deletes language proposed by the House that would have required the Mayor to convene a task force concerning the School Reform Act of 1995 for the purpose of instituting a funding mechanism for the projected growth of charter schools.

Excel Institute Adult Education Program.—Inserts language as proposed by the House that allows funds allocated to the Institute to be used for construction and to acquire services from the General Services Administration on a reimbursable basis.

Learning support conference.—Deletes the date requirement for a conference on learning support for children ages 3 and 4.

Weighted student formula.—Provides that no less than $436,452,000 is to be expended on local schools through the Weighted Student Formula as proposed by the Senate instead of $389,219,000 as proposed by the House.

Federal funds.—Allocates $250,000 in Federal funds appropriated earlier in this Act for a program to reduce school violence in the District's public schools as proposed by the Senate and $250,000 in Federal funds appropriated earlier in this Act for a program to enhance the reading skills of District public school students as proposed by the Senate.

Evaluation process.—Inserts language concerning the evaluation process for public school employees as a proviso as proposed by the Senate instead of as a general provision (section 145 of House bill) as proposed by the House.

Fiscal year change.—Inserts language that provides advance appropriations on July 1, 2001 to public charter schools and to regular public schools based on the District's proposed budget for fiscal year 2002 as submitted to Congress and requires that the advances be charged against the final amount enacted into law in the fiscal year 2002 District of Columbia Appropriations Act instead of language proposed by the House that would have changed the fiscal year. The language recommended by the conferees will facilitate the operation of the public charter schools and the regular public schools by aligning funding with the programmatic school year that begins July 1, 2001 and ends June 30, 2002.

HUMAN SUPPORT SERVICES (INCLUDING TRANSFER OF FUNDS)

Appropriates $1,535,654,000 including $637,347,000 from local funds instead of $1,532,204,000 including $633,897,000 from local funds as proposed by the House and $1,532,704,000 including $634,397,000 from local funds as proposed by the Senate and changes the heading to reflect the inclusion of transfers in this paragraph. The conference agreement deletes the proviso proposed by the Senate regarding the use of freed-up appropriations.

Brownfield remediation at Poplar Point.—The conference agreement reflects an increase of $3,450,000 from Federal funds previously appropriated in this Act for environmental and infra-

structure costs at Poplar Point as proposed by the Senate. The conference agreement allocates $2,150,000 for environmental assessment, site remediation and wetlands restoration of the 11 acres of real property under the jurisdiction of the District of Columbia and no more than $1,300,000 for infrastructure costs for an entrance to Anacostia Park as proposed by the Senate. The conference action also prohibits the use of any of these funds to purchase private property in the Poplar Point area as proposed by the Senate. The conferees note that in addition to the $3,450,000 provided under this heading, $4,615,000 in Federal funds appropriated for infrastructure needs in Public Law 105–277 (112 Stat. 2681–552,3) has also been allocated to the Poplar Point project.

Ready, Willing and Able Program.—The conference agreement retains the proviso that provides $1,250,000 be paid to the Doe Fund for the operation of its Ready, Willing, and Able Program in the District of Columbia as proposed by the House.

Hamilton Field.—The conference agreement retains the proviso proposed by the Senate that authorizes the District of Columbia to enter into a long-term lease of Hamilton Field with Gonzaga College High School in exchange for Gonzaga introducing and implementing a youth baseball program focused on 13 to 18 year old residents, summer and fall baseball programs and baseball clinics.

Public benefit corporation.—The conference agreement includes a proviso that allows the District to transfer not more than $90,000,000 from local funds provided under other accounts in this Act for the purpose of restructuring the delivery of health services in the District instead of 15 percent of local funds in the appropriation as proposed by the Senate. The language requires that the restructuring be pursuant to a restructuring plan approved by the Mayor, the Council, the Financial Authority, and the Board of Directors of the Public Benefit Corporation that reduces personnel levels consistent with the reduction-in-force set forth in the August 25, 2000 resolution of the Board of Directors of the Corporation which requires reducing personnel by at least 500 full-time equivalent employees without replacement by contract personnel. The language also requires that no funds be expended until 10 calendar days after the restructuring plan has received final approval and a copy has been submitted by the Mayor to the House and Senate Committees on Appropriations, the House Committee on Government Reform, and the Senate Committee on Governmental Affairs. The language agreed to by the conferees also requires that the plan include a certification that it does not rely upon any current or future request for additional appropriation of Federal Funds. Conforming language is included under the heading "District of Columbia Health and Hospitals Public Benefit Corporation".

PUBLIC WORKS

Deletes the proviso proposed by the Senate regarding the use of freed-up appropriations and makes editorial changes to language allocating funds to various programs.

RECEIVERSHIP PROGRAMS

Deletes the proviso proposed by the Senate regarding the use of freed-up appropriations.

RESERVE

Modifies language proposed by the Senate that provides for the replacement of funds expended during fiscal year 2000 from the $150,000,000 Reserve instead of the establishment of a $150,000,000 Reserve by the Chief Financial Officer as proposed by the Senate. The modified language also provides that no funds are to be obligated or expended until the emergency reserve fund has been fully funded for fiscal year 2001 as proposed by the Senate. The House language provided for the replacement of funds expended and prohibited the obligation of the reserves until certain conditions were met.

EMERGENCY RESERVE FUND

Inserts language providing for an emergency reserve fund from local funds as proposed by the Senate.

REPAYMENT OF LOANS AND INTEREST

Deletes the proviso proposed by the Senate regarding the use of freed-up appropriations and inserts a proviso proposed by the Senate providing that unused reserve funds shall be used for Pay-As-You-Go Capital Funds.

PRESIDENTIAL INAUGURATION

Appropriates $5,961,000 from Federal funds appropriated earlier in this Act as proposed by the House instead of $6,211,000 from Federal funds appropriated earlier in this Act as proposed by the Senate.

TOBACCO SETTLEMENT TRUST FUND TRANSFER PAYMENT

Modifies language proposed by the House and the Senate making the transfer of not to exceed $61,406,000 to the Tobacco Settlement Trust Fund subject to the issuance of bonds to pay the purchase price of the District's right, title and interest in and to the Master Settlement Agreement, and consistent with the Tobacco Settlement Financing and Trust Fund Amendment Act of 2000.

CAFETERIA PLAN SAVINGS

Deletes the proviso proposed by the Senate regarding the use of freed-up appropriations.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY AND THE WASHINGTON AQUEDUCT

The conference agreement provides $140,725,000 for fiscal year 2001 for the following capital projects: $77,372,000 for the Blue Plains Wastewater Treatment Plant, zero for the stormwater program, $21,450,000 for the water program, $1,182,000 for the sanitary sewer program, zero for the combined sewer program, $1,699,000 for the capital equipment program and $39,022,000 for the Water and Sewer Authority's share of the Washington Aqueduct capital projects. The conferees agree that the Water and Sewer Authority is expressly authorized to expend funds between

projects authorized in prior years' budgets within these seven projects provided the Committees on Appropriations of the House and the Senate are notified of the details in writing at least 30 days prior to the obligation of the funds.

The conferees agree that section 140(b) of the House bill and section 127(b) of the Senate bill (new section 129(b)) also applies to the Water and Sewer Authority and that the agency head of the Water and Sewer Authority may abolish positions and separate the employees encumbering those abolished positions in accordance with the modified reduction in force procedures and severance pay authorized in section 129(b). The conferees agree that while section 129(b) applies to the Water and Sewer Authority, it does not change the Authority's general exemption from coverage under the Comprehensive Merit Personnel Act of 1978 (D.C. Code, sec. 1–601.1 et seq.), or the Authority's independent legal status within the District government.

DISTRICT OF COLUMBIA HEALTH AND HOSPITALS

PUBLIC BENEFIT CORPORATION

Inserts language that (1) requires a restructuring plan for D.C. General Hospital to be approved by District officials prior to increasing the appropriation through reprogramming, transfers, loans or other mechanisms, (2) requires the District's Chief Financial Officer to sign an affidavit certifying that payments made on behalf of the Corporation do not constitute a violation of any provision of subchapter III of chapter 13 of title 31, United States Code, or of this Act, (3) clarifies what may be covered by an affidavit, and (4) makes it unlawful to order a person to sign any affidavit or to provide a signature on an affidavit by proxy, machine, computer or facsimile device. The conference action does not prohibit reimbursement to the Corporation for services provided to other District government agencies and grants that in prior years were not included in the amounts appropriated from other funds.

DISTRICT OF COLUMBIA RETIREMENT BOARD

The conference agreement retains the proviso that requires the Retirement Board to provide quarterly reports of the allocations of charges by fund and expenditures of all funds.

SUMMARY TABLE OF CONFERENCE RECOMMENDATIONS BY AGENCY AND FY 2001 FINANCIAL PLAN

A summary table showing the Federal appropriations by account and the allocation of District funds by agency or office under each appropriation heading for fiscal year 2000, the fiscal year 2001 request, the House and Senate recommendations, and the conference allowance, and the fiscal year 2001 Financial Plan which is the starting point for the independent auditor's comparison with actual year-end results as required by section 132 of the Act follow:

SUMMARY
FY 2001 D. C. APPROPRIATIONS BILL

	House Bill		Senate Bill		Conference	
	FTEs	Amount	FTEs	Amount	FTEs	Amount
FEDERAL FUNDS						
Federal Payment for Resident Tuition Support	0	14,000,000	0	17,000,000	0	17,000,000
Federal Payment to the Chief Financial Officer of the District of Columbia	0	1,500,000	0	0	0	1,250,000
Federal Payment for Commercial Revitalization Program	0	0	0	1,500,000	0	1,500,000
Federal Payment to the District of Columbia Public Schools	0	0	0	500,000	0	500,000
Federal Payment for the Metropolitan Police Department	0	0	0	0	0	100,000
Federal Contribution to Covenant House Washington	0	0	0	500,000	0	500,000
Federal Payment to the District of Columbia Corrections Trustee Operations	0	134,300,000	0	134,200,000	0	134,200,000
Federal Payment to the District of Columbia Courts	0	99,500,000	0	109,080,000	0	105,000,000
Defender Services in District of Columbia Courts	0	34,387,000	0	38,387,000	0	34,387,000
Federal Payment to the Court Services and Offender Supervision Agency for the District of Columbia	0	115,752,000	0	112,527,000	0	112,527,000
Federal Payment for Washington Interfaith Network	0	1,000,000	0	0	0	1,000,000
Federal Payment for Plan to Simplify Employee Compensation Systems	0	250,000	0	0	0	250,000
Metrorail Construction	0	7,100,000	0	25,000,000	0	25,000,000
(By Transfer)	0	(17,900,000)	0	0	0	0
Federal Payment for National Music Museum of American Music	0	250,000	0	0	0	0
Federal Payment for Brownfield Remediation	0	0	0	3,450,000	0	3,450,000
Presidential Inauguration	0	5,961,000	0	6,211,000	0	5,961,000
Children's National Medical Center	0	0	0	0	0	500,000
Child Advocacy Center	0	0	0	0	0	500,000
St. Coletta of Greater Washington Expansion Project	0	0	0	0	0	1,000,000
District of Columbia Special Olympics	0	0	0	0	0	250,000
Federal Contribution for Enforcement of Law Banning Possession of Tobacco Products by Minors, Sec. 151	0	0	0	0	0	100,000
Total, Federal funds to the District of Columbia	0	414,000,000	0	448,355,000	0	444,975,000
By transfer	0	(17,900,000)	0	0	0	0

	House Bill		Senate Bill		Conference	
	FTEs	Amount	FTEs	Amount	FTEs	Amount
DISTRICT OF COLUMBIA FUNDS						
Operating expenses:						
District of Columbia Financial Responsibility and Management Assistance Authority	0	3,140,000	0	6,500,000	0	3,140,000
Governmental Direction and Support	2,023	194,521,000	2,023	194,271,000	2,023	195,771,000
Economic Development and Regulation	1,525	205,638,000	1,525	205,638,000	1,525	205,638,000
Public Safety and Justice	9,037	762,346,000	9,037	762,346,000	9,037	762,546,000
Public Education System	12,131	995,418,000	12,131	998,918,000	12,131	998,918,000
Human Support Services	3,929	1,532,204,000	3,929	1,532,704,000	3,929	1,535,654,000
Public Works	1,858	278,242,000	1,858	278,242,000	1,858	278,242,000
Receivership Programs	2,739	389,528,000	2,739	389,528,000	2,739	389,528,000
Reserve	0	150,000,000	0	150,000,000	0	150,000,000
Repayment of Loans and Interest	0	243,238,000	0	243,238,000	0	243,238,000
Repayment of General Fund Recovery Debt	0	39,300,000	0	39,300,000	0	39,300,000
Payment of Interest on Short-Term Borrowing	0	1,140,000	0	1,140,000	0	1,140,000
Presidential Inauguration	0	5,961,000		6,211,000	0	5,961,000
Certificates of Participation	0	7,950,000	0	7,950,000	0	7,950,000
Wilson Building	0	8,409,000		8,409,000	0	8,409,000
Optical and Dental Insurance Payments	0	2,675,000	0	2,675,000	0	2,675,000
Management Supervisory Services	0	13,200,000	0	13,200,000	0	13,200,000
Tobacco Settlement Trust Fund Transfer Payment	0	61,406,000	0	61,406,000	0	61,406,000
Operational Improvements Savings (Including Managed Competition)	0	(10,000,000)	0	(10,000,000)	0	(10,000,000)
Management Reform Savings	0	(37,000,000)		(37,000,000)	0	(37,000,000)
Cafeteria Plan Savings	0	(5,000,000)	0	(5,000,000)	0	(5,000,000)
Water and Sewer Authority and the Washington Aqueduct	0	275,705,000		275,705,000	0	275,705,000
Lottery and Charitable Games Enterprise Fund	100	223,200,000	100	223,200,000	100	223,200,000
Sports and Entertainment Commission	0	10,968,000	0	10,968,000	0	10,968,000
District of Columbia Health and Hospitals Public Benefit Corporation	0	78,235,000	0	78,235,000	0	78,235,000
District of Columbia Retirement Board	14	11,414,000	14	11,414,000	14	11,414,000
Correctional Industries Fund	12	1,808,000	12	1,808,000	12	1,808,000
Washington Convention Center Enterprise Fund	0	52,726,000	0	52,726,000	0	52,726,000
Total, operating expenses	33,368	5,496,372,000	33,368	5,503,732,000	33,368	5,504,772,000
Capital Outlay:						
General fund	0	1,022,074,000	0	1,022,074,000	0	1,022,074,000
Water and Sewer fund	0	140,725,000	0	140,725,000	0	140,725,000
Total, capital outlay	0	1,162,799,000	0	1,162,799,000	0	1,162,799,000
Grand Total, District of Columbia Funds	33,368	6,659,171,000	33,368	6,666,531,000	33,368	6,667,571,000

DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY

Agency/Activity	FY 2000 Approved	FY 2001 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
D.C. Financial Responsibility and Management Assistance Authority	3,140,000	6,500,000	3,140,000	6,500,000	3,140,000

GOVERNMENTAL DIRECTION AND SUPPORT

Agency/Activity	FY 2000 Approved	FY 2001 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Council of the District of Columbia	10,477,000	12,124,000	12,124,000	12,124,000	12,124,000
Office of the District of Columbia Auditor	1,183,000	1,283,000	1,283,000	1,283,000	1,283,000
Advisory Neighborhood Commissions	623,000	748,000	748,000	748,000	748,000
Office of the Mayor	9,207,000 1/	10,717,000	5,967,000	7,217,000	7,467,000
Office of the Secretary	1,816,000	1,946,000	1,946,000	1,946,000	1,946,000
Citywide Call Center	0	0	0	0	0
Office of the City Administrator	12,821,000	23,386,000	23,386,000	23,386,000	23,386,000
Office of Personnel	10,445,000	11,285,000	11,285,000	11,285,000	11,285,000
Human Resource Development	3,766,000	2,744,000	2,744,000	2,744,000	2,744,000
Office of Finance and Resource Management	778,000	2,153,000	2,153,000	2,153,000	2,153,000
Office of Contracting and Procurement	14,150,000	15,337,000	15,337,000	15,337,000	15,337,000
Office of the Chief Technology Officer	3,740,000	11,770,000	11,770,000	11,770,000	11,770,000
Office of Property Management	9,152,000	8,550,000	8,550,000	8,550,000	8,550,000
Contract Appeals Board	687,000	734,000	734,000	734,000	734,000
Board of Elections and Ethics	3,238,000	3,250,000	3,250,000	3,250,000	3,250,000
Office of Campaign Finance	978,000	1,209,000	1,209,000	1,209,000	1,209,000
Public Employee Relations Board	632,000	652,000	652,000	652,000	652,000
Office of Employee Appeals	1,337,000	1,434,000	1,434,000	1,434,000	1,434,000
Metropolitan Washington Council of Governments	367,000	367,000	367,000	367,000	367,000
Office of the Inspector General	6,827,000	12,399,000	12,399,000	12,399,000	12,399,000
Office of the Chief Financial Officer	75,132,000	75,683,000	77,183,000	75,683,000	76,933,000
Total, Governmental Direction and Support	167,356,000	197,771,000	194,521,000	194,271,000	195,771,000
Plus Intra-District funds	32,796,000	36,950,000	36,950,000	36,950,000	36,950,000
Total	200,152,000	234,721,000	231,471,000	231,221,000	232,721,000

1/ General Provision, Sec. 168, $5,000,000.

ECONOMIC DEVELOPMENT AND REGULATION

Agency/Activity	FY 2000 Approved	FY 2001 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Business Services and Economic Development	22,515,000	26,753,000	26,753,000	26,753,000	26,753,000
Office of Zoning	1,275,000	1,763,000	1,763,000	1,763,000	1,763,000
Department of Housing and Community Development	56,739,000	48,273,000	48,273,000	48,273,000	48,273,000
Department of Employment Services	63,690,000	80,812,000	80,812,000	80,812,000	80,812,000
Board of Appeals and Review	240,000	244,000	244,000	244,000	244,000
Board of Real Property Assessments and Appeals	291,000	300,000	300,000	300,000	300,000
Department of Consumer and Regulatory Affairs	27,125,000	26,513,000	26,513,000	26,513,000	26,513,000
Office of Banking and Financial Institutions	870,000	1,869,000	1,869,000	1,869,000	1,869,000
Public Service Commission	5,327,000	5,678,000	5,678,000	5,678,000	5,678,000
Office of People's Counsel	2,823,000	3,020,000	3,020,000	3,020,000	3,020,000
Department of Insurance and Securities Regulation	6,990,000	7,359,000	7,359,000	7,359,000	7,359,000
Office of Cable Television and Telecommunications	2,450,000	3,054,000	3,054,000	3,054,000	3,054,000
Total, Economic Development and Regulation	190,335,000	205,638,000	205,638,000	205,638,000	205,638,000
Plus Intra-District Funds	3,136,000	2,017,000	2,017,000	2,017,000	2,017,000
Total	193,471,000	207,655,000	207,655,000	207,655,000	207,655,000

PUBLIC SAFETY AND JUSTICE

Agency/Activity	FY 2000 Approved	FY 2001 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Metropolitan Police Department	301,574,000	303,212,000	303,212,000	303,212,000	303,412,000
Fire and Emergency Medical Services Department	111,870,000	116,596,000	116,596,000	116,596,000	116,596,000
Police Officers and Fire Fighters' Retirement System	39,900,000	49,000,000	49,000,000	49,000,000	49,000,000
Office of the Corporation Counsel	46,425,000	45,965,000	45,965,000	45,965,000	45,965,000
Settlements and Judgments Fund	26,900,000	23,450,000	23,450,000	23,450,000	23,450,000
Department of Corrections	245,577,000	212,993,000	212,993,000	212,993,000	212,993,000
District of Columbia National Guard	1,748,000	2,326,000	2,326,000	2,326,000	2,326,000
D.C. Emergency Management Agency	2,641,000	2,978,000	2,978,000	2,978,000	2,978,000
Commission on Judicial Disabilities and Tenure	143,000	169,000	169,000	169,000	169,000
Judicial Nomination Commission	85,000	90,000	90,000	90,000	90,000
Citizen Complaint Review Board	1,200,000	857,000	857,000	857,000	857,000
Advisory Commission on Sentencing	707,000	733,000	733,000	733,000	733,000
Office of the Chief Medical Examiner	0	3,977,000	3,977,000	3,977,000	3,977,000
Total, Public Safety and Justice	778,770,000	762,346,000	762,346,000	762,346,000	762,546,000
Plus Intra-District funds	5,726,000	5,884,000	5,884,000	5,884,000	5,884,000
Total	784,496,000	768,230,000	768,230,000	768,230,000	768,430,000

1/ Includes $100,000 under Sec. 151 for Enforcement of Law Banning Possession of Tobacco Products by Minors.

PUBLIC EDUCATION SYSTEM

Agency/Activity	FY 2000 Approved	FY 2001 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
District of Columbia Public Schools	713,197,000	769,443,000	769,443,000	769,943,000	769,943,000
Teachers' Retirement System	10,700,000	200,000	200,000	200,000	200,000
State Education Office	0	1,679,000	1,679,000	1,679,000	1,679,000
D.C. Resident Tuition Support	17,000,000	17,000,000	14,000,000	17,000,000	17,000,000
Public Charter Schools	27,885,000	105,000,000	105,000,000	105,000,000	105,000,000
University of the District of Columbia	72,347,000	76,433,000	76,433,000	76,433,000	76,433,000
District of Columbia Public Library	24,171,000	26,459,000	26,459,000	26,459,000	26,459,000
Commission on the Arts and Humanities	2,111,000	2,204,000	2,204,000	2,204,000	2,204,000
Total, Public Education System	867,411,000	998,418,000	995,418,000	998,918,000	998,918,000
Plus Intra-District funds	13,768,000	44,820,000	44,820,000	44,820,000	24,623,000
Total	881,179,000	1,043,238,000	1,040,238,000	1,043,738,000	1,023,541,000

HUMAN SUPPORT SERVICES

Agency/Activity	FY 2000 Approved	FY 2001 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Department of Human Services	393,691,000	384,840,000	384,840,000	385,340,000	384,840,000
Department of Health	1,004,113,000	1,014,881,000	1,014,881,000	1,014,881,000	1,014,881,000
Department of Parks and Recreation	26,196,000	28,855,000	28,855,000	28,855,000	28,855,000
D.C. Office on Aging	18,616,000	19,131,000	19,131,000	19,131,000	19,131,000
Public Benefit Corporation Subsidy	44,435,000	45,313,000	45,313,000	45,313,000	45,313,000
Unemployment Compensation Fund	7,200,000	6,199,000	6,199,000	6,199,000	6,199,000
Disability Compensation Fund	25,150,000	25,836,000	25,836,000	25,836,000	25,836,000
Office of Human Rights	1,221,000	1,407,000	1,407,000	1,407,000	1,407,000
Office on Latino Affairs	880,000	882,000	882,000	882,000	882,000
D.C. Energy Office	4,859,000	4,860,000	4,860,000	4,860,000	4,860,000
Brownfield Remediation	0	10,000,000	0	0	3,450,000
Total, Human Support Services	1,526,361,000	1,542,204,000	1,532,204,000	1,532,704,000	1,535,654,000
Plus Intra-District funds	6,568,000	6,586,000	6,586,000	6,586,000	6,586,000
Total	1,532,929,000	1,548,790,000	1,538,790,000	1,539,290,000	1,542,240,000

PUBLIC WORKS

Agency/Activity	FY 2000 Approved	FY 2001 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Department of Public Works	106,209,000	108,589,000	108,589,000	108,589,000	108,589,000
Department of Motor Vehicles	25,393,000	27,825,000	27,825,000	27,825,000	27,825,000
D.C. Taxicab Commission	730,000	673,000	673,000	673,000	673,000
Washington Metropolitan Area Transit Commission	81,000	82,000	82,000	82,000	82,000
Washington Metropolitan Area Transit Authority	135,532,000	138,073,000	138,073,000	138,073,000	138,073,000
School Transit Subsidy	3,450,000	3,000,000	3,000,000	3,000,000	3,000,000
Total, Public Works	271,395,000	278,242,000	278,242,000	278,242,000	278,242,000
Plus Intra-District funds	19,382,000	19,703,000	19,703,000	19,703,000	19,703,000
Total	290,777,000	297,945,000	297,945,000	297,945,000	297,945,000

RECEIVERSHIP PROGRAMS

Agency/Activity	FY 2000 Approved	FY 2001 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Child and Family Services Agency	119,355,000	166,652,000	166,652,000	166,652,000	166,652,000
Incentives for Adoption of Children	5,000,000	5,000,000	0	0	0
Commission on Mental Health Services	204,422,000	210,569,000	210,569,000	210,569,000	210,569,000
Corrections Medical Receiver	13,300,000	12,307,000	12,307,000	12,307,000	12,307,000
Total, Receivership Programs	342,077,000	394,528,000	389,528,000	389,528,000	389,528,000
Plus Intra-District funds	1,200,000	1,800,000	1,800,000	1,800,000	1,800,000
Total	343,277,000	396,328,000	391,328,000	391,328,000	391,328,000

FINANCING AND OTHER

Agency/Activity	FY 2000 Approved	FY 2001 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Workforce Investment	8,500,000	0	0	0	0
Buyouts and Other Management Reforms	18,000,000 1/	0	0	0	0
Reserve	150,000,000	150,000,000	150,000,000	150,000,000	150,000,000
Repayment of Loans and Interest	328,417,000	243,238,000	243,238,000	243,238,000	243,238,000
Repayment of General Fund Recovery Debt	38,286,000	39,300,000	39,300,000	39,300,000	39,300,000
Payment of Interest on Short-Term Borrowing	9,000,000	1,140,000	1,140,000	1,140,000	1,140,000
Presidential Inauguration	0	6,211,000	5,961,000	6,211,000	5,961,000
Certificates of Participation	7,950,000	7,950,000	7,950,000	7,950,000	7,950,000
Wilson Building	0	8,409,000	8,409,000	8,409,000	8,409,000
Optical and Dental Insurance Payments	1,295,000	2,675,000	2,675,000	2,675,000	2,675,000
Management Supervisory Service	0	13,200,000	13,200,000	13,200,000	13,200,000
Tobacco Settlement Trust Fund Transfer Payment	0	61,406,000	61,406,000	61,406,000	61,406,000
Operational Improvement Savings (Including Managed Competition)	0	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)
Management Reform Savings	0	(37,000,000)	(37,000,000)	(37,000,000)	(37,000,000)
Cafeteria Plan Savings	0	(5,000,000)	(5,000,000)	(5,000,000)	(5,000,000)
Productivity Bank	20,000,000	0	0	0	0
Productivity Bank Savings	(20,000,000)	0	0	0	0
Management Reform and Productivity	(7,000,000)	0	0	0	0
General Supply Schedule Savings	(14,457,000)	0	0	0	0
Total, Financing and Other Uses	539,991,000	481,529,000	481,279,000	481,529,000	481,279,000

1/ General Provisions, Sec. 157.

ENTERPRISE AND OTHER FUNDS

Agency/Activity	FY 2000 Approved	FY 2001 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Water and Sewer Authority	236,075,000	230,614,000	230,614,000	230,614,000	230,614,000
Washington Aqueduct	43,533,000	45,091,000	45,091,000	45,091,000	45,091,000
Total, Water and Sewer	279,608,000	275,705,000	275,705,000	275,705,000	275,705,000
D. C. Lottery and Charitable Games Control Board	234,400,000	223,200,000	223,200,000	223,200,000	223,200,000
D.C. Sports and Entertainment Commission	10,846,000	10,968,000	10,968,000	10,968,000	10,968,000
District of Columbia Health and Hospitals Public Benefit Corporation	89,008,000	78,235,000	78,235,000	78,235,000	78,235,000
District of Columbia Retirement Board	9,892,000	11,414,000	11,414,000	11,414,000	11,414,000
Correctional Industries Fund	1,810,000	1,808,000	1,808,000	1,808,000	1,808,000
Washington Convention Center Authority	50,226,000	52,726,000	52,726,000	52,726,000	52,726,000
	675,790,000	654,056,000	654,056,000	654,056,000	654,056,000
Plus Intra-District funds	70,177,000	75,044,000	75,044,000	75,044,000	75,044,000
Total	745,967,000	729,100,000	729,100,000	729,100,000	729,100,000

Agency/Activity	FY 2000 Approved	FY 2001 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Summary for checking:					
Control Board	3,140,000	6,500,000	3,140,000	6,500,000	3,140,000
Gov. Dir	167,356,000	197,771,000	194,521,000	194,271,000	195,771,000
Ec. Dev.	190,335,000	205,638,000	205,638,000	205,638,000	205,638,000
Pub. Safety	778,770,000	762,346,000	762,346,000	762,346,000	762,546,000
Ed.	867,411,000	998,418,000	995,418,000	998,918,000	998,918,000
Hum.Support	1,526,361,000	1,542,204,000	1,532,204,000	1,532,704,000	1,535,654,000
Public Works	271,395,000	278,242,000	278,242,000	278,242,000	278,242,000
Receivership Programs	342,077,000	394,528,000	389,528,000	389,528,000	389,528,000
Workforce Investments	8,500,000	0	0	0	0
Buyouts and Other Management Reforms	18,000,000	0	0	0	0
Reserve	150,000,000	150,000,000	150,000,000	150,000,000	150,000,000
Repayment of Loans and Interest	328,417,000	243,238,000	243,238,000	243,238,000	243,238,000
Repayment of General Fund Deficit	38,286,000	39,300,000	39,300,000	39,300,000	39,300,000
Interest on Short-Term Borrowing	9,000,000	1,140,000	1,140,000	1,140,000	1,140,000
Inaugural Expenses	0	6,211,000	5,961,000	6,211,000	5,961,000
Certificates of Participation	7,950,000	7,950,000	7,950,000	7,950,000	7,950,000
Wilson Building	0	8,409,000	8,409,000	8,409,000	8,409,000
Optical and Dental Benefits	1,295,000	2,675,000	2,675,000	2,675,000	2,675,000
Management Supervisory Service	0	13,200,000	13,200,000	13,200,000	13,200,000
Tobacco Settlement Trust Fund	0	61,406,000	61,406,000	61,406,000	61,406,000
Operational Improvement Savings	0	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)
Management Reform Savings	0	(37,000,000)	(37,000,000)	(37,000,000)	(37,000,000)
Cafeteria Plan Savings	0	(5,000,000)	(5,000,000)	(5,000,000)	(5,000,000)
Productivity Bank	20,000,000	0	0	0	0
Productivity Bank Savings	(20,000,000)		0	0	0
Management Reform and Productivity	(7,000,000)	0	0	0	0
General Supply Schedule Savings	(14,457,000)	0	0	0	0
Enterprise	675,790,000	654,056,000	654,056,000	654,056,000	654,056,000
Total	5,362,626,000	5,521,232,000	5,496,372,000	5,503,732,000	5,504,772,000

GOVERNMENT OF THE DISTRICT OF COLUMBIA
TOTAL RESOURCES AVAILABLE TO THE DISTRICT OF COLUMBIA, FISCAL YEAR 2001
AS APPROVED BY CONFERENCE AGREEMENT, OCTOBER 11, 2000
(Amount in Thousands)

	Code	Local Funds		Federal Grants		Private & Other		Subtotal FY 2001		Intra-District		FY 2001 Total Resources	
		FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
District of Columbia Financial Responsibility and Management Assistance Authority	XB	0	0	0	0	0	3,140	0	3,140	0	0	0	3,140
Governmental Direction and Support:													
Council of the District of Columbia	AB	157	12,118	0	0	0	6	157	12,124	0	0	157	12,124
Office of the D.C. Auditor	AC	14	1,283	0	0	0	0	14	1,283	0	0	14	1,283
Advisory Neighborhood Commissions	DX	1	748	0	0	0	0	1	748	0	0	1	748
Office of the Mayor	AA	71	7,467	0	0	0	0	71	7,467	0	0	71	7,467
Office of the Secretary	BA	25	1,853	0	0	2	93	27	1,946	0	0	27	1,946
CityWide Call Center	CW	0	0	0	0	0	0	0	0	38	1,959	38	1,959
Office of the City Administrator	AE	58	5,000	15	18,386	0	0	73	23,386	4	266	77	23,652
Office of Personnel	BE	126	9,998	0	0	21	1,287	147	11,285	24	1,246	171	12,531
Human Resource Development	HD	1	2,744	0	0	0	0	1	2,744	0	0	1	2,744
Office of Finance and Resource Management	AS	35	2,153	0	0	0	0	35	2,153	0	0	35	2,153
Office of Contracting and Procurement	PO	223	15,337	0	0	0	0	223	15,337	0	0	223	15,337
Office of the Chief Technology Officer	TO	60	11,756	0	0	0	14	60	11,770	35	2,422	95	14,192
Office of Property Management	AM	62	6,620	0	0	1	1,930	63	8,550	219	26,269	282	34,819
Contract Appeals Board	AF	6	734	0	0	0	0	6	734	0	0	6	734
Board of Elections and Ethics	DL	50	3,250	0	0	0	0	50	3,250	0	0	50	3,250
Office of Campaign Finance	CJ	15	1,209	0	0	0	0	15	1,209	0	0	15	1,209
Public Employee Relations Board	CG	4	652	0	0	0	0	4	652	0	0	4	652
Office of Employee Appeals	CH	15	1,434	0	0	0	0	15	1,434	0	0	15	1,434
Metropolitan Washington Council of Governments	EA	0	367	0	0	0	0	0	367	0	0	0	367
Office of the Inspector General	AD	90	11,293	15	1,106	0	0	105	12,399	0	0	105	12,399
Office of the Chief Financial Officer	AT	912	66,156	3	932	41	9,845	956	76,933	70	4,788	1,026	81,721
Total, Governmental Direction and Support		1,925	162,172	33	20,424	65	13,175	2,023	195,771	390	36,950	2,413	232,721
Economic Development and Regulation:													
Business Services and Economic Development	EB	88	10,353	2	304	7	16,096	97	26,753	0	0	97	26,753
Office of Zoning	BJ	16	1,763	0	0	0	0	16	1,763	0	0	16	1,763
Department of Housing & Community Development	DB	7	3,702	137	40,109	0	4,462	144	48,273	0	0	144	48,273
Department of Employment Services	CF	71	11,972	407	51,787	172	17,053	650	80,812	0	0	650	80,812
Board of Appeals and Review	DK	3	244	0	0	0	0	3	244	0	0	3	244
Board of Real Property Assessments and Appeals	DA	3	300	0	0	0	0	3	300	0	0	3	300
Department of Consumer and Regulatory Affairs	CR	397	25,228	0	75	6	1,210	403	26,513	0	1,500	403	28,013
Office of Banking and Financial Institutions	BI	0	0	0	0	20	1,869	20	1,869	0	0	20	1,869
Public Service Commission	DH	0	0	2	103	56	5,575	58	5,678	0	0	58	5,678
Office of People's Counsel	DJ	0	0	0	0	28	3,020	28	3,020	0	0	28	3,020
Department of Insurance and Securities Regulation	SR	0	0	0	0	89	7,359	89	7,359	0	0	89	7,359
Office of Cable Television and Telecommunications	CT	0	0	0	0	14	3,054	14	3,054	12	517	26	3,571
Total, Economic Development and Regulation		585	53,562	548	92,378	392	59,698	1,525	205,638	12	2,017	1,537	207,655

	Code	Local Funds FTE	Local Funds Amount	Federal Grants FTE	Federal Grants Amount	Private & Other FTE	Private & Other Amount	Subtotal FY 2001 FTE	Subtotal FY 2001 Amount	Intra-District FTE	Intra-District Amount	FY 2001 Total Resources FTE	FY 2001 Total Resources Amount
Public Safety and Justice:													
Metropolitan Police Department	FA	4,351	284,704	200	9,721	71	8,987	4,622	303,412	2	3,454	4,624	306,866
Fire and Emergency Medical Services Department	FB	1,948	116,587	0	0	0	9	1,948	116,596	0	0	1,948	116,596
Police Officers and Fire Fighters' Retirement System	FD	0	49,000	0	0	0	0	0	49,000	0	0	0	49,000
Office of the Corporation Counsel	CB	297	28,076	180	13,760	12	4,129	489	45,965	27	2,130	516	48,095
Settlement and Judgments Fund	ZH	0	23,450	0	0	0	0	0	23,450	0	0	0	23,450
Department of Corrections	FL	892	80,193	0	0	923	132,800	1,815	212,993	0	300	1,815	213,293
District of Columbia National Guard	FK	30	1,820	13	506	0	0	43	2,326	0	0	43	2,326
D.C. Emergency Management Agency	BN	26	2,015	13	963	0	0	39	2,978	0	0	39	2,978
Commission on Judicial Disabilities and Tenure	DQ	2	169	0	0	0	0	2	169	0	0	2	169
Judicial Nomination Commission	DV	1	90	0	0	0	0	1	90	0	0	1	90
Citizen Complaint Review Board	FH	21	857	0	0	0	0	21	857	0	0	21	857
Advisory Commission on Sentencing	FZ	6	733	0	0	0	0	6	733	0	0	6	733
Office of the Chief Medical Examiner	FX	49	3,871	0	0	2	106	51	3,977	0	0	51	3,977
Total, Public Safety and Justice		7,623	591,565	406	24,950	1,008	146,031	9,037	762,546	29	5,884	9,066	768,430
Public Education System:													
District of Columbia Public Schools	GA	9,660	629,309	1,097	133,490	93	7,144	10,850	769,943	81	14,909	10,931	784,852
Teachers' Retirement System	GX	0	200	0	0	0	0	0	200	0	0	0	200
State Education Office	GD	9	1,679	0	0	0	0	9	1,679	0	0	9	1,679
D.C. Resident Tuition Support	GT	15	17,000	0	0	0	0	15	17,000	0	0	15	17,000
Public Charter Schools	GC	0	105,000	0	0	0	0	0	105,000	0	0	0	105,000
University of the District of Columbia	GF	505	44,691	200	13,199	111	18,543	816	76,433	115	9,677	931	86,110
District of Columbia Public Library	CE	422	25,208	9	550	1	701	432	26,459	0	0	432	26,459
Commission on the Arts and Humanities	BX	2	1,780	7	404	0	20	9	2,204	0	37	9	2,241
Total, Public Education System		10,613	824,867	1,313	147,643	205	26,408	12,131	998,918	196	24,623	12,327	1,023,541
Human Support Services:													
Department of Human Services	JA	884	198,674	1,136	181,828	10	4,338	2,030	384,840	0	1,730	2,030	386,570
Department of Health	HC	420	314,906	752	690,295	64	9,680	1,236	1,014,881	5	401	1,241	1,015,282
Department of Parks and Recreation	HA	514	26,617	0	34	83	2,204	597	28,855	93	4,059	690	32,914
D.C. Office on Aging	BY	14	14,169	9	4,962	0	0	23	19,131	3	266	26	19,397
Public Benefit Corporation Subsidy	JC	0	45,313	0	0	0	0	0	45,313	0	0	0	45,313
Unemployment Compensation Fund	BH	0	6,199	0	0	0	0	0	6,199	0	0	0	6,199
Disability Compensation Fund	BG	0	25,836	0	0	0	0	0	25,836	0	100	0	25,936
Office of Human Rights	HM	20	1,301	0	106	0	0	20	1,407	0	0	20	1,407
Office on Latino Affairs	BZ	4	882	0	0	0	0	4	882	0	30	4	912
D.C. Energy Office	JF	0	0	13	4,364	6	496	19	4,860	0	0	19	4,860
Brownfield Remediation	BR	0	3,450	0	0	0	0	0	3,450	0	0	0	3,450
Total, Human Support Services		1,856	637,347	1,910	881,589	163	16,718	3,929	1,535,654	101	6,586	4,030	1,542,240

	Code	Local Funds FTE	Local Funds Amount	Federal Grants FTE	Federal Grants Amount	Private & Other FTE	Private & Other Amount	Subtotal FY 2001 FTE	Subtotal FY 2001 Amount	Intra-District FTE	Intra-District Amount	FY 2001 Total Resources FTE	FY 2001 Total Resources Amount
Public Works:													
Department of Public Works	KA	1,460	98,973	8	3,328	47	6,288	1,515	108,589	265	19,703	1,780	128,292
Department of Motor Vehicles	KV	258	24,709	0	0	76	3,116	334	27,825	0	0	334	27,825
D.C. Taxicab Commission	TC	6	241	0	0	3	432	9	673	0	0	9	673
Washington Metropolitan Area Transit Commission	KC	0	82	0	0	0	0	0	82	0	0	0	82
Washington Metropolitan Area Transit Authority	KE	0	138,073	0	0	0	0	0	138,073	0	0	0	138,073
School Transit Subsidy	KD	0	3,000	0	0	0	0	0	3,000	0	0	0	3,000
Total, Public Works		1,724	265,078	8	3,328	126	9,836	1,858	278,242	265	19,703	2,123	297,945
Receivership Programs:													
Child and Family Services Agency	RL	367	97,198	210	68,754	0	700	577	166,652	0	1,800	577	168,452
Commission on Mental Health Services	RM	1,502	125,408	660	66,801	0	18,360	2,162	210,569	0	0	2,162	210,569
Corrections Medical Receiver	RR	0	12,307	0	0	0	0	0	12,307	0	0	0	12,307
Total, Receivership Programs		1,869	234,913	870	135,555	0	19,060	2,739	389,528	0	1,800	2,739	391,328
Financing and Other:													
Reserve	RD	0	150,000	0	0	0	0	0	150,000	0	0	0	150,000
Repayment of Loans and Interest	DS	0	243,238	0	0	0	0	0	243,238	0	0	0	243,238
Repayment of General Fund Recovery Debt	ZD	0	39,300	0	0	0	0	0	39,300	0	0	0	39,300
Payment of Interest on Short-Term Borrowing	ZA	0	1,140	0	0	0	0	0	1,140	0	0	0	1,140
Presidential Inauguration	SB	0	5,961	0	0	0	0	0	5,961	0	0	0	5,961
Certificates of Participation	CP	0	7,950	0	0	0	0	0	7,950	0	0	0	7,950
Wilson Building	ZZ	0	8,409	0	0	0	0	0	8,409	0	0	0	8,409
Optical and Dental Insurance Payments	DI	0	2,675	0	0	0	0	0	2,675	0	0	0	2,675
Management Supervisory Services	MS	0	13,200	0	0	0	0	0	13,200	0	0	0	13,200
Tobacco Settlement Trust Fund Transfer Payment	TT	0	61,406	0	0	0	0	0	61,406	0	0	0	61,406
Operational Improvement Savings (Including Managed Competition	PN	0	(10,000)	0	0	0	0	0	(10,000)	0	0	0	(10,000)
Management Reform Savings	PC	0	(37,000)	0	0	0	0	0	(37,000)	0	0	0	(37,000)
Cafeteria Plan Savings	PG	0	(5,000)	0	0	0	0	0	(5,000)	0	0	0	(5,000)
Total, Financing and Other		0	481,279	0	0	0	0	0	481,279	0	0	0	481,279
Total, General Fund - Operating Expenses		26,195	3,250,783	5,088	1,305,867	1,959	294,066	33,242	4,850,716	993	97,563	34,235	4,948,279

	Code	Local Funds FTE	Local Funds Amount	Federal Grants FTE	Federal Grants Amount	Private & Other FTE	Private & Other Amount	Subtotal FY 2001 FTE	Subtotal FY 2001 Amount	Intra-District FTE	Intra-District Amount	FY 2001 Total Resources FTE	FY 2001 Total Resources Amount
Enterprise Funds:													
Water and Sewer Authority	LA	0	0	0	0	0	230,614	0	230,614	0	0	0	230,614
Washington Aqueduct	LB	0	0	0	0	0	45,091	0	45,091	0	0	0	45,091
Total, Water and Sewer Fund		0	0	0	0	0	275,705	0	275,705	0	0	0	275,705
D.C. Lottery and Charitable Games Control Board	DC	0	0	0	0	100	223,200	100	223,200	0	0	100	223,200
D.C. Sports and Entertainment Commission	SC	0	0	0	0	0	10,968	0	10,968	0	0	0	10,968
District of Columbia Health and Hospitals Public Benefit Corporation	JB	0	0	0	0	0	78,235	0	78,235	0	71,424	0	149,659
District of Columbia Retirement Board	DY	0	0	0	0	14	11,414	14	11,414	0	0	14	11,414
Correctional Industries Fund	FP	0	0	0	0	12	1,808	12	1,808	19	3,620	31	5,428
Washington Convention Center Authority	ES	0	0	0	0	0	52,726	0	52,726	0	0	0	52,726
Total, Enterprise and Other Funds		0	0	0	0	126	654,056	126	654,056	19	75,044	145	729,100
Total, Operating Expenses		26,195	3,250,783	5,088	1,305,867	2,085	948,122	33,368	5,504,772	1,012	172,607	34,380	5,677,379
Capital Outlay													
General Fund		0	818,025	0	204,049	0	0	0	1,022,074	0	0	0	1,022,074
Water and Sewer		0	0	0	0	0	140,725	0	140,725	0	0	0	140,725
Total, Capital Outlay		0	818,025	0	204,049	0	140,725	0	1,162,799	0	0	0	1,162,799
GRAND TOTAL		26,195	4,068,808	5,088	1,509,916	2,085	1,088,847	33,368	6,667,571	1,012	172,607	34,380	6,840,178

Fiscal Year 2001 Financial Plans
(In thousands of dollars)

	Local funds	Grants and other revenue	Gross funds
Revenue:			
Local sources, current authority:			
Property taxes	644,360	0	644,360
Sales taxes	651,230	0	651,230
Income taxes	1,291,179	0	1,291,179
Gross receipts and other taxes	331,659	0	331,659
Licenses, permits	37,095	0	37,095
Fines, forfeitures	67,716	0	67,716
Service charges	61,528	0	61,528
Miscellaneous	71,033	294,066	365,099
Subtotal, local revenues	3,155,800	294,066	3,449,866
Federal sources:			
Federal payment	30,111	0	30,111
Grants	0	1,305,867	1,305,867
Subtotal, Federal sources	30,111	1,305,867	1,335,978
Other financing sources:			
Lottery transfer	69,000	0	69,000
Total, general fund revenues	3,254,911	1,599,933	4,854,844
Expenditures:			
Current operating:			
D.C. Financial Responsibility and Management Assistance Authority	0	3,140	3,140
Governmental Direction and Support	162,172	33,599	195,771
Economic Development and Regulation	53,562	152,076	205,638
Public Safety and Justice	591,565	170,981	762,546
Public Education System	824,867	174,051	998,918
Human Support Services	637,347	898,307	1,535,654
Public Works	265,078	13,164	278,242
Receivership Programs	234,913	154,615	389,528
Reserve	150,000	0	150,000
Repayment of Loans and Interest	243,238	0	243,238
Repayment of General Fund Recovery Debt	39,300	0	39,300
Payment of Interest on Short-Term Borrowing	1,140	0	1,140
Presidential Inauguration	5,961	0	5,961
Certificates of Participation	7,950	0	7,950
Wilson Building	8,409	0	8,409

	Local funds	Grants and other revenue	Gross funds
Optical and Dental Insurance Payments	2,675	0	2,675
Management Supervisory Services	13,200	0	13,200
Tobacco Settlement Trust Fund Transfer Payment	61,406	0	61,406
Operational Improvement Savings (Including Managed Competition)	(10,000)	0	(10,000)
Management Reform Savings	(37,000)	0	(37,000)
Cafeteria Plan Savings	(5,000)	0	(5,000)
Total, general fund expenditures	3,250,783	1,599,933	4,850,716
Surplus/(Deficit)	4,128	0	4,128
Enterprise fund data:			
Enterprise fund revenues:			
Water and Sewer Authority	0	230,614	230,614
Washington Aqueduct	0	45,091	45,091
D.C. Lottery and Charitable Games Control Board	0	223,200	223,200
D.C. Sports and Entertainment Commission	0	10,968	10,968
District of Columbia Health and Hospital Public Benefit Corporation	0	78,235	78,235
District of Columbia Retirement Board	0	11,414	11,414
Correctional Industries Fund	0	1,808	1,808
Washington Convention Center Authority	0	52,726	52,726
Total, enterprise fund revenues	0	654,056	654,056
Enterprise fund expenditures:			
Water and Sewer Authority	0	230,614	230,614
Washington Aqueduct	0	45,091	45,091
D.C. Lottery and Charitable Games Control Board	0	223,200	223,200
D. C. Sports and Entertainment Commission	0	10,968	10,968
District of Columbia Health and Hospital Public Benefit Corporation	0	78,235	78,235
District of Columbia Retirement Board	0	11,414	11,414
Correctional Industries Fund	0	1,808	1,808
Washington Convention Center Authority	0	52,726	52,726
Total, enterprise expenditures	0	654,056	654,056
Surplus/(Deficit)	0	0	0
Total, operating revenues	3,254,911	2,253,989	5,508,900
Total, operating expenditures	3,250,783	2,253,989	5,504,772
Revenues versus expenditures	4,128	0	4,128

GENERAL PROVISIONS

In addition to the explanations that follow, the conference agreement changes several section numbers for sequencing purposes and makes technical revisions in certain citations. Unless noted otherwise, the conference agreement refers to H.R. 4942 as passed by the House.

The conference agreement deletes section 101 of the House bill as proposed by the Senate concerning the availability of consulting service contracts for public inspection.

The conference agreement deletes section 102 of the House bill as proposed by the Senate concerning vouchers covering expenditures of appropriations being audited before payments.

The conference agreement deletes section 104 of the House bill as proposed by the Senate concerning allowances for privately owned automobiles and motorcycles used for the performance of official duties.

The conference agreement retains section 107 of the House bill (new section 104) requiring the Mayor to maintain an index of all employment personal services and consulting contracts with specific information on any severance clause.

The conference agreement retains section 108 of the House bill (new section 105) prohibiting any appropriation from remaining available for obligation beyond the current fiscal year unless expressly so provided.

The conference agreement deletes section 114 of the House bill as proposed by the Senate that would have prohibited the Mayor from borrowing any funds for capital projects unless the Council had approved the borrowing by resolution.

The conference agreement deletes section 115 of the House bill as proposed by the Senate that would have prohibited the Mayor from using moneys borrowed for capital projects for operating expenses.

The conference agreement modifies section 116 of the House bill and section 109 of the Senate bill (new section 111) concerning reprogramming guidelines. The modification allows inter-appropriation transfers of not-to-exceed 2 percent provided the Committees on Appropriations of the Senate and the House are notified in writing 30 days in advance as proposed by the Senate.

The conference agreement deletes section 117 of the House bill as proposed by the Senate that would have prohibited the use of Federal funds to provide a personal cook, chauffeur, or other personal servants to any officer or employee of the District of Columbia government.

The conference agreement retains section 110 of the Senate bill (new section 112) stating that consistent with the provisions of 31 U.S.C. 1301(a), appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

The conference agreement deletes section 118 of the House bill as proposed by the Senate that would have prohibited the use of Federal funds to procure passenger automobiles as defined in the Automobile Fuel Efficiency Act of 1980 with an Environmental Pro-

tection Agency estimated miles per gallon average of less than 22 miles per gallon.

The conference agreement deletes section 119 of the Senate bill concerning the use of previously appropriated funds for accounting and financial management services as determined by the District of Columbia Financial Responsibility and Management Assistance Authority.

The conference agreement amends section 120 of the Senate bill (new section 122) increasing the amount that can be paid to attorneys representing special education students.

The conference agreement amends section 124 of the House bill and section 116 of the Senate bill (new section 118) to allow the District of Columbia Courts to accept gifts to carry out authorized functions or duties without prior approval by the Mayor.

The conference agreement deletes sections 126, 132, 133, and 134 of the House bill and incorporates those four sections into section 118 of the Senate bill (new section 121). These sections relate to reporting requirements for the District of Columbia Public Schools and the University of the District of Columbia.

The conference agreement retains section 127 of the House bill and section 141 of the Senate bill (new section 153) concerning the Federal Grant and Cooperative Agreements Act of 1977 as it relates to the District of Columbia.

The conference agreement retains section 118 of the Senate bill (new section 121) which incorporates sections 126, 132, 133, and 134 of the House bill concerning reporting requirements for the District of Columbia Public Schools and the University of the District of Columbia.

The conference agreement retains section 127(b) of the Senate bill instead of section 140(b) of the House bill (new section 129(b)) concerning the modification of reduction in force procedures. The Senate version makes the modifications permanent law.

The conference agreement deletes section 128 of the House bill as proposed by the Senate that would have established conditions for granting preference to public charter schools in the use of surplus school properties.

The conference agreement retains section 129 of the House bill (new section 120) concerning the modification of contracting requirements for public charter schools in the District.

The conference agreement deletes section 138 of the House bill as proposed by the Senate concerning the classification of employees of the District of Columbia public schools.

The conference agreement replaces section 140(b) of the House bill with section 127(b) of the Senate bill (new section 129(b)) relating to the modification of reduction in force procedures. The Senate version makes the modifications permanent law.

The conference agreement retains section 140(c) of the House bill (new subsection 129(c)) that requires a prior analysis with certain exceptions for the procurement of goods and services in excess of $2,500.

The conference agreement deletes Section 144 of the House bill as proposed by the Senate concerning reorganization plans.

The conference agreement deletes section 145 of the House bill as proposed by the Senate relating to the evaluation process for

District of Columbia Public School employees. This section has been included as a proviso under the Public Education System appropriation heading.

The conference agreement retains section 132 of the Senate bill (new section 136) which requires the Chief Financial Officer to submit a revised appropriated funds operating budget no later than November 1, 2000 or within 30 calendar days after the date of the enactment of this Act.

The conference agreement retains Section 147 of the House bill (new section 134) concerning the transfer or confinement of inmates classified above the medium security level to the Northeast Ohio Correctional Center located in Youngstown, Ohio.

The conference agreement deletes section 148 of the House bill as proposed by the Senate concerning the District's reserve fund.

The conference agreement retains section 149 of the House bill (new section 135) relating to the audit of the District of Columbia Highway Trust Fund by the Inspector General of the District of Columbia.

The conference agreement retains section 133(b) of the Senate bill (new section 137(b)) that requires a separate accounting by individuals or entities who receive any funds in this Act and carry out a needle exchange program for the hypodermic injection of any illegal drug.

The conference agreement amends section 153 of the House bill and section 136 of the Senate bill (new section 140) concerning certifications by chief financial officers that they understand the duties, including reporting requirements, and restrictions applicable to them and their agency as a result of this Act. The language requires the certification within 60 days as proposed by the Senate instead of within 30 days as proposed by the House and deletes the civil money penalty for violations as proposed by the Senate.

The conference agreement replaces section 154 of the House bill with section 144 of the Senate bill (new section 156) relating to overtime compensation for District government employees for time worked in excess of 40 hours per week.

The conference agreement retains section 158 of the House bill (new section 144) which authorizes the Mayor to allocate the District's limitation amount of qualified zone academy bonds among qualified zone academies within the District.

The conference agreement retains section 159 of the House bill (new section 145) which amends Section 11232 of the Balanced Budget Act of 1997 concerning Federal benefits for employees of the Corrections Trustee, Adult Probation, Office of Parole, and Pretrial Services Agency.

The conference agreement deletes section 160 of the House bill as proposed by the Senate that expressed the sense of the Congress that patients of St. Elizabeths Hospital and taxpayers of the District of Columbia are being poorly served by the current facilities and management of the Hospital. Language under Governmental Direction and Support requires the Chief Financial Officer to submit a study to the House and Senate Committees on Appropriations on the merits and potential savings of privatizing the operation and administration of the Hospital.

The conference agreement retains section 161 of the House bill (new section 146) expressing the sense of the Congress that the District of Columbia Financial Responsibility and Management Assistance Authority should quickly complete the sale of the Franklin School property.

The conference agreement deletes section 162 of the House bill as proposed by the Senate that related to the fiduciary duty of District officials. The conferees are concerned that many District officials are treating incidences of mismanagement in their operations and finances as the norm. This attitude is unacceptable. Although the conferees are deleting section 162 from the bill, the conferees continue to be concerned and urge officials of the District of Columbia government (including officials of the District of Columbia Financial Responsibility and Management Assistance Authority, independent agencies, boards, commissions, and corporations of the government) to take all steps necessary to maintain a fiduciary duty to the taxpayers of the District in the administration of funds under their control.

The conference agreement modifies and transfers section 163 of the House bill to the appropriation "District of Columbia Health and Hospitals Public Benefit Corporation" as a proviso that requires a restructuring plan for D.C. General Hospital to be approved by District officials prior to increasing the appropriation through reprogrammings, transfers, loans or other mechanisms.

The conference agreement modifies and transfers the three subsections of section 164 of the House bill to the appropriation "District of Columbia Health and Hospitals Public Benefit Corporation" as provisos that (1) require a certification by the Chief Financial Officer, (2) clarify what may be covered by an affidavit, and (3) make certain actions unlawful regarding the signing of any affidavit.

The conference agreement deletes section 165 of the House bill as proposed by the Senate that would have prohibited the District of Columbia Health and Hospital Public Benefit Corporation from obligating or expending any amounts during fiscal year 2001 unless the Corporation certified that the obligation or expenditure was within the budget authority provided to the Corporation in this Act.

The conference agreement retains section 167 of the House bill (new section 147) that provides that nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of contraceptive coverage by health insurance plans, but expressing the intent of Congress that any legislation enacted should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

The conference agreement retains section 168 of the House bill (new section 148) which repeals chapter 23 of title 11, of the D. C. Code and provides that this section shall take effect on the date on which legislation enacted by the Council of the District of Columbia to establish the Office of the Chief Medical Examiner in the executive branch of the government of the District of Columbia takes effect.

The conference agreement retains section 169 of the House bill (new section 149) concerning the prompt payment of appointed counsel.

The conference agreement revises section 170 of the House bill (new section 150) concerning the distribution of any needle or syringe for the hypodermic injection of any illegal drug in any area of the District of Columbia which is within 1000 feet of a public or private elementary or secondary school (including a public charter school) other than the locations cited in this Act and requires monthly reports on activity involving illegal drugs at or near any public housing site where a needle exchange program is conducted. The language also requires the Public Housing Police to submit monthly reports on illegal drug activity at or near any public housing site where a needle exchange program is conducted to the Executive Director of the D.C. Housing Authority and to the Committees on Appropriations of the House and the Senate. The monthly reports are to be submitted by the 15th calendar day of the following month. The conference agreement requires the Executive Director to ascertain any concerns of the residents of the public housing site about the needle exchange programs on or near their sites and requires the District government to take appropriate action to require relocation of the program if recommended by the housing police or by a significant number of residents of the site.

The conference agreement modifies section 171 of the House bill (new section 151) by appropriating $100,000 to the Metropolitan Police Department on the condition that the District government enacts into law a ban on the possession of tobacco products by minors as specified in this section. The funds are to be used by the Department to enforce the ban.

The conference agreement retains section 166 of the House bill and section 140 of the Senate bill (new section 152) that allows the D.C. Corporation Counsel to review and comment on briefs in private lawsuits and to consult with officials of the District government regarding such lawsuits.

The conference agreement retains section 142 of the Senate bill (new section 154) which amends section 450 of the Home Rule Act concerning a "Comprehensive Financial Management Policy" for the District of Columbia.

The conference agreement retains section 143 of the Senate bill (new section 155) which amends section 424(b) of the Home Rule Act concerning the appointment and duties of the Chief Financial Officer.

The conference agreement retains section 144 of the Senate bill and section 154 of the House bill (new section 156) concerning overtime work for employees of the District of Columbia government.

The conference agreement retains section 145 of the Senate bill (new section 157) which allows the Court Services and Offender Supervision Agency for the District of Columbia to continue to operate its ongoing drug-free workplace testing program during the period that its plan is being reviewed for approval by the Department of Health and Human Services.

The conference agreement retains section 146 of the Senate bill (new section 158) which requires the Mayor to continue to submit quarterly reports on crime; access to drug abuse treatment, man-

agement of parolees and pre-trial violent offenders; education, including access to special education services and student achievement; improvements in basic District services; the application for and management of Federal grants; and indicators of child well-being.

The conference agreement retains section 147 of the Senate bill (new section 159) establishing reserve funds (emergency reserve fund and contingency reserve fund). The conference agreement includes the Senate bill's provision establishing both an emergency and contingency reserve fund in the District's budget. The provision requires the emergency reserve to be established first, through a deposit each year of one percent of the District's local funds for four years. The conferees believe that a four percent emergency reserve fund, that can only be tapped in extraordinary circumstances and that is maintained in a separate account, will increase the fiscal stability of the city and indicate to the financial markets that the District has a healthy financial cushion that is walled off from the rest of the general budget. The conferees believe that holding these reserves can and will eventually reduce the borrowing costs of the District.

The conference agreement inserts a new section 160 that authorizes the District government to delegate its bonding authority to the District of Columbia Tobacco Settlement Financing Corporation. The Corporation will use the proceeds from the bond sale to repay outstanding debt, with expected savings to the District of $61,400,000 in debt service for fiscal year 2001. These savings are included in the District's budget for fiscal year 2001. The conferees believe that the proceeds of the tobacco securitization will be used solely to reduce the District's debt or to fund the emergency reserve fund. The conferees also expect that an amount equal to 50 percent of the interest savings secured by the tobacco securitization proceeds will be transferred to the emergency reserve fund established in this Act.

The conference agreement inserts a new section 161 that revises section 603(e)(2)(B) of the Student Loan Marketing Association Reorganization Act of 1996 to require that half of the public charter school credit enhancement fund created by that legislation be granted expeditiously by the Mayor to one or more qualified non-profit corporations to demonstrate innovative methods of providing credit enhancement assistance to public charter schools. The remaining half of the funds are to be administered by a five-person committee that may either provide those funds directly to charter schools or provide them to non-profit entities to promote innovative credit enhancement initiatives. Activities by recipient entities to enhance the availability of loans to charter schools may include, but are not limited to, guaranteeing, insuring or providing security (including by pledging collateral or taking title to real property) for loans; providing down payment assistance, subsidizing installment payments or otherwise directly facilitating loans; facilitating a secondary market for loans; and helping to identify potential lending sources, encouraging private lending and other similar activities to promote lending to charter schools. Activities by recipient entities to enhance the availability of bond financing for charter schools may include, but are not limited to, providing technical and other

administrative assistance; and providing financial or other assistance necessary to improve the rating or proposed repayment terms of a bond issue, to induce the participation of underwriters, or to otherwise enhance the commercial feasibility of a proposed transaction (including by providing for all or a portion of installment payments on the bond in the event of borrower default or, in the case of a bond issue with a floating rate, a marked increase in the applicable rate, the pledging of reserves or other collateral, or by taking title to property or other interests). The conferees request that quarterly reports be submitted by the 15th calendar day of the month following the end of each quarter to the House and Senate Committees on Appropriations, the House Committee on Government Reform, and the Senate Committee on Governmental Affairs. Each report is to include, but not be limited to, the amount expended by payee for the quarter and cumulative, the services received for those funds, the amount of loans generated (gross and net) showing specific bond counsel and all other fees itemized with the names of those receiving the funds, the names of the lenders, the names of the charter schools receiving the proceeds, a description of the purpose for which each charter school will use the proceeds and a detailed status report with cost information on the progress each charter school is making to accomplish the purpose for which it received the proceeds. These reports are to continue until the purpose for which the proceeds were obtained has been accomplished.

The conference agreement inserts a new section 162 which gives the Mayor the exclusive authority to approve and execute leases of the Washington Marina and the Washington municipal fish wharf with the existing lessees for an initial term of 30 years, together with such other terms and conditions, including renewal options, as the Mayor deems appropriate.

The conference agreement inserts a new section 163 which transfers two sites, designated for educational use, to Fairfax County, Virginia immediately upon completion of the necessary remediation by the General Services Administration.

The conference agreement inserts a new section 164 that waives restrictions and allows the District's Inspector General to enter into a contract for the independent audit of the District's financial statements with an auditor who was a subcontractor to the independent auditor who audited the District's financial statements for the preceding fiscal year.

The conference agreement inserts a new section 165 that provides an alternative mechanism to exchange property as envisioned in the Lorton Technical Corrections Act of 1998. Under the 1998 legislation, the Interior Department was authorized to hold a portion of the 3,000 acre surplus Federal property in Lorton, Virginia and exchange it for Meadowood Farm on Mason Neck, Virginia. The Interior Department, however, encountered difficulties dealing directly with the owners of the Meadowood property. Fairfax County has volunteered to serve as an intermediary acquiring Meadowood in exchange for the Lorton parcel held by the Interior Department. Fairfax County believes it can deal more effectively with the owners of Meadowood. In return, the county believes that if it acquires the Interior Department's holding at Lorton it can

make the necessary site improvements to generate a higher sales price. The language provides assurances that Fairfax County will be reimbursed for all costs involved in the acquisition of both the Meadowood property and the Lorton property. Any excess profits from the sale of the Lorton property would be returned to the General Services Administration. Any losses incurred by Fairfax County would be borne by the county alone.

The conference agreement inserts a new section 166 amending section 158(b) of the District of Columbia Appropriations Act, 2000 (Public Law 106–113, approved November 29, 1999; 113 Stat. 1527) to direct the Federal Highway Administration to conduct and perform the 14th Street bridge work identified in section 158. This work relates to a project to complete design requirements for compliance with the National Environmental Policy Act for the construction of expanded lane capacity for the 14th Street Bridge.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2001 recommended by the Committee of Conference, with comparisons to the fiscal year 2000 amount, the 2001 budget estimates, and the House and Senate bills for 2001 follows:

[In thousands of dollars]

Federal Funds:	
New budget (obligational) authority, fiscal year 2000	$436,800
Budget estimates of new (obligational) authority, fiscal year 2001	445,425
House bill, fiscal year 2001	414,000
Senate bill, fiscal year 2001	448,355
Conference agreement, fiscal year 2001	444,975
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2000	+8,175
Budget estimates of new (obligational) authority, fiscal year 2001	−450
House bill, fiscal year 2001	+30,975
Senate bill, fiscal year 2001	−3,380
District of Columbia Funds:	
New budget (obligational) authority, fiscal year 2000	*6,778,433*
Budget estimates of new (obligational) authority, fiscal year 2001	*6,691,932*
House bill, fiscal year 2001	*6,659,171*
Senate bill, fiscal year 2001	*6,666,531*
Conference agreement, fiscal year 2001	*6,667,571*
Conference agreement, compared with:	
New budget (obligational) authority, fiscal year 2000	*−110,862*
Budget estimates of new (obligational) authority, fiscal year 2001	*−24,361*
House bill, fiscal year 2001	*+8,400*
Senate bill, fiscal year 2001	*+1,040*

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS

The conference agreement would enact the provisions of H.R. 5548 as introduced on October 25, 2000. The text of that bill follows:

A BILL Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $88,713,000, of which not to exceed $3,317,000 is for the Facilities Program 2000, to remain available until expended: Provided, That not to exceed 43 permanent positions and 44 full-time equivalent workyears and $8,136,000 shall be expended for the Department Leadership Program exclusive of augmentation that occurred in these offices in fiscal year 2000: Provided further, That not to exceed 41 permanent positions and 48 full-time equivalent workyears and $4,811,000 shall be expended for the Offices of Legislative Affairs and Public Affairs: Provided further, That the latter two aforementioned offices may utilize non-reimbursable details of career employees within the caps described in the aforementioned proviso: Provided further, That the Attorney General is authorized to transfer, under such terms and conditions as the Attorney General shall specify, forfeited real or personal property of limited or marginal value, as such value is determined by guidelines established by the Attorney General, to a State or local government agency, or its designated contractor or transferee, for use to support drug abuse treatment, drug and crime prevention and education, housing, job skills, and other community-based public health and safety programs: Provided further, That any transfer under the preceding proviso shall not create or confer any private right of action in any person against the United States, and shall be treated as a reprogramming under section 605 of this Act.

JOINT AUTOMATED BOOKING SYSTEM

For expenses necessary for the nationwide deployment of a Joint Automated Booking System including automated capability to transmit fingerprint and image data, $15,915,000, to remain available until expended.

NARROWBAND COMMUNICATIONS

For the costs of conversion to narrowband communications, including the cost for operation and maintenance of Land Mobile Radio legacy systems, $205,000,000, to remain available until expended.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Attorney General, $5,000,000, to remain available until expended, to reimburse any Department of Justice organization for: (1) the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of any domestic or international terrorist incident; and (2) the costs of providing support to counter, investigate or prosecute domestic or international terrorism, including payment of rewards in connection with these activities: Provided, That any Federal agency may be reimbursed for the costs of detaining in foreign countries individuals accused of acts of terrorism that violate the laws of the United States: Provided further, That funds provided under this paragraph shall be available only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

TELECOMMUNICATIONS CARRIER COMPLIANCE FUND

For payments authorized by section 109 of the Communications Assistance for Law Enforcement Act (47 U.S.C. 1008), $201,420,000, to remain available until expended.

ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration related activities, $161,062,000.

DETENTION TRUSTEE

For necessary expenses to establish a Federal Detention Trustee who shall exercise all power and functions authorized by law relating to the detention of Federal prisoners in non-Federal institutions or otherwise in the custody of the United States Marshals Service; and the detention of aliens in the custody of the Immigration and Naturalization Service, $1,000,000: Provided, That the Trustee shall be responsible for construction of detention facilities or for housing related to such detention; the management of funds appropriated to the Department for the exercise of any detention functions; and the direction of the United States Marshals Service and Immigration and Naturalization Service with respect to the exercise of detention policy setting and operations for the Department.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $41,575,000; including not to exceed $10,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and for the acquisition, lease, maintenance, and operation of motor vehicles, without regard to the general purchase price limitation for the current fiscal year.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized by law, $8,855,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $535,771,000; of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended: Provided, That of the funds available in this appropriation, $18,877,000 shall remain available until expended only for office automation systems for the legal divisions covered by this appropriation, and for the United States Attorneys, the Antitrust Division, the United States Trustee Program, the Executive Office for Immigration Review, the Community Relations Service, and offices funded through "Salaries and Expenses", General Administration: Provided further, That of the total amount appropriated, not to exceed $1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, as amended, not to exceed $4,028,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $95,838,000: Provided, That, notwithstanding section 3302(b) of title 31, United States Code, not to exceed $95,838,000 of offsetting collections derived from fees collected in fiscal year 2001 for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such

offsetting collections are received during fiscal year 2001, so as to result in a final fiscal year 2001 appropriation from the general fund estimated at not more than $0.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, $1,250,382,000; of which not to exceed $2,500,000 shall be available until September 30, 2002, for: (1) training personnel in debt collection; (2) locating debtors and their property; (3) paying the net costs of selling property; and (4) tracking debts owed to the United States Government: Provided, That of the total amount appropriated, not to exceed $8,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $10,000,000 of those funds available for automated litigation support contracts shall remain available until expended: Provided further, That not to exceed $2,500,000 for the operation of the National Advocacy Center shall remain available until expended: Provided further, That the fourth proviso under the heading "Salaries and Expenses, United States Attorneys" in title I of H.R. 3421 of the 106th Congress, as enacted by section 1000(a)(1) of Public Law 106–113 shall apply to amounts made available under this heading for fiscal year 2001: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Offices of the United States Attorneys, not to exceed 9,439 positions and 9,557 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Attorneys.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized by 28 U.S.C. 589a(a), $125,997,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, $125,997,000 of offsetting collections pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2001, so as to result in a final fiscal year 2001 appropriation from the Fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, $1,107,000.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For necessary expenses of the United States Marshals Service; including the acquisition, lease, maintenance, and operation of vehicles, and the purchase of passenger motor vehicles for police-type

use, without regard to the general purchase price limitation for the current fiscal year, $572,695,000; of which not to exceed $6,000 shall be available for official reception and representation expenses; and of which not to exceed $4,000,000 for development, implementation, maintenance and support, and training for an automated prisoner information system shall remain available until expended: Provided, That, in addition to reimbursable full-time equivalent workyears available to the United States Marshals Service, not to exceed 3,947 positions and 3,895 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Marshals Service.

CONSTRUCTION

For planning, constructing, renovating, equipping, and maintaining United States Marshals Service prisoner-holding space in United States courthouses and Federal buildings, including the renovation and expansion of prisoner movement areas, elevators, and sallyports, $18,128,000, to remain available until expended.

JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM FUND, UNITED STATES MARSHALS SERVICE

Beginning in fiscal year 2000 and thereafter, payment shall be made from the Justice Prisoner and Alien Transportation System Fund for necessary expenses related to the scheduling and transportation of United States prisoners and illegal and criminal aliens in the custody of the United States Marshals Service, as authorized in 18 U.S.C. 4013, including, without limitation, salaries and expenses, operations, and the acquisition, lease, and maintenance of aircraft and support facilities: Provided, That the Fund shall be reimbursed or credited with advance payments from amounts available to the Department of Justice, other Federal agencies, and other sources at rates that will recover the expenses of Fund operations, including, without limitation, accrual of annual leave and depreciation of plant and equipment of the Fund: Provided further, That proceeds from the disposal of Fund aircraft shall be credited to the Fund: Provided further, That amounts in the Fund shall be available without fiscal year limitation, and may be used for operating equipment lease agreements that do not exceed 10 years.

In addition, $13,500,000, to remain available until expended, shall be available only for the purchase of two Sabreliner-class aircraft.

FEDERAL PRISONER DETENTION

For expenses, related to United States prisoners in the custody of the United States Marshals Service, but not including expenses otherwise provided for in appropriations available to the Attorney General, $597,402,000, to remain available until expended: Provided, That hereafter amounts appropriated for Federal Prisoner Detention shall be available to reimburse the Federal Bureau of Prisons for salaries and expenses of transporting, guarding and providing medical care outside of Federal penal and correctional institutions to prisoners awaiting trial or sentencing.

FEES AND EXPENSES OF WITNESSES

For expenses, mileage, compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, and for per diems in lieu of subsistence, as authorized by law, including advances, $125,573,000, to remain available until expended; of which not to exceed $6,000,000 may be made available for planning, construction, renovations, maintenance, remodeling, and repair of buildings, and the purchase of equipment incident thereto, for protected witness safesites; of which not to exceed $1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; and of which not to exceed $5,000,000 may be made available for the purchase, installation, and maintenance of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, $8,475,000 and, in addition, up to $1,000,000 of funds made available to the Department of Justice in this Act may be transferred by the Attorney General to this account: Provided, That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict prevention and resolution activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(A)(ii), (B), (F), and (G), as amended, $23,000,000, to be derived from the Department of Justice Assets Forfeiture Fund.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses in accordance with the Radiation Exposure Compensation Act, $2,000,000.

PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST FUND

For payments to the Radiation Exposure Compensation Trust Fund of claims covered by the Radiation Exposure Compensation Act as in effect on June 1, 2000, $10,800,000.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $325,898,000, of which $50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: Provided further, That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures described in section 605 of this Act.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 1,236 passenger motor vehicles, of which 1,142 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance, and operation of aircraft; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General, $3,235,600,000; of which not to exceed $50,000,000 for automated data processing and telecommunications and technical investigative equipment and not to exceed $1,000,000 for undercover operations shall remain available until September 30, 2002; of which not less than $437,650,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to our national security; of which not to exceed $10,000,000 is authorized to be made available for making advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations: Provided, That not to exceed $45,000 shall be available for official reception and representation expenses: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Federal Bureau of Investigation, not to exceed 25,569 positions and 25,142 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Federal Bureau of Investigation: Provided further, That no funds in this Act may be used to provide ballistics imaging equipment to any State or local authority which has obtained similar equipment through a Federal grant or subsidy unless the State or local authority agrees to return that equipment or to repay that grant or subsidy to the Federal Government.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; $16,687,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; purchase of not to exceed 1,358 passenger motor vehicles, of which 1,079 will be for replacement only, for police-type use without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft, $1,363,309,000; of which not to exceed $1,800,000 for research shall remain available until expended, and of which not to exceed $4,000,000 for purchase of evidence and payments for information, not to exceed $10,000,000 for contracting for automated data processing and telecommunications equipment, and not to exceed $2,000,000 for laboratory equipment, $4,000,000 for technical equipment, and $2,000,000 for aircraft replacement retrofit and parts, shall remain available until September 30, 2002; of which not to exceed $50,000 shall be available for official reception and representation expenses: Provided, That, in addition to reimbursable full-time equivalent workyears available to the Drug Enforcement Administration, not to exceed 7,520 positions and 7,412 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Drug Enforcement Administration.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, as follows:

ENFORCEMENT AND BORDER AFFAIRS

For salaries and expenses for the Border Patrol program, the detention and deportation program, the intelligence program, the investigations program, and the inspections program, including not to exceed $50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; purchase for police-type use (not to exceed 3,165 passenger motor vehicles, of which 2,211 are for replacement only), without regard to the general purchase price limitation for the current fiscal year, and

hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; research related to immigration enforcement; for protecting and maintaining the integrity of the borders of the United States including, without limitation, equipping, maintaining, and making improvements to the infrastructure; and for the care and housing of Federal detainees held in the joint Immigration and Naturalization Service and United States Marshals Service's Buffalo Detention Facility, $2,547,057,000; of which not to exceed $10,000,000 shall be available for costs associated with the training program for basic officer training, and $5,000,000 is for payments or advances arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to immigration; of which not to exceed $5,000,000 is to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens: Provided That none of the funds available to the Immigration and Naturalization Service shall be available to pay any employee overtime pay in an amount in excess of $30,000 during the calendar year beginning January 1, 2001: Provided further, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Immigration and Naturalization Service, not to exceed 19,783 positions and 19,191 full-time equivalent workyears shall be supported from the funds appropriated under this heading in this Act for the Immigration and Naturalization Service: Provided further, That none of the funds provided in this or any other Act shall 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.

CITIZENSHIP AND BENEFITS, IMMIGRATION SUPPORT AND PROGRAM DIRECTION

For all programs of the Immigration and Naturalization Service not included under the heading "Enforcement and Border Affairs", $578,819,000, of which not to exceed $400,000 for research shall remain available until expended: Provided, That not to exceed $5,000 shall be available for official reception and representation expenses: Provided further, That the Attorney General may transfer any funds appropriated under this heading and the heading "Enforcement and Border Affairs" between said appropriations notwithstanding any percentage transfer limitations imposed under this appropriation Act and may direct such fees as are collected by the Immigration and Naturalization Service to the activities funded under this heading and the heading "Enforcement and Border Affairs" for performance of the functions for which the fees legally may be expended: Provided further, That not to exceed 40 permanent positions and 40 full-time equivalent workyears and $4,300,000 shall be expended for the Offices of Legislative Affairs and Public Affairs: Provided further, That the latter two aforementioned offices shall not be augmented by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis, or any other type of formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis: Provided further,

That the number of positions filled through non-career appointment at the Immigration and Naturalization Service, for which funding is provided in this Act or is otherwise made available to the Immigration and Naturalization Service, shall not exceed four permanent positions and four full-time equivalent workyears: Provided further, That none of the funds available to the Immigration and Naturalization Service shall be used to pay any employee overtime pay in an amount in excess of $30,000 during the calendar year beginning January 1, 2001: Provided further, That funds may be used, without limitation, for equipping, maintaining, and making improvements to the infrastructure and the purchase of vehicles for police-type use within the limits of the Enforcement and Border Affairs appropriation: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Immigration and Naturalization Service, not to exceed 3,100 positions and 3,150 full-time equivalent workyears shall be supported from the funds appropriated under this heading in this Act for the Immigration and Naturalization Service: Provided further, That, notwithstanding any other provision of law, during fiscal year 2001, the Attorney General is authorized and directed to impose disciplinary action, including termination of employment, pursuant to policies and procedures applicable to employees of the Federal Bureau of Investigation, for any employee of the Immigration and Naturalization Service who violates policies and procedures set forth by the Department of Justice relative to the granting of citizenship or who willfully deceives the Congress or department leadership on any matter.

CONSTRUCTION

For planning, construction, renovation, equipping, and maintenance of buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, $133,302,000, to remain available until expended: Provided, That no funds shall be available for the site acquisition, design, or construction of any Border Patrol checkpoint in the Tucson sector.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 707, of which 600 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $3,476,889,000: Provided, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System (FPS), where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of FPS, furnish health services to individuals committed to the custody of FPS: Provided further, That not

to exceed $6,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $90,000,000 shall remain available for necessary operations until September 30, 2002: Provided further, That, of the amounts provided for Contract Confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980, as amended, for the care and security in the United States of Cuban and Haitian entrants: Provided further, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $835,660,000, to remain available until expended, of which not to exceed $14,000,000 shall be available to construct areas for inmate work programs: Provided, That labor of United States prisoners may be used for work performed under this appropriation: Provided further, That not to exceed 10 percent of the funds appropriated to "Buildings and Facilities" in this or any other Act may be transferred to "Salaries and Expenses", Federal Prison System, upon notification by the Attorney General to the Committees on Appropriations of the House of Representatives and the Senate in compliance with provisions set forth in section 605 of this Act.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase of (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $3,429,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to

be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended ("the 1968 Act"), and the Missing Children's Assistance Act, as amended, including salaries and expenses in connection therewith, and with the Victims of Crime Act of 1984, as amended, $197,239,000, to remain available until expended, as authorized by section 1001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by Public Law 102–534 (106 Stat. 3524).

In addition, for grants, cooperative agreements, and other assistance authorized by sections 821 and 822 of the Antiterrorism and Effective Death Penalty Act of 1996 and for other counterterrorism programs, $220,980,000, to remain available until expended.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968, as amended ("the 1968 Act"); and the Victims of Child Abuse Act of 1990, as amended ("the 1990 Act"), $2,848,929,000 (including amounts for administrative costs, which shall be transferred to and merged with the "Justice Assistance" account), to remain available until expended as follows:

(1) $523,000,000 for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives on February 14, 1995, except that for purposes of this Act, Guam shall be considered a "State", the Commonwealth of Puerto Rico shall be considered a "unit of local government" as well as a "State", for the purposes set forth in paragraphs (A), (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728 and for establishing crime prevention programs involving cooperation between community residents and law enforcement personnel in order to control, detect, or investigate crime or the prosecution of criminals: Provided, That no funds provided under this heading may be used as matching funds for any other Federal grant program, of which:

(a) $60,000,000 shall be for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement: Provided, That funds

may also be used to defray the costs of indemnification insurance for law enforcement officers, and

(b) $20,000,000 shall be available to carry out section 102(2) of H.R. 728;

(2) $400,000,000 for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act, as amended;

(3) $686,500,000 for Violent Offender Incarceration and Truth in Sentencing Incentive Grants pursuant to subtitle A of title II of the 1994 Act, of which:

(a) $165,000,000 shall be available for payments to States for incarceration of criminal aliens,

(b) $35,000,000 shall be available for the Cooperative Agreement Program,

(c) $34,000,000 shall be reserved by the Attorney General for fiscal year 2001 under section 20109(a) of subtitle A of title II of the 1994 Act, and

(d) $2,000,000 shall be for the review of State environmental impact statements;

(4) $8,000,000 for the Tribal Courts Initiative;

(5) $569,050,000 for programs authorized by part E of title I of the 1968 Act, notwithstanding the provisions of section 511 of said Act, of which $69,050,000 shall be for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs;

(6) $11,500,000 for the Court Appointed Special Advocate Program, as authorized by section 218 of the 1990 Act;

(7) $2,000,000 for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 224 of the 1990 Act;

(8) $210,179,000 for Grants to Combat Violence Against Women, to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(18) of the 1968 Act, of which:

(a) $31,625,000 shall be used exclusively for the purpose of strengthening civil legal assistance programs for victims of domestic violence,

(b) $5,200,000 shall be for the National Institute of Justice for research and evaluation of violence against women,

(c) $10,000,000 shall be for the Office of Juvenile Justice and Delinquency Prevention for the Safe Start Program, to be administered as authorized by part C of the Juvenile Justice and Delinquency Act of 1974, as amended, and

(d) $11,000,000 shall be used exclusively for violence on college campuses;

(9) $34,000,000 for Grants to Encourage Arrest Policies to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(19) of the 1968 Act;

(10) $25,000,000 for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants, as authorized by section 40295 of the 1994 Act;

(11) $5,000,000 for training programs to assist probation and parole officers who work with released sex offenders, as authorized by section 40152(c) of the 1994 Act, and for local demonstration projects;

(12) $1,000,000 for grants for televised testimony, as authorized by section 1001(a)(7) of the 1968 Act;

(13) $63,000,000 for grants for residential substance abuse treatment for State prisoners, as authorized by section 1001(a)(17) of the 1968 Act;

(14) $5,000,000 for demonstration grants on alcohol and crime in Indian Country;

(15) $900,000 for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(c) of the 1994 Act;

(16) $50,000,000 for Drug Courts, as authorized by title V of the 1994 Act;

(17) $1,500,000 for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act;

(18) $2,000,000 for public awareness programs addressing marketing scams aimed at senior citizens, as authorized by section 250005(3) of the 1994 Act;

(19) $250,000,000 for Juvenile Accountability Incentive Block Grants (of which $500,000 shall be used to construct a treatment and security facility for mid-risk youth in Southwest Colorado) except that such funds shall be subject to the same terms and conditions as set forth in the provisions under this heading for this program in Public Law 105–119, but all references in such provisions to 1998 shall be deemed to refer instead to 2001, and Guam shall be considered a "State" for the purposes of title III of H.R. 3, as passed by the House of Representatives on May 8, 1997; and

(20) $1,300,000 for Motor Vehicle Theft Prevention Programs, as authorized by section 220002(h) of the 1994 Act:

Provided further, That funds made available in fiscal year 2001 under subpart 1 of part E of title I of the 1968 Act may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions and for drug testing initiatives: Provided further, That, if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service: Provided further, That balances for these programs may be transferred from the Violent Crime Reduction Programs, State and Local Law Enforcement Assistance account to this account.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement "Weed and Seed" program activities, $34,000,000, to remain available until expended, for inter-governmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies, non-profit organizations, and agencies of local government, engaged in the investigation and prosecution of violent

crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the "Weed and Seed" program strategy: Provided, That funds designated by Congress through language for other Department of Justice appropriation accounts for "Weed and Seed" program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: Provided further, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of "Weed and Seed" program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

COMMUNITY ORIENTED POLICING SERVICES

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322 ("the 1994 Act") (including administrative costs), $1,032,325,000, to remain available until expended; of which $130,000,000 shall be available to the Office of Justice Programs to carry out section 102 of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601), of which $35,000,000 is for grants to upgrade criminal records, as authorized by section 106(b) of the Brady Handgun Violence Prevention Act of 1993, as amended, and section 4(b) of the National Child Protection Act of 1993, of which $17,500,000 is for the National Institute of Justice to develop school safety technologies, and of which $30,000,000 shall be for State and local DNA laboratories as authorized by section 1001(a)(22) of the 1968 Act, as well as for improvements to the State and local forensic laboratory general forensic science capabilities to reduce States' DNA convicted offender sample backlog and for awards to State, local, and private laboratories; of which $566,825,000 is for Public Safety and Community Policing Grants pursuant to title I of the 1994 Act, of which $180,000,000 shall be available for school resource officers, of which $35,000,000 shall be used to improve tribal law enforcement including equipment and training, of which $25,500,000 shall be used for the Matching Grant Program for Law Enforcement Armor Vests pursuant to section 2501 of part Y of the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"), as amended, of which $29,500,000 shall be used for Police Corps education, training, and service as set forth in sections 200101–200113 of the 1994 Act, and of which $15,000,000 shall be used to combat violence in schools; of which $140,000,000 shall be used for a law enforcement technology program; of which $48,500,000 shall be used for policing initiatives to combat methamphetamine production and trafficking and to enhance policing initiatives in drug "hot spots"; of which $75,000,000 shall be for grants to States and units of local government for a Community Prosecution Program in areas of high gun-related violent crime to address gun-related violence and violations of gun statutes in cases involving drug-trafficking or gang-related crime; of which $25,000,000 shall be used for the Community Prosecutors program; of which $17,000,000 shall be for a police integrity program; and of which $30,000,000 shall be for an offender re-entry

program: Provided, That of the amount provided for Public Safety and Community Policing Grants, not to exceed $31,825,000 shall be expended for program management and administration: Provided further, That of the unobligated balances available in this program, $5,000,000 shall be available to improve tribal law enforcement including equipment and training: Provided further, That no funds that become available as a result of deobligations from prior year balances, excluding those for program management and administration, may be obligated except in accordance with section 605 of this Act.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, ("the Act"), including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, $279,097,000, to remain available until expended, as authorized by section 299 of part I of title II and section 506 of title V of the Act, as amended by Public Law 102–586, of which: (1) notwithstanding any other provision of law, $6,847,000 shall be available for expenses authorized by part A of title II of the Act, $89,000,000 shall be available for expenses authorized by part B of title II of the Act, and $50,250,000 shall be available for expenses authorized by part C of title II of the Act: Provided, That $26,500,000 of the amounts provided for part B of title II of the Act, as amended, is for the purpose of providing additional formula grants under part B to States that provide assurances to the Administrator that the State has in effect (or will have in effect no later than 1 year after date of application) policies and programs, that ensure that juveniles are subject to accountability-based sanctions for every act for which they are adjudicated delinquent; (2) $12,000,000 shall be available for expenses authorized by sections 281 and 282 of part D of title II of the Act for prevention and treatment programs relating to juvenile gangs; (3) $10,000,000 shall be available for expenses authorized by section 285 of part E of title II of the Act; (4) $16,000,000 shall be available for expenses authorized by part G of title II of the Act for juvenile mentoring programs; and (5) $95,000,000 shall be available for expenses authorized by title V of the Act for incentive grants for local delinquency prevention programs; of which $12,500,000 shall be for delinquency prevention, control, and system improvement programs for tribal youth; of which $25,000,000 shall be available for grants of $360,000 to each State and $6,640,000 shall be available for discretionary grants to States, for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training; and of which $15,000,000 shall be available for the Safe Schools Initiative: Provided further, That upon the enactment of reauthorization legislation for Juvenile Justice Programs under the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, funding provisions in this Act shall from that date be subject to the provisions of that legislation and any provisions in this Act that are inconsistent with that legislation

shall no longer have effect: Provided further, That of amounts made available under the Juvenile Justice Programs of the Office of Justice Programs to carry out part B (relating to Federal Assistance for State and Local Programs), subpart II of part C (relating to Special Emphasis Prevention and Treatment Programs), part D (relating to Gang-Free Schools and Communities and Community-Based Gang Intervention), part E (relating to State Challenge Activities), and part G (relating to Mentoring) of title II of the Juvenile Justice and Delinquency Prevention Act of 1974, and to carry out the At-Risk Children's Program under title V of that Act, not more than 10 percent of each such amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized under the appropriate part or title, and not more than 2 percent of each such amount may be used for training and technical assistance activities designed to benefit the programs or activities authorized under that part or title.

In addition, for grants, contracts, cooperative agreements, and other assistance, $11,000,000 to remain available until expended, for developing, testing, and demonstrating programs designed to reduce drug use among juveniles.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of Child Abuse Act of 1990, as amended, $8,500,000, to remain available until expended, as authorized by section 214B of the Act.

PUBLIC SAFETY OFFICERS BENEFITS

To remain available until expended, for payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended, such sums as are necessary, as authorized by section 6093 of Public Law 100–690 (102 Stat. 4339–4340); and $2,400,000, to remain available until expended for payments as authorized by section 1201(b) of said Act.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $45,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses in accordance with distributions, procedures, and regulations established by the Attorney General.

SEC. 102. Hereafter, authorities contained in the Department of Justice Appropriation Authorization Act, Fiscal Year 1980 (Public Law 96–132; 93 Stat. 1040 (1979)), as amended, shall remain in effect until the effective date of a subsequent Department of Justice Appropriation Authorization Act.

SEC. 103. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: Provided, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 104. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 105. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: Provided, That nothing in this section in any way diminishes the effect of section 104 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 106. Notwithstanding any other provision of law, not to exceed $10,000,000 of the funds made available in this Act may be used to establish and publicize a program under which publicly advertised, extraordinary rewards may be paid, which shall not be subject to spending limitations contained in sections 3059 and 3072 of title 18, United States Code: Provided, That any reward of $100,000 or more, up to a maximum of $2,000,000, may not be made without the personal approval of the President or the Attorney General and such approval may not be delegated.

SEC. 107. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act, including those derived from the Violent Crime Reduction Trust Fund, may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 108. Section 108(a) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(1) of Public Law 106–113) shall apply for fiscal year 2001 and thereafter.

SEC. 109. Section 3024 of the Emergency Supplemental Appropriations Act, 1999 (Public Law 106–31) shall apply for fiscal year 2001.

SEC. 110. Section 641(e)(4)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208) is amended by inserting before the period at the end of the second sentence the following: ", except that, in the case of an alien admitted under section 101(a)(15)(J) of the Immigration and Nationality Act as an au pair, camp counselor, or participant in a summer work travel program, the fee shall not exceed $35".

SEC. 111. Section 115 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(1) of Public Law 106–113) shall apply hereafter.

SEC. 112. Section 286 of the Immigration and Nationality Act (8 U.S.C. 1356) is amended by adding at the end the following new subsections:

"(t) GENEALOGY FEE.—(1) There is hereby established the Genealogy Fee for providing genealogy research and information services. This fee shall be deposited as offsetting collections into the Examinations Fee Account. Fees for such research and information serv-

ices may be set at a level that will ensure the recovery of the full costs of providing all such services.

"(2) The Attorney General will prepare and submit annually to Congress statements of the financial condition of the Genealogy Fee.

"(3) Any officer or employee of the Immigration and Naturalization Service shall collect fees prescribed under regulation before disseminating any requested genealogical information.

"(u) PREMIUM FEE FOR EMPLOYMENT-BASED PETITIONS AND APPLICATIONS.—The Attorney General is authorized to establish and collect a premium fee for employment-based petitions and applications. This fee shall be used to provide certain premium-processing services to business customers, and to make infrastructure improvements in the adjudications and customer-service processes. For approval of the benefit applied for, the petitioner/applicant must meet the legal criteria for such benefit. This fee shall be set at $1,000, shall be paid in addition to any normal petition/application fee that may be applicable, and shall be deposited as offsetting collections in the Immigration Examinations Fee Account. The Attorney General may adjust this fee according to the Consumer Price Index.".

SEC. 114. Section 1402(d)(3) of Public Law 98–473 is amended by inserting "and the Federal Bureau of Investigation" after "United States Attorneys Offices".

SEC. 115. Beginning in fiscal year 2001 and thereafter, funds appropriated to the Federal Prison System may be used to place in privately operated prisons only such persons sentenced to incarceration under the District of Columbia Code as the Director, Bureau of Prisons, may determine to be appropriate for such placement consistent with Federal classification standards, after consideration of all relevant factors, including the threat of danger to public safety.

SEC. 116. Notwithstanding any other provision of law, $1,000,000 shall be available for technical assistance from the funds appropriated for part G of title II of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

SEC. 117. Of the discretionary funds appropriated to the Edward Byrne Memorial State and Local Law Enforcement Assistance Program in fiscal year 2000, $2,000,000 shall be transferred to the Violent Offender Incarceration and Truth In Sentencing Incentive Grants Program to be used for the construction costs of the Hoonah Spirit Camp, as authorized under section 20109(a) of subtitle A of title II of the 1994 Act.

SEC. 118. Notwithstanding any other provision of law, for fiscal 2001 and hereafter, with respect to any grant program for which amounts are made available under this title, no grant funds may be made available to any local jail that runs "pay-to-stay programs."

SEC. 119. Notwithstanding any other provision of law, including section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d)), the Attorney General hereafter may enter into contracts and other agreements, of any reasonable duration, for detention or incarceration space or facilities, including related services, on any reasonable basis.

This title may be cited as the "Department of Justice Appropriations Act, 2001".

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, $29,517,000, of which $1,000,000 shall remain available until expended: Provided, That not to exceed $98,000 shall be available for official reception and representation expenses.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $48,100,000, to remain available until expended.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $30,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines and teletype equipment, $337,444,000, to remain available until expended, of which $3,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: Provided, That $64,747,000 shall be for Trade Development, $25,555,000 shall be for Market Access and Compliance,

$40,645,000 shall be for the Import Administration, $194,638,000 shall be for the United States and Foreign Commercial Service, and $11,859,000 shall be for Executive Direction and Administration: Provided further, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $64,854,000, to remain available until expended, of which $7,250,000 shall be for inspections and other activities related to national security: Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, and for trade adjustment assistance, $411,879,000, to remain available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $28,000,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $27,314,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $53,745,000, to remain available until September 30, 2002.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $157,227,000.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses to conduct the decennial census, $130,898,000 to remain available until expended: Provided, That, of the total amount available for the decennial census ($130,898,000 in new appropriations and $260,000,000 in unobligated balances from prior years), $24,055,000 is for Program Development and Management; $55,096,000 is for Data Content and Products; $122,000,000 is for Field Data Collection and Support Systems; $1,500,000 is for Address List Development; $115,038,000 is for Automated Data Processing and Telecommunications Support; $55,000,000 is for Testing and Evaluation; $5,512,000 is for activities related to Puerto Rico, the Virgin Islands and Pacific Areas; $9,197,000 is for Marketing, Communications and Partnership activities; and $3,500,000 is for the Census Monitoring Board, as authorized by section 210 of Public Law 105–119.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, $145,508,000, to remain available until expended: Provided, That regarding engineering and design of a facility at the Suitland Federal Center, quarterly reports regarding the expenditure of funds and project planning, design and cost decisions shall be provided by

the Bureau, in cooperation with the General Services Administration, to the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That none of the funds provided in this Act or any other Act under the heading "Bureau of the Census, Periodic Censuses and Programs" shall be used to fund the construction and tenant build-out costs of a facility at the Suitland Federal Center.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $11,437,000, to remain available until expended: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That hereafter, notwithstanding any other provision of law, NTIA shall not authorize spectrum use or provide any spectrum functions pursuant to the National Telecommunications and Information Administration Organization Act, 47 U.S.C. 902–903, to any Federal entity without reimbursement as required by NTIA for such spectrum management costs, and Federal entities withholding payment of such cost shall not use spectrum: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, $43,500,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed $1,800,000 shall be available for program administration as authorized by section 391 of the Act: Provided further, That notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, $45,500,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed $3,000,000 shall be available for program administration and other support activities as authorized by section 391: Provided further, That, of the funds appropriated herein, not

to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: Provided further, That, notwithstanding the requirements of sections 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety, or other social services: Provided further, That notwithstanding any other provision of law, no entity that receives telecommunications services at preferential rates under section 254(h) of the Act (47 U.S.C. 254(h)) or receives assistance under the regional information sharing systems grant program of the Department of Justice under part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h) may use funds under a grant under this heading to cover any costs of the entity that would otherwise be covered by such preferential rates or such assistance, as the case may be: Provided further, That the Administrator shall, after consultation with other federal departments and agencies responsible for regulating the core operations of entities engaged in the provision of energy, water and railroad services, complete and submit to Congress, not later than twelve months after date of enactment of this subsection, a study of the current and future use of spectrum by these entities to protect and maintain the nation's critical infrastructure: Provided further, That within six months after the release of this study, the Chairman of the Federal Communications Commission shall submit a report to Congress on the actions that could be taken by the Commission to address any needs identified in the Administrator's study.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Patent and Trademark Office provided for by law, including defense of suits instituted against the Commissioner of Patents and Trademarks, $783,843,000, to remain available until expended: Provided, That of this amount, $783,843,000 shall be derived from offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall be retained and used for necessary expenses in this appropriation: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2001, so as to result in a final fiscal year 2001 appropriation from the general fund estimated at $0: Provided further, That during fiscal year 2001, should the total amount of offsetting fee collections be less than $783,843,000, the total amounts available to the Patent and Trademark Office shall be reduced accordingly: Provided further, That any amount received in excess of $783,843,000 in fiscal year 2001 shall not be available for obligation: Provided further, That not to exceed $254,889,000 from fees collected in fiscal years 1999 and 2000 shall be made available for obligation in fiscal year 2001.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology/Office of Technology Policy, $8,080,000.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, $312,617,000, to remain available until expended, of which not to exceed $282,000 may be transferred to the "Working Capital Fund".

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, $105,137,000, to remain available until expended.

In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, $145,700,000, to remain available until expended, of which not to exceed $60,700,000 shall be available for the award of new grants.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c–278e, $34,879,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized by 33 U.S.C. 883i, $1,869,170,000, to remain available until expended: Provided, That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further, That in addition, $68,000,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": Provided further, That grants to States pursuant to sections 306

and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed $2,000,000: Provided further, That not to exceed $31,439,000 shall be expended for Executive Direction and Administration, which consists of the Offices of the Undersecretary, the Executive Secretariat, Policy and Strategic Planning, International Affairs, Legislative Affairs, Public Affairs, Sustainable Development, the Chief Scientist, and the General Counsel: Provided further, That the aforementioned offices, excluding the Office of the General Counsel, shall not be augmented by personnel details, temporary transfers of personnel on either a reimbursable or nonreimbursable basis or any other type of formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis above the level of 42 personnel: Provided further, That no general administrative charge shall be applied against an assigned activity included in this Act and, further, that any direct administrative expenses applied against an assigned activity shall be limited to 5 percent of the funds provided for that assigned activity: Provided further, That any use of deobligated balances of funds provided under this heading in previous years shall be subject to the procedures set forth in section 605 of this Act.

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION (INCLUDING TRANSFERS OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $682,899,000, to remain available until expended: Provided, That unexpended balances of amounts previously made available in the "Operations, Research, and Facilities" account for activities funded under this heading may be transferred to and merged with this account, to remain available until expended for the purposes for which the funds were originally appropriated: Provided further, That none of the funds provided in this Act or any other Act under the heading "National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction" shall be used to fund the construction and tenant buildout costs of a facility at the Suitland Federal Center.

COASTAL AND OCEAN ACTIVITIES

In addition, for coastal and ocean activities, $420,000,000, to remain available until expended, of which $135,000,000 is for ocean, coastal and waterway conservation programs; of which $135,000,000 is for National Oceanic and Atmospheric Administration programs; and of which $150,000,000 is for coastal impact assistance as authorized by section 31 of the Outer Continental Shelf Lands Act as authorized by section 903 of this Act: Provided, That of the funds provided under this heading for ocean and coastal conservation programs, $10,000,000 is available for implementation of State nonpoint pollution control plans established pursuant to sec-

tion 6217 of the Coastal Zone Management Act of 1972 as amended by P.L. 101–508 other than in non-contiguous States except Hawaii; $30,000,000 is for competitive grants for community-based coastal restoration activities in the Great Lakes region; $14,000,000 is for the University of New Hampshire, Building and Pier; $1,000,000 is for the Sea Coast Science Center; $3,000,000 is for the Great Bay Partnership; $1,000,000 is for the New Hampshire Department of Environmental Services Marsh Restoration initiative; $1,000,000 is for the Mississippi Laboratories at Pascagoula; $8,000,000 is for the ACE Basin NERRS Research Center construction; $4,000,000 is for Kachamek Bay NERRS research center construction; $1,000,000 is for the Raritan, New Jersey, NERRS land acquisition; $2,500,000 is for Winyah Bay land acquisition; $2,000,000 is for ACE Basin Land Acquisition; $10,000,000 is for a direct payment to the SeaLife Center; $10,000,000 is for Dupage River restoration; $1,000,000 is for Detroit River restoration; $500,000 is for lower Rouge River restoration; $8,500,000 is for Bronx River restoration and land acquisition; $16,000,000 is for a grant for Eastern Kentucky Pride, Inc, of which $11,000,000 is for design and construction of facilities for water protection and related environmental infrastructure; $3,000,000 is for a grant to the Louisiana Department of Natural Resources for brown marsh research/mitigation and nutria control; $2,000,000 is for land acquisition in southern Orange County, California for conservation of coastal sage scrub; $3,000,000 is for planning, renovation and construction of facilities for a new national estuarine research reserve in San Francisco, California; $2,000,000 is for a grant to the National Fish and Wildlife Foundation for species management and estuarine habitat conservation; and $1,500,000 is for a grant to the Pinellas County Environmental Foundation for the Tampa Bay watershed Provided further, That of the funds provided for the National Oceanic and Atmospheric Administration programs, $5,000,000 is for National Estuarine Research Reserves operations; $12,000,000 is for Marine Sanctuaries operations; $8,500,000 is for Coastal Zone Management Act grants; $1,500,000 is for Program Administration; $4,000,000 is for marine mammal strandings; $25,000,000 is for protection of Coral Reefs; $36,000,000 is for Pacific Coastal Salmon Recovery grants to States and tribes; $6,000,000 is for fisheries habitat restoration; $15,000,000 is for NOAA Cooperative Enforcement initiative; $3,000,000 is for Atlantic Coast observers; $3,000,000 is for Cooperative Research; $3,000,000 is for Red Snapper research; $3,000,000 is for Aquaculture; $5,000,000 is for Harmful algal Blooms research; $2,000,000 is for Ocean exploration initiative; and $3,000,000 is for Marine Sanctuaries construction.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations and the implementation of the 1999 Pacific Salmon Treaty Agreement between the United States and Canada, $54,000,000, subject to express authorization.

In addition, for implementation of the 1999 Pacific Salmon Treaty Agreement, $20,000,000, of which $10,000,000 shall be deposited in the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund and of which $10,000,000 shall be

deposited in the Southern Boundary Restoration and Enhancement Fund.

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed $3,200,000, for purposes set forth in sections 308(b)(2)(A), 308(b)(2)(B)(v), and 315(e) of such Act.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $952,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96–339), the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended (Public Law 100–627), and the American Fisheries Promotion Act (Public Law 96–561), to be derived from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed $191,000, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

For the cost of direct loans, $288,000, as authorized by the Merchant Marine Act of 1936, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed $3,000 for official entertainment, $35,920,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1–11, as amended by Public Law 100–504), $20,000,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be

used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefore, as authorized by law (5 U.S.C. 5901–5902).

SEC. 203. None of the funds made available by this Act may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

SEC. 204. None of the funds provided in this or any previous Act, or hereinafter made available to the Department of Commerce, shall be available to reimburse the Unemployment Trust Fund or any other fund or account of the Treasury to pay for any expenses authorized by section 8501 of title 5, United States Code, for services performed by individuals appointed to temporary positions within the Bureau of the Census for purposes relating to the decennial censuses of population.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 206. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 207. The Secretary of Commerce may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.).

SEC. 208. The Secretary of Commerce may use the Commerce franchise fund for expenses and equipment necessary for the maintenance and operation of such administrative services as the Secretary determines may be performed more advantageously as central services, pursuant to section 403 of Public Law 103–356: Provided, That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations

made for the purpose of providing capital shall be used to capitalize such fund: Provided further, That such fund shall be paid in advance from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of fund plant and equipment, amortization of automated data processing (ADP) software and systems (either acquired or donated), and an amount necessary to maintain a reasonable operating reserve, as determined by the Secretary: Provided further, That such fund shall provide services on a competitive basis: Provided further, That an amount not to exceed 4 percent of the total annual income to such fund may be retained in the fund for fiscal year 2001 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment, and for the improvement and implementation of department financial management, ADP, and other support systems: Provided further, That such amounts retained in the fund for fiscal year 2001 and each fiscal year thereafter shall be available for obligation and expenditure only in accordance with section 605 of this Act: Provided further, That no later than 30 days after the end of each fiscal year, amounts in excess of this reserve limitation shall be deposited as miscellaneous receipts in the Treasury: Provided further, That such franchise fund pilot program shall terminate pursuant to section 403(f) of Public Law 103–356.

SEC. 209. Notwithstanding any other provision of law, of the amounts made available elsewhere in this title to the "National Institute of Standards and Technology, Construction of Research Facilities", $4,000,000 is appropriated to the Institute at Saint Anselm College, $4,000,000 is appropriated to fund a cooperative agreement with the Medical University of South Carolina, $3,000,000 is appropriated to the Thayer School of Engineering for the biocommodity and biomass research initiative, and $3,000,000 is appropriated to establish the Institute for Information Infrastructure Protection at the Institute for Security Technology Studies.

In addition, of the amounts for "National Oceanic and Atmospheric Administration, Procurement, Acquisition, and Construction", $5,000,000 shall be for a grant for Eastern Kentucky Pride, Inc., for design and construction of facilities for water protection and related environmental infrastructure.

SEC. 210. (a) The Secretary of Commerce shall establish and administer through the National Ocean Service the Dr. Nancy Foster Scholarship Program. Under the program, the Secretary shall award graduate education scholarships in marine biology, oceanography, or maritime archaeology, including the curation, preservation, and display of maritime artifacts, to be known as "Dr. Nancy Foster Scholarships".

(b) The purpose of the Dr. Nancy Foster Scholarship Program is to recognize outstanding scholarship in marine biology, oceanography, or maritime archaeology, particularly by women and members of minority groups, and encourage independent graduate level research in such fields of study.

(c) Each Dr. Nancy Foster Scholarship award—

(1) shall be used to support a candidate's graduate studies in marine biology, oceanography, or maritime archaeology at a sponsoring institution; and

(2) shall be made available to individual candidates in accordance with guidelines issued by the Secretary.

(d) The amount of each Dr. Nancy Foster Scholarship shall be provided directly to each recipient selected by the Secretary upon receipt of certification that the recipient will adhere to a specific and detailed plan of study and research approved by the sponsoring institution.

(e) The Secretary shall make 1 percent of the amount appropriated each fiscal year to carry out the National Marine Sanctuaries Act (46 U.S.C. 1431 et seq.) available for Dr. Nancy Foster Scholarships.

(f) Repayment of the award shall be made to the Secretary in the case of fraud or noncompliance.

This title may be cited as the "Department of Commerce and Related Agencies Appropriations Act, 2001".

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed $10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $37,591,000.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by the Act approved May 7, 1934 (40 U.S.C. 13a–13b), $7,530,000, of which $4,460,000 shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $17,930,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services as authorized by 5

U.S.C. 3109, and necessary expenses of the court, as authorized by law, $12,456,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, $3,359,725,000 (including the purchase of firearms and ammunition); of which not to exceed $17,817,000 shall remain available until expended for space alteration projects; and of which not to exceed $10,000,000 shall remain available until expended for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $2,602,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Public Defender and Community Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended; the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act of 1964 (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; and the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d), $435,000,000, to remain available until expended as authorized by 18 U.S.C. 3006A(i).

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)), $59,567,000, to remain available until expended: Provided, That the compensation of land commissioners shall not exceed the daily equivalent of the

highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

For necessary expenses, not otherwise provided for, incident to the procurement, installation, and maintenance of security equipment and protective services for the United States Courts in courtrooms and adjacent areas, including building ingress-egress control, inspection of packages, directed security patrols, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $199,575,000, of which not to exceed $10,000,000 shall remain available until expended for security systems, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering elements of the Judicial Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $58,340,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $18,777,000; of which $1,800,000 shall remain available through September 30, 2002, to provide education and training to Federal court personnel; and of which not to exceed $1,000 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), $25,700,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), $8,100,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), $1,900,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $9,931,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

GENERAL PROVISIONS—THE JUDICIARY

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners", shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts, courts of appeals, and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: Provided, That such available funds shall not exceed $11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. (a) The Director of the Administrative Office of the United States Courts (the Director) may designate in writing officers and employees of the judicial branch of the United States Government, including the courts as defined in section 610 of title 28, United States Code, but excluding the Supreme Court, to be disbursing officers in such numbers and locations as the Director considers necessary. These disbursing officers will: (1) disburse moneys appropriated to the judicial branch and other funds only in strict accordance with payment requests certified by the Director or in accordance with subsection (b) of this section; (2) examine payment requests as necessary to ascertain whether they are in proper form, certified, and approved; and (3) be held accountable as provided by law. However, a disbursing officer will not be held accountable or responsible for any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate for which a certifying officer is responsible under subsection (b) of this section.

(b)(1) The Director may designate in writing officers and employees of the judicial branch of the United States Government, including the courts as defined in section 610 of title 28, United States Code, but excluding the Supreme Court, to certify payment requests payable from appropriations and funds. These certifying officers will be responsible and accountable for: (A) the existence and

correctness of the facts recited in the certificate or other request for payment or its supporting papers; (B) the legality of the proposed payment under the appropriation or fund involved; and (C) the correctness of the computations of certified payment requests.

(2) The liability of a certifying officer will be enforced in the same manner and to the same extent as provided by law with respect to the enforcement of the liability of disbursing and other accountable officers. A certifying officer shall be required to make restitution to the United States for the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificates made by the certifying officer, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved.

(c) A certifying or disbursing officer: (1) has the right to apply for and obtain a decision by the Comptroller General on any question of law involved in a payment request presented for certification; and (2) is entitled to relief from liability arising under this section as provided by law.

(d) The Director shall disburse, directly or through officials designated pursuant to this section, appropriations and other funds for the maintenance and operation of the courts.

(e) Nothing in this section affects the authority of the courts to receive or disburse moneys in accordance with chapter 129 of title 28, United States Code.

(f) This section shall be effective for fiscal year 2001 and hereafter.

SEC. 305. DISTRICT JUDGES FOR THE DISTRICT COURTS. (a) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate—

(1) 1 additional district judge for the district of Arizona;

(2) 1 additional district judge for the southern district of Florida;

(3) 1 additional district judge for the eastern district of Kentucky;

(4) 1 additional district judge for the district of Nevada;

(5) 1 additional district judge for the district of New Mexico;

(6) 1 additional district judge for the district of South Carolina;

(7) 1 additional district judge for the southern district of Texas;

(8) 1 additional district judge for the western district of Texas;

(9) 1 additional district judge for the eastern district of Virginia; and

(10) 1 additional district judge for the eastern district of Wisconsin.

(b) TABLE.—In order that the table contained in section 133 of title 28, United States Code, will, with respect to each judicial district, reflect the changes in the total number of permanent district judges authorized under subsection (a), such table is amended—

(1) in the item relating to the district of Arizona, by striking "11" and inserting "12";

(2) in the item relating to the southern district of Florida, by striking "16" and inserting "17";

(3) in the item relating to the eastern district of Kentucky, by striking "4" and inserting "5";

(4) in the item relating to the district of Nevada, by striking "6" and inserting "7";

(5) in the item relating to the district of New Mexico, by striking "5" and inserting "6";

(6) in the item relating to the district of South Carolina, by striking "9" and inserting "10";

(7) in the item relating to the southern district of Texas, by striking "18" and inserting "19";

(8) in the item relating to the western district of Texas, by striking "10" and inserting "11";

(9) in the item relating to the eastern district of Virginia, by striking "9" and inserting "10"; and

(10) in the item relating to the eastern district of Wisconsin, by striking "4" and inserting "5".

(c) DESIGNATION OF JUDGE TO HOLD COURT.—The chief judge of the eastern district of Wisconsin shall designate 1 judge who shall hold court for such district in Green Bay, Wisconsin.

SEC. 306. Section 332 of title 28, United States Code, is amended by adding at the end the following new subsection:

"(h)(1) The United States Court of Appeals for the Federal Circuit may appoint a circuit executive, who shall serve at the pleasure of the court. In appointing a circuit executive, the court shall take into account experience in administrative and executive positions, familiarity with court procedures, and special training. The circuit executive shall exercise such administrative powers and perform such duties as may be delegated by the court. The duties delegated to the circuit executive may include but need not be limited to the duties specified in subsection (e) of this section, insofar as they are applicable to the Court of Appeals for the Federal Circuit.

"(2) The circuit executive shall be paid the salary for circuit executives established under subsection (f) of this section.

"(3) The circuit executive may appoint, with the approval of the court, necessary employees in such number as may be approved by the Director of the Administrative Office of the United States Courts.

"(4) The circuit executive and staff shall be deemed to be officers and employees of the United States within the meaning of the statutes specified in subsection (f)(4).

"(5) The court may appoint either a circuit executive under this subsection or a clerk under section 711 of this title, but not both, or may appoint a combined circuit executive/clerk who shall be paid the salary of a circuit executive.".

SEC. 307. Section 3102(a)(1) of title 5, United States Code, is amended—

(1) in subparagraph (A) by striking "and";

(2) in subparagraph (B) by adding "and" after the semicolon; and

(3) by adding at the end the following:

"(C) an office, agency, or other establishment in the judicial branch;".

SEC. 308. (a) SUPREME COURT POLICE RETIREMENT.—

(1) SERVICE DEEMED TO BE SERVICE AS LAW ENFORCEMENT OFFICER.—Any period of service performed before the effective date of this section by an individual as a member of the Supreme Court Police, who is such a member on such date, shall be deemed to be service performed as a law enforcement officer for purposes of chapters 83 and 84 of title 5, United States Code. Notwithstanding any amendment made by this section, any period of service performed before the effective date of this section by an individual as a member of the Supreme Court Police, who is not such a member on such date, shall be employee service for purposes of chapters 83 and 84 of title 5, United States Code.

(2) CONTRIBUTIONS.—The Marshal of the Supreme Court of the United States shall pay an amount determined by the Office of Personnel Management equal to—

(A)(i) the difference between—

(I) the amount that was deducted and withheld from basic pay under chapters 83 and 84 of title 5, United States Code, for the period of service described in the first sentence of paragraph (1); and

(II) the amount that should have been deducted and withheld for such period of service, if it had instead been performed as a law enforcement officer; and

(ii) interest as prescribed under section 8334(e) of title 5, United States Code, based on the amount determined under clause (i); and

(B) with respect to the period of service described in subparagraph (A), the difference between the Government contributions that were in fact made to the Civil Service Retirement and Disability Fund for such service, and the amount that would have been required if such service had instead been performed as a law enforcement officer, subject to subsection (f).

(3) DEPOSIT OF PAYMENTS.—Payments under paragraph (2) shall be paid from the salaries and expenses account from appropriations to the Supreme Court of the United States, including any prior year unobligated balances, and deposited in the Civil Service Retirement and Disability Fund.

(b) AMENDMENTS TO CHAPTER 83.—

(1) DEDUCTIONS, CONTRIBUTIONS, AND DEPOSITS.—Section 8334 of title 5, United States Code, is amended—

(A) in subsection (a)(1) by inserting "member of the Supreme Court Police," after "member of the Capitol Police,"; and

(B) in subsection (c) in the item relating to law enforcement officers by inserting ", member of the Supreme Court Police for Supreme Court Police service," after "law enforcement service".

(2) MANDATORY SEPARATION.—(A) Section 8335 of title 5, United States Code, is amended by redesignating subsection (e) as subsection (f) and inserting after subsection (d) the following:

"(e) A member of the Supreme Court Police who is otherwise eligible for immediate retirement under section 8336(n) shall be sepa-

rated from the service on the last day of the month in which such member becomes 57 years of age or completes 20 years of service if then over that age. The Marshal of the Supreme Court of the United States, when in his judgment the public interest so requires, may exempt such a member from automatic separation under this subsection until that member becomes 60 years of age. The Marshal shall notify the member in writing of the date of separation at least 60 days in advance thereof. Action to separate the member is not effective, without the consent of the member, until the last day of the month in which the 60-day notice expires.".

(B) Section 8335(f) of title 5, United States Code, as redesignated by subparagraph (A), is amended by striking "Police)" and inserting "Police or the Supreme Court Police)".

(3) IMMEDIATE RETIREMENT.—Section 8336 of title 5, United States Code, is amended by redesignating subsection (n) as subsection (o) and inserting after subsection (m) the following:

"(n) A member of the Supreme Court Police who is separated from the service after becoming 50 years of age and completing 20 years of service as a member of the Supreme Court Police or as a law enforcement officer, or any combination of such service totaling at least 20 years, is entitled to an annuity.".

(4) COMPUTATION.—Section 8339 of title 5, United States Code, is amended by redesignating subsection (r) as subsection (s) and inserting after subsection (q) the following:

"(r) The annuity of a member of the Supreme Court Police, or former member of the Supreme Court Police, retiring under this subchapter is computed in accordance with subsection (d).".

(c) AMENDMENTS TO CHAPTER 84.—

(1) IMMEDIATE RETIREMENT.—Section 8412(d) of title 5, United States Code, is amended by inserting "or Supreme Court Police" after "Capitol Police" each place it appears.

(2) COMPUTATION OF BASIC ANNUITY.—Section 8415(g) of title 5, United States Code, is amended by inserting "member of the Supreme Court Police," after "law enforcement officer,".

(3) DEDUCTIONS FROM PAY.—Section 8422(a)(3) of title 5, United States Code, is amended in the item relating to law enforcement officers by inserting "member of the Supreme Court Police," after "member of the Capitol Police,".

(4) GOVERNMENT CONTRIBUTIONS.—Section 8423(a) of title 5, United States Code, is amended by inserting "members of the Supreme Court Police," after "law enforcement officers," each place it appears.

(5) MANDATORY SEPARATION.—(A) Section 8425 of title 5, United States Code, is amended by redesignating subsection (d) as subsection (e) and inserting after subsection (c) the following:

"(d) A member of the Supreme Court Police who is otherwise eligible for immediate retirement under section 8412(d) shall be separated from the service on the last day of the month in which such member becomes 57 years of age or completes 20 years of service if then over that age. The Marshal of the Supreme Court of the United States, when in his judgment the public interest so requires, may exempt such a member from automatic separation under this subsection until that member becomes 60 years of age. The Marshal

shall notify the member in writing of the date of separation at least 60 days before the date. Action to separate the member is not effective, without the consent of the member, until the last day of the month in which the 60-day notice expires.".

(B) Section 8425(e) of title 5, United States Code, as so redesignated, is amended by striking "Police)" and inserting "Police or Supreme Court Police)".

(d) PAYMENTS FOR OTHER LIABILITY.—

(1) IN GENERAL.—The Marshal of the Supreme Court of the United States shall pay into the Civil Service Retirement and Disability Fund an amount determined by the Director of the Office of Personnel Management to be necessary to reimburse the Fund for any estimated increase in the unfunded liability of the Fund resulting from the amendments related to the Civil Service Retirement System under this section, and for any estimated increase in the supplemental liability of the Fund resulting from the amendments related to the Federal Employees' Retirement System under this section.

(2) INSTALLMENTS.—The amount determined under paragraph (1) shall be paid in 5 equal annual installments with interest computed at the rates used in the most recent valuation of the Federal Employees' Retirement System.

(3) SOURCE OF FUNDS.—Payments under this subsection shall be made from amounts available from the salaries and expenses account from appropriations to the Supreme Court of the United States, including any prior year unobligated balances.

(e) NO MANDATORY SEPARATION FOR A 2-YEAR PERIOD.—Nothing in section 8335(e) or 8425(d) of title 5, United States Code, as added by this section, shall require the automatic separation of any member of the Supreme Court Police before the end of the 2-year period beginning on the effective date of this section.

(f) NONREDUCTION IN GOVERNMENT CONTRIBUTIONS.—Notwithstanding any other provision of this section, Government contributions to the Civil Service Retirement and Disability Fund on behalf of a member of the Supreme Court Police shall, with respect to any service performed during the period beginning on January 1, 1999, and ending on December 31, 2002, while subject to the Federal Employees' Retirement System, be determined in the same way as if this section had never been enacted.

(g) SAVINGS PROVISION.—Nothing in this section or in any amendment made by this section shall, with respect to any service performed before the effective date of such amendment, have the effect of reducing the percentage applicable in computing any portion of an annuity based on service as a member of the Supreme Court Police below the percentage which would otherwise apply if this section had not been enacted.

(h) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 8337(a) of title 5, United States Code, is amended in the last sentence by striking "8339(a)–(e), (n), (q), or (r)" and inserting "8339(a) through (e), (n), (q), (r), or (s)".

(2) Subsections (f) and (m) of section 8339 of title 5, United States Code, are each amended by striking "subsections (a)–(e), (n), (q), and (r)" and inserting "subsections (a) through (e), (n), (q), (r), and (s)".

(3) Section 8339(g) of title 5, United States Code, is amended—

(A) in paragraph (2), by striking "subsections (a)–(c), (n), (q), or (r)" and inserting "subsections (a) through (c), (n), (q), (r), or (s)"; and

(B) in the matter following paragraph (2), by striking "(q), or (r)" each place it appears and inserting "(q), (r), or (s)".

(4) Section 8339(i) of title 5, United States Code, is amended by striking "(a)–(h), (n), (q), and (r)" and inserting "(a)–(h), (n), (q), (r), or (s)".

(5) Sections 8339(j), 8339(k)(1), and 8343a of title 5, United States Code, are each amended by striking "(a)–(i), (n), (q), and (r)" each place it appears and inserting "(a)–(i), (n), (q), (r), and (s)".

(6) Section 8339(l) of title 5, United States Code, is amended by striking "(a)–(k), (n), (q), and (r)" and inserting "(a)–(k), (n), (q), (r), and (s)".

(7) Subsections (b)(1) and (d) of section 8341 of title 5, United States Code, are each amended by striking "(q), and (r)" and inserting "(q), (r), and (s)".

(8) Section 8344(a)(A) of title 5, United States Code, is amended by striking "(q), and (r)" and inserting "(q), (r), and (s)".

(i) APPLICABILITY.—This section and the amendments made by this section shall apply only to an individual who is employed as a member of the Supreme Court Police after the later of October 1, 2000, or the date of enactment of this Act.

(j) EFFECTIVE DATE.—Except as otherwise provided in this section, this section and the amendments made by this section shall take effect on the first day of the first applicable pay period that begins on the later of October 1, 2000, or the date of enactment of this Act.

SEC. 309. Pursuant to section 140 of Public Law 97–92, Justices and judges of the United States are authorized during fiscal year 2001, to receive a salary adjustment in accordance with 28 U.S.C. 461, only if for the purposes of each provision of law amended by section 704(a)(2) of the Ethics Reform Act of 1989 (5 U.S.C. 5318 note), adjustments under section 5303 of title 5, United States Code, shall take effect in fiscal year 2001: Provided, That, if such adjustments take effect pursuant to this section, $8,801,000 is appropriated for such adjustments pursuant to this section and such funds shall be transferred to and merged with appropriations in title III of this Act.

This title may be cited as the "Judiciary Appropriations Act, 2001".

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed $700,000 of this appropriation), as authorized; representation to certain international organizations in which the United States participates pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress; arms control, nonproliferation and disarmament activities as authorized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, $2,758,725,000: Provided, That, of the amount made available under this heading, not to exceed $4,000,000 may be transferred to, and merged with, funds in the "Emergencies in the Diplomatic and Consular Service" appropriations account, to be available only for emergency evacuations and terrorism rewards: Provided further, That, in fiscal year 2001, all receipts collected from individuals for assistance in the preparation and filing of an affidavit of support pursuant to section 213A of the Immigration and Nationality Act shall be deposited into this account as an offsetting collection and shall remain available until expended: Provided further, That, of the amount made available under this heading, $246,644,000 shall be available only for public diplomacy international information programs: Provided further, That of the amount made available under this heading, $5,000,000 shall be available only for overseas continuing language education: Provided further, That of the amount made available under this heading, not to exceed $1,400,000 shall be available for transfer to the Presidential Advisory Commission on Holocaust Assets in the United States: Provided further, That notwithstanding section 140(a)(5), and the second sentence of section 140(a)(3), of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, fees may be collected during fiscal years 2001 and 2002, under the authority of section 140(a)(1) of that Act: Provided further, That all fees collected under the preceding proviso shall be deposited in fiscal years 2001 and 2002 as an offsetting collection to appropriations made under this heading to recover costs as set forth under section 140(a)(2) of that Act and shall remain available until expended: Provided further, That advances for services authorized by 22 U.S.C. 3620(c) may be credited to this account, to remain available until expended for such services: Provided further, That in fiscal year 2001 and thereafter reimbursements for services provided to the press in connection with the travel of senior-level officials may be collected and credited to this appropriation and shall remain available until expended: Provided further, That no funds may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China, unless, at least 15 days in

advance, the Committees on Appropriations of the House of Representatives and the Senate are notified of such proposed action: Provided further, That of the amount made available under this heading, $40,000,000 shall only be available to implement the 1999 Pacific Salmon Treaty Agreement, of which $10,000,000 shall be deposited in the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund, of which $10,000,000 shall be deposited in the Southern Boundary Restoration and Enhancement Fund, and of which $20,000,000 shall be for a direct payment to the State of Washington for obligations under the 1999 Pacific Salmon Treaty Agreement.

In addition, not to exceed $1,252,000 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act, as amended; in addition, as authorized by section 5 of such Act, $490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; in addition, as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs, and from fees from educational advising and counseling, and exchange visitor programs; and, in addition, not to exceed $15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

In addition, for the costs of worldwide security upgrades, $410,000,000, to remain available until expended.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $97,000,000, to remain available until expended, as authorized: Provided, That section 135(e) of Public Law 103–236 shall not apply to funds available under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $28,490,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980, as amended (Public Law 96–465), as it relates to post inspections.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $231,587,000, to remain available until expended: Provided, That not to exceed $800,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching and educational advising and counseling programs as authorized.

REPRESENTATION ALLOWANCES

For representation allowances as authorized, $6,499,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $15,467,000, to remain available until September 30, 2002: Provided, That, notwithstanding the limitations of 3 U.S.C. 202(10) concerning 20 or more consulates, of the amount made available under this heading, $5,000,000 shall be available only for the reimbursement of costs incurred by the City of Seattle, Washington.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292–300), preserving, maintaining, repairing, and planning for, buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Main State Building, and carrying out the Diplomatic Security Construction Program as authorized, $416,976,000, to remain available until expended as authorized, of which not to exceed $25,000 may be used for domestic and overseas representation as authorized: Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture and furnishings and generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $663,000,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, $5,477,000, to remain available until expended as authorized, of which not to exceed $1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $591,000, as authorized: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, $604,000, which may be transferred to and merged with the Diplomatic and Consular Programs account under Administration of Foreign Affairs.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96–8, $16,345,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, $131,224,000.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $870,833,000: Provided, That any payment of arrearages under this title shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: Provided further, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings: Provided further, That of the funds appropriated in this paragraph, $100,000,000 may be made available only pursuant to a certification by the Secretary of State that the United Nations has taken no action in calendar year 2000 prior to the date of enactment of this Act 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 the budget for the biennium 2000–2001 of $2,535,700,000: Provided further, That if the Secretary of State is unable to make the aforementioned certification, the $100,000,000 is to be applied to paying the current year assessment for other international organizations for which the assessment has not been paid in full or to paying the assessment due in the next fiscal year for such organizations, subject to the reprogramming procedures contained in Section 605 of this Act: Provided further, That funds appropriated under this paragraph may be obligated and expended to pay the full United States assessment to the civil budget of the North Atlantic Treaty Organization.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $846,000,000, of which 15 percent shall remain available until September 30, 2002: Provided, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency, as far in advance as is practicable): (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: Provided further, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress

that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: Provided further, That none of the funds made available under this heading are available to pay the United States share of the cost of court monitoring that is part of any United Nations peacekeeping mission.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $7,142,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $22,950,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103–182, $6,741,000, of which not to exceed $9,000 shall be available for representation expenses incurred by the International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $19,392,000: Provided, That the United States' share of such expenses may be advanced to the respective commissions, pursuant to 31 U.S.C. 3324.

OTHER

PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by section 501 of Public Law 101–246, $9,250,000, to remain available until expended, as authorized.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2001, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2001, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $13,500,000: Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, $30,999,000, to remain available until expended.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the Broadcasting Board of Governors, as authorized, to carry out international communication activities, $398,971,000, of which not to exceed $16,000 may be used for official receptions within the United States as authorized, not to exceed $35,000 may be used for representation abroad as authorized, and not to exceed $39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed $2,000,000 in receipts from advertising and revenue from business ventures, not to exceed $500,000 in receipts from cooper-

ating international organizations, and not to exceed $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

BROADCASTING TO CUBA

For necessary expenses to enable the Broadcasting Board of Governors to carry out broadcasting to Cuba, including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception, $22,095,000, to remain available until expended.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement of facilities for radio transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized, $20,358,000, to remain available until expended, as authorized.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided further, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. None of the funds made available in this Act may be used by the Department of State or the Broadcasting Board of Governors to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

SEC. 404. (a) Section 1(a)(2) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(a)(2)) is amended by striking "and the Deputy Secretary of State" and inserting ", the Deputy Secretary of State, and the Deputy Secretary of State for Management and Resources".

(b) Section 5313 of title 5, United States Code, is amended by inserting "Deputy Secretary of State for Management and Resources." after the item relating to the "Deputy Secretary of State".

SEC. 405. None of the funds appropriated or otherwise made available in this Act for the United Nations may be used by the United Nations for the promulgation or enforcement of any treaty, resolution, or regulation authorizing the United Nations, or any of its specialized agencies or affiliated organizations, to tax any aspect of the Internet.

SEC. 406. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to allow for the entry into, or withdrawal from warehouse for consumption in the United States of diamonds if the country of origin in which such diamonds were mined (as evidenced by a legible certificate of origin) is the Republic of Sierra Leone, the Republic of Liberia, the Republic of Cote d'Ivoire, Burkina Faso, the Democratic Republic of the Congo, or the Republic of Angola with the exception of diamonds certified by the lawful governments of the Republic of Sierra Leone, the Democratic Republic of the Congo, or the Republic of Angola.

SEC. 407. Section 37(a)(3) of the State Department Basic Authorities Act, as amended, (22 U.S.C. 2709) is amended by—

(1) striking "and" at the end of subsection (a)(3)(C); and

(2) by inserting at the end the following new subsections:

"(E) a departing Secretary of State for a period of up to 180 days after the date of termination of that individual's incumbency as Secretary of State, on the basis of a threat assessment; and

"(F) an individual who has been designated by the President to serve as Secretary of State, prior to that individual's appointment.".

SEC. 408. Funds appropriated by this Act for the Broadcasting Board of Governors and the Department of State, and for the American Section of the International Joint Commission in Public Law 106–246, may be obligated and expended notwithstanding section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, and section 15 of the State Department Basic Authorities Act of 1956, as amended.

This title may be cited as the "Department of State and Related Agency Appropriations Act, 2001".

TITLE V—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $98,700,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $86,910,000.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by the Merchant Marine Act, 1936, $30,000,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for administrative expenses to carry out the guaranteed loan program, not to exceed $3,987,000, which shall be transferred to and merged with the appropriation for Operations and Training.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefore shall be credited to the appropriation charged with the cost thereof: Provided, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriation Act.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, $490,000, as authorized by section 1303 of Public Law 99–83.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $8,900,000: Provided, That not to exceed $50,000 may be used to employ consultants: Provided further, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

COMMISSION ON OCEAN POLICY

SALARIES AND EXPENSES

For the necessary expenses of the Commission on Ocean Policy, pursuant to S. 2327 as passed the Senate, $1,000,000, to remain available until expended: Provided, That the Commission shall present to the Congress within 18 months of appointment its recommendations for a national ocean policy.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $1,370,000, to remain available until expended as authorized by section 3 of Public Law 99–7.

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

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized, $500,000, to remain available until expended.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621–634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed $30,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, $303,864,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $600,000 for land and structure; not to exceed $500,000 for improvement and care of grounds and repair to buildings; not to exceed $4,000 for official reception and representation expenses; purchase (not to exceed 16) and hire of motor vehicles; special counsel fees;

and services as authorized by 5 U.S.C. 3109, $230,000,000, of which not to exceed $300,000 shall remain available until September 30, 2002, for research and policy studies: Provided, That $200,146,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation estimated at $29,854,000: Provided further, That any offsetting collections received in excess of $200,146,000 in fiscal year 2001 shall remain available until expended, but shall not be available for obligation until October 1, 2001.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, $15,500,000: Provided, That not to exceed $2,000 shall be available for official reception and representation expenses.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $2,000 for official reception and representation expenses, $145,254,000: Provided, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718, as amended: Provided further, That, notwithstanding section 3302(b) of title 31, United States Code, not to exceed $145,254,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2001, so as to result in a final fiscal year 2001 appropriation from the general fund estimated at not more than $0, to remain available until expended: Provided further, That none of the funds made available to the Federal Trade Commission shall be available for obligation for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102–242; 105 Stat. 2282–2285).

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, $330,000,000, of which $310,000,000 is for basic field programs and required independent audits; $2,200,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $10,800,000 is for management and administration; and $7,000,000 is for client self-help and information technology.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2000 and 2001, respectively.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, as amended, $1,700,000.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,000 for official reception and representation expenses, $127,800,000 from fees collected in fiscal year 2001 to remain available until expended, and from fees collected in fiscal year 1999, $295,000,000, to remain available until expended; of which not to exceed $10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken in the course of such attendance; (2) any travel and transportation to or from such meetings; and (3) any

other related lodging or subsistence: Provided, That fees and charges authorized by sections 6(b)(4) of the Securities Act of 1933 (15 U.S.C. 77f(b)(4)) and 31(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(d)) shall be credited to this account as offsetting collections.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 105–135, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $331,635,000: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: Provided further, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations: Provided further, That $88,000,000 shall be available to fund grants for performance in fiscal year 2001 or fiscal year 2002 as authorized by section 21 of the Small Business Act, as amended: Provided further, That, of the funds made available under this heading, $4,000,000 shall be for the National Veterans Business Development Corporation established under section 33(a) of the Small Business Act (15 U.S.C. 657c).

In addition, for the costs of programs related to the New Markets Venture Capital Program, $37,000,000, of which $7,000,000 shall be for BusinessLINC, and of which $30,000,000 shall be for technical assistance: Provided, That the funds appropriated under this paragraph shall not be available for obligation until the New Markets Venture Capital Program is authorized by subsequent legislation.

In addition, to reimburse the Small Business Administration for qualified expenses of delinquent non-tax debt collection, to be derived from increased agency collections of delinquent debt, 5 percent of such collections but not to exceed $3,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App.), $11,953,000.

BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, $2,250,000, to be available until expended; and for the cost of guaranteed loans, $163,160,000, as authorized by 15 U.S.C. 631 note, of which $45,000,000 shall remain available until September 30, 2002: Provided, That of the total provided, $22,000,000 shall be available only for the costs of guaranteed loans under the New Markets Venture Capital program and shall become available for obligation only upon authorization of such program by the enactment of subsequent legislation in fiscal year 2001: Provided further, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Con-

gressional Budget Act of 1974, as amended: Provided further, That during fiscal year 2001, commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, as amended, shall not exceed $3,750,000,000: Provided further, That during fiscal year 2001, commitments for general business loans authorized under section 7(a) of the Small Business Act, as amended, shall not exceed $10,000,000,000 without prior notification of the Committees on Appropriations of the House of Representatives and Senate in accordance with section 605 of this Act: Provided further, That during fiscal year 2001, commitments to guarantee loans under section 303(b) of the Small Business Investment Act of 1958, as amended, shall not exceed $500,000,000.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $129,000,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans authorized by section 7(b) of the Small Business Act, as amended, $76,140,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for administrative expenses to carry out the direct loan program, $108,354,000, which may be transferred to and merged with appropriations for Salaries and Expenses, of which $500,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan program and shall be transferred to and merged with appropriations for the Office of Inspector General; of which $98,000,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program; and of which $9,854,000 is for indirect administrative expenses: Provided, That any amount in excess of $9,854,000 to be transferred to and merged with appropriations for Salaries and Expenses for indirect administrative expenses shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102–572; 106 Stat. 4515–4516), $6,850,000, to remain available until expended: Provided, That not to exceed $2,500 shall be available for official reception and representation expenses.

TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2001, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2001, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3)

results from any general savings from 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 of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 609. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds: (1) that the United Nations undertaking is a peacekeeping mission; (2) that such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) that the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

SEC. 610. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subparagraphs (A) and (B) of section 609 of that Act shall continue to apply during fiscal year 2001.

SEC. 611. None of the funds made available in this Act shall be used to provide the following amenities or personal comforts in the Federal prison system—

(1) in-cell television viewing except for prisoners who are segregated from the general prison population for their own safety;

(2) the viewing of R, X, and NC–17 rated movies, through whatever medium presented;

(3) any instruction (live or through broadcasts) or training equipment for boxing, wrestling, judo, karate, or other martial art, or any bodybuilding or weightlifting equipment of any sort;

(4) possession of in-cell coffee pots, hot plates or heating elements; or

(5) the use or possession of any electric or electronic musical instrument.

SEC. 612. None of the funds made available in title II for the National Oceanic and Atmospheric Administration (NOAA) under the headings "Operations, Research, and Facilities" and "Procurement, Acquisition and Construction" may be used to implement sections 603, 604, and 605 of Public Law 102–567: Provided, That NOAA may develop a modernization plan for its fisheries research vessels that takes fully into account opportunities for contracting for fisheries surveys.

SEC. 613. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 614. Hereafter, none of the funds made available in this Act to the Federal Bureau of Prisons may be used to distribute or make available any commercially published information or material to a prisoner when it is made known to the Federal official having authority to obligate or expend such funds that such information or material is sexually explicit or features nudity.

SEC. 615. Of the funds appropriated in this Act under the heading "Office of Justice Programs—State and Local Law Enforcement Assistance", not more than 90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grant shall be made available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered as the direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or

better level of health insurance benefits at the time of retirement or separation as they received while on duty.

SEC. 616. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 617. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999, as amended.

(b) Subsection (a)(1) of section 616 of that Act, as amended, is further amended—

(1) by striking "and" after "Toussaint,"; and

(2) by inserting before the semicolon at the end of the subsection, ", Jean Leopold Dominique, Jean-Claude Louissaint, Legitime Athis and his wife, Christa Joseph Athis, Jean-Michel Olophene, Claudy Myrthil, Merilus Deus, and Ferdinand Dorvil".

(c) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2001.

SEC. 618. None of the funds appropriated pursuant to this Act or any other provision of law may be used for: (1) the implementation of any tax or fee in connection with the implementation of 18 U.S.C. 922(t); and (2) any system to implement 18 U.S.C. 922(t) that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from owning a firearm.

SEC. 619. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of $537,500,000 shall not be available for obligation until the following fiscal year.

SEC. 620. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 621. None of the funds appropriated in this Act shall be available for the purpose of granting either immigrant or nonimmigrant visas, or both, consistent with the Secretary's determination under section 243(d) of the Immigration and Nationality Act, to citizens, subjects, nationals, or residents of countries that the Attorney General has determined deny or unreasonably delay accepting the return of citizens, subjects, nationals, or residents under that section.

SEC. 622. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 623. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan, at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

SEC. 624. Beginning 60 days from the date of the enactment of this Act, none of the funds appropriated or otherwise made available by this Act may be made available for the participation by delegates of the United States to the Standing Consultative Commission unless the President certifies and so reports to the Committees on Appropriations that the United States Government is not implementing the Memorandum of Understanding Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the limitation of Anti-Ballistic Missile Systems of May 26, 1972, entered into in New York on September 26, 1997, by the United States, Russia, Kazakhstan, Belarus, and Ukraine, or until the Senate provides its advice and consent to the Memorandum of Understanding.

SEC. 625. None of the funds appropriated in this Act may be available to the Department of State to approve the purchase of property in Arlington, Virginia by the Xinhua News Agency.

SEC. 626. Title 18, section 4006(b)(1) is amended by inserting, ", the Federal Bureau of Investigation" after "United States Marshals Service".

SEC. 627. Section 3022 of the 1999 Emergency Supplemental Appropriations Act (113 Stat. 100) is amended by striking "between the date of enactment of this Act and October 1, 2000,".

SEC. 628. Section 623 of H.R. 3421 (the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2000 (16 U.S.C. 3645)), as enacted into law by section 1000(a)(1) of Public Law 106–113 (113 Stat. 1535), is amended—

(a) in subsection (a)(1) by striking "The Northern Fund and Southern Fund shall each receive $10,000,000 of the amounts authorized by this section.";

(b) by striking subsection (d) and inserting in lieu thereof the following new subsection:

"(d)(1) PACIFIC SALMON TREATY.—

"(A) For capitalizing the Northern Fund there is authorized to be appropriated in fiscal years 2000, 2001, 2002, and 2003 a total of $75,000,000.

"(B) For capitalizing the Southern Fund there is authorized to be appropriated in fiscal years 2000, 2001, 2002, and 2003 a total of $65,000,000.

"(C) To provide economic adjustment assistance to fishermen pursuant to the 1999 Pacific Salmon Treaty Agreement, there is authorized to be appropriated in fiscal years 2000, 2001, and 2002 a total of $30,000,000.

"(2) PACIFIC COASTAL SALMON RECOVERY.—

"(A) For salmon habitat restoration, salmon stock enhancement, and salmon research, including the construction of salmon research and related facilities, there is authorized to be appropriated for each of fiscal years 2000, 2001, 2002, and 2003, $90,000,000 to the States of Alaska, Washington, Oregon, and California. Amounts appropriated pursuant to this subparagraph shall be made available as direct payments. The State of Alaska may allocate a portion of any funds it receives under this subsection to eligible activities outside Alaska.

"(B) For salmon habitat restoration, salmon stock enhancement, salmon research, and supplementation activities, there is authorized to be appropriated in each of fiscal years 2000, 2001, 2002, and 2003, $10,000,000 to be divided between the Pacific Coastal tribes (as defined by the Secretary of Commerce) and the Columbia River tribes (as defined by the Secretary of Commerce).".

SEC. 629. Section 3(3) of the Interstate Horseracing Act of 1978 (15 U.S.C. 3002(3)) is amended by inserting "and includes pari-mutuel wagers, where lawful in each State involved, placed or transmitted by an individual in one State via telephone or other electronic media and accepted by an off-track betting system in the same or another State, as well as the combination of any pari-mutuel wagering pools" after "another State".

SEC. 630. (a) Section 7A(a) of the Clayton Act (15 U.S.C. 18a(a)) is amended to read as follows:

"(a) Except as exempted pursuant to subsection (c), no person shall acquire, directly or indirectly, any voting securities or assets of any other person, unless both persons (or in the case of a tender offer, the acquiring person) file notification pursuant to rules under subsection (d)(1) and the waiting period described in subsection (b)(1) has expired, if—

"(1) the acquiring person, or the person whose voting securities or assets are being acquired, is engaged in commerce or in any activity affecting commerce; and

"(2) as a result of such acquisition, the acquiring person would hold an aggregate total amount of the voting securities and assets of the acquired person—

"(A) in excess of $200,000,000 (as adjusted and published for each fiscal year beginning after September 30, 2004, in the same manner as provided in section 8(a)(5) to reflect the percentage change in the gross national product for such fiscal year compared to the gross national product for the year ending September 30, 2003); or

"(B)(i) in excess of $50,000,000 (as so adjusted and published) but not in excess of $200,000,000 (as so adjusted and published); and

"(ii)(I) any voting securities or assets of a person engaged in manufacturing which has annual net sales or total assets of $10,000,000 (as so adjusted and published) or more are being acquired by any person which has total assets or annual net sales of $100,000,000 (as so adjusted and published) or more;

"(II) any voting securities or assets of a person not engaged in manufacturing which has total assets of

$10,000,000 (as so adjusted and published) or more are being acquired by any person which has total assets or annual net sales of $100,000,000 (as so adjusted and published) or more; or

"(III) any voting securities or assets of a person with annual net sales or total assets of $100,000,000 (as so adjusted and published) or more are being acquired by any person with total assets or annual net sales of $10,000,000 (as so adjusted and published) or more.

In the case of a tender offer, the person whose voting securities are sought to be acquired by a person required to file notification under this subsection shall file notification pursuant to rules under subsection (d).".

(b) Section 605 of title VI of Public Law 101–162 (15 U.S.C. 18a note) is amended—

(1) by inserting "(a)" after "SEC. 605.",

(2) in the 1st sentence—

(A) by striking "at $45,000" and inserting "in subsection (b)", and

(B) by striking "Hart-Scott-Rodino Antitrust Improvements Act of 1976" and inserting "section 7A of the Clayton Act", and

(3) by adding at the end the following:

"(b) The filing fees referred to in subsection (a) are—

"(1) $45,000 if the aggregate total amount determined under section 7A(a)(2) of the Clayton Act (15 U.S.C. 18a(a)(2)) is less than $100,000,000 (as adjusted and published for each fiscal year beginning after September 30, 2004, in the same manner as provided in section 8(a)(5) of the Clayton Act (15 U.S.C. 19(a)(5)) to reflect the percentage change in the gross national product for such fiscal year compared to the gross national product for the year ending September 30, 2003);

"(2) $125,000 if the aggregate total amount determined under section 7A(a)(2) of the Clayton Act (15 U.S.C. 18a(a)(2)) is not less than $100,000,000 (as so adjusted and published) but less than $500,000,000 (as so adjusted and published); and

"(3) $280,000 if the aggregate total amount determined under section 7A(a)(2) of the Clayton Act (15 U.S.C. 18a(a)(2)) is not less than $500,000,000 (as so adjusted and published).",

(4) by striking "States." and inserting "States", and

(5) by adding a period at the end.

(c) Section 7A(e)(1) of the Clayton Act (15 U.S.C. 18a(e)(1)) is amended)—

(1) by inserting "(A)" after "(1)", and

(2) by inserting at the end the following:

"(B)(i) The Assistant Attorney General and the Federal Trade Commission shall each designate a senior official who does not have direct responsibility for the review of any enforcement recommendation under this section concerning the transaction at issue, to hear any petition filed by such person to determine—

"(I) whether the request for additional information or documentary material is unreasonably cumulative, unduly burdensome, or duplicative; or

"(II) whether the request for additional information or documentary material has been substantially complied with by the petitioning person.

"(ii) Internal review procedures for petitions filed pursuant to clause (i) shall include reasonable deadlines for expedited review of such petitions, after reasonable negotiations with investigative staff, in order to avoid undue delay of the merger review process.

"(iii) Not later than 90 days after the date of the enactment of this Act, the Assistant Attorney General and the Federal Trade Commission shall conduct an internal review and implement reforms of the merger review process in order to eliminate unnecessary burden, remove costly duplication, and eliminate undue delay, in order to achieve a more effective and more efficient merger review process.

"(iv) Not later than 120 days after the date of enactment of this Act, the Assistant Attorney General and the Federal Trade Commission shall issue or amend their respective industry guidance, regulations, operating manuals and relevant policy documents, to the extent appropriate, to implement each reform in this subparagraph.

"(v) Not later than 180 days after the date of the enactment of this Act, the Assistant Attorney General and the Federal Trade Commission shall each report to Congress—

"(I) which reforms each agency has adopted under this subparagraph;

"(II) which steps each has taken to implement such internal reforms; and

"(III) the effects of such reforms.".

(d) Section 7A of the Clayton Act (15 U.S.C. 18a) is amended—

(1) in subsection (e)(2), by striking "20 days" and inserting "30 days", and

(2) by adding at the end the following:

"(k) If the end of any period of time provided in this section falls on a Saturday, Sunday, or legal public holiday (as defined in section 6103(a) of title 5 of the United States Code), then such period shall be extended to the end of the next day that is not a Saturday, Sunday, or legal public holiday.".

(e) This section and the amendments made by this section shall take effect on the 1st day of the 1st month that begins more than 30 days after the date of the enactment of this Act.

SEC. 631. (a) The Secretary of the Army is authorized to take all necessary measures to further stabilize and renovate Lock and Dam 10 at Boonesborough, Kentucky, with the purpose of extending the design life of the structure by an additional 50 years, at a total cost of $24,000,000, with an estimated Federal cost of $19,200,000 and an estimated non-Federal cost of $4,800,000.

(b) For purposes of this section only, "stabilize and renovate" shall include, but shall not be limited to, the following activities: stabilization of the main dam, auxiliary dam and lock; renovation of all operational aspects of the lock; and elevation of the main and auxiliary dams.

SEC. 632. (a)(1) The Federal Communications Commission shall modify the rules authorizing the operation of low-power FM radio stations, as proposed in MM Docket No. 99–25, to—

(A) prescribe minimum distance separations for third-adjacent channels (as well as for co-channels and first- and second-adjacent channels); and

(B) prohibit any applicant from obtaining a low-power FM license if the applicant has engaged in any manner in the unlicensed operation of any station in violation of section 301 of the Communications Act of 1934 (47 U.S.C. 301).

(2) The Federal Communications Commission may not—

(A) eliminate or reduce the minimum distance separations for third-adjacent channels required by paragraph (1)(A); or

(B) extend the eligibility for application for low-power FM stations beyond the organizations and entities as proposed in MM Docket No. 99–25 (47 CFR 73.853),

except as expressly authorized by an Act of Congress enacted after the date of the enactment of this Act.

(3) Any license that was issued by the Commission to a low-power FM station prior to the date on which the Commission modifies its rules as required by paragraph (1) and that does not comply with such modifications shall be invalid.

(b)(1) The Federal Communications Commission shall conduct an experimental program to test whether low-power FM radio stations will result in harmful interference to existing FM radio stations if such stations are not subject to the minimum distance separations for third-adjacent channels required by subsection (a). The Commission shall conduct such test in no more than nine FM radio markets, including urban, suburban, and rural markets, by waiving the minimum distance separations for third-adjacent channels for the stations that are the subject of the experimental program. At least one of the stations shall be selected for the purpose of evaluating whether minimum distance separations for third-adjacent channels are needed for FM translator stations. The Commission may, consistent with the public interest, continue after the conclusion of the experimental program to waive the minimum distance separations for third-adjacent channels for the stations that are the subject of the experimental program.

(2) The Commission shall select an independent testing entity to conduct field tests in the markets of the stations in the experimental program under paragraph (1). Such field tests shall include—

(A) an opportunity for the public to comment on interference; and

(B) independent audience listening tests to determine what is objectionable and harmful interference to the average radio listener.

(3) The Commission shall publish the results of the experimental program and field tests and afford an opportunity for the public to comment on such results. The Federal Communications Commission shall submit a report on the experimental program and field tests to the Committee on Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than February 1, 2001. Such report shall include—

(A) an analysis of the experimental program and field tests and of the public comment received by the Commission;

(B) an evaluation of the impact of the modification or elimination of minimum distance separations for third-adjacent channels on—

(i) listening audiences;

(ii) incumbent FM radio broadcasters in general, and on minority and small market broadcasters in particular, including an analysis of the economic impact on such broadcasters;

(iii) the transition to digital radio for terrestrial radio broadcasters;

(iv) stations that provide a reading service for the blind to the public; and

(v) FM radio translator stations;

(C) the Commission's recommendations to the Congress to reduce or eliminate the minimum distance separations for third-adjacent channels required by subsection (a); and

(D) such other information and recommendations as the Commission considers appropriate.

SEC. 633. For an additional amount for "Small Business Administration, Salaries and Expenses", $40,000,000, of which $2,500,000 shall be available for a grant to the NTTC at Wheeling Jesuit University to continue the outreach program to assist small business development; $600,000 shall be available for a grant for Western Carolina University to develop a tourism and hospitality curriculum; $2,500,000 shall be available for a grant to the Bronx Museum of the Arts, New York, to develop facilities, including the Museum's participation in the Point Residency and the Community Gallery projects; $1,000,000 shall be available for a grant to Soundview Community in Action in the Bronx, New York, for a technology access and business improvement project; $5,000,000 shall be available for the Center for Rural Development, Somerset, Kentucky, for a regional program of technology workforce development; $1,500,000 shall be available for a grant to the State University of New York to develop a facility and operate the Institute of Entrepreneurship for small business and workforce development; $500,000 shall be available for a grant for Pike County, Kentucky, for an interpretive development initiative; $1,000,000 shall be available for a grant to the East Los Angeles Community Union to develop a facility; $5,000,000 shall be available for a grant to the Southern Kentucky Tourism Development Association for a regional tourism promotion initiative; $1,500,000 shall be available for a grant for Union College, Barbourville, Kentucky, for a technology and media center; $500,000 shall be available for a grant to the National Corrections and Law Enforcement Training and Technology Center, Inc., to work in conjunction with the Office of Law Enforcement Technology Commercialization and the Moundsville Economic Development Council for continued operations of the National Corrections and Law Enforcement Training and Technology Center, and for infrastructure improvements associated with this initiative; $2,000,000 shall be available for a grant for the City of Paintsville, Kentucky, for a regional arts and tourism center; $200,000 shall be available for a grant for the Vandalia Heritage Foundation to fulfill its charter purposes; $800,000 shall be available for a grant for the Museum of Science and Industry to develop a Manufacturing

Learning Center; $200,000 shall be available for a grant to Rural Enterprises, Inc., in Durant, Oklahoma, to continue support for a resource center for rural businesses; $1,000,000 shall be available for a grant for Greenpoint Manufacturing and Design Center to acquire certain properties to develop a small business incubator facility; $1,000,000 shall be available for a grant to the Long Island Bay Shore Aquarium to develop a facility; $200,000 shall be available for a grant for Old Sturbridge Village's Threshold Project to develop an arts and tourism facility; $1,300,000 shall be available for a grant to Pulaski County, Kentucky, for an emergency training center; $2,000,000 shall be available for a grant for Promesa Enterprises in the Bronx, New York, to assist community-based businesses; $1,000,000 shall be available for a grant to the City of Oak Ridge, Tennessee, to develop a center to support technology and economic development initiatives; $1,000,000 shall be available for a grant for the Safer Foundation to develop a facility; $250,000 shall be available for a grant for the Johnstown Area Regional Industries Center for a Workforce Development initiative; $600,000 shall be available for a grant for the Buckhorn Children's Foundation for a community-based youth development facility; $250,000 shall be available for a grant for the Johnstown Area Regional Industries Center to continue support for the Entrepreneur Challenge 2000 small business incubator initiative; $250,000 shall be available for a grant to the Business Development Assistance Group to establish an Entrepreneurship Center for New Americans in Northern Virginia; $1,000,000 shall be available for a grant for the Brotherhood Business Development and Capital Fund for a small business technical assistance and loan program; $900,000 shall be available for a grant for the Arizona Department of Public Safety for planning and design for infrastructure improvements; $250,000 shall be available for a grant for Gadsden State Community College to develop a Center for Economic Development; $2,000,000 shall be available for a grant to Morehead State University for a science research and technology center; $350,000 shall be available for a grant for the Nicholas County, Kentucky, Industrial Authority to acquire certain properties in Carlisle, Kentucky, to develop a small business initiative; $350,000 shall be available for a grant for Montgomery County, Kentucky, to develop an education and training facility; $500,000 shall be available for a grant to the New York City Department of Parks and Recreation, Bronx County, to develop a river house facility; $500,000 shall be available for a grant to the New York Public Library Mott Haven Branch in the Bronx, New York, to develop a facility; and $500,000 shall be available for a grant to the Oklahoma Department of Career and Technology Education for a technology-based pilot program for vocational training for economic and job development.

SEC. 634. None of the funds provided in this or any previous Act, or hereinafter made available to the Department of Commerce shall be available to issue or renew, for any fishing vessel, any general or harpoon category fishing permit for Atlantic bluefin tuna that would allow the vessel—

(1) to use an aircraft to locate, or otherwise assist in fishing for, catching, or possessing Atlantic bluefin tuna; or

(2) to fish for, catch, or possessing Atlantic bluefin tuna located by the use of an aircraft.

SEC. 635. (a) This section may be cited as "Amy Boyer's Law".

(b) Congress makes the following findings:

(1) The inappropriate display, sale, or use of social security numbers is a significant factor in a growing range of illegal activities, including fraud, identity theft, and, in some cases, stalking and other violent crimes.

(2) Because social security numbers are used to track financial, health care, and other sensitive information about individuals, the inappropriate sale or display of those numbers to the general public can result in serious invasions of individual privacy and facilitate the commission of criminal activity.

(3) The Federal Government requires virtually every individual in the United States to obtain and maintain a social security number in order to pay taxes, to qualify for social security benefits, or to seek employment. An unintended consequence of these requirements is that social security numbers have become tools that can be used to facilitate crime, fraud, and invasions of the privacy of the individuals to whom the numbers are assigned. Because the Federal Government created and maintains the social security number system, and because the Federal Government does not permit persons to exempt themselves from the requirements of that system, it is appropriate for the Federal Government to take steps to stem abuse of the system.

(4) A social security number is simply a sequence of numbers. In no meaningful sense can the number itself impart knowledge or ideas. Persons do not sell or transfer such numbers in order to convey any particularized message, nor to express to the purchaser any ideas, knowledge, or thoughts.

(5) No one should seek to profit from the display or sale to the general public of social security numbers in circumstances that create a substantial risk of physical, emotional, or financial harm to the individuals to whom those numbers are assigned.

(6) Various entities may display, sell, or use social security numbers, including the private sector, the Federal Government and State governments, and Federal and State courts. Whatever the source, the inappropriate display or sale to the general public of social security numbers should be prevented.

(7) Congress should enact legislation that will offer an individual assigned a social security number necessary protection from the display, sale, or purchase of the number in circumstances that might facilitate unlawful conduct or that might otherwise likely result in unfair and deceptive practices.

(c)(1) Part A of title XI of the Social Security Act (42 U.S.C. 1301 et seq.) is amended by adding at the end the following new section:

"PROHIBITION OF CERTAIN MISUSES OF THE SOCIAL SECURITY NUMBER

"SEC. 1150A. (a) Except as otherwise provided in this section, no person may display or sell to the general public any individual's social security number, or any identifiable derivative of such num-

ber, without the affirmatively expressed consent, electronically or in writing, of the individual.

"(b) No person may obtain any individual's social security number, or any identifiable derivative of such number, for purposes of locating or identifying an individual with the intent to physically injure, harm, or use the identity of the individual for illegal purposes.

"(c) In order for consent to exist under subsection (a), the person displaying, or seeking to display, or selling or attempting to sell, an individual's social security number, or any identifiable derivative of such number, shall—

"(1) inform the individual of the general purposes for which the number will be utilized and the types of persons to whom the number may be available; and

"(2) obtain affirmatively expressed consent electronically or in writing.

"(d) Except as set forth in subsection (b), nothing in this section shall be construed to prohibit or limit the display, sale, or use of a social security number—

"(1)(A) permitted, required, or excepted, expressly or by implication, under section 205(c)(2), section 7(a)(2) of the Privacy Act of 1974 (5 U.S.C. 552a note; 88 Stat. 1909), section 6109(d) of the Internal Revenue Code of 1986, the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), title V of the Gramm-Leach-Bliley Act (15 U.S.C. 6801 et seq.), or the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 1936) or the amendments made by that Act, or (B) in connection with an activity authorized under or pursuant to section 4(k) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(k)), whether or not such activity is conducted by or subject to any limitations or requirements applicable to a financial holding company;

"(2) by a professional or commercial user who appropriately uses the information in the normal course and scope of their businesses for purposes of retrieval of other information, except that the professional or commercial user may not display or sell the number (or any identifiable derivative of the number) to the general public;

"(3) for purposes of law enforcement, including investigation of fraud or as required under subchapter II of chapter 53 of title 31, United States Code, and chapter 2 of title I of Public Law 91–508 (12 U.S.C. 1951–1959); or

"(4) that may appear in a public record including, but not limited to, proceedings or records of Federal or State courts.

"(e)(1) Any individual aggrieved by any act of any person in violation of this section may bring a civil action in a United States district court to recover—

"(A) such preliminary and equitable relief as the court determines to be appropriate; and

"(B) the greater of—

"(i) actual damages;

"(ii) liquidated damages of $2,500; or

"(iii) in the case of a violation that was willful and resulted in profit or monetary gain, liquidated damages of $10,000.

"(2) In the case of a civil action brought under paragraph (1)(B)(iii) in which the aggrieved individual has substantially prevailed, the court may assess against the respondent a reasonable attorney's fee and other litigation costs and expenses (including expert fees) reasonably incurred.

"(3) No action may be commenced under this subsection more than 3 years after the date on which the violation was or should reasonably have been discovered by the aggrieved individual.

"(4) The remedy provided under this subsection shall be in addition to any other lawful remedy available to the individual.

"(f)(1) Any person who the Commissioner of Social Security determines has violated this section shall be subject, in addition to any other penalties that may be prescribed by law, to—

"(A) a civil money penalty of not more than $5,000 for each such violation; and

"(B) a civil money penalty of not more than $50,000, if violations have occurred with such frequency as to constitute a general business practice.

"(2) Any willful violation committed contemporaneously with respect to the social security numbers of 2 or more individuals by means of mail, telecommunication, or otherwise shall be treated as a separate violation with respect to each such individual.

"(3) The provisions of section 1128A (other than subsections (a), (b), (f), (h), (i), (j), and (m), and the first sentence of subsection (c)) and the provisions of subsections (d) and (e) of section 205 shall apply to civil money penalties under this subsection in the same manner as such provisions apply to a penalty or proceeding under section 1128A(a), except that, for purposes of this paragraph, any reference in section 1128A to the Secretary shall be deemed a reference to the Commissioner of Social Security.

"(g) In this section, the term 'display or sell to the general public' means the intentional placing of an individual's social security number, or identifying portion thereof, in a viewable manner on a web site that makes such information available to the general public, or otherwise intentionally communicating an individual's social security number, or an identifying portion thereof, to the general public.

"(h) Nothing in this section shall be construed to limit the use of social security numbers by the Federal Government for governmental purposes, including any of the following purposes:

"(1) National security.

"(2) Law enforcement.

"(3) Public health.

"(4) Federal or federally-funded research conducted for the purposes of advancing knowledge.

"(5) When such numbers are required to be submitted as part of the process for applying for any type of government benefit or program.".

(2) Section 208(a) of the Social Security Act (42 U.S.C. 408(a)) is amended—

(1) in paragraph (8), by inserting "or" after the semicolon; and

(2) by inserting after paragraph (8), the following new paragraphs:

"(9) except as provided in section 1150A(d), knowingly and willfully displays or sells to the general public (as defined in section 1150A(g)) any individual's social security number, or any identifiable derivative of such number, without the affirmatively expressed consent (as defined in section 1150A(c)), electronically or in writing, of such individual; or

"(10) obtains any individual's social security number, or any identifiable derivative of such number, for purposes of locating or identifying an individual with the intent to physically injure, harm, or use the identity of the individual for illegal purposes;".

(3) The amendments made by this subsection apply with respect to violations occurring on and after the date that is 2 years after the date of enactment of this Act.

(d)(1) The Comptroller General of the United States shall conduct a study of the feasibility and advisability of imposing additional limitations or prohibitions on the use of social security numbers in public records.

(2) Not later than 1 year after the date of enactment of this section, the Comptroller General shall submit to Congress a report on the study conducted under paragraph (1). The report shall include a detailed description of the activities and results of the study and such recommendations for legislative action as the Comptroller General considers appropriate.

SEC. 636. The Cuyahoga Valley National Park shall not be redesignated as a Class I area under title I, Part C of the Clean Air Act, 42 U.S.C. sections 7470–7479.

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

DRUG ENFORCEMENT ADMINISTRATION

DRUG DIVERSION CONTROL FEE ACCOUNT

(RESCISSION)

Amounts otherwise available for obligation in fiscal year 2001 for the Drug Diversion Control Fee Account are reduced by $8,000,000.

RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(RESCISSION)

Of the funds provided under this heading in Public Law 104–208, $7,644,000 are rescinded.

TITLE VIII—DEBT REDUCTION

AND OTHER MATTER

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit on November 1, 2000, of an additional amount into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt, the amount equal to the difference between $240,088,000,000 and the aggregate amount deposited into this account in other appropriation Acts for fiscal year 2001 enacted before such date.

GENERAL PROVISION

SEC. 801. Beginning on the first day of the 107th Congress, the Presiding Officer of the Senate shall apply all of the precedents of the Senate under Rule XXVIII in effect at the conclusion of the 103rd Congress. Further that there is now in effect a standing order of the Senate that the reading of conference reports, are no longer required, if the said conference report is available in the Senate.

TITLE IX—WILDLIFE, OCEAN AND COASTAL CONSERVATION

SEC. 901. WILDLIFE CONSERVATION AND RESTORATION PLANNING.

For expenses necessary to support activities that supplement, but not replace, existing funding available to the States and territories from the sport fish restoration account and wildlife restoration account and shall be used for the development, revision, and implementation of wildlife conservation and restoration plans and programs, $50,000,000, to remain available until expended: Provided, That these funds may be used by a State, territory or an Indian Tribe for the planning and implementation of its wildlife conservation and restoration program and wildlife conservation strategy, including wildlife conservation, wildlife conservation education, and wildlife-associated recreation projects: Provided further, That the Secretary, after deducting administrative expenses shall make the following apportionment from the Wildlife Conservation and Restoration Account: (A) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; (B) to Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: Provided further, That the Secretary shall apportion the remaining amount in the Wildlife Conservation and Restoration Account for each year among the States in the following manner: (A) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and, (B) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: Provided further, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a

sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: Provided further, That no State, territory or other jurisdiction shall receive a grant unless it has certified to the Service that it has in place, or has agreed to develop by a mutually agreed date certain, a wildlife conservation strategy and plan.

SEC. 902. WILDLIFE CONSERVATION AND RESTORATION.

(a) PURPOSES.—The purposes of this section are—

(1) to extend financial and technical assistance to the States under the Federal Aid to Wildlife Restoration Act for the benefit of a diverse array of wildlife and associated habitats, including species that are not hunted or fished, to fulfill unmet needs of wildlife within the States in recognition of the primary role of the States to conserve all wildlife;

(2) to assure sound conservation policies through the development, revision, and implementation of a comprehensive wildlife conservation and restoration plan;

(3) to encourage State fish and wildlife agencies to participate with the Federal Government, other State agencies, wildlife conservation organizations and outdoor recreation and conservation interests through cooperative planning and implementation of this title; and

(4) to encourage State fish and wildlife agencies to provide for public involvement in the process of development and implementation of a wildlife conservation and restoration program.

(b) REFERENCE TO LAW.—In this section, the term "Federal Aid in Wildlife Restoration Act" means the Act of September 2, 1937 (16 U.S.C. 669 et seq.), commonly referred to as the Federal Aid in Wildlife Restoration Act or the Pittman-Robertson Act.

(c) DEFINITIONS.—Section 2 of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669a) is amended to read as follows:

"SEC. 2. DEFINITIONS.

"As used in this Act—

"(1) the term 'conservation' means the use of methods and procedures necessary or desirable to sustain healthy populations of wildlife, including all activities associated with scientific resources management such as research, census, monitoring of populations, acquisition, improvement and management of habitat, live trapping and transplantation, wildlife damage management, and periodic or total protection of a species or population, as well as the taking of individuals within wildlife stock or population if permitted by applicable State and Federal law;

"(2) the term 'Secretary' means the Secretary of the Interior;

"(3) the term 'State fish and game department' or 'State fish and wildlife department' means any department or division of department of another name, or commission, or official or officials, of a State empowered under its laws to exercise the functions ordinarily exercised by a State fish and game department or State fish and wildlife department.

"(4) the term 'wildlife' means any species of wild, free-ranging fauna including fish, and also fauna in captive breeding

programs the object of which is to reintroduce individuals of a depleted indigenous species into previously occupied range;

"(5) the term 'wildlife-associated recreation' means projects intended to meet the demand for outdoor activities associated with wildlife including, but not limited to, hunting and fishing, wildlife observation and photography, such projects as construction or restoration of wildlife viewing areas, observation towers, blinds, platforms, land and water trails, water access, field trialing, trail heads, and access for such projects;

"(6) the term 'wildlife conservation and restoration program' means a program developed by a State fish and wildlife department and approved by the Secretary under section 304(d), the projects that constitute such a program, which may be implemented in whole or part through grants and contracts by a State to other State, Federal, or local agencies (including those that gather, evaluate, and disseminate information on wildlife and their habitats), wildlife conservation organizations, and outdoor recreation and conservation education entities from funds apportioned under this title, and maintenance of such projects;

"(7) the term 'wildlife conservation education' means projects, including public outreach, intended to foster responsible natural resource stewardship; and

"(8) the term 'wildlife-restoration project' includes the wildlife conservation and restoration program and means the selection, restoration, rehabilitation, and improvement of areas of land or water adaptable as feeding, resting, or breeding places for wildlife, including acquisition of such areas or estates or interests therein as are suitable or capable of being made suitable therefor, and the construction thereon or therein of such works as may be necessary to make them available for such purposes and also including such research into problems of wildlife management as may be necessary to efficient administration affecting wildlife resources, and such preliminary or incidental costs and expenses as may be incurred in and about such projects.".

(d) WILDLIFE CONSERVATION AND RESTORATION ACCOUNT.—Section 3 of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669b) is amended—

(1) in subsection (a) by inserting "(1)" after "(a)", and by adding at the end the following:

"(2) There is established in the Federal aid to wildlife restoration fund a subaccount to be known as the 'Wildlife Conservation and Restoration Account'. There are authorized to be appropriated for the purposes of the Wildlife Conservation and Restoration Account $50,000,000 in fiscal year 2001 for apportionment in accordance with this Act to carry out State wildlife conservation and restoration programs. Further, interest on amounts transferred shall be treated in a manner consistent with 16 U.S.C. 669(b)(1))."; and

(2) by adding at the end the following:

"(c)(1) Amounts transferred to the Wildlife Conservation and Restoration Account shall supplement, but not replace, existing funds available to the States from the sport fish restoration account and wildlife restoration account and shall be used for the develop-

ment, revision, and implementation of wildlife conservation and restoration programs and should be used to address the unmet needs for a diverse array of wildlife and associated habitats, including species that are not hunted or fished, for wildlife conservation, wildlife conservation education, and wildlife-associated recreation projects. Such funds may be used for new programs and projects as well as to enhance existing programs and projects.

"(2) Funds may be used by a State or an Indian tribe for the planning and implementation of its wildlife conservation and restoration program and wildlife conservation strategy, as provided in sections 4(d) and (e) of this Act, including wildlife conservation, wildlife conservation education, and wildlife-associated recreation projects. Such funds may be used for new programs and projects as well as to enhance existing programs and projects.

"(3) Priority for funding from the Wildlife Conservation and Restoration Account shall be for those species with the greatest conservation need as defined by the State wildlife conservation and restoration program.

"(d) Notwithstanding subsections (a) and (b) of this section, with respect to amounts transferred to the Wildlife Conservation and Restoration Account, so much of such amounts apportioned to any State for any fiscal year as remains unexpended at the close thereof shall remain available for obligation in that State until the close of the second succeeding fiscal year.".

(e) APPORTIONMENTS OF AMOUNTS.—Section 4 of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669c) is amended by adding at the end the following new subsection:

"(c) APPORTIONMENT OF WILDLIFE CONSERVATION AND RESTORATION ACCOUNT.—

"(1) The Secretary of the Interior shall make the following apportionment from the Wildlife Conservation and Restoration Account:

"(A) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof;

"(B) to Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof.

"(2)(A) The Secretary of the Interior, after making the apportionment under paragraph (1), shall apportion the remaining amount in the Wildlife Conservation and Restoration Account for each fiscal year among the States in the following manner:

"(i) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and

"(ii) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States.

"(B) The amounts apportioned under this paragraph shall be adjusted equitably so that no such State shall be apportioned a sum which is less than one percent of the amount available

for apportionment under this paragraph for any fiscal year or more than five percent of such amount.

"(3) Of the amounts transferred to the Wildlife Conservation and Restoration Account, not to exceed 3 percent shall be available for any Federal expenses incurred in the administration and execution of programs carried out with such amounts.

"(d) WILDLIFE CONSERVATION AND RESTORATION PROGRAMS.—

"(1) Any State, through its fish and wildlife department, may apply to the Secretary of the Interior for approval of a wildlife conservation and restoration program, or for funds from the Wildlife Conservation and Restoration Account, to develop a program. To apply, a State shall submit a comprehensive plan that includes—

"(A) provisions vesting in the fish and wildlife department of the State overall responsibility and accountability for the program;

"(B) provisions for the development and implementation of—

"(i) wildlife conservation projects that expand and support existing wildlife programs, giving appropriate consideration to all wildlife;

"(ii) wildlife-associated recreation projects; and

"(iii) wildlife conservation education projects pursuant to programs under section 8(a); and

"(C) provisions to ensure public participation in the development, revision, and implementation of projects and programs required under this paragraph.

"(D) WILDLIFE CONSERVATION STRATEGY.—Within five years of the date of the initial apportionment, develop and begin implementation of a wildlife conservation strategy based upon the best available and appropriate scientific information and data that—

"(i) uses such information on the distribution and abundance of species of wildlife, including low population and declining species as the State fish and wildlife department deems appropriate, that are indicative of the diversity and health of wildlife of the State;

"(ii) identifies the extent and condition of wildlife habitats and community types essential to conservation of species identified under paragraph (1);

"(iii) identifies the problems which may adversely affect the species identified under paragraph (1) or their habitats, and provides for priority research and surveys to identify factors which may assist in restoration and more effective conservation of such species and their habitats;

"(iv) determines those actions which should be taken to conserve the species identified under paragraph (1) and their habitats and establishes priorities for implementing such conservation actions;

"(v) provides for periodic monitoring of species identified under paragraph (1) and their habitats and the effectiveness of the conservation actions determined under paragraph (4), and for adapting conservation ac-

tions as appropriate to respond to new information or changing conditions;

"(vi) provides for the review of the State wildlife conservation strategy and, if appropriate, revision at intervals of not more than ten years;

"(vii) provides for coordination to the extent feasible the State fish and wildlife department, during the development, implementation, review, and revision of the wildlife conservation strategy, with Federal, State, and local agencies and Indian tribes that manage significant areas of land or water within the State, or administer programs that significantly affect the conservation of species identified under paragraph (1) or their habitats.

"(2) A State shall provide an opportunity for public participation in the development of the comprehensive plan required under paragraph (1).

"(3) If the Secretary finds that the comprehensive plan submitted by a State complies with paragraph (1), the Secretary shall approve the wildlife conservation and restoration program of the State and set aside from the apportionment to the State made pursuant to subsection (c) an amount that shall not exceed 75 percent of the estimated cost of developing and implementing the program.

"(4)(A) Except as provided in subparagraph (B), after the Secretary approves a State's wildlife conservation and restoration program, the Secretary may make payments on a project that is a segment of the State's wildlife conservation and restoration program as the project progresses. Such payments, including previous payments on the project, if any, shall not be more than the United States pro rata share of such project. The Secretary, under such regulations as he may prescribe, may advance funds representing the United States pro rata share of a project that is a segment of a wildlife conservation and restoration program, including funds to develop such program.

"(B) Not more than 10 percent of the amounts apportioned to each State under this section for a State's wildlife conservation and restoration program may be used for wildlife-associated recreation.

"(5) For purposes of this subsection, the term 'State' shall include the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.".

(f) FACA.—Coordination with State fish and wildlife agency personnel or with personnel of other State agencies pursuant to the Federal Aid in Wildlife Restoration Act or the Federal Aid in Sport Fish Restoration Act shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.). Except for the preceding sentence, the provisions of this title relate solely to wildlife conservation and restoration programs and shall not be construed to affect the provisions of the Federal Aid in Wildlife Restoration Act relating to wildlife restoration projects or the provisions of the Federal Aid in Sport Fish Restoration Act relating to fish restoration and management projects.

(g) EDUCATION.—Section 8(a) of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669g(a)) is amended by adding the following at the end thereof: "Funds from the Wildlife Conservation and Restoration Account may be used for a wildlife conservation education program, except that no such funds may be used for education efforts, projects, or programs that promote or encourage opposition to the regulated taking of wildlife.".

(h) PROHIBITION AGAINST DIVERSION.—No designated State agency shall be eligible to receive matching funds under this title if sources of revenue available to it after January 1, 2000, for conservation of wildlife are diverted for any purpose other than the administration of the designated State agency, it being the intention of Congress that funds available to States under this title be added to revenues from existing State sources and not serve as a substitute for revenues from such sources. Such revenues shall include interest, dividends, or other income earned on the foregoing.

(i) NORTH AMERICAN WETLANDS CONSERVATION ACT.—Section 7(c) of the North American Wetlands Conservation Act (16 U.S.C. 4406(c)) is amended by striking "$30,000,000" and inserting "$50,000,000".

SEC. 903. COASTAL IMPACT ASSISTANCE.

The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by adding at the end the following:

"SEC. 31. COASTAL IMPACT ASSISTANCE.

"Nothing in this section shall be construed as a permanent authorization.

"(a) DEFINITIONS.—When used in this section—

"(1) The term 'coastal political subdivision' means a county, parish, or any equivalent subdivision of a Producing Coastal State all or part of which subdivision lies within the coastal zone (as defined in section 304(1) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453(1)).

"(2) The term 'coastal population' means the population of all political subdivisions, as determined by the most recent official data of the Census Bureau, contained in whole or in part within the designated coastal boundary of a State as defined in a State's coastal zone management program under the Coastal Zone Management Act (16 U.S.C. 1451 et seq.).

"(3) The term 'Coastal State' has the same meaning as provided by subsection 304(4) of the Coastal Zone Management Act (16 U.S.C. 1453(4)).

"(4) The term 'coastline' has the same meaning as the term 'coast line' as defined in subsection 2(c) of the Submerged Lands Act (43 U.S.C. 1301(c)).

"(5) The term 'distance' means minimum great circle distance, measured in statute miles.

"(6) The term 'leased tract' means a tract maintained under section 6 or leased under section 8 for the purpose of drilling for, developing, and producing oil and natural gas resources.

"(7) The term 'Producing Coastal State' means a Coastal State with a coastal seaward boundary within 200 miles from the geographic center of a leased tract other than a leased tract within any area of the Outer Continental Shelf where a morato-

rium on new leasing was in effect as of January 1, 2000, unless the lease was issued prior to the establishment of the moratorium and was in production on January 1, 2000.

"(8) The term 'qualified Outer Continental Shelf revenues' means all amounts received by the United States from each leased tract or portion of a leased tract lying seaward of the zone defined and governed by section 8(g) of this Act, or lying within such zone but to which section 8(g) does not apply, the geographic center of which lies within a distance of 200 miles from any part of the coastline of any Coastal State, including bonus bids, rents, royalties (including payments for royalties taken in kind and sold), net profit share payments, and related late payment interest. Such term does not include any revenues from a leased tract or portion of a leased tract that is included within any area of the Outer Continental Shelf where a moratorium on new leasing was in effect as of January 1, 2000, unless the lease was issued prior to the establishment of the moratorium and was in production on January 1, 2000.

"(9) The term 'Secretary' means Secretary of Commerce.

"(b) AUTHORIZATION.—For fiscal year 2001, $150,000,000 is authorized to be appropriated for the purposes of this section.

"(c) IMPACT ASSISTANCE PAYMENTS TO STATES AND POLITICAL SUBDIVISIONS.—The Secretary shall make payments from the amounts available under this section to Producing Coastal States with an approved Coastal Impact Assistance Plan, and to coastal political subdivisions as follows:

"(1) ALLOCATIONS TO PRODUCING COASTAL STATES.—In each fiscal year, each Producing Coastal State's allocable share shall be equal to the sum of the following:

"(A) 60 percent of the amounts appropriated shall be equally divided among all Producing Coastal States;

"(B) 40 percent of the amounts appropriated for the purposes of this section shall be divided among Producing Coastal States based on Outer Continental Shelf production, except that of such amounts no Producing Coastal State may receive more than 25 percent in any fiscal year.

"(2) CALCULATION.—The amount for each Producing Coastal State under paragraph (1)(B) shall be calculated based on the ratio of qualified OCS revenues generated off the coastline of the Producing Coastal State to the qualified OCS revenues generated off the coastlines of all Producing Coastal States for the period beginning on January 1, 1995 and ending on December 31, 2000. Where there is more than one Producing Coastal State within 200 miles of a leased tract, the amount of each Producing Coastal State's payment under paragraph (1)(B) for such leased tract shall be inversely proportional to the distance between the nearest point on the coastline of such State and the geographic center of each leased tract or portion of the leased tract (to the nearest whole mile) that is within 200 miles of that coastline, as determined by the Secretary. A leased tract or portion of a leased tract shall be excluded if the tract or portion is located in a geographic area where a moratorium on new leasing was in effect on January 1, 2000, unless the lease was

issued prior to the establishment of the moratorium and was in production on January 1, 2000.

"(3) PAYMENTS TO COASTAL POLITICAL SUBDIVISIONS.—Thirty-five percent of each Producing Coastal State's allocable share as determined under paragraph (1) shall be paid directly to the coastal political subdivisions by the Secretary based on the following formula, except that a coastal political subdivision in the State of California that has a coastal shoreline, that is not within 200 miles of the geographic center of a leased tract or portion of a leased tract, and in which there is located one or more oil refineries shall be eligible for that portion of the allocation described in paragraph (C) in the same manner as if that political subdivision were located within a distance of 50 miles from the geographic center of the closest leased tract with qualified Outer Continental Shelf revenues:

"(A) 25 percent shall be allocated based on the ratio of such coastal political subdivision's coastal population to the coastal population of all coastal political subdivisions in the Producing Coastal State.

"(B) 25 percent shall be allocated based on the ratio of such coastal political subdivision's coastline miles to the coastline miles of all coastal political subdivisions in the Producing Coastal State.

"(C) 50 percent shall be allocated based on the relative distance of such coastal political subdivision from any leased tract used to calculate that Producing Coastal State's allocation using ratios that are inversely proportional to the distance between the point in the coastal political subdivision closest to the geographic center of each leased tract or portion, as determined by the Secretary. For purposes of the calculations under this subparagraph, a leased tract or portion of a leased tract shall be excluded if the leased tract or portion is located in a geographic area where a moratorium on new leasing was in effect on January 1, 2000, unless the lease was issued prior to the establishment of the moratorium and was in production on January 1, 2000.

"(4) FAILURE TO HAVE PLAN APPROVED.—Any amount allocated to a Producing Coastal State or coastal political subdivision but not disbursed because of a failure to have an approved Coastal Impact Assistance Plan under this section shall be allocated equally by the Secretary among all other Producing Coastal States in a manner consistent with this subsection except that the Secretary shall hold in escrow such amount until the final resolution of any appeal regarding the disapproval of a plan submitted under this section. The Secretary may waive the provisions of this paragraph and hold a Producing Coastal State's allocable share in escrow if the Secretary determines that such State is making a good faith effort to develop and submit, or update, a Coastal Impact Assistance Plan.

"(d) COASTAL IMPACT ASSISTANCE PLAN.—

"(1) DEVELOPMENT AND SUBMISSION OF STATE PLANS.—The Governor of each Producing Coastal State shall prepare, and submit to the Secretary, a Coastal Impact Assistance Plan. The

Governor shall solicit local input and shall provide for public participation in the development of the plan. The plan shall be submitted to the Secretary by July 1, 2001. Amounts received by Producing Coastal States and coastal political subdivisions may be used only for the purposes specified in the Producing Coastal State's Coastal Impact Assistance Plan.

"(2) APPROVAL.—The Secretary shall approve a plan under paragraph (1) prior to disbursement of amounts under this section. The Secretary shall approve the plan if the Secretary determines that the plan is consistent with the uses set forth in subsection (e) and if the plan contains each of the following:

"(A) The name of the State agency that will have the authority to represent and act for the State in dealing with the Secretary for purposes of this section.

"(B) A program for the implementation of the plan which describes how the amounts provided under this section will be used.

"(C) A contact for each political subdivision and description of how coastal political subdivisions will use amounts provided under this section, including a certification by the Governor that such uses are consistent with the requirements of this section.

"(D) Certification by the Governor that ample opportunity has been accorded for public participation in the development and revision of the plan.

"(E) Measures for taking into account other relevant Federal resources and programs.

"(3) PROCEDURE.—The Secretary shall approve or disapprove each plan or amendment within 90 days of its submission.

"(4) AMENDMENT.—Any amendment to the plan shall be prepared in accordance with the requirements of this subsection and shall be submitted to the Secretary for approval or disapproval.

"(e) AUTHORIZED USES.—Producing Coastal States and coastal political subdivisions shall use amounts provided under this section, including any such amounts deposited in a State or coastal political subdivision administered trust fund dedicated to uses consistent with this subsection, in compliance with Federal and State law and only for one or more of the following purposes:

"(1) uses set forth in new section 32(c)(4) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) proposed by the amendment to H.R. 701 of the 106th Congress as reported by the Senate Committee on Energy and Natural Resources;

"(2) projects and activities for the conservation, protection or restoration of wetlands;

"(3) mitigating damage to fish, wildlife or natural resources, including such activities authorized under subtitle B of title IV of the Oil Pollution Act of 1990 (33 U.S.C. 1321(c), (d));

"(4) planning assistance and administrative costs of complying with the provisions of this section;

"(5) implementation of Federally approved marine, coastal, or comprehensive conservation management plans; and

"(6) mitigating impacts of Outer Continental Shelf activities through funding of (A) onshore infrastructure projects and (B) other public service needs intended to mitigate the environmental effects of Outer Continental Shelf activities: Provided, That funds made available under this paragraph shall not exceed 23 percent of the funds provided under this section.

"(f) COMPLIANCE WITH AUTHORIZED USES.—If the Secretary determines that any expenditure made by a Producing Coastal State or coastal political subdivision is not consistent with the uses authorized in subsection (e), the Secretary shall not disburse any further amounts under this section to that Producing Coastal State or coastal political subdivision until the amounts used for the inconsistent expenditure have been repaid or obligated for authorized uses.".

TITLE X—LOCAL TV ACT

SECTION 1001. SHORT TITLE.

This title may be cited as the "Launching Our Communities' Access to Local Television Act of 2000".

SEC. 1002. PURPOSE.

The purpose of this Act is to facilitate access, on a technologically neutral basis and by December 31, 2006, to signals of local television stations for households located in nonserved areas and underserved areas.

SEC. 1003. LOCAL TELEVISION LOAN GUARANTEE BOARD.

(a) ESTABLISHMENT.—There is established the LOCAL Television Loan Guarantee Board (in this Act referred to as the "Board").

(b) MEMBERS.—

(1) IN GENERAL.—Subject to paragraph (2), the Board shall consist of the following members:

(A) The Secretary of the Treasury, or the designee of the Secretary.

(B) The Chairman of the Board of Governors of the Federal Reserve System, or the designee of the Chairman.

(C) The Secretary of Agriculture, or the designee of the Secretary.

(D) The Secretary of Commerce, or the designee of the Secretary.

(2) REQUIREMENT AS TO DESIGNEES.—An individual may not be designated a member of the Board under paragraph (1) unless the individual is an officer of the United States pursuant to an appointment by the President, by and with the advice and consent of the Senate.

(c) FUNCTIONS OF THE BOARD.—

(1) IN GENERAL.—The Board shall determine whether or not to approve loan guarantees under this Act. The Board shall make such determinations consistent with the purpose of this Act and in accordance with this subsection and section 4.

(2) CONSULTATION AUTHORIZED.—

(A) IN GENERAL.—In carrying out its functions under this Act, the Board shall consult with such departments

and agencies of the Federal Government as the Board considers appropriate, including the Department of Commerce, the Department of Agriculture, the Department of the Treasury, the Department of Justice, the Department of the Interior, the Board of Governors of the Federal Reserve System, the Federal Communications Commission, the Federal Trade Commission, and the National Aeronautics and Space Administration.

(B) RESPONSE.—A department or agency consulted by the Board under subparagraph (A) shall provide the Board such expertise and assistance as the Board requires to carry out its functions under this Act.

(3) APPROVAL BY MAJORITY VOTE.—The determination of the Board to approve a loan guarantee under this Act shall be by an affirmative vote of not less than 3 members of the Board.

SEC. 1004. APPROVAL OF LOAN GUARANTEES.

(a) AUTHORITY TO APPROVE LOAN GUARANTEES.—Subject to the provisions of this section and consistent with the purpose of this Act, the Board may approve loan guarantees under this Act.

(b) REGULATIONS.—

(1) REQUIREMENTS.—The Administrator (as defined in section 5), under the direction of and for approval by the Board, shall prescribe regulations to implement the provisions of this Act and shall do so not later than 120 days after funds authorized to be appropriated under section 11 have been appropriated in a bill signed into law.

(2) ELEMENTS.—The regulations prescribed under paragraph (1) shall—

(A) set forth the form of any application to be submitted to the Board under this Act;

(B) set forth time periods for the review and consideration by the Board of applications to be submitted to the Board under this Act, and for any other action to be taken by the Board with respect to such applications;

(C) provide appropriate safeguards against the evasion of the provisions of this Act;

(D) set forth the circumstances in which an applicant, together with any affiliate of an applicant, shall be treated as an applicant for a loan guarantee under this Act;

(E) include requirements that appropriate parties submit to the Board any documents and assurances that are required for the administration of the provisions of this Act; and

(F) include such other provisions consistent with the purpose of this Act as the Board considers appropriate.

(3) CONSTRUCTION.—(A) Nothing in this Act shall be construed to prohibit the Board from requiring, to the extent and under circumstances considered appropriate by the Board, that affiliates of an applicant be subject to certain obligations of the applicant as a condition to the approval or maintenance of a loan guarantee under this Act.

(B) If any provision of this Act or the application of such provision to any person or entity or circumstance is held to be invalid by a court of competent jurisdiction, the remainder of

this Act, or the application of such provision to such person or entity or circumstance other than those as to which it is held invalid, shall not be affected thereby.

(c) AUTHORITY LIMITED BY APPROPRIATIONS ACTS.—The Board may approve loan guarantees under this Act only to the extent provided for in advance in appropriations Acts, and the Board may accept credit risk premiums from a non-Federal source in order to cover the cost of a loan guarantee under this Act, to the extent that appropriations of budget authority are insufficient to cover such costs.

(d) REQUIREMENTS AND CRITERIA APPLICABLE TO APPROVAL.—

(1) IN GENERAL.—The Board shall utilize the underwriting criteria developed under subsection (g), and any relevant information provided by the departments and agencies with which the Board consults under section 3, to determine which loans may be eligible for a loan guarantee under this Act.

(2) PREREQUISITES.—In addition to meeting the underwriting criteria under paragraph (1), a loan may not be guaranteed under this Act unless—

(A) the loan is made to finance the acquisition, improvement, enhancement, construction, deployment, launch, or rehabilitation of the means by which local television broadcast signals will be delivered to a nonserved area or underserved area;

(B) the proceeds of the loan will not be used for operating, advertising, or promotion expenses, or for the acquisition of licenses for the use of spectrum in any competitive bidding under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j));

(C) the proposed project, as determined by the Board in consultation with the National Telecommunications and Information Administration, is not likely to have a substantial adverse impact on competition that outweighs the benefits of improving access to the signals of a local television station in a nonserved area or underserved area and is commercially viable;

(D)(i) the loan—

(I) is provided by any entity engaged in the business of commercial lending—

(aa) if the loan is made in accordance with loan-to-one-borrower and affiliate transaction restrictions to which the entity is subject under applicable law; or

(bb) if item (aa) does not apply, the loan is made only to a borrower that is not an affiliate of the entity and only if the amount of the loan and all outstanding loans by that entity to that borrower and any of its affiliates does not exceed 10 percent of the net equity of the entity; or

(II) is provided by a nonprofit corporation, including the National Rural Utilities Cooperative Finance Corporation, engaged primarily in commercial lending, if the Board determines that such nonprofit corporation has one or more issues of outstanding long-term debt

that is rated within the highest 3 rating categories of a nationally recognized statistical rating organization;

(ii) if the loan is provided by a lender described in clause (i)(II) and the Board determines that the making of the loan by such lender will cause a decline in such lender's debt rating as described in that clause, the Board at its discretion may disapprove the loan guarantee on this basis;

(iii) no loan may be made for purposes of this Act by a governmental entity or affiliate thereof, or by the Federal Agricultural Mortgage Corporation, or any institution supervised by the Office of Federal Housing Enterprise Oversight, the Federal Housing Finance Board, or any affiliate of such entities;

(iv) any loan must have terms, in the judgment of the Board, that are consistent in material respects with the terms of similar obligations in the private capital market;

(v) for purposes of clause (i)(I)(bb), the term "net equity" means the value of the total assets of the entity, less the total liabilities of the entity, as recorded under generally accepted accounting principles for the fiscal quarter ended immediately prior to the date on which the subject loan is approved;

(E) repayment of the loan is required to be made within a term of the lesser of—

(i) 25 years from the date of the execution of the loan; or

(ii) the economically useful life, as determined by the Board or in consultation with persons or entities deemed appropriate by the Board, of the primary assets to be used in the delivery of the signals concerned; and

(F) the loan meets any additional criteria developed under subsection (g).

(3) PROTECTION OF UNITED STATES FINANCIAL INTERESTS.—The Board may not approve the guarantee of a loan under this Act unless—

(A) the Board has been given documentation, assurances, and access to information, persons, and entities necessary, as determined by the Board, to address issues relevant to the review of the loan by the Board for purposes of this Act; and

(B) the Board makes a determination in writing that—

(i) to the best of its knowledge upon due inquiry, the assets, facilities, or equipment covered by the loan will be utilized economically and efficiently;

(ii) the terms, conditions, security, and schedule and amount of repayments of principal and the payment of interest with respect to the loan protect the financial interests of the United States and are reasonable;

(iii) the value of collateral provided by an applicant is at least equal to the unpaid balance of the loan amount covered by the loan guarantee (the "Amount" for purposes of this clause); and if the value of collateral provided by an applicant is less than the Amount,

the additional required collateral is provided by any affiliate of the applicant;

(iv) all necessary and required regulatory and other approvals, spectrum licenses, and delivery permissions have been received for the loan and the project under the loan;

(v) the loan would not be available on reasonable terms and conditions without a loan guarantee under this Act; and

(vi) repayment of the loan can reasonably be expected.

(e) CONSIDERATIONS.—

(1) TYPE OF MARKET.—

(A) PRIORITY CONSIDERATIONS.—To the maximum extent practicable, the Board shall give priority in the approval of loan guarantees under this Act in the following order:

(i) First, to projects that will serve households in nonserved areas. In considering such projects, the Board shall balance projects that will serve the largest number of households with projects that will serve remote, isolated communities (including noncontiguous States) in areas that are unlikely to be served through market mechanisms.

(ii) Second, to projects that will serve households in underserved areas. In considering such projects, the Board shall balance projects that will serve the largest number of households with projects that will serve remote, isolated communities (including noncontiguous States) in areas that are unlikely to be served through market mechanisms.

Within each category, the Board shall consider the project's estimated cost per household and shall give priority to those projects that provide the highest quality service at the lowest cost per household.

(B) ADDITIONAL CONSIDERATION.—The Board should give additional consideration to projects that also provide high-speed Internet service.

(C) PROHIBITIONS.—The Board may not approve a loan guarantee under this Act for a project that—

(i) is designed primarily to serve 1 or more of the top 40 designated market areas (as that term is defined in section 122(j) of title 17, United States Code); or

(ii) would alter or remove National Weather Service warnings from local broadcast signals.

(2) OTHER CONSIDERATIONS.—The Board shall consider other factors, which shall include projects that would—

(A) offer a separate tier of local broadcast signals, but for applicable Federal, State, or local laws or regulations;

(B) provide lower projected costs to consumers of such separate tier; and

(C) enable the delivery of local broadcast signals consistent with the purpose of this Act by a means reasonably

compatible with existing systems or devices predominantly in use.

(3) FURTHER CONSIDERATION.—In implementing this Act, the Board shall support the use of loan guarantees for projects that would serve households not likely to be served in the absence of loan guarantees under this Act.

(f) GUARANTEE LIMITS.—

(1) LIMITATION ON AGGREGATE VALUE OF LOANS.—The aggregate value of all loans for which loan guarantees are issued under this Act (including the unguaranteed portion of such loans) may not exceed $1,250,000,000.

(2) GUARANTEE LEVEL.—A loan guarantee issued under this Act may not exceed an amount equal to 80 percent of a loan meeting in its entirety the requirements of subsection (d)(2)(A). If only a portion of a loan meets the requirements of that subsection, the Board shall determine that percentage of the loan meeting such requirements (the "applicable portion") and may issue a loan guarantee in an amount not exceeding 80 percent of the applicable portion.

(g) UNDERWRITING CRITERIA.—Within the period provided for under subsection (b)(1), the Board shall, in consultation with the Director of the Office of Management and Budget and an independent public accounting firm, develop underwriting criteria relating to the guarantee of loans that are consistent with the purpose of this Act, including appropriate collateral and cash flow levels for loans guaranteed under this Act, and such other matters as the Board considers appropriate.

(h) CREDIT RISK PREMIUMS.—

(1) ESTABLISHMENT AND ACCEPTANCE.—

(A) IN GENERAL.—The Board may establish and approve the acceptance of credit risk premiums with respect to a loan guarantee under this Act in order to cover the cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of the loan guarantee. To the extent that appropriations of budget authority are insufficient to cover the cost, as so determined, of a loan guarantee under this Act, credit risk premiums shall be accepted from a non-Federal source under this subsection on behalf of the applicant for the loan guarantee.

(B) AUTHORITY LIMITED BY APPROPRIATIONS ACTS.—Credit risk premiums under this subsection shall be imposed only to the extent provided for in advance in appropriations Acts.

(2) CREDIT RISK PREMIUM AMOUNT.—

(A) IN GENERAL.—The Board shall determine the amount of any credit risk premium to be accepted with respect to a loan guarantee under this Act on the basis of—

(i) the financial and economic circumstances of the applicant for the loan guarantee, including the amount of collateral offered;

(ii) the proposed schedule of loan disbursements;

(iii) the business plans of the applicant for providing service;

(iv) any financial commitment from a broadcast signal provider; and

(v) the concurrence of the Director of the Office of Management and Budget as to the amount of the credit risk premium.

(B) PROPORTIONALITY.—To the extent that appropriations of budget authority are sufficient to cover the cost, as determined under section 502(5) of the Federal Credit Reform Act of 1990, of loan guarantees under this Act, the credit risk premium with respect to each loan guarantee shall be reduced proportionately.

(C) PAYMENT OF PREMIUMS.—Credit risk premiums under this subsection shall be paid to an account (the "Escrow Account") established in the Treasury which shall accrue interest and such interest shall be retained by the account, subject to subparagraph (D).

(D) DEDUCTIONS FROM ESCROW ACCOUNT.—If a default occurs with respect to any loan guaranteed under this Act and the default is not cured in accordance with the terms of the underlying loan or loan guarantee agreement, the Administrator, in accordance with subsections (i) and (j) of section 5, shall liquidate, or shall cause to be liquidated, all assets collateralizing such loan as to which it has a lien or security interest. Any shortfall between the proceeds of the liquidation net of costs and expenses relating to the liquidation, and the guarantee amount paid pursuant to this Act shall be deducted from funds in the Escrow Account and credited to the Administrator for payment of such shortfall. At such time as determined under subsection (d)(2)(E) of this section when all loans guaranteed under this Act have been repaid or otherwise satisfied in accordance with this Act and the regulations promulgated hereunder, remaining funds in the Escrow Account, if any, shall be refunded, on a pro rata basis, to applicants whose loans guaranteed under this Act were not in default, or where any default was cured in accordance with the terms of the underlying loan or loan guarantee agreement.

(i) LIMITATIONS ON GUARANTEES FOR CERTAIN CABLE OPERATORS.—Notwithstanding any other provision of this Act, no loan guarantee under this Act may be granted or used to provide funds for a project that extends, upgrades, or enhances the services provided over any cable system to an area that, as of the date of the enactment of this Act, is covered by a cable franchise agreement that expressly obligates a cable system operator to serve such area.

(j) JUDICIAL REVIEW.—The decision of the Board to approve or disapprove the making of a loan guarantee under this Act shall not be subject to judicial review.

(k) APPLICABILITY OF APA.—Except as otherwise provided in subsection (j), the provisions of subchapter II of chapter 5 and chapter 7 of title 5, United States Code (commonly referred to as the Administrative Procedure Act), shall apply to actions taken under this Act.

SEC. 1005. ADMINISTRATION OF LOAN GUARANTEES.

(a) IN GENERAL.—The Administrator of the Rural Utilities Service (in this Act referred to as the "Administrator") shall issue and otherwise administer loan guarantees that have been approved by the Board in accordance with sections 3 and 4.

(b) SECURITY FOR PROTECTION OF UNITED STATES FINANCIAL INTERESTS.—

(1) TERMS AND CONDITIONS.—An applicant shall agree to such terms and conditions as are satisfactory, in the judgment of the Board, to ensure that, as long as any principal or interest is due and payable on a loan guaranteed under this Act, the applicant—

(A) shall maintain assets, equipment, facilities, and operations on a continuing basis;

(B) shall not make any discretionary dividend payments that impair its ability to repay obligations guaranteed under this Act;

(C) shall remain sufficiently capitalized; and

(D) shall submit to, and cooperate fully with, any audit of the applicant under section 6(a)(2).

(2) COLLATERAL.—

(A) EXISTENCE OF ADEQUATE COLLATERAL.—An applicant shall provide the Board such documentation as is necessary, in the judgment of the Board, to provide satisfactory evidence that appropriate and adequate collateral secures a loan guaranteed under this Act.

(B) FORM OF COLLATERAL.—Collateral required by subparagraph (A) shall consist solely of assets of the applicant, any affiliate of the applicant, or both (whichever the Board considers appropriate), including primary assets to be used in the delivery of signals for which the loan is guaranteed.

(C) REVIEW OF VALUATION.—The value of collateral securing a loan guaranteed under this Act may be reviewed by the Board, and may be adjusted downward by the Board if the Board reasonably believes such adjustment is appropriate.

(3) LIEN ON INTERESTS IN ASSETS.—Upon the Board's approval of a loan guarantee under this Act, the Administrator shall have liens on assets securing the loan, which shall be superior to all other liens on such assets, and the value of the assets (based on a determination satisfactory to the Board) subject to the liens shall be at least equal to the unpaid balance of the loan amount covered by the loan guarantee, or that value approved by the Board under section 4(d)(3)(B)(iii).

(4) PERFECTED SECURITY INTEREST.—With respect to a loan guaranteed under this Act, the Administrator and the lender shall have a perfected security interest in assets securing the loan that are fully sufficient to protect the financial interests of the United States and the lender.

(5) INSURANCE.—In accordance with practices in the private capital market, as determined by the Board, the applicant for a loan guarantee under this Act shall obtain, at its expense, insurance sufficient to protect the financial interests of the United States, as determined by the Board.

(c) ASSIGNMENT OF LOAN GUARANTEES.—The holder of a loan guarantee under this Act may assign the loan guaranteed under this Act in whole or in part, subject to such requirements as the Board may prescribe.

(d) EXPIRATION OF LOAN GUARANTEE UPON STRIPPING.—Notwithstanding subsections (c), (e), and (h), a loan guarantee under this Act shall have no force or effect if any part of the guaranteed portion of the loan is transferred separate and apart from the unguaranteed portion of the loan.

(e) ADJUSTMENT.—The Board may approve the adjustment of any term or condition of a loan guarantee or a loan guaranteed under this Act, including the rate of interest, time of payment of principal or interest, or security requirements only if—

(1) the adjustment is consistent with the financial interests of the United States;

(2) consent has been obtained from the parties to the loan agreement;

(3) the adjustment is consistent with the underwriting criteria developed under section 4(g);

(4) the adjustment does not adversely affect the interest of the Federal Government in the assets or collateral of the applicant;

(5) the adjustment does not adversely affect the ability of the applicant to repay the loan; and

(6) the National Telecommunications and Information Administration has been consulted by the Board regarding the adjustment.

(f) PERFORMANCE SCHEDULES.—

(1) PERFORMANCE SCHEDULES.—An applicant for a loan guarantee under this Act for a project covered by section 4(e)(1) shall enter into stipulated performance schedules with the Administrator with respect to the signals to be provided through the project.

(2) PENALTY.—The Administrator may assess against and collect from an applicant described in paragraph (1) a penalty not to exceed 3 times the interest due on the guaranteed loan of the applicant under this Act if the applicant fails to meet its stipulated performance schedule under that paragraph.

(g) COMPLIANCE.—The Administrator, in cooperation with the Board and as the regulations of the Board may provide, shall enforce compliance by an applicant, and any other party to a loan guarantee for whose benefit assistance under this Act is intended, with the provisions of this Act, any regulations under this Act, and the terms and conditions of the loan guarantee, including through the submittal of such reports and documents as the Board may require in regulations prescribed by the Board and through regular periodic inspections and audits.

(h) COMMERCIAL VALIDITY.—A loan guarantee under this Act shall be incontestable—

(1) in the hands of an applicant on whose behalf the loan guarantee is made, unless the applicant engaged in fraud or misrepresentation in securing the loan guarantee; and

(2) as to any person or entity (or their respective successor in interest) who makes or contracts to make a loan to the appli-

cant for the loan guarantee in reliance thereon, unless such person or entity (or respective successor in interest) engaged in fraud or misrepresentation in making or contracting to make such loan.

(i) DEFAULTS.—The Board shall prescribe regulations governing defaults on loans guaranteed under this Act, including the administration of the payment of guaranteed amounts upon default.

(j) RECOVERY OF PAYMENTS.—

(1) IN GENERAL.—The Administrator shall be entitled to recover from an applicant for a loan guarantee under this Act the amount of any payment made to the holder of the guarantee with respect to the loan.

(2) SUBROGATION.—Upon making a payment described in paragraph (1), the Administrator shall be subrogated to all rights of the party to whom the payment is made with respect to the guarantee which was the basis for the payment.

(3) DISPOSITION OF PROPERTY.—

(A) SALE OR DISPOSAL.—The Administrator shall, in an orderly and efficient manner, sell or otherwise dispose of any property or other interests obtained under this Act in a manner that maximizes taxpayer return and is consistent with the financial interests of the United States.

(B) MAINTENANCE.—The Administrator shall maintain in a cost-effective and reasonable manner any property or other interests pending sale or disposal of such property or other interests under subparagraph (A).

(k) ACTION AGAINST OBLIGOR.—

(1) AUTHORITY TO BRING CIVIL ACTION.—The Administrator may bring a civil action in an appropriate district court of the United States in the name of the United States or of the holder of the obligation in the event of a default on a loan guaranteed under this Act. The holder of a loan guarantee shall make available to the Administrator all records and evidence necessary to prosecute the civil action.

(2) FULLY SATISFYING OBLIGATIONS OWED THE UNITED STATES.—The Administrator may accept property in satisfaction of any sums owed the United States as a result of a default on a loan guaranteed under this Act, but only to the extent that any cash accepted by the Administrator is not sufficient to satisfy fully the sums owed as a result of the default.

(l) BREACH OF CONDITIONS.—The Administrator shall commence a civil action in a court of appropriate jurisdiction to enjoin any activity which the Board finds is in violation of this Act, the regulations under this Act, or any conditions which were duly agreed to, and to secure any other appropriate relief, including relief against any affiliate of the applicant.

(m) ATTACHMENT.—No attachment or execution may be issued against the Administrator or any property in the control of the Administrator pursuant to this Act before the entry of a final judgment (as to which all rights of appeal have expired) by a Federal, State, or other court of competent jurisdiction against the Administrator in a proceeding for such action.

(n) FEES.—

(1) APPLICATION FEE.—The Board shall charge and collect from an applicant for a loan guarantee under this Act a fee to cover the cost of the Board in making necessary determinations and findings with respect to the loan guarantee application under this Act. The amount of the fee shall be reasonable.

(2) LOAN GUARANTEE ORIGINATION FEE.—The Board shall charge, and the Administrator may collect, a loan guarantee origination fee with respect to the issuance of a loan guarantee under this Act.

(3) USE OF FEES COLLECTED.—

(A) IN GENERAL.—Any fee collected under this subsection shall be used, subject to subparagraph (B), to offset administrative costs under this Act, including costs of the Board and of the Administrator.

(B) SUBJECT TO APPROPRIATIONS.—The authority provided by this subsection shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

(C) LIMITATION ON FEES.—The aggregate amount of fees imposed by this subsection shall not exceed the actual amount of administrative costs under this Act.

(o) REQUIREMENTS RELATING TO AFFILIATES.—

(1) INDEMNIFICATION.—The United States shall be indemnified by any affiliate (acceptable to the Board) of an applicant for a loan guarantee under this Act for any losses that the United States incurs as a result of—

(A) a judgment against the applicant or any of its affiliates;

(B) any breach by the applicant or any of its affiliates of their obligations under the loan guarantee agreement;

(C) any violation of the provisions of this Act, and the regulations prescribed under this Act, by the applicant or any of its affiliates;

(D) any penalties incurred by the applicant or any of its affiliates for any reason, including violation of a stipulated performance schedule under subsection (f); and

(E) any other circumstances that the Board considers appropriate.

(2) LIMITATION ON TRANSFER OF LOAN PROCEEDS.—An applicant for a loan guarantee under this Act may not transfer any part of the proceeds of the loan to an affiliate.

(p) EFFECT OF BANKRUPTCY.—

(1) Notwithstanding any other provision of law, whenever any person or entity is indebted to the United States as a result of any loan guarantee issued under this Act and such person or entity is insolvent or is a debtor in a case under title 11, United States Code, the debts due to the United States shall be satisfied first.

(2) A discharge in bankruptcy under title 11, United States Code, shall not release a person or entity from an obligation to the United States in connection with a loan guarantee under this Act.

SEC. 1006. ANNUAL AUDIT.

(a) REQUIREMENT.—The Comptroller General of the United States shall conduct on an annual basis an audit of—

(1) the administration of the provisions of this Act; and

(2) the financial position of each applicant who receives a loan guarantee under this Act, including the nature, amount, and purpose of investments made by the applicant.

(b) REPORT.—The Comptroller General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking and Financial Services of the House of Representatives a report on each audit conducted under subsection (a).

SEC. 1007. IMPROVED CELLULAR SERVICE IN RURAL AREAS.

(a) REINSTATEMENT OF APPLICANTS AS TENTATIVE SELECTEES.—

(1) IN GENERAL.—Notwithstanding the order of the Federal Communications Commission in the proceeding described in paragraph (3), the Commission shall—

(A) reinstate each applicant as a tentative selectee under the covered rural service area licensing proceeding; and

(B) permit each applicant to amend its application, to the extent necessary to update factual information and to comply with the rules of the Commission, at any time before the Commission's final licensing action in the covered rural service area licensing proceeding.

(2) EXEMPTION FROM PETITIONS TO DENY.—For purposes of the amended applications filed pursuant to paragraph (1)(B), the provisions of section 309(d)(1) of the Communications Act of 1934 (47 U.S.C. 309(d)(1)) shall not apply.

(3) PROCEEDING.—The proceeding described in this paragraph is the proceeding of the Commission In re Applications of Cellwave Telephone Services L.P., Futurewave General Partners L.P., and Great Western Cellular Partners, 7 FCC Rcd No. 19 (1992).

(b) CONTINUATION OF LICENSE PROCEEDING; FEE ASSESSMENT.—

(1) AWARD OF LICENSES.—The Commission shall award licenses under the covered rural service area licensing proceeding within 90 days after the date of the enactment of this Act.

(2) SERVICE REQUIREMENTS.—The Commission shall provide that, as a condition of an applicant receiving a license pursuant to the covered rural service area licensing proceeding, the applicant shall provide cellular radiotelephone service to subscribers in accordance with sections 22.946 and 22.947 of the Commission's rules (47 CFR 22.946, 22.947); except that the time period applicable under section 22.947 of the Commission's rules (or any successor rule) to the applicants identified in subparagraphs (A) and (B) of subsection (d)(1) shall be 3 years rather than 5 years and the waiver authority of the Commission shall apply to such 3-year period.

(3) CALCULATION OF LICENSE FEE.—

(A) FEE REQUIRED.—The Commission shall establish a fee for each of the licenses under the covered rural service

area licensing proceeding. In determining the amount of the fee, the Commission shall consider—

(i) the average price paid per person served in the Commission's Cellular Unserved Auction (Auction No. 12); and

(ii) the settlement payments required to be paid by the permittees pursuant to the consent decree set forth in the Commission's order, In re the Tellesis Partners (7 FCC Rcd 3168 (1992)), multiplying such payments by two.

(B) NOTICE OF FEE.—Within 30 days after the date an applicant files the amended application permitted by subsection (a)(1)(B), the Commission shall notify each applicant of the fee established for the license associated with its application.

(4) PAYMENT FOR LICENSES.—No later than 18 months after the date that an applicant is granted a license, each applicant shall pay to the Commission the fee established pursuant to paragraph (3) for the license granted to the applicant under paragraph (1).

(5) AUCTION AUTHORITY.—If, after the amendment of an application pursuant to subsection (a)(1)(B), the Commission finds that the applicant is ineligible for grant of a license to provide cellular radiotelephone services for a rural service area or the applicant does not meet the requirements under paragraph (2) of this subsection, the Commission shall grant the license for which the applicant is the tentative selectee (pursuant to subsection (a)(1)(B) by competitive bidding pursuant to section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)).

(c) PROHIBITION OF TRANSFER.—During the 5-year period that begins on the date that an applicant is granted any license pursuant to subsection (a), the Commission may not authorize the transfer or assignment of that license under section 310 of the Communications Act of 1934 (47 U.S.C. 310). Nothing in this Act may be construed to prohibit any applicant granted a license pursuant to subsection (a) from contracting with other licensees to improve cellular telephone service.

(d) DEFINITIONS.—For the purposes of this section, the following definitions shall apply:

(1) APPLICANT.—The term "applicant" means—

(A) Great Western Cellular Partners, a California general partnership chosen by the Commission as tentative selectee for RSA #492 on May 4, 1989;

(B) Monroe Telephone Services L.P., a Delaware limited partnership chosen by the Commission as tentative selectee for RSA #370 on August 24, 1989 (formerly Cellwave Telephone Services L.P.); and

(C) FutureWave General Partners L.P., a Delaware limited partnership chosen by the Commission as tentative selectee for RSA #615 on May 25, 1990.

(2) COMMISSION.—The term "Commission" means the Federal Communications Commission.

(3) COVERED RURAL SERVICE AREA LICENSING PROCEEDING.—The term "covered rural service area licensing pro-

ceeding" means the proceeding of the Commission for the grant of cellular radiotelephone licenses for rural service areas #492 (Minnesota 11), #370 (Florida 11), and #615 (Pennsylvania 4).

(4) TENTATIVE SELECTEE.—The term "tentative selectee" means a party that has been selected by the Commission under a licensing proceeding for grant of a license, but has not yet been granted the license because the Commission has not yet determined whether the party is qualified under the Commission's rules for grant of the license.

SEC. 1008. TECHNICAL AMENDMENT.

Section 339(c) of the Communications Act of 1934 (47 U.S.C. 339(c)) is amended by adding at the end the following new paragraph:

"(5) DEFINITION.—Notwithstanding subsection (d)(4), for purposes of paragraphs (2) and (4) of this subsection, the term 'satellite carrier' includes a distributor (as defined in section 119(d)(1) of title 17, United States Code), but only if the satellite distributor's relationship with the subscriber includes billing, collection, service activation, and service deactivation.".

SEC. 1009. SUNSET.

No loan guarantee may be approved under this Act after December 31, 2006.

SEC. 1010. DEFINITIONS.

In this Act:

(1) AFFILIATE.—The term "affiliate"—

(A) means any person or entity that controls, or is controlled by, or is under common control with, another person or entity; and

(B) may include any individual who is a director or senior management officer of an affiliate, a shareholder controlling more than 25 percent of the voting securities of an affiliate, or more than 25 percent of the ownership interest in an affiliate not organized in stock form.

(2) NONSERVED AREA.—The term "nonserved area" means any area that—

(A) is outside the grade B contour (as determined using standards employed by the Federal Communications Commission) of the local television broadcast signals serving a particular designated market area; and

(B) does not have access to such signals by any commercial, for profit, multichannel video provider.

(3) UNDERSERVED AREA.—The term "underserved area" means any area that—

(A) is outside the grade A contour (as determined using standards employed by the Federal Communications Commission) of the local television broadcast signals serving a particular designated market area; and

(B) has access to local television broadcast signals from not more than one commercial, for-profit multichannel video provider.

(4) COMMON TERMS.—Except as provided in paragraphs (1) through (3), any term used in this Act that is defined in the

Communications Act of 1934 (47 U.S.C. 151 et seq.) has the meaning given that term in the Communications Act of 1934.

SEC. 1011. AUTHORIZATIONS OF APPROPRIATIONS.

(a) COST OF LOAN GUARANTEES.—For the cost of the loans guaranteed under this Act, including the cost of modifying the loans, as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661(a)), there are authorized to be appropriated for fiscal years 2001 through 2006, such amounts as may be necessary.

(b) COST OF ADMINISTRATION.—There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, other than to cover costs under subsection (a).

(c) AVAILABILITY.—Any amounts appropriated pursuant to the authorizations of appropriations in subsections (a) and (b) shall remain available until expended.

SEC. 1012. PREVENTION OF INTERFERENCE TO DIRECT BROADCAST SATELLITE SERVICES.

(a) TESTING FOR HARMFUL INTERFERENCE.—The Federal Communications Commission shall provide for an independent technical demonstration of any terrestrial service technology proposed by any entity that has filed an application to provide terrestrial service in the direct broadcast satellite frequency band to determine whether the terrestrial service technology proposed to be provided by that entity will cause harmful interference to any direct broadcast satellite service.

(b) TECHNICAL DEMONSTRATION.—In order to satisfy the requirement of subsection (a) for any pending application, the Commission shall select an engineering firm or other qualified entity independent of any interested party based on a recommendation made by the Institute of Electrical and Electronics Engineers (IEEE), or a similar independent professional organization, to perform the technical demonstration or analysis. The demonstration shall be concluded within 60 days after the date of enactment of this Act and shall be subject to public notice and comment for not more than 30 days thereafter.

(c) DEFINITIONS.—As used in this section:

(1) DIRECT BROADCAST SATELLITE FREQUENCY BAND.—The term "direct broadcast satellite frequency band" means the band of frequencies at 12.2 to 12.7 gigahertz.

(2) DIRECT BROADCAST SATELLITE SERVICE.—The term "direct broadcast satellite service" means any direct broadcast satellite system operating in the direct broadcast satellite frequency band.

TITLE XI—ENCOURAGING IMMIGRANT FAMILY REUNIFICATION

SEC. 1101. SHORT TITLE.

This title may be cited as—

(1) the "Legal Immigration Family Equity Act"; or

(2) the "LIFE Act".

SEC. 1102. NONIMMIGRANT STATUS FOR SPOUSES AND CHILDREN OF PERMANENT RESIDENTS AWAITING THE AVAILABILITY OF AN IMMIGRANT VISA; PROVISIONS AFFECTING SUBSEQUENT ADJUSTMENT OF STATUS FOR SUCH NONIMMIGRANTS.

(a) IN GENERAL.—Section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) is amended—

(1) in subparagraph (T), by striking "or" at the end;

(2) in subparagraph (U), by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following:

"(V) subject to section 214(o), an alien who is the beneficiary (including a child of the principal alien, if eligible to receive a visa under section 203(d)) of a petition to accord a status under section 203(a)(2)(A) that was filed with the Attorney General under section 204 on or before the date of the enactment of the Legal Immigration Family Equity Act, if—

"(i) such petition has been pending for 3 years or more; or

"(ii) such petition has been approved, 3 years or more have elapsed since such filing date, and—

"(I) an immigrant visa is not immediately available to the alien because of a waiting list of applicants for visas under section 203(a)(2)(A); or

"(II) the alien's application for an immigrant visa, or the alien's application for adjustment of status under section 245, pursuant to the approval of such petition, remains pending.

(b) PROVISIONS AFFECTING NONIMMIGRANT STATUS.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended by adding at the end the following:

"(o)(1) In the case of a nonimmigrant described in section 101(a)(15)(V)—

"(A) the Attorney General shall authorize the alien to engage in employment in the United States during the period of authorized admission and shall provide the alien with an 'employment authorized' endorsement or other appropriate document signifying authorization of employment; and

"(B) the period of authorized admission as such a nonimmigrant shall terminate 30 days after the date on which any of the following is denied:

"(i) The petition filed under section 204 to accord the alien a status under section 203(a)(2)(A) (or, in the case of a child granted nonimmigrant status based on eligibility to receive a visa under section 203(d), the petition filed to accord the child's parent a status under section 203(a)(2)(A)).

"(ii) The alien's application for an immigrant visa pursuant to the approval of such petition.

"(iii) The alien's application for adjustment of status under section 245 pursuant to the approval of such petition.

"(2) In determining whether an alien is eligible to be admitted to the United States as a nonimmigrant under section 101(a)(15)(V), the grounds for inadmissibility specified in section 212(a)(9)(B) shall not apply.

"(3) The status of an alien physically present in the United States may be adjusted by the Attorney General, in the discretion of the Attorney General and under such regulations as the Attorney General may prescribe, to that of a nonimmigrant under section 101(a)(15)(V), if the alien—

"(A) applies for such adjustment;

"(B) satisfies the requirements of such section; and

"(C) is eligible to be admitted to the United States, except in determining such admissibility, the grounds for inadmissibility specified in paragraphs (6)(A), (7), and (9)(B) of section 212(a) shall not apply.".

(c) PROVISIONS AFFECTING PERMANENT RESIDENT STATUS.—Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended by adding at the end the following:

"(m)(1) The status of a nonimmigrant described in section 101(a)(15)(V) who the Attorney General determines was physically present in the United States at any time during the period beginning on July 1, 2000, and ending on October 1, 2000, may be adjusted by the Attorney General, in the discretion of the Attorney General and under such regulations as the Attorney General may prescribe, to that of an alien lawfully admitted for permanent residence, if—

"(A) the alien makes an application for such adjustment;

"(B) the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent residence, except in determining such admissibility, the grounds for inadmissibility specified in paragraphs (6)(A), (7), and (9)(B) of section 212(a) shall not apply; and

"(C) an immigrant visa is immediately available to the alien at the time the alien's application is filed.

"(2) Paragraph (1) shall not apply to an alien who has failed (other than through no fault of the alien or for technical reasons) to maintain continuously a lawful status since obtaining the status of a nonimmigrant described in section 101(a)(15)(V).

"(3) Upon the approval of an application for adjustment made under paragraph (1), the Attorney General shall record the alien's lawful admission for permanent residence as of the date the order of the Attorney General approving the application for the adjustment of status is made, and the Secretary of State shall reduce by one the number of the preference visas authorized to be issued under sections 202 and 203 within the class to which the alien is chargeable for the fiscal year then current.

"(4) The Attorney General may accept an application for adjustment made under paragraph (1) only if the alien remits with such application a sum equalling $1,000, except that such sum shall not be required from an alien if it would not be required from the alien if the alien were applying under subsection (i).

"(5) The sum specified in paragraph (4) shall be in addition to the fee normally required for the processing of an application under this section.

"(6)(A) The portion of each application fee (not to exceed $200) that the Attorney General determines is required to process an application under this subsection shall be disposed of by the Attorney General as provided in subsections (m), (n), and (o) of section 286.

"(B) One-half of any remaining portion of such fee shall be deposited by the Attorney General into the Immigration Examination Fee Account established under section 286(m), and one-half of any remaining portion of such fees shall be deposited by the Attorney General into the Breached Bond/Detention Fund established under section 286(r).

"(7) Nothing in this subsection shall be construed as precluding a nonimmigrant described in section 101(a)(15)(V) who is eligible for adjustment of status under subsection (a) from applying for and obtaining adjustment under such subsection. In the case of such an application, the alien shall be required to remit only the fee normally required for the processing of an application under subsection (a).".

(d) CONFORMING AMENDMENTS.—

(1) ADMISSION OF NONIMMIGRANTS.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended, in each of subsections (b) and (h), by striking "(H)(i) or (L)" and inserting "(H)(i), (L), or (V)".

(2) ADJUSTMENT OF STATUS.—Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended—

(A) in each of subsections (d) and (f), by striking "under subsection (a)," each place such term appears and inserting "under subsection (a) or (m),"; and

(B) in subsection (e)(1), by striking "subsection (a)." and inserting "subsection (a) or (m).".

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to an alien who is the beneficiary of a classification petition filed under section 204 of the Immigration and Nationality Act on or before the date of the enactment of this Act.

SEC. 1103. NONIMMIGRANT STATUS FOR SPOUSES AND CHILDREN OF CITIZENS AWAITING THE AVAILABILITY OF AN IMMIGRANT VISA.

(a) IN GENERAL.—Section 101(a)(15)(K) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(K)) is amended to read as follows:

"(K) subject to subsections (d) and (p) of section 214, an alien who—

"(i) is the fiancée or fiancé of a citizen of the United States and who seeks to enter the United States solely to conclude a valid marriage with the petitioner within ninety days after admission;

"(ii) has concluded a valid marriage with a citizen of the United States who is the petitioner, is the beneficiary of a petition to accord a status under section 201(b)(2)(A)(i) that was filed under section 204 by the petitioner, and seeks to enter the United States to await the approval of such petition and the availability to the alien of an immigrant visa; or

"(iii) is the minor child of an alien described in clause (i) or (ii) and is accompanying, or following to join, the alien;".

(b) PROVISIONS AFFECTING NONIMMIGRANT STATUS.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184), as

amended by section 2 of this Act, is further amended by adding at the end the following:

"(p)(1) A visa shall not be issued under the provisions of section 101(a)(15)(K)(ii) until the consular officer has received a petition filed in the United States by the spouse of the applying alien and approved by the Attorney General. The petition shall be in such form and contain such information as the Attorney General shall, by regulation, prescribe.

"(2) In the case of an alien seeking admission under section 101(a)(15)(K)(ii) who concluded a marriage with a citizen of the United States outside the United States, the alien shall be considered inadmissible under section 212(a)(7)(B) if the alien is not at the time of application for admission in possession of a valid nonimmigrant visa issued by a consular officer in the foreign state in which the marriage was concluded.

"(3) In the case of a nonimmigrant described in section 101(a)(15)(K)(ii), and any child of such a nonimmigrant who was admitted as accompanying, or following to join, such a nonimmigrant, the period of authorized admission shall terminate 30 days after the date on which any of the following is denied:

"(A) The petition filed under section 204 to accord the principal alien status under section 201(b)(2)(A)(i).

"(B) The principal alien's application for an immigrant visa pursuant to the approval of such petition.

"(C) The principal alien's application for adjustment of status under section 245 pursuant to the approval of such petition.".

(c) CONFORMING AMENDMENTS.—

(1) ADMISSION OF NONIMMIGRANTS.—Section 214(d) of the Immigration and Nationality Act (8 U.S.C. 1184(d)) is amended by striking "101(a)(15)(K)" and inserting "101(a)(15)(K)(i)".

(2) CONDITIONAL PERMANENT RESIDENT STATUS.—Section 216 of the Immigration and Nationality Act (8 U.S.C. 1186a) is amended, in each of subsections (b)(1)(B) and (d)(1)(A)(ii), by striking "214(d)" and inserting "subsection (d) or (p) of section 214".

(3) ADJUSTMENT OF STATUS.—Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended—

(A) in subsection (d), by striking "(relating to an alien fiancee or fiance or the minor child of such alien)"; and

(B) in subsection (e)(3), by striking "214(d)" and inserting "subsection (d) or (p) of section 214".

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to an alien who is the beneficiary of a classification petition filed under section 204 of the Immigration and Nationality Act before, on, or after the date of the enactment of this Act.

SEC. 1104. ADJUSTMENT OF STATUS OF CERTAIN CLASS ACTION PARTICIPANTS WHO ENTERED BEFORE JANUARY 1, 1982, TO THAT OF PERSON ADMITTED FOR LAWFUL RESIDENCE.

(a) IN GENERAL.—In the case of an eligible alien described in subsection (b), the provisions of section 245A of the Immigration and Nationality Act (8 U.S.C. 1255a), as modified by subsection (c), shall apply to the alien.

(b) ELIGIBLE ALIENS DESCRIBED.—An alien is an eligible alien described in this subsection if, before October 1, 2000, the alien filed with the Attorney General a written claim for class membership, with or without a filing fee, pursuant to a court order issued in the case of—

(1) Catholic Social Services, Inc. v. Meese, vacated sub nom. Reno v. Catholic Social Services, Inc., 509 U.S. 43 (1993); or

(2) League of United Latin American Citizens v. INS, vacated sub nom. Reno v. Catholic Social Services, Inc., 509 U.S. 43 (1993).

(c) MODIFICATIONS TO PROVISIONS GOVERNING ADJUSTMENT OF STATUS.—The modifications to section 245A of the Immigration and Nationality Act that apply to an eligible alien described in subsection (b) of this section are the following:

(1) TEMPORARY RESIDENT STATUS.—Subsection (a) of such section 245A shall not apply.

(2) ADJUSTMENT TO PERMANENT RESIDENT STATUS.—In lieu of paragraphs (1) and (2) of subsection (b) of such section 245A, the Attorney General shall be required to adjust the status of an eligible alien described in subsection (b) of this section to that of an alien lawfully admitted for permanent residence if the alien meets the following requirements:

(A) APPLICATION PERIOD.—The alien must file with the Attorney General an application for such adjustment during the 12-month period beginning on the date on which the Attorney General issues final regulations to implement this section.

(B) CONTINUOUS UNLAWFUL RESIDENCE.—

(i) IN GENERAL.—The alien must establish that the alien entered the United States before January 1, 1982, and that he or she has resided continuously in the United States in an unlawful status since such date and through May 4, 1988. In determining whether an alien maintained continuous unlawful residence in the United States for purposes of this subparagraph, the regulations prescribed by the Attorney General under section 245A(g) of the Immigration and Nationality Act that were most recently in effect before the date of the enactment of this Act shall apply.

(ii) NONIMMIGRANTS.—In the case of an alien who entered the United States as a nonimmigrant before January 1, 1982, the alien must establish that the alien's period of authorized stay as a nonimmigrant expired before such date through the passage of time or the alien's unlawful status was known to the Government as of such date.

(iii) EXCHANGE VISITORS.—If the alien was at any time a nonimmigrant exchange alien (as defined in section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)), the alien must establish that the alien was not subject to the two-year foreign residence requirement of section 212(e) of such Act or

has fulfilled that requirement or received a waiver thereof.

(iv) CUBAN AND HAITIAN ENTRANTS.—For purposes of this section, an alien in the status of a Cuban and Haitian entrant described in paragraph (1) or (2)(A) of section 501(e) of Public Law 96–422 shall be considered to have entered the United States and to be in an unlawful status in the United States.

(C) CONTINUOUS PHYSICAL PRESENCE.—

(i) IN GENERAL.—The alien must establish that the alien was continuously physically present in the United States during the period beginning on November 6, 1986, and ending on May 4, 1988, except that—

(I) an alien shall not be considered to have failed to maintain continuous physical presence in the United States for purposes of this subparagraph by virtue of brief, casual, and innocent absences from the United States; and

(II) brief, casual, and innocent absences from the United States shall not be limited to absences with advance parole.

(ii) ADMISSIONS.—Nothing in this section shall be construed as authorizing an alien to apply for admission to, or to be admitted to, the United States in order to apply for adjustment of status under this section or section 245A of the Immigration and Nationality Act.

(D) ADMISSIBLE AS IMMIGRANT.—The alien must establish that the alien—

(i) is admissible to the United States as an immigrant, except as otherwise provided under section 245A(d)(2) of the Immigration and Nationality Act;

(ii) has not been convicted of any felony or of three or more misdemeanors committed in the United States;

(iii) has not assisted in the persecution of any person or persons on account of race, religion, nationality, membership in a particular social group, or political opinion; and

(iv) is registered or registering under the Military Selective Service Act, if the alien is required to be so registered under that Act.

(E) BASIC CITIZENSHIP SKILLS.—

(i) IN GENERAL.—The alien must demonstrate that the alien either—

(I) meets the requirements of section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1423(a)) (relating to minimal understanding of ordinary English and a knowledge and understanding of the history and government of the United States); or

(II) is satisfactorily pursuing a course of study (recognized by the Attorney General) to achieve such an understanding of English and such a knowledge and understanding of the history and government of the United States.

(ii) EXCEPTION FOR ELDERLY OR DEVELOPMENTALLY DISABLED INDIVIDUALS.—The Attorney General may, in the discretion of the Attorney General, waive all or part of the requirements of clause (i) in the case of an alien who is 65 years of age or older or who is developmentally disabled.

(iii) RELATION TO NATURALIZATION EXAMINATION.—In accordance with regulations of the Attorney General, an alien who has demonstrated under clause (i)(I) that the alien meets the requirements of section 312(a) of the Immigration and Nationality Act may be considered to have satisfied the requirements of that section for purposes of becoming naturalized as a citizen of the United States under title III of such Act.

(3) TEMPORARY STAY OF REMOVAL, AUTHORIZED TRAVEL, AND EMPLOYMENT DURING PENDENCY OF APPLICATION.—In lieu of subsections (b)(3) and (e)(2) of such section 245A, the Attorney General shall provide that, in the case of an eligible alien described in subsection (b) of this section who presents a prima facie application for adjustment of status to that of an alien lawfully admitted for permanent residence under such section 245A during the application period described in paragraph (2)(A), until a final determination on the application has been made—

(A) the alien may not be deported or removed from the United States;

(B) the Attorney General shall, in accordance with regulations, permit the alien to return to the United States after such brief and casual trips abroad as reflect an intention on the part of the alien to adjust to lawful permanent resident status and after brief temporary trips abroad occasioned by a family obligation involving an occurrence such as the illness or death of a close relative or other family need; and

(C) the Attorney General shall grant the alien authorization to engage in employment in the United States and provide to that alien an "employment authorized" endorsement or other appropriate work permit.

(4) APPLICATIONS.—Paragraphs (1) through (4) of subsection (c) of such section 245A shall not apply.

(5) CONFIDENTIALITY OF INFORMATION.—Subsection (c)(5) of such section 245A shall apply to information furnished by an eligible alien described in subsection (b) pursuant to any application filed under such section 245A or this section, except that the Attorney General (and other officials and employees of the Department of Justice and any bureau or agency thereof) may use such information for purposes of rescinding, pursuant to section 246(a) of the Immigration and Nationality Act (8 U.S.C. 1256(a)), any adjustment of status obtained by the alien.

(6) USE OF FEES FOR IMMIGRATION-RELATED UNFAIR EMPLOYMENT PRACTICES.—Notwithstanding subsection (c)(7)(C) of such section 245A, no application fee paid to the Attorney General pursuant to this section by an eligible alien described in

subsection (b) of this section shall be available in any fiscal year for the purpose described in such subsection (c)(7)(C).

(7) TEMPORARY STAY OF REMOVAL AND WORK AUTHORIZATION FOR CERTAIN APPLICANTS BEFORE APPLICATION PERIOD.—In lieu of subsection (e)(1) of such section 245A, the Attorney General shall provide that in the case of an eligible alien described in subsection (b) of this section who is apprehended before the beginning of the application period described in paragraph (2)(A) and who can establish a prima facie case of eligibility to have his status adjusted under such section 245A pursuant to this section (but for the fact that he may not apply for such adjustment until the beginning of such period), until the alien has had the opportunity during the first 30 days of the application period to complete the filing of an application for adjustment, the alien—

(A) may not be deported or removed from the United States; and

(B) shall be granted authorization to engage in employment in the United States and be provided an "employment authorized" endorsement or other appropriate work permit.

(8) JURISDICTION OF COURTS.—Effective as of November 6, 1986, subsection (f)(4)(C) of such section 245A shall not apply to an eligible alien described in subsection (b) of this section.

(9) PUBLIC WELFARE ASSISTANCE.—Subsection (h) of such section 245A shall not apply.

(d) APPLICATIONS FROM ABROAD.—The Attorney General shall establish a process under which an alien who has become eligible to apply for adjustment of status to that of an alien lawfully admitted for permanent residence as a result of the enactment of this section and who is not physically present in the United States may apply for such adjustment from abroad.

(e) DEADLINE FOR REGULATIONS.—The Attorney General shall issue regulations to implement this section not later than 120 days after the date of the enactment of this Act.

(f) ADMINISTRATIVE AND JUDICIAL REVIEW.—The provisions of subparagraphs (A) and (B) of section 245A(f)(4) of the Immigration and Nationality Act (8 U.S.C. 1255a(f)(4)) shall apply to administrative or judicial review of a determination under this section or of a determination respecting an application for adjustment of status under section 245A of the Immigration and Nationality Act filed pursuant to this section.

(g) DEFINITION.—For purposes of this section, the term "such section 245A" means section 245A of the Immigration and Nationality Act (8 U.S.C. 1255a).

Titles I through VII of this Act may be cited as the "Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001."

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS

Following is explanatory language on H.R. 5548, as introduced on October 25, 2000.

The conferees on H.R. 4942 agree with the matter included in H.R. 5548 and enacted in this conference report by reference and the following description of it. The bill was developed through negotiations by subcommittee members of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Subcommittees of the House and Senate on the differences in the House passed and Senate reported versions of H.R. 4690. References in the following description to the "conference agreement" mean the matter included in the introduced bill enacted by this conference report. References to the House bill mean the House passed version of H.R. 4690. References to the Senate reported amendment mean the Senate reported version of H.R. 4690.

The House passed H.R. 4690 on June 26, 2000. The Senate reported from Committee a Senate amendment to H.R. 4690 on July 21, 2000. References in the following statement to appropriations amounts or other items proposed by the House bill or the Senate-reported amendment refer only to those amounts and items recommended in the House-passed and Senate-reported versions of H.R. 4690. Any reference to appropriations amounts or other items included in the conference agreement reflects the final agreement on H.R. 4690. This statement reflects how the funds provided in the conference agreement are to be spent.

Senate-reported amendment: The Senate Appropriations Committee considered H.R. 4690 as passed by the House, struck all after the enacting clause, and inserted the text of the Senate-reported amendment. The conference agreement includes a revised bill.

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $88,713,000 for General Administration, instead of $83,713,000 as proposed in the Senate-reported amendment and $84,177,000 as proposed in the House bill.

The conference agreement adopts by reference the House report language regarding budget "shortfalls" and racial disparities in Federal capital prosecutions.

The conference agreement includes a $5,000,000 transfer from the Immigration and Naturalization Service Salaries and Expenses account to continue the planned integration of the Immigration and

Naturalization Service (INS) IDENT system and the Federal Bureau of Investigation (FBI) IAFIS system.

The conference agreement includes a $5,000,000 increase for the Office of Intelligence Policy and Review for Foreign Intelligence Surveillance Act applications.

The conference agreement includes bill language contained in the House bill specifying the amount of funding provided for the Department Leadership Program and the Offices of Legislative and Public Affairs.

JOINT AUTOMATED BOOKING SYSTEM

The conference agreement includes $15,915,000 for the Joint Automated Booking System (JABS) program as proposed in the Senate-reported amendment, instead of $1,800,000 as proposed in the House bill.

NARROWBAND COMMUNICATIONS

The conference agreement includes $205,000,000 for narrowband communications conversion activities as proposed in the Senate-reported amendment, instead of $95,445,000 as proposed in the House bill. The conference agreement provides funding necessary to continue implementation of the Department of Justice Wireless Network (JWN), and for operations and maintenance of legacy systems. The Wireless Management Office (WMO) is directed to submit quarterly status reports on implementation of the JWN, with the first such report due no later than February 15, 2001.

The conference agreement deletes a citation included in the House bill but not included in the Senate-reported amendment.

COUNTERTERRORISM FUND

The conference agreement includes $5,000,000 for the Counterterrorism Fund as proposed in the Senate-reported amendment, instead of $10,000,000 as proposed in the House bill. When combined with $32,844,150 in prior year carryover, a total of $37,844,150 will be available in the Fund in fiscal year 2001 to cover unanticipated, extraordinary expenses incurred as a result of a terrorist threat or incident.

The conference agreement retains language, included in the House bill and carried in previous Acts, authorizing the Attorney General to make expenditures from the fund, subject to section 605 of this Act. The Senate-reported amendment proposed to give this authority to a new Deputy Attorney General.

TELECOMMUNICATIONS CARRIER COMPLIANCE FUND

The conference agreement includes $201,420,000 for the Telecommunications Carrier Compliance program for implementation of the Communications Assistance for Law Enforcement Act of 1994 (CALEA), instead of $278,021,000 as proposed in the House bill. The Senate-reported amendment did not include funding for this activity. This amount, when combined with funds previously made available, will provide the full $500,000,000 authorized and required to implement CALEA.

The conference agreement concurs with the direction in the House report that the Department and the Federal Bureau of Investigation (FBI) are to remain focused on the timely implementation of CALEA, and have therefore included $17,300,000 within the FBI Salaries and Expenses account for CALEA implementation. The Department of Justice is directed to submit a reorganization proposal no later than November 15, 2000, to ensure coordination of CALEA implementation and other related electronic surveillance issues.

ADMINISTRATIVE REVIEW AND APPEALS

The conference agreement includes $161,062,000 for Administrative Review and Appeals, instead of $159,570,000 as proposed in the House bill and $112,814,000 as proposed in the Senate-reported amendment. Of the total amount provided, $159,335,000 is for the Executive Office for Immigration Review (EOIR) and $1,727,000 is for the Office of the Pardon Attorney.

The conference agreement includes $9,566,000 for adjustments to base, and $3,000,000, 37 positions and 19 full-time equivalent workyears (FTE) to address the increased Immigration Judge and appellate caseload. In addition, EOIR is directed to provide such sums as necessary for point-to-point installation of video-conferencing equipment in accordance with EOIR's plan and the Senate report. The conference agreement also includes direction under the INS Examinations Fees account regarding continued support for contract court interpreter services.

DETENTION TRUSTEE

The conference agreement includes $1,000,000 to establish a new Federal Detention Trustee within the Department of Justice as proposed in the House bill. The Senate-reported amendment did not address this matter. The conference agreement reflects the concerns expressed in the House report regarding the planning and management of detention space in the Department of Justice. Therefore, the direction included in the House report regarding the authorities and duties of this new Trustee, and the establishment of regional pilot projects to test better mechanisms for addressing detention needs, is adopted by reference. Further, the Department of Justice is expected to consolidate all detention resources under the Trustee as part of the fiscal year 2002 budget submission.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $41,575,000 for the Office of Inspector General (OIG) instead of $41,825,000 as proposed in the House bill and $42,192,000 as proposed in the Senate-reported amendment. The conference agreement also assumes that $1,500,000 in INS fees will be available to the OIG.

The conference agreement directs the Department of Justice to review its procedures for releasing OIG investigatory material and findings and inform the Committees on Appropriations by June 1, 2001, if any procedures should be modified.

The OIG is directed to submit future budget requests separating OIG Leadership Offices and OIG Operational Offices. The

OIG Leadership Offices decision unit should include the following: the Inspector General, the Deputy Inspector General, the Counselor to the Inspector General, the Special Counsel, and the Special Investigations and Review Unit. The Operational Offices decision unit should include the following offices: the Audit Division, the Investigations Division, the Inspections Division, and the Management and Planning Division.

The conference agreement directs that the OIG submit a detailed financial plan to the Committees on Appropriations by December 1, 2000.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $8,855,000 for the U.S. Parole Commission, as proposed in the House bill, instead of the $7,380,000 as proposed in the Senate-reported amendment. The conference agreement adopts by reference the recommendation in the Senate report on detailing attorneys.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The conference agreement includes $535,771,000 for General Legal Activities, instead of $523,228,000 as proposed in the House bill, and $494,310,000 as proposed in the Senate-reported amendment.

The recommendation includes base adjustments for all divisions, but does not include an undefined base restoration. The distribution of funding provided is as follows:

Office of the Solicitor General	$7,118,000
Tax Division	70,991,000
Criminal Division	110,851,000
Civil Division	154,092,000
Environment and Natural Resources	68,703,000
Office of Legal Counsel	4,967,000
Civil Rights Division	92,166,000
Interpol—USNCB	7,686,000
Legal Activities Office Automation	18,877,000
Office of Dispute Resolution	320,000
Total	535,771,000

The conference agreement includes a $3,000,000 increase for the Civil Rights Division, including funding for civil enforcement for police misconduct, and other highest priority initiatives.

The conference agreement provides $18,877,000 to remain available until expended for office automation costs as proposed in the House bill, instead of $18,571,000 as proposed in the Senate-reported amendment. The conference agreement adopts language included in the Senate-reported amendment which limits the use of these funds to automation costs and allows such funds to be used for the United States Trustees Program. The conference agreement adopts by reference the Senate report language regarding the Office of Special Investigations, and the House report language regarding extradition reporting and extradition treaties.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

The conference agreement includes a reimbursement of $4,028,000 for fiscal year 2001 from the Vaccine Injury Compensation Trust Fund to the Department of Justice, as proposed in the House bill and the Senate-reported amendment.

SALARIES AND EXPENSES, ANTITRUST DIVISION

The conference agreement provides $120,838,000 for the Antitrust Division as proposed in the Senate-reported amendment, instead of $113,269,000 as proposed in the House bill. The conference agreement assumes that of the amount provided, $95,838,000 will be derived from current year fee collections and $25,000,000 from estimated unobligated fee collections available from prior years, resulting in a net direct appropriation of $0. The use of any remaining unobligated fees balances from prior years is subject to the reprogramming requirements outlined in section 605 of this Act.

Appropriations for both the Division and the Federal Trade Commission are financed with Hart-Scott-Rodino Act pre-merger filing fees. Section 630 of this Act modifies the Hart-Scott-Rodino Act to include a three-tiered fee structure that increases the filing threshold for a merger transaction from $15,000,000 to $50,000,000. It is anticipated that the increase in the filing threshold will reduce the number of mergers requiring review by approximately 50 percent.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The conference agreement includes $1,250,382,000 for the U.S. Attorneys, instead of $1,247,416,000 as proposed in the House bill, and $1,159,014,000 as proposed in the Senate-reported amendment. The following narrative reflects how the funds provided in the conference agreement are to be spent.

The conference agreement provides a net increase of $59,896,000 for pay and inflationary adjustments to enable the U.S. Attorneys to maintain the current operating level. The conference agreement does not include $7,425,000 requested as base adjustments to substitute direct appropriations for activities previously supported from the Health Care Fraud and Abuse Control (HCFAC) account. The Department of Justice is directed to continue to provide funding for not less than 177 positions and 177 FTE to the U.S. Attorneys from the HCFAC account to support health care fraud activities.

The conference agreement also includes the following program increases:

Firearms Prosecutions.—$15,259,000, 163 positions and 82 FTE, including 113 attorneys, to augment prosecutions under existing firearms statutes. This amount, when combined with base resources of $7,125,000, will provide a total of $22,384,000 for intensive firearms prosecution projects. The direction included in the House report regarding the criteria and process for allocation of these funds is adopted by reference. Further, the Executive Office of U.S. Attorneys is directed not to set aside any portion of these funds for headquarters priorities, but rather is to allocate these funds in accordance with the priorities identified by the local dis-

tricts which will result in a direct increase in prosecutions under existing gun laws. In addition, the conference agreement adopts the Senate direction requiring the annualization of funds provided in fiscal year 2000 for firearms prosecutions, and the reporting requirement regarding panel attorney costs.

Cyber Crime and Intellectual Property.—$3,974,000, 50 positions and 25 FTE, including 28 attorneys, to augment the investigation and prosecution of computer and intellectual property crimes, including crimes identified in the No Electronic Theft (NET) Act, the National Information Infrastructure Assurance Act, and the Economic Espionage Act. The direction included in the Senate report regarding submission of a report on copyright enforcement is adopted by reference.

Immigration.—$1,974,000, 24 positions and 12 FTE, including 13 attorneys, to address the growing criminal immigration caseload along the Southwest Border, with particular emphasis to be placed on prosecutions of individuals involved in alien smuggling, document fraud, and illegal aliens with multiple deportations. The conference agreement adopts by reference the direction included in the House report regarding submission of a spending plan for these resources.

Indian Country.—$5,000,000, 60 positions and 30 FTE, including 33 attorneys, to enhance Federal investigation and prosecution activities in Indian Country to meet Federal statutory responsibilities related to Indian Country.

Legal Education.—$2,300,000 to continue establishment of a distance learning facility at the National Advocacy Center (NAC). This amount, when combined with $15,316,000 in base resources, provides a total of $17,616,000 under this account for legal education at the National Advocacy Center (NAC). These funds are to be spent in accordance with the direction included in the Senate report.

Within the total amount available to the U.S. Attorneys, the conference agreement includes $2,612,000 for technology demonstration projects, and adopts by reference the direction included in the Senate report regarding distribution of these resources. In addition, $1,000,000 is included from within base resources to continue a violent crime task force demonstration project, as proposed in the Senate-reported amendment. The conference agreement also adopts by reference the direction included in the House and Senate reports regarding the unstaffed offices report, as well as the direction included in the Senate report regarding an office in Western Kentucky. In addition, the Senate report language regarding property flipping, computer network privatization, and a fiscal year 1995 quarterly reporting requirement are adopted by reference.

The conference agreement does not adopt the recommendations included in the Senate report regarding the reallocation of existing staffing to the Southwest border and within the Missouri River Valley, spending freezes among object classifications, elimination of base funds for office relocations, limitations on expansion of gun prosecution initiatives, or pre-trial sentencing guidelines.

In addition to identical provisions that were included in both the House bill and Senate-reported amendment, the conference agreement includes the following provisions: (1) providing for 9,439

positions and 9,557 workyears for the U.S. Attorneys, instead of 9,381 positions and 9,529 workyears as proposed in the House bill, and 9,120 positions and 9,398 workyears as proposed in the Senate-reported amendment; (2) allowing not to exceed $2,500,000 for the National Advocacy Center as proposed in the Senate-reported amendment; and (3) providing $1,000,000 for violent crime task forces to remain available until expended as proposed in the Senate-reported amendment. The conference agreement does not include language proposed in the Senate bill withholding 50 percent of funds available to U.S. Attorneys until the Attorney General establishes certain rules and penalties in accordance with the Senate version of the fiscal year 2000 appropriations bill.

UNITED STATES TRUSTEE SYSTEM FUND

The conference agreement provides $125,997,000 for the U.S. Trustees for fiscal year 2001, to be entirely funded from offsetting collections, instead of $126,242,000 proposed in the House bill and $127,212,000 proposed in the Senate-reported amendment. The conference agreement does not provide amounts the budget request assumed would carry forward to fiscal year 2002. The conference agreement adopts by reference the Senate report language on the National Advocacy Center (NAC). The conference agreement also adopts House report language on the reprogramming of offsetting collections.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The conference agreement provides $1,107,000 for the Foreign Claims Settlement Commission, instead of $1,000,000 as proposed in the House bill and $1,214,000 as proposed in the Senate-reported amendment.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

The conference agreement includes $572,695,000 for the U.S. Marshals Service Salaries and Expenses account, instead of $560,438,000 as proposed in the House bill and $550,472,000 as proposed in the Senate-reported amendment. The following narrative reflects how the funds provided in the conference agreement are to be spent.

The amount included in the conference agreement includes a $4,713,000 net increase in base adjustments, as follows: $19,774,000 for pay and inflationary increases, offset by decreases of $4,852,000 for one-time equipment purchases and $10,209,000 from the transfer of the Seized Assets Management Program to the Assets Forfeiture Fund. Within the amount provided, a total of $1,735,000 is included for the Warrant Information Network and other networks and on-line services, and $725,000 is for recurring costs of the Electronic Surveillance Unit as directed in the Senate report. The conference agreement does not adopt the recommendation included in the Senate-reported amendment to transfer funding from this account for U.S. Marshals Service costs associated with the Justice Prisoner Alien Transportation System (JPATS), but instead provides $25,503,000 for U.S. Marshals Service requirements under this account.

In addition, the conference agreement includes $27,389,000 in program increases for the following:

Courthouse Security Staffing and Equipment.—$21,211,000, for courthouse security personnel and equipment. Of this amount, $6,711,000, 89 positions and 45 FTE are provided for courthouse security personnel at new and expanded courthouses expected to open in fiscal year 2001. Language included in the House report regarding the submission of a spending plan and allocation of resources in excess of requirements is adopted by reference.

In addition, $14,500,000 is provided for courthouse security equipment, as follows:

USMS Courthouse Security Equipment

[In thousands of dollars]

New Courthouses	$8,173
Las Vegas, NV	*(1,023)*
Cleveland, OH	*(1,012)*
Columbia, SC	*(1,122)*
Greenville, TN	*(353)*
Corpus Christi, TX	*(1,078)*
Laredo, TX	*(989)*
Providence, RI	*(920)*
Helena, MT	*(658)*
Wheeling, WV	*(245)*
Denver, CO	*(773)*
Other Security Requirements	5,684
Nationwide Equipment Maintenance Requirement	643
Total, USMS Security Equipment	14,500

The Marshals Service is directed to use the $5,684,000 provided for Other Security Requirements to address the highest priority security equipment needs for existing courthouses and new courthouses with the greatest deficiencies, and to submit a spending plan for these funds no later than December 1, 2000.

Electronic Surveillance Unit.—$3,150,000, and up to 6 positions and 3 FTE, for personnel and equipment for the Electronic Surveillance Unit.

Special Assignments.—$2,500,000 for security at high threat and/or high profile trials and for protective details for judicial personnel involved in these trials, including the World Trade Center bombing trial. The Marshals Service is directed to annualize this increase in fiscal year 2002. Concerns have been expressed regarding the exclusion of the Marshals Service from the threat assessment and decision-making process regarding certain special and other protective assignments. In addition, the level of protection at Federal facilities by the General Services Administration (GSA) is inadequate relative to the amount the Marshals Service and other agencies are charged by GSA for these services. The Department is directed to report to the Committees on Appropriations no later than December 15, 2000, on the role afforded to the Marshals Service in the threat assessment and decision-making process for special and other protective assignments, and to provide recommendations to augment the Marshals Service's role in this activity. Further, the Department is directed to provide a report on the adequacy of support provided by GSA for facility protection, relative to the amount GSA is charging for these services.

Financial Management.—$378,000, 8 positions and 4 FTE to improve financial management.

Cost Saving Initiatives.—$150,000 for implementation and support of a variety of cost saving initiatives as directed in the Senate report. Should additional funds become available through savings achieved, the Marshals Service may use those funds for additional staff only in accordance with Section 605 of this Act.

The conference agreement adopts by reference the concerns expressed in the Senate report regarding the Special Operations Group (SOG) and directs the Marshals Service to provide a report to the Committees on Appropriations no later than January 15, 2001, on the utilization of the SOG, as well as the resource requirements necessary to ensure that the SOG can fulfill its intended mission.

The conference agreement includes language providing not to exceed 3,947 positions and 3,895 FTE for the Marshals Service, instead of 4,168 positions and 3,892 FTE as proposed in the House bill. The Senate-reported amendment did not include a similar provision. The conference agreement does not include a provision proposed in the Senate-reported amendment prohibiting the Marshals Service from providing a protective vehicle for the Director of the Office of National Drug Control Policy (ONDCP) unless certain conditions are met. A similar provision was not included in the House bill. However, the Marshals Service is directed to provide a report to the Committees on Appropriations no later than January 15, 2001, on the usage of a protective vehicle by the Director of ONDCP.

CONSTRUCTION

The conference agreement includes $18,128,000 in direct appropriations for the U.S. Marshals Service Construction account, instead of $6,000,000 as proposed in the House bill, and $25,100,000 as proposed in the Senate-reported amendment. The conference agreement includes the following distribution of funds:

USMS Construction

[In thousands of dollars]

Birmingham, AL	$472
Fort Smith, AR	400
Hartford, CT	200
Wilmington, DE	100
Bowling Green, KY	300
Boston, MA	650
Ann Arbor, MI	200
Detroit, MI	650
Wilmington, NC	775
Buffalo, NY	150
Tulsa, OK	300
Philadelphia, PA	400
Hato Rey, PR	793
Spartanburg, SC	1,441
Greenville, MS	1,187
Other Renovation Projects	9,500
Security Specialists/Construction Engineers	610
Total, Construction	18,128

The Marshals Service is directed to use the $9,500,000 provided for Other Renovation Projects for the highest priority security construction needs in locations with a security score of 50 or less, and to submit a spending plan for these funds no later than December 1, 2000.

JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM FUND

The conference agreement includes language, as proposed in the House bill, to continue the operations of JPATS on a revolving fund basis through reimbursements from participating agencies, instead of through a direct appropriation under this account as proposed in the Senate-reported amendment. The conference agreement does include a direct appropriation of $13,500,000 for a one-time capitalization of the Fund to procure two Sabreliner-class aircraft as proposed in the Senate-reported amendment.

FEDERAL PRISONER DETENTION

The conference agreement provides $597,402,000 for Federal Prisoner Detention as proposed in both the House bill and the budget request, instead of $539,022,000 as proposed in the Senate-reported amendment, an increase of $72,402,000 over the fiscal year 2000 direct appropriation. The increase has been provided as follows: (1) $53,180,000 is for increased jail days; (2) $10,000,000 is for the Cooperative Agreement Program; (3) $675,000 is for increased medical costs; and (4) $500,000 is for prisoner medical guard services.

The conference agreement does not include language in this section proposed in both the House bill and Senate-reported amendment regarding contracts with private entities for the confinement of Federal detainees, but instead addresses this matter as a new general provision under Title I of this Act. Language is included, as proposed in the House bill, permanently making available amounts appropriated under this account to be used to reimburse the Federal Bureau of Prisons for certain costs associated with providing medical care to certain pre-trial and pre-sentenced detainees. The Senate-reported amendment addressed this matter elsewhere under Title I of this Act.

FEES AND EXPENSES OF WITNESSES

The conference agreement includes $125,573,000 for Fees and Expenses of Witnesses, instead of $95,000,000 as proposed in the House bill, and $156,145,000 as proposed in the Senate-reported amendment.

Language is included allowing not to exceed $5,000,000 to be made available for secure telecommunications equipment and networks related to protected witnesses, as proposed in the House bill. The conference agreement does not include a provision allowing up to $77,067,000 to be transferred from this account to the Federal Prisoner Detention account as proposed in the Senate-reported amendment.

COMMUNITY RELATIONS SERVICE

The conference agreement includes $8,475,000 for the Community Relations Service as proposed in the Senate-reported amendment, instead of $7,479,000 as proposed in the House bill. The conference agreement adopts the funding increases provided in the Senate report. In addition, the conference agreement includes a provision allowing the Attorney General to transfer up to $1,000,000 of funds available to the Department of Justice to this program, as proposed in the House bill. The Attorney General is expected to report to the Committees on Appropriations of the House and Senate if this transfer authority is exercised. In addition, a provision is included allowing the Attorney General to transfer additional resources, subject to reprogramming procedures, upon a determination that emergent circumstances warrant additional funding, as proposed in both the House bill and the Senate-reported amendment.

ASSETS FORFEITURE FUND

The conference agreement provides $23,000,000 for the Assets Forfeiture Fund as proposed in Senate-reported amendment, instead of no funding as proposed in the House bill.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

The conference agreement includes $2,000,000 for administrative expenses for fiscal year 2001, the full amount requested and the same amount proposed in both the House bill and the Senate-reported amendment. The conference agreement adopts the bill language in the House bill.

PAYMENT TO RADIATION COMPENSATION EXPOSURE TRUST FUND

The conference agreement provides $10,800,000 for the compensation trust fund, instead of $3,200,000 provided in the House bill and $14,400,000 in the Senate-reported amendment. The conference agreement includes bill language from the Senate-reported amendment allowing claimants who qualify under the original statute to be paid and does not provide funding for the expansion of the program authorized under Public Law 106–245.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The conference agreement provides a total of $328,898,000 for Interagency Crime and Drug Enforcement as proposed in the House bill, of which $325,898,000 is derived from direct appropriations, and $3,000,000 is from prior year carryover. The House bill included $328,898,000 in direct appropriations, while the Senate-reported amendment proposed $316,792,000. The distribution of the total available funding is as follows:

Reimbursements by Agency

[In thousands of dollars]

Drug Enforcement Administration	$108,190
Federal Bureau of Investigation	112,468
Immigration and Naturalization Service	15,808
Marshals Service	1,984
U.S. Attorneys	86,582
Criminal Division	814
Tax Division	1,380
Administrative Office	1,672
Total	328,898

The conferees note that the report requested in fiscal year 2000 has not yet been delivered to the Committees on Appropriations.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

The conference agreement includes a total of $3,235,600,000 for the Federal Bureau of Investigation (FBI) Salaries and Expenses account, instead of $3,229,505,000 as proposed in the House bill, and $3,077,581,000 as recommended in the Senate-reported amendment. Of this amount, the conference agreement provides that not less than $437,650,000 shall be used for counterterrorism investigations, foreign counterintelligence, and other activities related to national security, instead of $400,650,000 as proposed in the Senate-reported amendment, and $159,223,000 as proposed in the House bill. The following narrative reflects how the funds provided in the conference agreement are to be spent.

The conference agreement includes a net increase of $136,080,000 for adjustments to base as follows: increases totaling $137,219,000 for pay and inflationary increases, including $27,711,000 for increased costs associated with the transfer of Civil Service Retirement System (CSRS) employees to the Federal Employee Retirement System (FERS), increased Federal health insurance premium costs, and continued direct funding for the National Instant Check System; offset by decreases totaling $1,139,000 for non-recurring equipment purchases.

The conference agreement adopts the concerns and direction included in the House report regarding the FBI's inability to execute its budget within the funding levels provided. The conference agreement provides the full amount requested for base adjustments to support the FBI's current staffing and operating level as reflected in the budget request. The conference agreement also includes a provision that identifies the funded position and FTE levels provided in the bill, which are consistent with the full base funding requested and program increases provided in the conference agreement. The FBI is directed to continue to provide quarterly reports to the Committees on Appropriations which delineate by direct and reimbursable the funded and actual agent and non-agent staffing level for each decision unit, with the first report to be provided no later than January 15, 2001.

The following distribution represents the conference agreement:

FBI SALARIES AND EXPENSES, FISCAL YEAR 2001

[In thousands of dollars]

Activity	Pos.	FTE	Amount
Criminal, Security and Other Investigations:			
Organized Criminal Enterprises	3,984	3,993	450,678
White Collar Crime	4,284	4,184	483,273
Other Field Programs	10,551	10,304	1,307,024
Subtotal	18,819	18,481	2,240,975
Law Enforcement Support:			
Training, Recruitment, and Applicant	1,003	984	120,454
Forensic Services	692	680	156,004
Information, Management, Automation & Telecommunications	569	562	166,121
Technical Field Support & Services	232	229	141,642
Criminal Justice Services	2,171	2,182	216,957
Subtotal	4,667	4,637	801,178
Program Direction: Management and Administration	2,083	2,024	193,447
Total, Direct Appropriations	25,569	25,142	3,235,600

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

In addition, the conference agreement includes a total of $59,712,000 in program enhancements for the FBI, of which $58,348,000 is for initiatives to enhance the FBI's ability to investigate threats related to domestic terrorism and cyber crime, as follows:

$25,000,000 is for Digital Storm. The FBI is directed to provide a spending plan to the Committees on Appropriations, no later than December 15, 2000, for Digital Storm.

$2,000,000 is for Joint Terrorism Task Forces. The FBI is directed to provide a report and spending plan to the Committees on Appropriations, no later than December 15, 2000, on this program.

$10,000,000 is for intelligence gathering and analysis, of which $1,305,000 (20 positions and 10 FTE) is for FISA preparation; $5,606,000 is for contract translation services; and $3,089,000 (55 positions and 28 FTE) is for intelligence research specialists. The conference agreement does not adopt the recommendation included in the Senate report to require the conversion of special agents to 55 intelligence research specialists. While the conference agreement does provide an enhancement for this activity, the FBI is directed to use attrition to convert support positions to intelligence research specialist positions to meet additional requirements in this area.

$20,000,000 is for other activities, of which the FBI may spend up to $1,364,000 for National Integrated Ballistics Network (NIBIN) Connectivity; $3,700,000 (26 positions and 13 FTE) for a counterintelligence initiative; $3,936,000 for the Automated Computer Examination System (ACES) and Computer Analysis and Response Team equipment; $5,500,000 for the Special Technologies and Applications Unit; and $5,500,000 for Digital Storm. Should the FBI require additional resources to address personnel requirements, the Committees would be

willing to entertain a reprogramming under Section 605 from funding provided for these enhancements.

$612,000 (8 positions and 4 workyears, including 2 agents) is for the Intellectual Property Rights Center, as provided for in the House report, to improve intelligence and analysis related to intellectual property. The reporting requirement included in Senate report regarding copyright enforcement is adopted by reference.

$2,100,000 is for implementation of the Communications Assistance for Law Enforcement Act (CALEA), for a total of not less than $17,300,000 within the FBI to be used for this purpose. The conference agreement adopts the direction in the House report that the Department and the FBI remain focused on the timely implementation of CALEA, and therefore the Department of Justice is directed to submit a reorganization proposal to address coordination of CALEA implementation and other related electronic surveillance issues no later than November 15, 2000. This reorganization is expected to ensure continued coordination between the Department and the FBI on all matters involving CALEA implementation, as well as to ensure prioritization of financial and personnel resources required for a continued and sustained implementation effort.

National Instant Check System (NICS).—The conference agreement includes $67,735,000 in direct appropriations to continue operations of the NICS, as well as to provide system enhancements, including funds for "hot" backup for the Interstate Identification Index (III) and other system availability improvements.

The fiscal year 2001 budget request for the FBI included no direct funding for the NICS, and instead proposed to finance the costs of this system through a user fee. The conference agreement includes a provision under Title VI of this Act which prohibits the FBI from charging a fee for NICS checks, and instead provides funding to the FBI for its costs to operate the NICS.

FBI Technology Upgrade Plan.—The conference agreement includes total funding of $100,700,000, 14 positions and 7 FTE, for this initiative (previously referred to as the Information Sharing Initiative/e-FBI). This amount is to be derived from $80,000,000 made available in prior years, and $20,700,000 in fiscal year 2001 base funding. The House bill proposed a total of $139,344,000 for this initiative, to be derived from $80,000,000 in prior year funds, $20,000,000 in fiscal year 2001 base funds, and $39,344,000 in fiscal year 2001 program increases. The Senate-reported amendment proposed a total of $40,000,000 for this initiative, to be derived from prior year funds, and eliminated $20,000,000 in fiscal year 2001 base funding for this activity. The conference agreement does not include the rescission of $40,000,000 in prior year funds for these activities as proposed under Title VII of the Senate-reported amendment.

The conference agreement approves the plan dated September 2000, entitled "FBI Technology Upgrade Plan, Reprioritized Three Year Implementation Plan." Therefore, the conference agreement includes the full amount necessary for year one costs as identified on page 47 of the September 2000 implementation plan. The FBI is directed to provide quarterly status reports to the Committees on

implementation of this plan, including funding obligations, with the first such report due no later than February 15, 2001.

National Infrastructure Protection/Computer Analysis Response Teams (CART).—The FBI is directed to convert 14 part-time positions for Computer Analysis Response Teams (CART) examiners to full-time positions from personnel not currently assigned to computer intrusion/infrastructure protection squads, similar to direction included in the Senate report. The conference agreement also adopts the direction included in the Senate report regarding training, promotion and retention of CART members and computer intrusion/infrastructure protection squads. The Senate direction regarding development of a cadre of computer experts from other agencies and the private sector is adopted by reference.

Victim/Witness Specialists.—The conference agreement includes a new general provision under Title I of this Act authorizing funds to be provided to the FBI to improve services for crime victims from the Crime Victims Fund. These services are to be limited to victim assistance as described in the Victims of Crime Act and shall not cover non-victim witness activities such as witness protection or non-victim witness management services, paralegal duties or community outreach. The FBI is further directed to work with the Office of Victims of Crime (OVC) in developing position descriptions, grade level and hiring requirements, training and annual reporting requests for these specialists. The conference agreement assumes $7,400,000 will be needed to support 112 victim/witness specialists to be distributed as directed in the Senate report. The Committees on Appropriations expect to be notified of the final distribution of these specialists.

Other.—The Senate report language regarding copyright enforcement, continued collaboration with the Southwest Surety Institute, the Northern New Mexico anti-drug initiative, mitochondrial DNA, crimes against children, and background checks for school bus drivers is adopted by reference. The conference agreement also adopts by reference the House report language regarding the Housing Fraud Initiative, the Jewelry and Gem program, and submission of a comprehensive information technology report.

In addition, the FBI is directed to fully reimburse the private ambulance providers for their costs in support of Hostage Rescue Team operations in St. Martin Parish, Louisiana, in December, 1999.

In addition to identical provisions that were included in both the House bill and the Senate-reported amendment, the conference agreement includes a provision, modified from language proposed in the House bill, providing not to exceed 25,569 positions and 25,142 FTE for the FBI from funds appropriated in this Act. The Senate-reported amendment did not include a similar provision.

CONSTRUCTION

The conference agreement includes $16,687,000 in direct appropriations for construction for the Federal Bureau of Investigation (FBI), instead of $1,287,000 as proposed in the House bill, and $42,687,000 as proposed in the Senate-reported amendment. The agreement provides an increase of $15,400,000 over the fiscal year

2000 level for the FBI Academy firearms range modernization project, as follows: $1,900,000 for relocation and consolidation of an ammunition storage facility and for lead abatement at existing outdoor ranges; and $13,500,000 for completion of Phase I and Phase II of this project.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $1,363,309,000 for the Drug Enforcement Administration (DEA) Salaries and Expenses account, instead of $1,362,309,000 as proposed in the House bill, and $1,345,655,000 as proposed in the Senate-reported amendment. In addition, $83,543,000 is derived from the Diversion Control Fund for diversion control activities. The following narrative reflects how the funds provided in the conference agreement are to be spent.

Budget and Financial Management.—The conference agreement adopts by reference the concerns and direction included in both the House and Senate reports regarding budget and financial management. The conference agreement also includes a provision that identifies the funded position and FTE levels provided in the bill, which are consistent with the full base funding requested and program increases provided in the conference agreement.

The following table represents funding provided under this account:

DEA SALARIES AND EXPENSES

[In thousands of dollars]

Activity	Pos.	FTE	Amount
Enforcement:			
Domestic Enforcement	2,252	2,183	$407,261
Foreign Cooperative Investigation	732	699	206,644
Drug and Chemical Diversion	142	143	16,156
State and Local Task Forces	1,678	1,675	242,257
Subtotal	4,804	4,700	872,318
Investigative Support:			
Intelligence	883	900	112,904
Laboratory Services	381	378	44,463
Training	99	98	20,309
RETO	355	353	85,190
ADP	133	130	140,479
Subtotal	1,851	1,859	403,345
Management and Administration	865	853	87,646
Total, DEA	7,520	7,412	1,363,309

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

The conference agreement provides a net increase of $43,616,000 for base adjustments, as follows: increases totaling $48,293,000 for pay and other inflationary costs to maintain current operations, offset by decreases totaling $4,677,000 for costs as-

sociated with one-time and non-recurring equipment purchases, GSA rent decreases, and the transfer of funding for a demand reduction project to the Office of Justice Programs.

In addition, the conference agreement includes program increases totaling $64,200,000, as follows:

Investigative and Intelligence Requirements.—$48,100,000 is provided for the following investigative and intelligence enhancements:

$3,100,000, 19 positions (11 agents) and 9 FTE within Domestic Enforcement for the Special Operations Division (SOD) to expand support for the Southwest Border Initiative and to address money laundering and financial investigations.

$43,000,000, 2 positions and 1 FTE within Automated Data Processing to continue deployment of Phase II of FIREBIRD. When combined with $44,870,000 in existing base resources, a total of $87,870,000 is available for this program in fiscal year 2001 to enable FIREBIRD to be fully deployed to all domestic offices and Western Hemisphere offices. Of this amount, $28,000,000 is for deployment, $10,477,000 is for technology renewal, and $49,393,000 is for operations and maintenance and telecommunications costs. DEA is directed to continue to provide quarterly FIREBIRD status and obligation reports to the Committees on Appropriations.

$2,000,000 within Intelligence, of which $1,800,000 is for enhancements to the El Paso Intelligence Center (EPIC), and $200,000 is to meet expanded participation in the National Drug Pointer Index (NDPIX) information system. The House direction regarding a comprehensive report on participation and utilization of EPIC is adopted by reference.

Domestic Enhancements.— $14,600,000 is provided for the following domestic counter-drug enhancements:

$4,600,000, 25 positions (15 agents) and 13 FTE within Domestic Enforcement to establish an additional Regional Enforcement Team (RET). This amount, when combined with existing base resources, provides a total of $24,195,000 for RETS in fiscal year 2001.

$1,500,000, 14 positions (9 agents) and 7 FTE within Domestic Enforcement to enhance heroin enforcement, providing a total of $30,291,000 in fiscal year 2001 for this effort, as recommended in the Senate report. The Senate direction regarding black tar heroin is adopted by reference.

$1,500,000 within Domestic Enforcement to enhance methamphetamine enforcement, providing a total of $27,459,000 in fiscal year 2001 for this effort, as recommended in the Senate report.

$1,000,000 within State and Local Task Forces to enhance State and local methamphetamine training activities, as recommended in the Senate report.

$6,000,000 within Research, Engineering and Technical Operations (RETO) to procure three additional single-engine helicopters for drug enforcement activities along the Southwest border.

In addition, the conference agreement includes a total of $20,000,000 under the Community Oriented Policing Services

Methamphetamine/Drug "Hot Spots" program to assist State and local law enforcement agencies with the costs associated with methamphetamine clean-up.

Budget and Financial Management.—$1,500,000, 8 positions and 4 FTE within Program Management and Administration to improve DEA's financial and resource management oversight, including funds to support DEA's Federal Financial System and for additional staffing for Finance and Resource Management.

Other.—The conference agreement includes a total of $20,000,000 for the special investigative unit (SIU) program. Within the amount available, DEA may establish a joint Haitian/Dominican Republic SIU on the island of Hispaniola. DEA is reminded that the Committees on Appropriations are to be notified in accordance with section 605 of this Act prior to the expansion of this program to any additional countries. There are continued concerns about endemic corruption within the Mexico SIU program which has severely limited its effectiveness. DEA is directed to report to the Committees on Appropriations no later than February 1, 2001, on progress made in resolving these problems and recommendations to make the Mexico program effective.

The conference agreement adopts by reference the direction included in the House report regarding continued participation in the HIDTA program, quarterly reports on source and transit countries, quarterly reports on implementation of the Caribbean initiative, and a report on requirements in the region. The conference agreement does not include funding under DEA for continuation of the demand reduction initiative recommended in the House report, but has instead transferred base funding for this program from DEA Domestic Enforcement to the Office of Justice Programs. DEA is also directed to better coordinate its operations with other Federal agencies, including INS and the FBI, along the Southwest Border, and to pursue co-location of offices whenever practical. The direction included in the Senate report regarding DEA's presence in Chile is adopted by reference. Within the amounts provided under this account, DEA may use up to $500,000 for a study on methods to eliminate the effectiveness of anhydrous ammonia in methamphetamine production, as authorized.

Drug Diversion Control Fee Account.—The conference agreement provides $83,543,000 for DEA's Drug Diversion Control Program for fiscal year 2001, as provided in the House bill and the Senate-reported amendment. This amount includes an increase of $3,213,000 for adjustments to base, including the annualization of 25 positions provided in fiscal year 2000 for customer service improvements and drug data analysis. The conference agreement assumes that the level of balances in the Fee Account are sufficient to fully support diversion control programs in fiscal year 2001. As was the case in fiscal years 1999 and 2000, no funds are provided in the DEA Salaries and Expenses appropriation for this account in fiscal year 2001.

The conference agreement includes bill language, modified from language proposed in the House bill, providing not to exceed 7,520 positions and 7,412 FTE for DEA from funds provided in this Act. The Senate-reported amendment did not include a similar provision.

CONSTRUCTION

The conference agreement includes no new funding for this account as proposed in the Senate-reported amendment, instead of $5,500,000 as proposed in the House bill. A total of $19,500,000 in prior year carryover balances is available to fund planned fiscal year 2001 expenditures.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

The conference agreement includes $3,125,876,000 for the salaries and expenses of the Immigration and Naturalization Service (INS), instead of $3,121,213,000 as provided in the House bill, and $2,895,397,000 as provided in the Senate-reported amendment. In addition to the amounts appropriated, the conference agreement assumes that $1,549,480,000 will be available from offsetting fee collections instead of $1,438,812,000 as proposed by the House and $1,524,771,000 as proposed by the Senate. Thus, including resources provided under the Construction account, the conference agreement provides a total operating level of $4,808,658,000 for INS, instead of $4,670,689,000 as proposed by the House and $4,553,470,000 as proposed by the Senate, representing a $548,242,000 (13%) increase over fiscal year 2000. The following narrative reflects how funds provided in the conference agreement are to be spent.

INS Organization and Management.—The conference agreement incorporates concerns expressed in the House report that a lack of resources is no longer an acceptable response to INS's inability to adequately address its mission responsibilities. The conference agreement includes the establishment of clearer chains of command—one for enforcement activities and one for services to non-citizens—as one step towards making the INS a more efficient, accountable, and effective agency. Consistent with the concept of separating immigration enforcement from services, the conference agreement continues to provide for a separation of funds, as in the fiscal year 1999 and 2000 Appropriations Acts. The conference agreement separates funds into two accounts, as requested in the budget and proposed in the House bill: Enforcement and Border Affairs, and Citizenship and Benefits, Immigration Support and Program Direction. INS enforcement funds are provided in the Enforcement and Border Affairs account. All immigration-related benefits and naturalization, support and program resources are provided in the Citizenship and Benefits, Immigration Support and Program Direction account. Neither account includes revenues generated in various fee accounts to fund program activities for both enforcement and services functions, which are in addition to the appropriated funds and are discussed below. Funds for INS construction projects continue to be provided in the INS Construction account.

The conference agreement includes bill language which provides authority for the Attorney General to transfer funds from one account to another in order to ensure that funds are properly aligned. Such transfers may occur notwithstanding any transfer

limitations imposed under this Act but such transfers are still subject to the reprogramming requirements under Section 605 of this Act. It is expected that any request for transfer of funds will remain within the activities under those headings.

The conference agreement includes $2,547,057,000 for Enforcement and Border Affairs, and $578,819,000 for Citizenship and Benefits, Immigration Support and Program Direction.

Base adjustments.—The conference agreement provides a total increase of $101,008,000 and 641 FTE for adjustments to base for INS salaries and expenses, offset by a $89,000,000 and 404 FTE transfer to the INS Exams Fees account for the naturalization and backlog reduction initiatives, as proposed in the budget request. The conference agreement does not include transfers to the Exams Fees account, the Breached/Bond Detention account, and the Justice Prisoner Alien Transportation System (JPATS) Fund, as proposed in the Senate-reported amendment.

For the Enforcement and Border Affairs account, the conference agreement provides an increase of $86,255,000 and 889 FTE for pay and inflationary adjustments for Border Patrol, Investigations, Detention and Deportation, and Intelligence. This represents the full amount requested less $11,770,000 for the annualization of border patrol agents not yet hired, and $3,343,000 for the portion of the fiscal year 2000 annualized pay raise which has already been paid in the current fiscal year. Funds have not been included for the proposed increase in the journeyman level for border patrol agents and immigration inspectors.

For the Citizenship and Benefits, Immigration Support and Program Direction account, the conference agreement includes an increase of $14,752,000 for pay and inflationary adjustments for the existing activities of Citizenship and Benefits, Immigration Support, and Management and Administration; offset by a transfer of $89,000,000 in naturalization and backlog reduction activities to the Exams Fees account, as proposed in the budget. The amount provided for base adjustments represents the full amount requested less $690,000 for the portion of the fiscal year 2000 annualized pay raise which has already been paid in the current fiscal year. In addition, $35,000,000 is continued within the base to support naturalization and other benefits processing backlog reduction activities.

None of these amounts include offsetting fees, which are used to fund both enforcement and services functions.

In addition, program increases totaling $222,768,000 are provided, as follows:

Border Control and Management.—$100,612,000 is provided for additional border patrol staffing, technology, land border inspections, and Joint Terrorism Task Forces, as follows:

> $52,000,000, 430 positions and 215 FTE, are for new border patrol agents. It is noted that again in fiscal years 1999 and 2000, the INS has failed to hire the 1,000 new border patrol agents provided in each of those years. Should the INS be unable to recruit the required agents again in fiscal year 2001, the INS is to submit a reprogramming in accordance with section 605 of this Act, prior to expenditure of the funds provided for the hiring of border patrol agents for any other purpose.

While some level of border control is being witnessed on parts of the Southwest border, particularly in San Diego, as a result of increased border patrol agents and technology, in other areas of the country border control remains a growing problem, particularly in the Northwest, Southeast, and other areas of the Southwest border. The House report language regarding consultation and submission of a deployment plan for new border patrol agents and direction in the House report regarding quarterly hiring status reports are adopted by reference. Senate report language prohibiting the transfer of any border patrol agents or technology from the Northwest border to the Southwest border is also adopted by reference.

$33,835,000 is for additional border patrol equipment and technology, for the following activities:

- $598,000 is for replacement patrol boats to combat alien smuggling on the Great Lakes, the Detroit River, Lake St. Clair, and the St. Lawrence Seaway.
- $17,500,000 is for the deployment of additional Integrated Surveillance Intelligence Systems (ISIS) along the Northern and Southern borders. When combined with existing base funds, a total of $35,500,000 is available for ISIS. INS is directed to consult with the Committees on Appropriations and provide a deployment plan for these systems no later than December 15, 2000, which reflects the highest priority locations on both the Northern and Southern borders.
- $15,737,000 is for additional border patrol equipment and technology. The conference agreement includes a total of $30,737,000 for additional border patrol equipment and technology, of which $15,737,000 is provided as a program increase and $15,000,000 is to be derived from within existing base resources. Funding provided is to be used for high priority equipment, including fiber optic scopes, hand-held search lights, vehicle infrared cameras, Global Positioning Systems, infrared scopes, night vision goggles, hand-held range-finder night vision binoculars, and pocket scopes. INS is directed to provide a spending plan for these funds to the Committees on Appropriations no later than December 15, 2000.

$6,277,000, 72 positions and 36 FTE are for additional inspectors at land border Ports of Entry (POE). INS is directed to consult with the Committees on Appropriations and provide a deployment plan no later than December 15, 2000 which reflects the highest priority locations for distribution of these resources.

$7,000,000, 58 positions and 29 FTE are for additional investigators and operational costs associated with INS participation in Joint Terrorism Task Forces to address immigration-related issues in terrorism cases.

Additionally, the conference agreement includes a $1,500,000 increase for the Law Enforcement Support Center (LESC), providing a total of $12,500,000 for the LESC in fiscal year 2001.

The conference agreement adopts by reference the House report language regarding the relocation of Tucson Sector helicopter operations and related housing costs, a joint plan on combating illegal immigration through Federal lands and parks, and establish-

ment of a joint task force to study emergency medical services for illegal aliens.

Interior Enforcement/Removal of Deportable Aliens.—$120,856,000 is provided for interior enforcement, including the tracking, detention, and removal of aliens, as follows:

$87,306,000, 120 positions and 60 FTE are for an additional 1,167 detention beds, including 1,000 beds in State and local facilities, and 120 juvenile detention beds, as proposed in the House report.

$15,550,000 is for additional JPATS movements, as proposed in the House report. The conference agreement does not include the proposed transfer of funds from INS to the JPATS Fund for this activity which was recommended in the Senate report.

$11,000,000, 100 positions and 50 FTE are for 23 additional Quick Response Teams, as proposed in the House report. The House report language regarding consultation and submission of a deployment plan and direction regarding quarterly status reports are adopted by reference.

In addition, the conference agreement includes an additional $3,000,000 under the Community Oriented Policing Services program to expand the program to provide video-teleconferencing equipment and technology to allow State and local law enforcement to confirm the status of an alien suspected of criminal activity.

$3,000,000, 28 positions and 14 FTE are for expansion of the on-going Criminal Alien Apprehension Program (CAAP), pursuant to Public Law 105–141. The Senate report language regarding Salt Lake City is adopted by reference, and INS is directed to report its intention regarding this matter to the Committees on Appropriations no later than December 1, 2000. The House report language regarding consultation and submission of a deployment plan is adopted by reference.

$4,000,000, 26 positions and 13 FTE are for INS to enter INS criminal alien records into the National Criminal Information Center (NCIC) in order to address the current backlog and to ensure that INS does not lose its NCIC privileges. The direction included in the House report regarding development of a comprehensive plan to address this problem is adopted by reference.

Concerns have been expressed regarding the adequacy of the current training course for Detention Enforcement Officers (DEO) in light of the increasingly violent detainee population and other factors. INS is directed to complete a comprehensive assessment of its current DEO training course and provide a report to the Committees on Appropriations no later than July 1, 2001, with recommendations for improvements.

The conference agreement reflects concerns regarding INS' failure to vigorously pursue an effective interior enforcement strategy, and adopts by reference the direction included in the House report regarding quarterly reporting on detention and removal orders. The Senate report language regarding tuberculosis monitoring is also adopted by reference.

Professionalism and Infrastructure.—The conference agreement includes an increase of $1,300,000 for the Debt Management Center, as proposed in the Senate report. INS is expected to follow the direction included in the Senate report regarding annualization of this increase in fiscal year 2002.

IAFIS/IDENT.—The conference agreement adopts the recommendation included in the House report directing that $5,000,000 from within existing INS base funds available for IDENT be transferred to the Justice Management Division to continue the planned IAFIS/IDENT integration project, including systems design and development work and additional operational testing. INS is directed to comply with the direction in the House report regarding further deployment of IDENT.

Within the total amount available to INS, $2,103,000 is to be used to establish the task force required by Public Law 106–215.

Services/Benefits.—The Congress has provided significant additional resources to the INS over the past three years to address the naturalization backlog, improve the integrity of the naturalization process, and improve services. The conference agreement provides a total of $1,004,851,000 for these activities, $70,134,000 (7%) over the amount requested in the budget, and $135,222,000 (16%) over the fiscal year 2000 level. However, serious concerns remain about the INS' failure to manage its resources, and the Committees continue to receive complaints from Members of Congress and their constituents about the problems of backlogs in application processing and casework, and deficiencies in other services. Again this year, the conference agreement includes significant additional resources, over and above the President's budget request, for benefits and services. Therefore, INS is directed to conduct a complete review of staffing and resource needs to improve benefits and services in all current INS offices, as well as the need for additional offices, particularly in rural areas. INS is directed to complete this review and report its findings to the Committees on Appropriations, including a proposal to reallocate resources as warranted, no later than December 15, 2000. As part of this review, the INS is directed to pay particular attention to the following areas: Fort Smith, Arkansas; Adak, Alaska; San Francisco, California; Ventura, California; Washington, D.C.; Des Moines, Iowa; Louisville, Kentucky; the Bronx, New York; New York, New York; Omaha, Nebraska; Northern New Jersey; Las Vegas, NV; Greer, South Carolina; Nashville, Tennessee; Roanoke, Virginia; and Milwaukee, Wisconsin. In addition, the conferees are concerned with the diversion of resources from smaller rural offices and direct INS to notify the Committees prior to the reallocation of resources, including the temporary reassignment of personnel, from the area identified in the Senate report.

The conference agreement adopts by reference the direction included in the House report regarding monthly reports on the status of processing immigration benefits applications, continuation of the San Jose customer service pilot, and a report on unreviewed Citizenship USA cases, which is to be submitted no later than November 1, 2000.

In addition to identical provisions included in both the House bill and the Senate-reported amendment, the conference agreement

includes the following additional provisions, as follows: (1) a limitation of $30,000 per individual employee for overtime payments, as proposed in the House bill, instead of $20,000 as proposed in the Senate-reported amendment; (2) a limitation on funding and staffing available to the Offices of Legislative and Public Affairs, as proposed in the House bill; (3) a prohibition on the use of funds to operate the San Clemente and Temecula traffic checkpoints unless certain conditions are met, as proposed in the House bill; and (4) limitations on the number of positions and FTE provided to INS in this Act, modified from language proposed in the House bill.

OFFSETTING FEE COLLECTIONS

The conference agreement assumes $1,549,480,000 will be available from offsetting fee collections, instead of $1,438,812,000 as proposed in the House bill and $1,524,771,000 as proposed in the Senate-reported amendment, to support activities related to the legal admission of persons into the United States. These activities are funded entirely by fees paid by persons who are either traveling internationally or are applying for immigration benefits. The following levels are recommended:

Immigration Inspections User Fees.—The conference agreement includes $494,384,000 of spending from offsetting collections in this account, the same amount proposed in Senate report, and $15,505,000 above the amount included in the House report. This amount represents a $38,999,000 increase over fiscal year 2000 spending, and does not assume the addition of any new or increased fees on airline or cruise ship passengers. The conference agreement includes $18,489,000 for adjustments to base, the full amount requested. In addition, program increases are provided as follows: $12,186,000, 154 positions and 77 FTE to increase primary inspectors at new airport terminals; and $8,324,000 to address additional staffing and other requirements. Funding is not included for the proposed change in the journeyman level for inspectors. INS is directed to consult with Committees on Appropriations and to submit a spending and deployment plan no later than December 1, 2000, which allocates these additional resources to the highest priority locations. Should additional fees become available, the INS may submit a reprogramming in accordance with section 605 of this Act.

Immigration Examinations Fees.—The conference agreement includes a total of $1,004,851,000 to support the adjudication of applications for immigration benefits, instead of $918,717,000 as proposed in the House bill, $841,017,000 as proposed in the Senate-reported amendment, and $934,617,000 as requested in the budget. These funds are derived from offsetting collections in the Examinations Fees account from persons applying for immigration benefits, including collections from a new voluntary premium processing fee as proposed in the House bill and the budget request, and $35,000,000 in continued direct appropriations under the Citizenship and Benefits, Immigration Support, and Program Direction account. The conference agreement reflects the INS' revised revenue estimates for collections from existing fees which is $107,534,000 higher than the amount assumed in the budget request, and $144,534,000 above the amount available in fiscal year 2000. When

combined with additional revenues estimated from the new voluntary premium processing fee, the total amount of collections available in the Examinations Fees account for adjudication of immigration benefits is $224,534,000 over the amount available in fiscal year 2000. When combined with direct appropriations, the total amount included in the conference agreement for benefits processing, adjudication, and backlog reduction is an increase of $70,134,000 (7%) above the budget request and $135,222,000 (16%) above the amount provided in fiscal year 2000. Therefore, the conference agreement does not include the reinstatement of section 245(i) as proposed in the Senate-reported amendment. In addition, the conference agreement does not adopt the transfer of $49,741,000 from Examinations Fees funding to the Executive Office of Immigration Review (EOIR); and the transfer of $50,000,000 in non-adjudication related activities from the Salaries and Expenses account to the Examinations Fees account which were proposed in the Senate-reported amendment.

Within the Examinations Fees account, the conference agreement provides the following: $25,676,000 for adjustments to base; and program enhancements totaling $94,841,000, as proposed in the House report, for the following activities: (1) $16,000,000 for implementing premium business service processing; (2) $7,500,000 for anti-fraud investigations related to business-related visa applications and marriage fraud; (3) $13,000,000 for the telephone customer service center, for a total of $43,000,000, the full amount requested; (4) $4,200,000 for the indexing and conversion of INS microfilm images, for a total of $7,200,000; and (5) $53,641,000 for replacement of the case tracking system and hardware in field offices and continued development and installation of digital photography and signature capabilities in the Application Support Centers. Included within these amounts is $6,000,000 for installation of the CLAIMS 4 system in the Los Angeles, California district office which will complete nationwide deployment of the system. INS is directed to submit a spending plan in accordance with the reprogramming procedures set forth in section 605 of this Act which allocates the remaining $51,134,000 in additional resources made available in the Exams Fees account, and the $35,000,000 in continued direct appropriations provided for backlog reduction initiatives.

The INS is directed to make available to EOIR from the INS Examinations Fees account not less than $1,000,000 to be applied toward expenditures related to EOIR's acquisition of contract court interpreter services for immigration court proceedings.

Land Border Inspections Fees.—The conference agreement includes $1,670,000 in spending from the Land Border Inspection Fund, as proposed in the Senate report, instead of $1,641,000 as proposed in the House report. 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 from Automated Permit Ports that provide pre-screened local border residents' border crossing privileges by means of automated inspections.

Immigration Breached Bond/Detention Fund.—The conference agreement includes $80,600,000 in spending from the Breached

Bond/Detention Fund, as proposed in the House report, instead of $130,634,000 as proposed in the Senate report, and reflects the current estimate of revenues available in the Fund in fiscal year 2001 based upon current law. The conference agreement does not assume the reinstatement of Section 245(i), which was proposed in the Senate-reported amendment and the budget request. Instead, the conference agreement provides a $37,480,000 increase in the INS Salaries and Expenses account to fully fund the detention requirements requested in the Fund, but for which revenues are insufficient in fiscal year 2001. The agreement does not include the base transfer to the Breached Bond/Detention Fund account, as proposed in the Senate report.

Immigration Enforcement Fines.—The conference agreement includes $1,850,000 in spending from Immigration Enforcement fines, the amount requested and proposed in the House report, instead of $5,593,000 as proposed in the Senate report.

H–1B Fees.—The conference agreement includes $1,125,000 in spending from the H–1B Fee account, the amount requested and the amount proposed in the House report, instead of $1,473,000 as proposed in the Senate report.

CONSTRUCTION

The conference agreement includes $133,302,000 for construction for INS, as proposed in the Senate-reported amendment, instead of $110,664,000 as proposed in the House bill. This amount fully funds the Administration's request, funds $5,000,000 in habitability, life safety, and other improvements at the Charleston Border Patrol Academy, and provides increases over the requested amount of $7,353,000 for one-time build out and $9,814,000 for maintenance, repair, and alteration to accelerate these programs.

The conference agreement includes language, as proposed in the House bill and carried in prior Appropriations Acts, prohibiting funds from being used for site acquisition, design, or construction of a checkpoint in the Tucson Sector. The Senate-reported amendment did not include a similar provision.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The conference agreement includes $3,476,889,000 for the salaries and expenses of the Federal Prison System, instead of $3,430,596,000 as proposed in the House bill and $3,573,729,000 as proposed in the Senate-reported amendment. The agreement assumes that, in addition to the amounts appropriated, $31,000,000 will be available for necessary operations from unobligated carryover balances from the prior year.

The conference agreement includes funding to begin and or complete the activation of the following facilities:

Victorville, CA	$5,882,000
Houston, TX	637,000
Brooklyn, NY	8,131,000
Philadelphia, PA	5,718,000
Butner, NC	11,808,000
Loretto, PA expansion	613,000
Pollock, LA	33,511,000

Atwater, CA	22,316,000
Coleman, FL	10,235,000
Honolulu, HI	14,119,000
Ft. Dix, NJ expansion	4,893,000
Yazoo City, MS expansion	674,000
Lompoc, CA expansion	907,000
El Paso, TX expansion	2,357,000
Seagoville, TX expansion	1,208,000
Jesup, GA expansion	200,000

The conference agreement provides an additional $500,000 for the National Institute of Corrections (NIC) to study whether the location of illegal alien holding facilities along the Southern border of the United States contributes to the illegal immigration problems in this country. The conference agreement includes $4,000,000 for the NIC to address issues related to children of prisoners, as described in the Senate report. Of the amounts provided, up to $1,000,000 shall be for the NIC to address the issue of staff sexual misconduct involving female inmates as described in the Senate report.

The conference agreement provides $100,000 for implementation of a pilot internship program at the Federal Correctional Institution in Yazoo City, MS as described in the Senate report. The conference agreement adopts the Senate report language directing BOP to continue to assess the feasibility of construction of a high security facility in Yazoo City, MS as described in the Senate report.

The conference agreement includes a $3,000,000 enhancement for education programming instead of the $7,433,000 requested. If additional resources become available either through prior year unobligated balances or as a result of savings in fiscal year 2001, BOP is expected to fund these additional costs.

BUILDINGS AND FACILITIES

The conference agreement includes $835,660,000 for construction, modernization, maintenance and repair of prison and detention facilities housing Federal prisoners, the same level as provided in the House bill, instead of $724,389,000 as provided in the Senate-reported amendment. The conference agreement provides $681,271,000 for construction of new facilities as outlined below:

[In thousands of dollars]

Facility	*Amount*
Facilities with prior funding:	
FCI Forrest City, AR	$95,814
FCI Yazoo City, MS	86,884
USP Lompoc, CA	118,111
FCI Butner, NC	83,111
FCI Victorville, CA	116,838
FCI Herlong/Sierra, CA	116,861
Facilities with no prior funding:	
USP Western	11,930
USP Southeastern	11,931
FCI Southeastern	5,430
FCI Mid-Atlantic	5,430
FCI Midwestern	5,431
FCI Western	6,000
FCI South Central	5,000
FCI Northeast	5,000
FCI Mid-Atlantic	5,000

Facility	*Amount*
Mid-Atlantic Female	2,000
Alaska Prison Study	500
Total	681,271

After reviewing numerous sites in South Carolina, the Bureau of Prisons (BOP) narrowed its focus on four potential locations that would be suitable for the construction of correctional facilities. Following a comprehensive Environmental Impact Study completed in April, 2000, the BOP identified two preferred sites in Williamsburg and Marlboro Counties. A Record of Decision (ROD) for the Salters site, Williamsburg County was signed by the Director, BOP on July 19, 2000. On the same date, the ROD was signed for the Bennetsville site, Marlboro County. The BOP is in the process of procuring a design/build contract for the Salters site and is proceeding with the second preferred site, consistent with the ROD and the fiscal year 2001 request.

The Senate provided $7,954,000 to plan and design a prison in Alaska while the House included no such funding. The managers note that there is no Federal prison in Alaska and State prisons are severely overcrowded and are operating under a court order requiring some prisoners to be transported to lower 48 State prisons. Likewise, Federal prisoners in Alaska must be transported by commercial air to Federal facilities thousands of miles away at a huge cost to taxpayers.

The Director of the Bureau of Prisons is directed to prepare a feasibility study on the need for a new prison in Alaska including the number of Federal prisoners who would be housed, the types of detention, rehabilitation, vocational and educational facilities that would be required, and the potential to lease surplus beds to the State of Alaska to reduce its prison overcrowding. The report should also analyze the costs of construction, the cost savings that would be realized from reduced prisoner transportation costs, and potential financing options, including State contributions and private financing and operation. The managers have provided $500,000 for the study which should be conducted in consultation with the U.S. Marshal for Alaska, the Chief Judge of the United States District Court, the Alaska Commissioner of Corrections and private parties or non-profit corporations with an interest in prison issues. The report should be submitted to the House and Senate Committees on Appropriations by March 15, 2001.

FEDERAL PRISON INDUSTRIES, INCORPORATED

(LIMITATION ON ADMINISTRATIVE EXPENSES)

The conference agreement includes a limitation on administrative expenses of $3,429,000, as requested and as proposed in both the House bill and the Senate-reported amendment.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

The conference agreement includes $418,219,000 for Justice Assistance, instead of $307,611,000 as proposed in the House bill

and $426,403,000 as proposed in the Senate-reported amendment. The conference agreement includes the following:

National Institute of Justice	$70,000,000
Defense/Law Enforcement Technology Transfer	*(12,277,000)*
Bureau of Justice Statistics	28,755,000
Missing Children	23,048,000
Regional Information Sharing System	25,000,000
National White Collar Crime Center	9,250,000
Management and Administration	41,186,000
Subtotal	197,239,000
Counterterrorism Programs:	
Equipment	109,400,000
Nunn-Lugar-Domenici Program	20,980,000
Training	45,500,000
Exercises	7,000,000
Technical Assistance	2,000,000
Counterterrorism Research and Development	36,100,000
Subtotal	220,980,000
Total, Bureau of Justice Assistance	418,219,000

National Institute of Justice (NIJ).—The conference agreement provides $70,000,000 for the National Institute of Justice, instead of $41,448,000 as proposed in the House bill and $46,000,000 as proposed in the Senate-reported amendment. Additionally, $5,200,000 for NIJ research and evaluation on the causes and impact of domestic violence is provided under the Violence Against Women Grants program; $17,500,000 is provided from within technology funding in the Community Oriented Policing Services account to be available to NIJ to develop new, more effective safety technologies for safe schools; and $20,000,000 is provided to NIJ, as was provided in previous fiscal years, within the Local Law Enforcement Block Grant for assisting local units to identify, select, develop, modernize and purchase new technologies for use by law enforcement.

The conference agreement adopts by reference the following recommendations in the House report which are within the overall amounts provided to NIJ. The Office of Justice Programs is expected to review proposals, provide grants if warranted, and report to the Committees on its intentions regarding: a grant at the current year level for information technology applications for High Intensity Drug Trafficking Areas; a grant for the Snohomish County Medical Examiner's Office to assist in the development of a new death investigation module for the FBI's ViCAP system; and a $1,800,000 grant for facial recognition.

The conference agreement adopts the following recommendations in the Senate report that provides that within the overall amount provided to NIJ, the Office of Justice Programs is expected to review proposals, provide grants if warranted, and report to the Committees on Appropriations on its intentions regarding: a $400,000 grant for continued research into non-toxic drug detection and identification aerosol technology; a $300,000 grant for Washington State Breaking the Cycle; and a $100,000 grant for perfluorocarbon tracer.

Within the amount provided, the conference agreement directs that increased amounts over fiscal year 2000 be made available for

computerized identification systems and the DNA Research Technology and Development Program, as proposed in the Senate report.

The conference agreement provides $15,000,000 for an education and development initiative to promote criminal justice excellence at Eastern Kentucky University in conjunction with the University of Kentucky.

The conference agreement includes $600,000 for NIJ to develop, test, and validate a prototype national Vulnerability Assessment (VA) methodology for assessing the security of chemical facilities against terrorist and criminal attacks, consistent with the requirements of Public Law 106–40. This report is expected to include recommendations for the Attorney General on the appropriate security classification and public release of information likely to be generated by a national VA of chemical facilities, including an analysis of expected risks and benefits. One year after enactment of this Act, the Attorney General shall provide to the Committees on Appropriations a comprehensive report on the findings derived from the development of the VA methodology. The information contained in this report will be used only to describe and validate conditions at chemical facilities in general and will contain no identifications of specific chemical facilities.

Defense/Law Enforcement Technology Transfer.—Within the total amount provided to NIJ, the conference agreement includes $12,277,000 to assist NIJ, in conjunction with the Department of Defense, in converting non-lethal defense technology to law enforcement use. Within the amount provided is funding for the continuation of the law enforcement technology center network, which provides States with information on new equipment and technologies, as well as assisting law enforcement agencies in locating high cost/low use equipment for use on a temporary or emergency basis. The current year level is provided for the technology commercialization initiative at the National Technology Transfer Center and other law enforcement technology centers. The current year level is provided for the Center for Rural Law Enforcement Technology and Training to evaluate and assist in providing technology needs of rural State and local law enforcement officers, as part of the National Law Enforcement and Corrections Technology Center (NLECTC) system. $1,500,000 is also provided to develop plans to establish a National Law Enforcement and Corrections Technology Center in Alaska as described in the Senate report.

The conference agreement includes an $8,000,000 increase for smart gun technology research and development.

Bureau of Justice Statistics (BJS).—The conference agreement provides $28,755,000 for the Bureau of Justice Statistics, instead of $25,505,000 as proposed in the House bill and $27,305,000 as proposed by the Senate-reported amendment. The recommendation includes $500,000 for inflationary cost increases, $725,000 to collect Computer Crime and Cyber-Fraud Statistics as described in the Senate report and $2,000,000 for tribal criminal justice statistics.

Missing Children.—The conference agreement provides $23,048,000 for the Missing Children Program instead of $25,473,000 as proposed in the Senate-reported amendment and

$19,952,000 as proposed in the House bill. Within the amounts provided the conference agreement assumes the following:

(1) $9,298,000 for the Missing Children Program within the Office of Justice Programs, Justice Assistance, including the following: $6,500,000 for State and local law enforcement to continue specialized cyberunits and to form new units to investigate and prevent child sexual exploitation which are based on the protocols for conducting investigations involving the Internet and online service providers that have been established by the Department of Justice and the National Center for Missing and Exploited Children.

(2) $11,450,000 for the National Center for Missing and Exploited Children, of which $100,000 is provided for a case manager as described in the Senate report; $2,250,000 is for CyberTipline, Cyperspace training and continuation of a study regarding the victimization of children on the Internet as described in the Senate report. Additional funding is also provided for a legal and technical assistance section. OJP is directed to work with the National Center for Missing and Exploited Children to identify law enforcement agencies which currently utilize computers in their patrol vehicles and create a program to use computers to disseminate information on missing children as described in the Senate report.

(3) $2,300,000 for the Jimmy Ryce Law Enforcement Training Center for training of State and local law enforcement officials investigating missing and exploited children cases.

Regional Information Sharing System (RISS).—The conference agreement includes $25,000,000 for RISS, instead of $20,000,000 and a $5,000,000 transfer from the COPS program as proposed in the House bill and $30,000,000 as proposed in the Senate-reported amendment.

White Collar Crime Information Center.—The conference agreement includes $9,250,000 for the National White Collar Crime Center (NWCCC), as proposed in the House bill, instead of no funding as proposed in the Senate-reported amendment.

Counterterrorism Assistance.—The conference agreement includes a total of $220,980,000 to continue the initiative to prepare, equip, and train State and local entities to respond to incidents of chemical, biological, radiological, and other types of domestic terrorism, instead of $152,000,000 as proposed in the House bill and $257,000,000 as proposed in the Senate-reported amendment. Funding is provided as follows:

Equipment.—$109,400,000 is provided for grants to equip State and local first responders, including, but not limited to, firefighters and emergency services personnel, as follows:

- $97,000,000 for Domestic Preparedness Equipment Grants to be used to procure specialized equipment required by State and local first responders to respond to terrorist incidents involving chemical, biological, radiological, and explosive weapons of mass destruction (WMD). The conference agreement continues the direction included in the fiscal year 2000 Appropriations Act, allowing funds to be allocated only in accordance with an approved State plan, and adopts the direction included in the Senate report requiring 80 percent of each

State's funding to be provided to local communities with the greatest need. Within the total amount provided for these grants, up to $2,000,000 shall be made available for continued support of the Domestic Preparedness Equipment Technical Assistance program at the Pine Bluff Arsenal;

- $5,000,000 is for equipment grants for State and local bomb technicians, instead of $10,000,000 as proposed in the House report; and
- $7,400,000 is for pre-positioned equipment, as proposed in the Senate report.

Nunn-Lugar-Domenici Program (NLD).—$20,980,000 is for the NLD Domestic Preparedness Program authorized under the National Defense Authorization Act, 1997, and previously funded by the Department of Defense, to provide training and other assistance to the 120 largest U.S. cities. On April 6, 2000, the President proposed the transfer of responsibility for completion of the NLD program to the Department of Justice. The conference agreement provides the full amount necessary to complete the NLD program, of which $8,100,000 is for training and $6,880,000 is for exercises for the remainder of the 120 cities; $3,000,000 is for Improved Response Plans; and $3,000,000 is for management and administrative costs associated with this program. Within the amounts provided for Domestic Preparedness Equipment grants, the Office of Justice Programs may provide equipment to NLD cities if such equipment is necessary to fulfill the requirements of the program. The conference agreement includes a series of new programs to address training and exercise requirements on a national basis, and expects the Office of Justice Programs to provide any future training and exercises assistance through these programs. The Senate report language regarding administration of this program is adopted by reference.

Training.—$45,500,000 is for training programs for State and local first responders, to be distributed as follows:

- $33,500,000 is for the National Domestic Preparedness Consortium, of which $15,500,000 is for the Center for Domestic Preparedness at Ft. McClellan, Alabama, including $500,000 for management and administration of the Center; $5,250,000 is for the Texas Engineering Extension Service at Texas A&M; and $12,750,000 is to be equally divided among the three other Consortium members;
- $8,000,000 is for additional training programs to address emerging training needs not provided for by the Consortium or elsewhere. In distributing these funds, OJP is expected to consider the needs of firefighters and emergency services personnel, and State and local law enforcement;
- $3,000,000 is for continuation of distance learning training programs at the National Terrorism Preparedness Institute at the Southeastern Public Safety Institute to provide training through advanced distributive learning technology and other mechanisms; and
- $1,000,000 is for continuation of the State and Local Antiterrorism Training Program.

Exercises.—$7,000,000 is for exercise programs, of which $4,000,000 is for grants to assist State and local jurisdictions in

planning and conducting exercises to enhance their response capabilities, and $3,000,000 is for planning, execution, and analysis of TOPOFF II. The direction included in the Senate report regarding distribution of exercises grants in accordance with approved State plans is adopted by reference.

Technical Assistance.—$2,000,000 is for technical assistance to States and localities, as proposed in the Senate report.

Counterterrorism Research and Development.—$36,100,000 is for counterterrorism research and development, of which $18,000,000 is for the Dartmouth Institute for Security Technology Studies (ISTS), $18,000,000 is for the Oklahoma City National Memorial Institute for the Prevention of Terrorism (MIPT), and $100,000 is for a pilot project to develop an RDT&E system similar to the Department of Defense System, as proposed in the Senate report. Within the amount provided for MIPT, up to $4,000,000 is to be used to support the development of performance standards in a biological and chemical environment for respirators and personal protective garments. The MIPT and the ISTS are directed to work with the Technical Support Working Group and the National Domestic Preparedness Office to develop and implement a process whereby WMD equipment is standardized.

The conference agreement includes language modified from language included in the House bill and the Senate-reported amendment providing funding for counterterrorism programs.

Management and Administration.—The conference agreement includes $41,186,000 for Management and Administration, instead of $39,456,000 as proposed by the House, and $40,125,000 as proposed by the Senate. The conference agreement adopts the House report language concerning the reorganization of the Office of Justice Programs and the submission of a report on the implementation of the reorganization by December 31, 2000.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

The conference agreement includes $2,848,929,000 for State and Local Law Enforcement Assistance, instead of $2,823,950,000 as proposed in the House bill, and $1,475,254,000 as proposed in the Senate-reported amendment. The conference agreement provides for the following programs:

Local Law Enforcement Block Grant	$523,000,000
Boys and Girls Clubs	*(60,000,000)*
Law Enforcement Technology	*(20,000,000)*
State Prison Grants	686,500,000
Cooperative Agreement Program	*(35,000,000)*
Indian Country Earmark	*(34,000,000)*
Alien Incarceration	*(165,000,000)*
State Environmental Impact Statements	*(2,000,000)*
State Criminal Alien Assistance Program	400,000,000
Indian Tribal Courts Program	8,000,000
Byrne Discretionary Grants	69,050,000
Byrne Formula Grants	500,000,000
Drug Courts	50,000,000
Juvenile Crime Block Grant	250,000,000
Violence Against Women Act Programs	288,679,000
State Prison Drug Treatment	63,000,000
Indian Country Alcohol and Crime Prevention	5,000,000
Missing Alzheimer's Patient Program	900,000
Law Enforcement Family Support Programs	1,500,000

Motor Vehicle Theft Prevention	1,300,000
Senior Citizens Against Marketing Scams	2,000,000
Total	2,848,929,000

Local Law Enforcement Block Grant.—The conference agreement includes $523,000,000 for the Local Law Enforcement Block Grant program, as proposed in the House bill, instead of $400,000,000, as proposed in the Senate-reported amendment, in order to continue the commitment to provide local governments with the resources and flexibility to address specific crime problems in their communities with their own solutions. Within the amount provided, the conference agreement includes language providing $60,000,000 to the Boys and Girls Clubs of America. In addition, the conference agreement extends the set-aside for law enforcement technology, as proposed in both the House bill and the Senate-reported amendment.

State Prison Grants.—The conference agreement includes $686,500,000 for State Prison Grants as proposed in the House bill, instead of $76,000,000 as proposed in the Senate-reported amendment. Of the amount provided, $450,500,000 is available to States to build and expand prisons, $165,000,000 is available to States for the reimbursement of the costs of incarceration of criminal aliens, $35,000,000 is available for the Cooperative Agreement Program, $34,000,000 is available for Indian tribes, and $2,000,000 is available for review of State environmental impact statements to determine compliance with Federal requirements and ensure that State projects are not delayed.

State Criminal Alien Assistance Program.—The conference agreement provides a total of $565,000,000 for the State Criminal Alien Assistance Program for payment to the States for the costs of incarceration of criminal aliens, instead of $50,000,000, as proposed in the Senate-reported amendment and $585,000,000 as proposed in the House bill. Of the total amount, the conference agreement includes $400,000,000 under this account for the State Criminal Alien Assistance Program and $165,000,000 for this purpose under the State Prison Grants program, as proposed by the House bill.

Indian Tribal Courts.—The conference agreement includes $8,000,000, instead of $5,000,000 as proposed in the Senate-reported amendment, and no funding in the House bill, to assist tribal governments in the development, enhancement, and continuing operation of tribal judicial systems by providing resources for the necessary tools to sustain safer and more peaceful communities.

Edward Byrne Grants to States.—The conference agreement provides $569,050,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which $69,050,000 is discretionary grants and $500,000,000 is provided for formula grants under this program.

Byrne Discretionary Grants.—The conference agreement provides $69,050,000 for discretionary grants under the Edward Byrne Memorial State and Local Assistance Program to be administered by Bureau of Justice Assistance (BJA), instead of $52,000,000 as proposed in the House bill and the Senate-reported amendment. Within the amount provided for discretionary grants, OJP is expected to review the following proposals, provide grants if war-

ranted, and report to the Committees on Appropriations of the House and the Senate on its intentions:

- $2,000,000 for the Drug Abuse Resistance Education (DARE AMERICA) program;
- $1,600,000 for continued support for the expansion of Search Group, Inc. and the national Technical Assistance and Training Program to assist States, such as West Virginia, to accelerate the automation of fingerprint identification processes;
- $4,400,000 for the National Crime Prevention Council to continue and expand the National Citizens Crime Prevention Campaign, McGruff;
- $800,000 for the Haymarket Center;
- $5,000,000 for Project HomeSafe for safety packets which include a gun locking device and information on how to handle and store guns safely as described in the Senate report;
- $150,000 for the Ottawa County, MI, Sheriff's Department to support crime fighting technologies;
- $1,000,000 for the Tools for Tolerance Program;
- $500,000 for the Littleton Area Learning Center;
- $4,500,000 for the Executive Office of U.S. Attorneys to support the National District Attorneys Association's participation in legal education training at the National Advocacy Center;
- $2,000,000 for the Youth Safe Haven program;
- $1,900,000 for the Families and Schools Together (FAST) program;
- $1,500,000 for Project Return in New Orleans, LA;
- $2,000,000 for the Alaska Native Justice Center;
- $400,000 for the Ridge House in Reno, NV;
- $3,000,000 for a grant to the 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;
- $350,000 for a grant to Turtle Mountain Community College's Department of Justice for "Project Peacemaker";
- $300,000 for the Chattanooga Endeavors program;
- $750,000 for a grant to the University of Kentucky College of Law for teleconferencing equipment for prosecutor training;
- $1,000,000 for the Fels Center at the University of Pennsylvania for a demonstration fellowship project;
- $1,400,000 for rural alcohol interdiction, investigations, and prosecutions in the State of Alaska;
- $150,000 for the MUSC Innovative Alternatives for Women program;
- $750,000 for the Nevada National Judicial College;
- $3,000,000 for a grant for the National Fatherhood Initiative;
- $190,000 to the Hampshire County, MA, TRIAD project;
- $450,000 for the Gospel Rescue Mission;

- $2,250,000 the Washington Metropolitan Area Drug Enforcement Task Force and for expansion of the regional gang tracking system;
- $2,000,000 for the Rural Crime Prevention and Prosecution program;
- $1,000,000 for the Night Light program in San Bernardino, CA to assign probation officers to patrol with law enforcement during peak crime hours;
- $800,000 for the Illegal Firearms Reduction Program in Illinois;
- $850,000 for the DuPage County Children's Sexual Abuse Center;
- $1,000,000 for Operation NITRO (Narcotics Interdiction To Reduce Open-Air Drug Markets) in Newark, NJ;
- $1,800,000 for the Center for Rural Law Enforcement Technology and Training;
- $2,505,000 for Kentucky Child Advocacy Centers;
- $1,000,000 for a community court pilot project in Los Angeles, CA;
- $1,000,000 for a Neighborhood Policing Initiative for the Homeless in Clearwater, FL;
- $1,000,000 for the National Children's Advocacy Center in Huntsville, Alabama for a Child Abuse Investigation and Prosecution Enhancement Initiative;
- $1,100,000 for the National Training and Information Center;
- $1,000,000 for the Doe Fund's Ready, Willing and Able program;
- $30,000 for the Crimestoppers program in Lexington, KY, to expand its efforts to involve citizens in crime prevention;
- $1,000,000 for the Ben Clark Public Safety Training program for law enforcement officers;
- $3,000,000 for the Regional Mobile Gang Task Force Enforcement Team in Orange County, CA;
- $500,000 for the Local Initiative Support Corporation;
- $300,000 for the National Association of Town Watch's National Night Out crime prevention program;
- $2,000,000 for a Spokane County crime task force for costs associated with State and local investigations;
- $750,000 for Operation Child Haven;
- $150,000 for the Samantha Reid Foundation;
- $500,000 for the Sunflower House in Shawnee, KS; and
- $400,000 for the Domestic Violence Services for Women in Substance Abuse Treatment and Substance Abuse Treatment for Women in Domestic Violence Shelters project at the University of Northern Iowa.

The conference agreement adopts the Senate report language supporting the national motor vehicle title information system. Within available resources for Byrne discretionary grants, OJP is urged to review proposals, and provide grants if warranted, to the Alaska Federation of Natives and the Alaska court system for an alcohol law offenders program using Naltrexone and other drug therapies.

Byrne Formula Grants.—The conference agreement provides $500,000,000 for the Byrne Formula Grant program as proposed in the House bill, instead of $400,000,000 as proposed in the Senate-reported amendment.

Drug Courts.—The conference agreement includes $50,000,000 for drug courts, instead of $40,000,000 as proposed in the Senate-reported amendment and the House bill. Localities may also obtain funding for drug courts under the Local Law Enforcement Block Grant program and the Juvenile Accountability Incentive Block Grant program.

The conference agreement recognizes that there are currently over 480 drug courts in the United States. These drug courts play an important role in controlling the behavior and drug addiction of drug-using offenders across the Nation. Among these courts, there are only three comprehensive drug court systems in the country, one of which is in Denver, Colorado. Denver's adult drug court was established in 1994 and recently a juvenile drug court was established. The conference agreement recognizes the Denver concept has demonstrated its efficacy and, with sufficient resources, could serve as a model for other drug courts.

Juvenile Accountability Incentive Block Grant.—The conference agreement provides $250,000,000 for the Juvenile Accountability Incentive Block Grant program to address the problem of juvenile crime as proposed in the House bill instead of $100,000,000 as proposed in the Senate-reported amendment.

Violence Against Women Act Grants.—The conference agreement includes $288,679,000 for grants to support the Violence Against Women Act, instead of $283,750,000 as proposed in the House bill, and $284,854,000 as proposed in the Senate-reported amendment. The conference agreement provides funding under this account as follows:

General Grants	$210,179,000
Civil Legal Assistance	*(31,625,000)*
National Institute of Justice	(5,200,000)
O*JJDP-Safe Start Program*	(10,000,000)
Violence on College Campuses	(11,000,000)
Victims of Child Abuse Programs:	
Court-Appointed Special Advocates	11,500,000
Training for Judicial Personnel	2,000,000
Grants for Televised Testimony	1,000,000
Grants to Encourage Arrest Policies	34,000,000
Rural Domestic Violence	25,000,000
Training Programs	5,000,000
Total	288,679,000

State Prison Drug Treatment.—The conference agreement includes $63,000,000 for substance abuse treatment programs within State and local correctional facilities, as proposed in the House bill and the Senate-reported amendment. The conference agreement prohibits funding in this program from being used for aftercare programs.

Indian Country Alcohol and Crime Prevention.—The conference agreement includes $5,000,000 for demonstration grants on alcohol abuse and crime in Indian country. No funding was proposed for this program in either the House bill or the Senate-reported

amendment. These funds are only available for law enforcement activities.

Safe Return Program.—The conference agreement includes $900,000 as proposed in both the House bill and the Senate-reported amendment.

Law Enforcement Family Support.—The conference agreement includes $1,500,000 for law enforcement family support programs, as proposed in both the Senate-reported amendment and the House bill.

Senior Citizens Against Marketing Scams.—The conference agreement includes $2,000,000 for programs to assist law enforcement in preventing and stopping marketing scams against senior citizens, as proposed by both the House bill and the Senate-reported amendment. The conference agreement adopts by reference the Senate report language on the National Advocacy Center and coordinating with the Federal Trade Commission.

Motor Vehicle Theft Prevention.—The conference agreement includes $1,300,000 for grants to combat motor vehicle theft as proposed in the House bill.

The conference agreement adopts the House report language by reference concerning false residential and commercial alarms. The conference agreement also includes language proposed in the House bill providing for Guam to be considered a State under the Local Law Enforcement Block Grant program and the Juvenile Accountability Incentive Block Grant program.

WEED AND SEED PROGRAM

The conference agreement includes a direct appropriation of $34,000,000 for the Weed and Seed program, instead of $33,500,000 proposed by the House bill and $40,000,000 as proposed by the Senate-reported amendment. The conference agreement includes the expectation that an additional $6,500,000 will be made available from the Assets Forfeiture Super Surplus Fund.

COMMUNITY ORIENTED POLICING SERVICES

The conference agreement includes $1,032,325,000 for the Community Oriented Policing Services (COPS) program, instead of $812,025,000 in the Senate-reported amendment and $595,000,000 in the House bill. This conference agreement assumes that $5,000,000 will be available to the program in unobligated balances, providing for a total program level of $1,037,325,000.

Police Hiring Initiatives.—The conference agreement includes $470,000,000 for police hiring initiatives. Of this amount $180,000,000 is provided specifically for school resource officers and $35,000,000 is provided specifically for hiring police officers for Indian Country, with an additional $5,000,000 from unobligated carryover balances from fiscal year 2000 for Indian Country grants. Since fiscal year 1998, the COPS program has recovered over $100,000,000 per year in prior year funds. The conference agreement includes a provision requiring the COPS program office to submit a reprogramming request to the Committees on Appropriations before spending any funds made available through prior year

deobligations, with an exception for program management and administration funding.

Safe Schools Initiative (SSI).—To address the issue of violence in our schools, the conference agreement includes $227,500,000 for the Safe Schools Initiative (SSI), including funds for technology development, prevention, community planning and school safety officers. Within this total, $180,000,000 is from the COPS hiring program to provide school resource officers who will work in partnership with schools and other community-based entities to develop programs to improve the safety of elementary and secondary school children and educators in and around schools; $15,000,000 is from the Juvenile Justice At-Risk Children's Program and $15,000,000 is from the COPS program ($30,000,000 total) for programs aimed at preventing violence in schools through partnerships with schools and community-based organizations; and $17,500,000 is provided from the Crime Identification Technology Program to NIJ to develop technologies to improve school safety.

Indian Country.—The conference agreement includes a total of $40,000,000 to improve law enforcement capabilities on Indian lands, both for hiring uniformed officers and for the purchase of equipment and training for new and existing officers, as proposed by the Senate. Of the $40,000,000 for this program, $35,000,000 is from direct appropriations and $5,000,000 is from unobligated balances.

Management and Administration.—The conference agreement includes language that provides that not to exceed $31,825,000 shall be expended for management and administration of the program.

Non-Hiring Initiatives.—The COPS program reached its original goal of funding 100,000 officers in May of 1999. Accordingly, the conference agreement funds initiatives to ensure there is adequate infrastructure for the new police officers, similar to the focus that has been provided Federal law enforcement. This will enable police officers to work more efficiently, equipped with the protection, tools, and technology they need; to address crime in and around schools; to provide law enforcement technology for local law enforcement; to combat the emergence of methamphetamine in new areas and police "hot spots" of drug market activity; and to make more bullet proof vests available for local law enforcement officers and correctional officers. In addition, the conference agreement provides funding for Community and Gun Violence Prosecutors, law enforcement costs associated with Offender Reentry programs and Police Integrity training. The conference agreement includes funding for the following non-hiring grant programs:

1. COPS Technology Program.—The conference agreement includes $140,000,000 to be used 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, it supports the sharing of criminal information and intelligence between State and local law enforcement to address multi-jurisdictional crimes.

Within the amounts made available under this program, the conference agreement includes the expectation that the COPS office will award grants for the following technology proposals:

$3,000,000 for a grant for the Law Enforcement On-Line Program (LEO). The conference agreement directs the Department of Justice to submit a report to the Committees on Appropriations by February 1, 2001, on the future of the LEO system. The report shall present the Department's vision for LEO, interoperability of LEO with other FBI and Departmental systems, and the relationship of LEO to the Global Justice Information Network. The report should also include funding requirements and a project time line for achieving the Department's vision and address whether management of LEO should remain with the FBI, or be transferred to JMD;

$500,000 for a grant to Delaware County, IN, for mobile data terminals for law enforcement vehicles;

$250,000 for a grant to Clackamas County, OR, for police communications equipment;

$1,000,000 for a grant to Jackson, MS, for law enforcement technologies and equipment;

$5,000,000 for a grant to the National Center for Missing and Exploited Children to continue the program created in fiscal year 2000 that provides targeted technology to police departments for the specific purpose of child victimization prevention and response. The technology available to help law enforcement find missing children is not at the level it needs to be. Most police departments across the United States do not have personal computers, modems, and scanners. The departments that do rarely have them in areas focusing on crimes against children;

Up to $3,000,000 for the acquisition or lease and installation of dashboard mounted cameras for State and local law enforcement on patrol. One camera may be used in each vehicle which is used primarily for patrols. These cameras are only to be used by State and local law enforcement on patrol;

$800,000 for a grant to the National Center for Victims of Crime—INFOLINK;

$3,000,000 for a grant to allow the Utah Olympic Public Safety Command to implement the public safety master plan for the 2002 Winter Olympic Games;

$300,000 for a grant to the Kansas City Community Security Initiative to continue developing community policing models in Kansas City neighborhoods;

$150,000 for a grant to establish a Computer Crime Unit within the Montana Board of Crime Control;

$1,500,000 for a grant to the New Hampshire Department of Safety to support Operation Streetsweeper;

$400,000 for a grant to the Western Missouri Public Safety Training Institute for classroom and training equipment to facilitate the training of public safety officers;

$3,500,000 for a grant to continue the Consolidated Advanced Technologies for Law Enforcement Program at the University of New Hampshire and the New Hampshire Department of Safety, in cooperation with the National Resource Center and the National Institute of Justice;

$400,000 for a grant to Mountain Village, CO, for public safety information management systems related to law enforcement;

$500,000 for a grant to Washington State for an electronic jail booking and reporting system;

$850,000 for a grant to the South Carolina Law Enforcement Division for a high technology crime investigative unit;

$500,000 for a grant to the National Center for Rural Law Enforcement in Little Rock, AR, to continue providing management education, research, forensics, computer, and technical assistance and training to rural law enforcement agencies, tribal police, and railroad police throughout the Nation;

$130,000 for a grant to Jackson County, MS, for public safety and automated system technologies related to law enforcement;

$750,000 for grants to the Bennington, Brattleboro, Newport, Montpelier, and Winooski, VT, for police technology systems and equipment;

$900,000 for a grant to Billings, MT, for patrol car mobile data terminals;

$100,000 for a grant to the Inglewood, CA, police department for technology systems;

$600,000 for a grant for telecommunications upgrades in rural areas of Montana to improve law enforcement response times;

$750,000 for a grant to the Macon, GA, Police Department for technology equipment and software;

$700,000 for a grant for a voice trunking system to assist law enforcement in eastern North Carolina;

$1,000,000 for a grant to the North Star Borough for centralized and computer aided dispatch equipment and a study of needs;

$60,000 for a grant to Monroe County, MI, for a data transmission mechanism for squad cars;

$600,000 for a grant to the State Police of Virginia for computers and related equipment;

$5,000,000 for a grant for the Utah Communications Agency Network (UCAN) for enhancements and upgrades of security and communications infrastructure to assist with the law enforcement needs arising from the 2002 Winter Olympics;

$250,000 for a grant to Lane County, OR, for an area information records system;

$550,000 for a grant to the Clearwater Economic Development Association to provide funding to sheriffs' offices in Clearwater, Idaho, Lemhi, Lewis and Nez Perce counties, ID, to buy radio communications equipment;

$200,000 for a grant to the Pawtucket, RI, Police Department for patrol car mobile data terminals;

$150,000 for a grant to Bolivar County, MS, for public safety equipment and automated system technologies to improve county law enforcement;

$500,000 for a grant to the Maine State Police to upgrade their police radio system;

$350,000 for a grant to Huntingdon County, PA, for rural law enforcement technology needs;

$2,200,000 for a grant to the Alaska Department of Public Safety for technology, policing, and enforcement initiatives;

$2,500,000 for a grant to the Virginia Department of State Police for law enforcement technologies;

$200,000 for a grant to the Easley, SC, Police Department for policing equipment upgrades and computer enhancements;

$110,000 for a grant to the Scotts Bluff County, NE, consolidated communications center to improve law enforcement response times;

$250,000 for a grant to the Vermont State Police for computer and radio system upgrades and integration;

$3,000,000 for a grant for the Southeastern Law Enforcement Technology Center's Coastal Plain Police Communications initiative for regional law enforcement communications equipment;

$1,300,000 for a grant to the Alaska Department of Public Safety for the law enforcement photo network to provide statewide access to the Alaska booking, driver, and ID photographic information throughout the State;

$100,000 for a grant to the Lawrence, MA, Police Department for a police identification management system;

$300,000 for a grant to Grand Rapids, MI, for computer equipment for police officer vehicles;

$3,000,000 for a grant to the Milwaukee, WI, police department for communications infrastructure equipment;

$500,000 for a grant to Nye County, NV, for computer upgrades and other technologies;

$750,000 for a grant to the Vermont Department of Public Safety for mobile communications technology upgrades for law enforcement;

$1,650,000 for a grant to the South Carolina Law Enforcement Division for emergency response technology equipment, including datamasters;

$100,000 for a grant to Deschutes County, OR, for mobile data and radio communications upgrades;

$750,000 for a grant to the City of Paducah and McCracken County, KY, for a Public Safety Mobile Data System to assist law enforcement;

$400,000 for a grant to the Arkansas Crime Information Center to address software and hardware requirements;

$500,000 for a grant to the City of Seattle and King County, WA, for technology upgrades and to assist with inter-jurisdictional investigations;

$1,800,000 for a grant to the State of Alaska for the training of Village Public Safety Officers and the purchase of emergency response equipment;

$500,000 for a grant to Madison, WI, for communications upgrades needed to address police radio transmitting capacity and inter-agency communications;

$150,000 for a grant to the Yellowstone County, MT, Sheriff's office for training technologies upgrades;

$1,500,000 for a grant to Baltimore, MD, for police training programs and equipment;

$2,000,000 for a grant to Clark County, NV, to upgrade mobile and in-vehicle computers;

$1,400,000 for a grant to the Virginia State Police's Bureau of Criminal Intelligence Division for technical equipment;

$500,000 for a grant to the Johnson County, KS, Sheriff's Department for a countywide public safety radio network;

$400,000 for a grant to the Montgomery, AL, Police Department for an integrated communications system;

$150,000 for a grant to the Bozeman, MT, police department for high risk activity training equipment;

$100,000 for a grant to St. Clair County, MI, to assist with law enforcement data needs;

$600,000 for a grant to the Alabama Department of Public Safety for technology and automated systems to assist law enforcement;

$3,000,000 for a grant for the continuation of the Southwest Border States Anti-Drug Information System, which will provide for the purchase and deployment of the technology network between all State and local law enforcement agencies in the four Southwest Border States;

$200,000 for a grant to Hall County, NE, for mobile data computers for law enforcement;

$100,000 for a grant to Burrillville, RI, for a communications system to assist law enforcement;

$200,000 for a grant to Irvington, NJ, for police technology needs;

$3,000,000 for a grant for videoteleconferencing equipment necessary to assist State and local law enforcement in contacting the Immigration and Naturalization Service to allow them to confirm the identification and status of illegal and criminal aliens in their custody;

$2,000,000 for a grant to Ventura County, CA, for an integrated justice information system;

$3,000,000 for a grant for the Southwest Alabama Justice Integration Project;

$5,000,000 for a grant for the Ohio WEBCHECK system;

$1,750,000 for a grant to the Missouri State Highway Patrol for an integration technology program;

$1,750,000 for a grant to the California Highway Patrol for a communications system;

$3,000,000 for a grant for SmartCOP in Alabama;

$3,000,000 for a grant for Project Hoosier SAFE–T;

$2,920,000 for a grant for the Access to Court Electronic Data for Criminal Justice Agencies project;

$600,000 for a grant to modernize and update law enforcement technologies and equipment in East Baton Rouge Parish, Livingston Parish and Ascension Parish, LA;

$1,000,000 for a grant to the Riverside, CA, police department for mobile data terminals;

$1,000,000 for a grant to Orange County, CA, for a seamless, integrated communications technology system;

$260,000 for a grant to Shively, KY, for police department communications improvements;

$1,500,000 for a grant for the Citrus Heights, CA, police force for computer networking and radios;

$250,000 for a grant for the Suffolk County, NY, Police Department Technology Crimes Initiative;

$750,000 for a grant for Riviera Beach, FL, for a police mobile radio system;

$750,000 for a grant for Clearwater, FL, for laptop computers and printers for police vehicles and network operations;

$750,000 for a grant for the cities of Arcadia, and Sierra Madre, CA, to improve crime technology and communications between the cities;

$600,000 for a grant for a computer-aided dispatch and records management system for the Bells Garden, CA, police department;

$3,000,000 for a grant for the Chattanooga, TN, Police Department to improve information sharing;

$3,000,000 for a grant for the purchase and installation of mobile data computers for the Huntsville, AL, police department;

$83,000 for a grant for the Long County, GA, police department for a communications system;

$3,500,000 for a grant for Pinellas County, FL, law enforcement agencies to demonstrate with the Florida Department of Motor Vehicles how facial recognition technology may be used by police;

$1,300,000 for a grant for vehicle-mounted cameras and equipment for the Jefferson County, KY, police department;

$3,000,000 for a grant for the Lexington, KY, police department for communications equipment to improve officer safety and effectiveness;

$350,000 for a grant for the Daviess County, KY, sheriff's department for a wireless mobile information system;

$250,000 for a grant for the City of Falls Church, VA, police department for a computer-aided dispatch and records management system;

$3,000,000 for a grant for Yuma, AZ, for telecommunications and technology infrastructure for law enforcement officers;

$152,000 for a grant for Mexico Beach, FL, to upgrade its dispatch communications service;

$1,500,000 for a grant for an integrated public safety records management and document imaging system for the Wichita Police Department (KS);

$500,000 for a grant for the East Valley Regional Community Analysis Center for a data warehousing project;

$7,500,000 for a grant for a regional law enforcement technology program in Kentucky;

$1,235,000 for a grant for the Virgin Islands for technology equipment and upgrades;

$1,500,000 for a grant for a justice tracking information system (JUSTIS) for San Francisco, CA;

$230,000 for a grant for Glendale, CA, for police training equipment and technologies;

$1,190,000 for a grant for Pasadena, CA, for a computerized geographic information system;

$152,000 for a grant for the New Jersey State Police's High-tech Crime Unit for technology equipment;

$50,000 for a grant for the Tuckahoe, NY, police department for technology upgrades;

$1,000,000 for a grant for the Greater Atlanta Data Center;

$300,000 for a grant for the Berkshire County Regional Strategic Response Team in Pittsfield, MA;

$500,000 for a grant for mobile data terminals for Louisville, KY, to improve information retrieval on-scene and greatly reduce time used to complete paperwork off-scene;

$750,000 for a grant for the Louisiana State Police for communications and computer system upgrades for the Public Safety Emergency Services Training Center;

$50,000 for a grant for the Bound Brook, NJ, police department for law enforcement technologies;

$500,000 for a grant for the Tampa, FL, police department for in-vehicle video cameras;

$750,000 for a grant for the North Carolina State Highway Patrol for mobile data terminals;

$1,000,000 for the Center for Criminal Justice Technology;

$500,000 for a grant for the San Joaquin County, CA, sheriff's office for technology enhancements; and

$1,000,000 for a grant for Minnesota for a radio system to improve law enforcement communications in rural Minnesota.

2. COPS Methamphetamine/Drug "Hot Spots" Program.—The conference Agreement provides $48,500,000 for State and local law enforcement programs to combat methamphetamine production, distribution, and use, and to reimburse the Drug Enforcement Administration for assistance to State and local law enforcement for proper removal and disposal of hazardous materials at clandestine methamphetamine labs. The monies may also be used for policing initiatives in "hot spots" of drug market activity. The House bill proposed $45,675,000 and the Senate-reported amendment proposed $41,700,000 for this purpose.

Within the amount provided, the conference agreement includes $20,000,000 to be reimbursed to the Drug Enforcement Administration as described above. The conference agreement expects the COPS office to award grants for the following programs:

$2,000,000 to the Washington State Methamphetamine Initiative for a comprehensive program to address methamphetamine enforcement, treatment, and cleanup efforts;

$2,500,000 to the Midwest (Missouri) Methamphetamine Initiative to train and provide related equipment to State and local law enforcement officers on the proper recognition, collection, removal, and destruction of methamphetamine;

$2,000,000 to the Kansas Bureau of Investigation to combat methamphetamine and to train officers in those types of investigations;

$750,000 to the Indiana State Police for a methamphetamine program to address training, equipment, and removal requirements;

$250,000 to the State Police of Virginia for an intensified methamphetamine enforcement program;

$800,000 to Southern Utah law enforcement agencies to be used to purchase remote methamphetamine detection laboratories to identify infrastructure decay caused by the disposal of hazardous and toxic chemicals;

$1,000,000 for the Mississippi Bureau of Narcotics to combat methamphetamine and to train officers on the proper recognition, collection, removal, and destruction of methamphetamine;

$600,000 for the South Dakota Division of Alcohol and Drug Abuse to expand its Community Mobilization Project to include a methamphetamine prevention project;

$500,000 to the State of Illinois to combat methamphetamine and to train officers in those type of investigations;

$800,000 to the State of Idaho to train State and local law enforcement officers in the proper recognition, collection, removal, and destruction of methamphetamine;

$1,000,000 for the Iowa Methamphetamine Clandestine Lab Task Force;

$1,500,000 for the Arkansas Methamphetamine Law Enforcement Initiative, of which, $150,000 is for the Arkansas State Crime Lab to hire three additional chemists and $1,350,000 is for the Arkansas State Police for training, enforcement, and cleanup efforts;

$350,000 to the Nebraska Clan Lab Team for the Nebraska Methamphetamine Fighting Initiative;

$1,000,000 for the Western Wisconsin Methamphetamine Law Enforcement Initiative;

$1,000,000 for personnel, equipment, and training for Arizona law enforcement to combat methamphetamine;

$250,000 for the Nye County, NV, Methamphetamine Initiative;

$750,000 to the Alabama Department of Public Safety to combat methamphetamine production and distribution;

$250,000 for the Hawaii Department of Public Safety, Narcotics Enforcement Division to address methamphetamine diversion, production, distribution, and enforcement efforts;

$400,000 for the Vermont State Multi-Jurisdictional Drug Task Force;

$2,200,000 for the Tri-State Methamphetamine Training Program (IA/SD/NE) to train officers from rural areas on methamphetamine interdiction, covert operations, intelligence gathering, locating clandestine laboratories, case development, and prosecution;

$1,000,000 to form a Western Kentucky Methamphetamine training program and provide equipment and personnel;

$1,000,000 for the Eastern Appalachian Taskforce on Methamphetamine Eradication in Tennessee, including $100,000 to establish videoconferencing with the Hamilton County District Attorney's Office;

$250,000 for the Polk County, FL, sheriff's office to support additional law enforcement officers, intelligence gathering and forensic capabilities, training and community outreach programs for an expanded methamphetamine program;

$750,000 for Central Kentucky to assist local police and sheriffs' departments with costs associated with combating the production and distribution of methamphetamine;

$1,500,000 for the Oklahoma State Bureau of Investigation for costs associated with combating the production and distribution of methamphetamine; and

$300,000 for the Ascension Parish, LA, sheriff's office to support officer training and outreach programs.

The conference agreement expects the COPS office to review requests from the California Bureau of Narcotics Enforcement's Methamphetamine Strategy and Merced County, CA, and provide grants, if warranted.

3. COPS Safe Schools Initiative (SSI)/School Prevention Initiatives.—The conference agreement includes $15,000,000 to provide resources for programs aimed at preventing violence in public schools, and to support the assignment of officers to work in collaboration with schools and community-based organizations to address crime and disorder problems, gangs, and drug activities, as proposed in the House bill and the Senate-reported amendment. Within the overall amounts recommended for this program, the conference agreement includes the expectation that the COPS office will examine each of the following proposals, provide grants if warranted, and submit a report to the Committees on its intentions for each proposal:

$3,000,000 for training by the National Center for Missing and Exploited Children for law enforcement officers selected to be part of the Safe Schools Initiative;

$541,000 for the Milwaukee schools' Summer Stars program;

$250,000 for the Sioux Falls, SD, school district to expand an alternative educational support program for at-risk youth;

$250,000 for the Safe Schools program at the University of Montana;

$500,000 for the School Security and Technology Center in New Mexico;

$375,000 for the Kenosha County, WI, Sheriff's Department to address school resource officer needs;

$350,000 for Berkeley, CA, for an intercom and surveillance safety system;

$250,000 for the King County, WA, school resource officer program;

$750,000 to the University of Louisville Center for the Study and Prevention of Violence in Urban Schools;

$350,000 for Bennington, VT, for a teen delinquency prevention project;

$1,500,000 for the Youth Advocacy Program;

$350,000 for the Alaska Community in Schools Mentoring program;

$750,000 for Compton, CA, for the Youth Center and After School Initiative;

$2,000,000 for the National Center for Rural Law Enforcement for the school violence research center;

$375,000 for the Waukesha, WI, Police Department to address school resource officer requirements;

$150,000 for the Nevada Foundation for Youth Development;

$495,000 for the Home Run Program;

$500,000 for the Safer School Initiative in Maricopa County, AZ;

$1,300,000 to setup the Aggressors, Victims and Bystanders Demonstration Project for Palm Beach County, FL, middle schools;

$120,000 for the Copiague School District School Safety Program; and

$80,000 for the Lindenhurst School Violence Program.

4. COPS Bullet-Proof Vests Initiative.—The conference agreement includes $25,500,000 to provide State and local law enforcement officers with bullet-proof vests. The House bill provided $25,000,000 for this program and the Senate-reported amendment provided $26,000,000.

5. Police Corps.—The conference agreement includes $29,500,000 for the Police Corps as proposed in the Senate-reported amendment instead of $15,000,000 as proposed in the House bill.

6. Crime Identification Technology Act Program [CITA].—As included in both the House bill and the Senate-reported amendment, the conference agreement provides $130,000,000 for the CITA program, 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, 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) capture of information for statistical and research purposes; (5) developing multi-jurisdictional, multi-agency communications systems; and (6) improvement of capabilities in forensic sciences, including DNA.

Jennifer's Law (P.L. 106–177) authorizes funds for States to apply for competitive grants to cover the costs associated with entering complete files on unidentified victims into the FBI's National Crime Information Center (NCIC). This law provides incentives for States to report to the NCIC information on unidentified, deceased persons and will give law enforcement officials the opportunity to identify missing children who are reported as "unidentified". The conference agreement notes that funding provided under CITA is authorized to fund these costs and encourages States to use CITA funds for this purpose.

Within the amounts provided, the Office of Justice Programs is directed to provide grants to the following:

$500,000 for Hamilton County, OH, for a juvenile case management system and integrated automated fingerprint information system;

$150,000 for Kalamazoo County, MI, to integrate its criminal justice system data on-line;

$100,000 for Ogden, UT, for public safety and automated system technologies;

$2,500,000 for the Missouri State Court Administrator for the Juvenile Justice Information System to enhance communication and collaboration between juvenile courts, law enforcement, schools, and other agencies;

$1,250,000 for the Alaska Department of Public Safety for an information network;

$150,000 for Logan County, OH, to support a regional planning criminal information infrastructure system;

$4,000,000 for the State Police of NH, for a VHF trunked digital radio system;

$4,700,000 for the State of Minnesota for a criminal justice integrated information system, of which $700,000 shall be allocated to Hennepin County;

$2,000,000 to automate the criminal records management system in San Diego, CA;

$1,500,000 to upgrade the Indianapolis Automated Fingerprint Identification System; and

$1,500,000 for an information technology project in Wayne County, MI, to improve communications and information sharing between local, State and Federal law enforcement.

Safe Schools Technology.—Within the amounts available for crime identification technology, the conference agreement includes $17,500,000 for Safe Schools technology to continue funding NIJ's development of new, more effective safety technologies such as less obtrusive weapons detection and surveillance equipment and information systems that provide communities quick access to information they need to identify potentially violent youth. The conference agreement adopts by reference the Senate report language regarding a competitive grant to a university based technology center.

Upgrade Criminal History Records (Brady Act).—Within the amounts available for crime identification technology, the conference agreement provides $35,000,000 for States to upgrade criminal history records so that these records can interface with other databases holding information on other categories of individuals who are prohibited from purchasing firearms under Federal or State statute. Additionally, the national sexual offender registry (NSOR) component of the Criminal History Records Upgrade Program has two principal objectives. The registry assists States in developing complete and accurate in-State registries. It will also assist States in sharing their registry information with the FBI system which identifies those offenders for whom special law enforcement interest has been noted.

DNA Backlog Grants/Crime Laboratory Improvement Program (CLIP).—Within the amounts available for crime identification technology, the conference agreement includes $30,000,000 for grants to reduce DNA backlogs and for the Crime Laboratory Improvement Program (CLIP). The CLIP/DNA Program supports State and local government crime laboratories to develop or improve the capability to analyze DNA in a forensic laboratory, as well as other general forensic science capabilities. Within the

amounts provided under CITA, it is expected that the Office of Justice Programs will provide grants to the following programs: $400,000 to the Southeast Missouri Crime Laboratory; $450,000 to the Rhode Island State Crime Laboratory; $650,000 to the Georgia State Crime Laboratory; $950,000 to the Iowa Forensic Science Improvement Initiative; $2,500,000 to the South Carolina Law Enforcement Division's forensic laboratory; $2,000,000 to the Marshall University Forensic Science program; $4,000,000 to the West Virginia University Forensic Identification Program; $500,000 to the Vermont Forensic Laboratory; $2,500,000 to the National Center for Forensic Science at the University of Central Florida; $500,000 to the National Academy for Forensic Computing and Investigation in Charlotte, NC; $500,000 to Ohio forensic science laboratory improvements; $150,000 to the Kansas Bureau of Investigations for a new latent fingerprint examination instrument; $650,000 to the Bellevue, WA, Police Department's Forensic Services Unit; $700,000 to the Arizona Department of Public Safety Southern Regional Crime Laboratory for forensic equipment; and $2,600,000 to the National Forensic Science Technology Center.

The conference agreement encourages the CLIP/DNA program to support within existing funds the Mississippi Crime Lab in improving its capacity to analyze and process forensic, DNA and toxicology evidence and in upgrading its technology.

The conference agreement adopts the Senate report language directing OJP to conduct a study of the funding requirements for the operation of forensic science laboratories given the caseload growth and backlog.

7. Community Prosecutors.—The conference agreement includes $100,000,000 for the Community Prosecutors program. The House bill and the Senate-reported amendment did not include funding for this program. Of the funds provided, $25,000,000 is for continuation of the current community prosecutors program and $75,000,000 is for community prosecutors in high gun violence areas. The $75,000,000 is to be used exclusively for community prosecutors to prosecute cases involving violent crimes committed with guns, and violations of gun statutes in cases involving drug trafficking and gang-related crime in high gun violence areas. The Department of Justice is directed to submit a report to the Committees on Appropriations by December 15, 2000, outlining how the $75,000,000 for community prosecutors in high gun violence areas will be spent. The report shall include but not be limited to the following information: (1) a definition of a high gun violence area; (2) the amount of funding per prosecutor that will be provided; and (3) an explanation of how local communities will be able to continue to employ the prosecutors that are hired after the grant has expired.

8. Offender Reentry.—In recognition of the public safety issues generated by the increasing number of offenders who have served their sentences and are returning from jails and prisons to our communities, the conference agreement includes $30,000,000 for the law enforcement costs related to establishing offender reentry programs. The House bill did not include funding for this program and the Senate-reported amendment included $7,000,000 for this program within State Prison Grants.

Offender reentry programs establish partnerships among institutional corrections, community corrections, social services programs, community policing and community leaders to prepare for more successful returns of inmates to their home neighborhoods. The $30,000,000 provided is intended to fund law enforcement participation and coordination of offender reentry programs. These funds are not provided to teach job training skills or provide alcohol or drug abuse treatment. The Department of Justice is directed to submit an implementation plan to the Committees on Appropriations by December 15, 2000, outlining how the funds will be spent. The report shall include the following: (1) a description of the law enforcement costs that will be funded; (2) an explanation of how the non-law enforcement costs such as job training, education, and drug treatment will be funded; (3) an explanation of how this program is being coordinated with the Departments of Labor and Health and Human Services; and (4) an explanation of how local communities will be able to fund the operational costs of this program after their grants expire.

9. Police Integrity Program.—The conference agreement provides $17,000,000 for police integrity training to provide training and technical assistance grants to develop and implement new policing methods and strategies. Neither the House bill nor the Senate-reported amendment included funding for this initiative.

JUVENILE JUSTICE PROGRAMS

The conference agreement includes $298,597,000 for Juvenile Justice programs, instead of $287,097,000 as proposed in the House bill and $279,697,000 as proposed in the Senate-reported amendment. The conference agreement includes the understanding that changes to Juvenile Justice and Delinquency Prevention Programs are being considered in the reauthorization of the Juvenile Justice and Delinquency Act of 1974. However, absent completion of this reauthorization process, the conference agreement provides funding consistent with the current Juvenile Justice and Delinquency Prevention Act. The conference agreement includes language that provides that funding for these programs shall be subject to the provisions of any subsequent authorization legislation that is enacted.

Juvenile Justice and Delinquency Prevention.—Of the total amount provided, $279,097,000 is for grants and administrative expenses for Juvenile Justice and Delinquency Prevention programs including:

1. $6,847,000 for the Office of Juvenile Justice and Delinquency Prevention (OJJDP) (Part A).

2. $89,000,000 for Formula Grants for assistance to State and local programs (Part B).

3. $50,250,000 for Discretionary Grants for National Programs and Special Emphasis Programs (Part C). Within the amount provided for Part C discretionary grants, OJJDP is directed to review the following proposals, provide a grant if warranted, and submit a report to the Committees on Appropriations of the House and the Senate on its intentions regarding:

$3,000,000 for Parents Anonymous, Inc., to develop partnerships with local communities to build and support strong, safe families and to help break the cycle of abuse and delin-

quency. The conference agreement directs Parents Anonymous to open up an active dialog with those organizations no longer associated with the program. With a concerted effort by all parties, problematic issues can be resolved which will ultimately benefit the cause of child abuse prevention;

$1,000,000 to continue the Achievable Dream after-school program for at-risk youth;

$3,000,000 to continue funding for the National Council of Juvenile and Family Courts which provides continuing legal education for family and juvenile law;

$1,900,000 for continued support of law-related education;

$1,500,000 for continuation of the Center for Research on Crimes Against Children which focuses on improving the handling of child crime victims by the justice system;

$1,500,000 for equipment and programming costs at the Brown County, SD, Juvenile Detention Center;

$750,000 for juvenile drug treatment services in Cook County, IL;

$250,000 to the Low Country Children's Center;

$1,500,000 to expand the Milwaukee Safe and Sound Program to other Milwaukee neighborhoods;

$150,000 to the Mel Blount Youth Home;

$300,000 to the New Mexico PAL program;

$250,000 to the juvenile assessment center in Billings, MT, for child and family intervention programs;

$150,000 to Sioux Falls, SD, Turning Point locations, including the Bowden Youth Center;

$300,000 to the New Mexico Cooperative Extension Service 4–H Youth Development Program;

$1,000,000 for Project Escape;

$400,000 to the Institute for Character Development, Civic Responsibility, and Leadership at Neumann College;

$750,000 to Utah State University's Youth and Families with a Promise program;

$120,000 to the South Dakota Unified Judicial System to continue the Intensive Juvenile Probation program;

$250,000 to the Hawaii Navigator Project;

$500,000 to the North Eastern Massachusetts Law Enforcement Council;

$150,000 to the Vermont Coalition of Teen Centers;

$250,000 to the Better Way program in Muncie, IN;

$350,000 to drug prevention programs in Shelby County, KY;

$150,000 to the South Dakota Network Against Family Violence and Sexual Assault;

$100,000 to the Alfred University Coordinating County Services for Families and Youth program;

$500,000 to the Kansas YouthFriends program;

$500,000 to perform a national demonstration of the Learning for Life Program which is then to be replicated by the Gulf Ridge Council and others;

$1,500,000 to the State of Alaska for a child abuse investigation program;

$1,250,000 to Aberdeen, SD, for a youth enrichment program;

$438,000 to the National Association of State Fire Marshals for implementing a national juvenile fire-setter intervention mobilization plan that will facilitate and promote the establishment of juvenile fire-setter intervention programs based on existing model programs at the State and local level;

$3,000,000 for the "Innovative Partnerships for High Risk Youth" demonstration;

$7,500,000 for the Youth ChalleNGe Program;

$300,000 to Prevent Child Abuse America for the programs of the National Family Support Roundtable;

$2,000,000 to continue the L.A.'s Best youth program;

$500,000 to the Culver City Juvenile Crime Diversion Initiative;

$275,000 to the Sports Foundation to work with at-risk youth;

$300,000 to the No Workshops * * * No Jump Shots program to provide case management, counseling and mandatory workshops for at-risk youth;

$1,000,000 to the Greater Heights program to provide at-risk youth with mentoring, positive activities, networking and alternatives to incarceration;

$500,000 to Our Next Generation;

$1,000,000 to the Youth Crime Watch of America;

$150,000 to Operation Quality Time;

$1,300,000 to the Suffolk University Center for Juvenile Justice;

$1,000,000 for Drug Free America;

$750,000 to New Mexico State University to establish an After School Services Pilot Program for at-risk youth;

$250,000 for the Culinary Education Training for At-Risk Youth in Miami-Dade, FL;

$1,000,000 to Mount Vernon, NY, to provide after-school services to at-risk youth;

$500,000 to the Lourdes Health Network in Pasco, WA, for extension of the school year program for youth and adolescents at risk of delinquency;

$250,000 to the Ella H. Baker House to support its juvenile delinquency intervention and prevention programs;

$365,000 to Project Bridge to continue to assist at-risk youths in Riverside County, CA;

$500,000 to Wichita State University for a juvenile justice program;

$500,000 to the Wayne County Department of Community Justice for an at-risk youth program including prevention and intervention services;

$1,000,000 for the West Farms program to assist at-risk youth; and

$50,000 for the Maryhurst Youth Center.

The conference agreement recognizes Project CRAFT (Community Restitution and Apprenticeship-Focused Training) as a successful model and proven intervention technique in the rehabilitation and reduced recidivism of accused and adjudicated juvenile of-

fenders. The OJP is encouraged to work in cooperation with the Department of Labor to replicate Project CRAFT in order to offer at-risk and adjudicated youth pre-apprenticeship training and job placement in the residential construction trades.

4. $12,000,000 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. $10,000,000 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. $16,000,000 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. OJJDP is directed to provide a $3,000,000 grant for the Big Brothers/Big Sisters of America program.

7. $95,000,000 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 School Initiative (SSI).—The conference agreement includes $15,000,000 within Title V grants for the Safe School initiative as proposed in the Senate report. Within the amount provided, OJJDP is directed to review the following proposals, provide grants if warranted, and submit a report to the Committees on Appropriations on its intentions regarding:

$3,600,000 to the Hamilton Fish National Institute on School and Community Violence;

$1,250,000 to the Teens, Crime, and Community Program;

$200,000 to the Decatur Mentoring Project in Decatur, IL;

$250,000 to an Allegheny County, PA, youth development program;

$1,000,000 to establish and enhance after-school programs for at-risk youth in Baltimore, MD;

$750,000 to the University of South Alabama for Youth Violence Prevention Research;

$900,000 to the Stop Truancy Outreach program;

$58,000 to the Southern Kentucky Truancy Diversion program;

$1,000,000 to the "I Have a Dream" foundation for at-risk youth program;

$500,000 to the Family, Career, and Community Leaders of America (FCCLA), STOP the Violence—Students Taking On Prevention Project; and

$1,000,000 to the Little Rock School District to create a safe, secure and healthy school environment.

Tribal Youth Program.—The conference agreement includes $12,500,000 within the Title V grants for programs to reduce, control and prevent crime, as proposed in the Senate report.

Enforcing the Underage Drinking Laws Program.—The conference agreement includes $25,000,000 within the Title V grants for programs to assist States in enforcing underage drinking laws, as proposed in the Senate report. Within the amounts provided for underage drinking, OJP shall make awards of $700,000 to expand Oregon Partnership programs and $500,000 to the Sam Houston State University and Mothers Against Drunk Driving for the National Institute of Victims Studies.

Drug Prevention Program.—The conference agreement includes $11,000,000 as proposed in the House bill to develop, demonstrate and test programs to increase the perception among children and youth that drug use is risky, harmful, or unattractive.

Victims of Child Abuse Act.—The conference agreement includes $8,500,000 for the various programs authorized under the Victims of Child Abuse Act (VOCA), as proposed in the House bill. The following programs are included in the agreement:

$1,250,000 to Regional Children's Advocacy Centers, as authorized by section 213 of VOCA;

$5,000,000 to establish local Children's Advocacy Centers, as authorized by section 214 of VOCA;

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

$750,000 for a continuation grant to the National Network of Child Advocacy Centers for technical assistance and training, as authorized by section 214a of VOCA.

PUBLIC SAFETY OFFICERS BENEFITS

The conference agreement includes $35,624,000, instead of $33,224,000 as proposed in the House bill and the Senate-reported amendment. This includes $33,224,000 for the death benefits program and $2,400,000 for the disability benefits program. In addition to the $2,400,000 appropriated for disability benefits, it is estimated there will be $500,000 in available disability carryover balances for a total of $2,900,000 for disability payments in fiscal year 2001.

In addition, the conferees understand that there is an estimated $2,300,000 unobligated balance available for the Education Assistance to Dependents Program in fiscal year 2001. This amount is estimated to be sufficient to cover the cost of this program, which has recently been expanded to provide benefits to the children and spouses of Federal, State and local public safety officers permanently disabled in the line of duty as long ago as 1978.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The conference agreement includes the following general provisions for the Department of Justice:

Section 101.—The conference agreement includes section 101, identical in the House bill and the Senate-reported amendment,

which makes up to $45,000 of the funds appropriated to the Department of Justice available for reception and representation expenses.

Sec. 102.—The conference agreement includes section 102, modified from language proposed in the House bill and the Senate-reported amendment, which continues certain authorities for the Department of Justice contained in the Department of Justice Appropriation Authorization Act, fiscal year 1980, until enactment of subsequent authorization legislation.

Sec. 103.—The conference agreement includes section 103, as proposed in the House bill, which prohibits the use of funds to perform abortions in the Federal Prison System. The Senate-reported amendment did not include a similar provision.

Sec. 104.—The conference agreement includes section 104, as proposed in the House bill, which prohibits the use of funds to require any person to perform, or facilitate the performance of, an abortion. The Senate-reported amendment did not include a similar provision.

Sec. 105.—The conference agreement includes section 105, as proposed in the House bill, 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. The Senate-reported amendment did not include a similar provision.

Sec. 106.—The conference agreement includes section 106, identical in both the House bill and the Senate-reported amendment, which allows the Department of Justice to spend up to $10,000,000 for rewards for information regarding acts of terrorism against a United States person or property at levels not to exceed $2,000,000 per reward.

Sec. 107.—The conference agreement includes section 107, as proposed in the House bill, which continues the current 5 percent and 10 percent limitations on transfers among Department of Justice accounts. The Senate-reported amendment included a minor technical difference in the language.

Sec. 108.—The conference agreement includes section 108, as proposed in the House bill, which sets forth the grant authority of the Assistant Attorney General for the Office of Justice Programs and makes these authorities permanent. The Senate-reported amendment included such authorities only for fiscal year 2001.

Sec. 109.—The conference agreement includes section 109, as proposed in the House bill, which continues a provision in the fiscal year 2000 Appropriations Act to allow assistance and services to be provided to the families of the victims of Pan Am 103. The Senate-reported amendment did not include a similar provision.

Sec. 110.—The conference agreement includes a new provision, numbered as section 110, which modifies section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) to reduce the fees charged to au pairs, camp counselors, and participants in summer work travel programs for collection of certain information. The Senate-reported amendment included a provision to repeal section 641 and section 110 of the IIRIRA, while the House bill did not address this matter.

Sec. 111.—The conference agreement includes section 111, modified from language proposed in the House bill, which relates to the payment of certain compensation from funds appropriated to the Department of Justice. A similar provision was included as section 113 of the Senate-reported amendment.

Sec. 112.—The conference agreement includes section 112, as proposed in the House bill, which establishes fees for genealogy services and voluntary premium processing for Immigration and Naturalization Service activities. The Senate-reported amendment did not include a similar provision.

Sec. 114.—The conference agreement includes section 114, proposed as section 110 in the Senate-reported amendment, which allows funds to be provided to the FBI from the Crime Victims Fund to improve services to crime victims. Additional direction regarding implementation of this provision is included under the FBI Salaries and Expenses account. In addition, the conference agreement assumes that funding will continue to be provided to the U.S. Attorneys to support the current number of victim witness coordinators in fiscal year 2001, as was provided from the Fund in fiscal year 2000.

Sec. 115.—The conference agreement includes section 115, proposed as section 112 in the Senate-reported amendment, which permanently allows funds appropriated to the Federal Bureau of Prisons (BOP) to be used to place prisoners in privately operated prisons provided that the Director of BOP determines such placement is consistent with Federal classification standards. The House bill did not include a similar provision.

Sec. 116.—The conference agreement includes section 116, proposed as section 114 in the Senate-reported amendment, which makes available up to $1,000,000 for technical assistance from funds appropriated for part G of title II of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended. The House bill did not include a similar provision.

Sec. 117.—The conference agreement includes section 117, proposed as section 115 in the Senate-reported amendment, which makes available funds provided in fiscal year 2000 for certain activities. The House bill did not include a similar provision.

Sec. 118.—The conference agreement includes section 118, proposed as section 116 in the Senate-reported amendment, which permanently prohibits funds from being provided to any local jail that runs a "pay to stay" program. The House bill did not include a similar provision.

Sec. 119.—The conference agreement includes a new provision which allows the Attorney General to enter into contracts and other agreements for detention and incarceration space and facilities on any reasonable basis. The House bill and the Senate-reported amendment included similar language elsewhere in Title I of this Act.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

The conference agreement includes $29,517,000 for the salaries and expenses of the Office of the United States Trade Representative (USTR) instead of $29,433,000 as proposed in the House bill and $29,600,000 as proposed in the Senate-reported amendment. The USTR is directed to provide the necessary space within its Geneva offices for use by Department of Commerce Import Administration personnel working with the USTR on issues related to antidumping and countervailing duties.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $48,100,000 for the salaries and expenses of the International Trade Commission (ITC) instead of $46,995,000 as proposed in the House bill and $49,100,000 as proposed in the Senate-reported amendment. The conference agreement incorporates by reference report language in both the Senate and House reports.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The conference agreement includes $337,444,000 in new budgetary resources for the operations and administration of the International Trade Administration (ITA) for fiscal year 2001, of which $3,000,000 is derived from fee collections, instead of $321,448,000 as proposed by the House bill, and $318,686,000 as proposed by the Senate-reported amendment. The conference agreement does not include Senate-reported amendment language regarding Executive Direction and Administration funding. ITA is, however, directed to adhere to the reprogramming procedures set forth in section 605 of this Act, and to submit a spending plan.

The following table reflects the distribution of funds by activity included in the conference agreement:

Trade Development	$64,747,000
Market Access and Compliance	25,555,000
Import Administration	40,645,000
U.S. & F.C.S	194,638,000
Executive Direction and Administration	11,859,000
Fee Collections	*(3,000,000)*
Total, ITA	334,444,000

Trade Development (TD).—The conference agreement provides $64,747,000 for this activity. Of the amounts provided, $50,992,000

is for the TD base program, $9,750,000 is for the National Textile Consortium, $3,000,000 is for the Textile/Clothing Technology Corporation, and $250,000 is for the requested export database. Existing members of the National Textile Consortium should receive funding at the fiscal year 2000 level and the remaining $750,000 is available for new members on a competitive basis. Further, the conference agreement includes $255,000 for the Access Mexico program and $500,000 for continuation of the international global competitiveness initiative as recommended in the House report.

Market Access and Compliance (MAC).—The conference agreement includes a total of $25,555,000 for this activity. Of the amounts provided, $18,755,000 is for the base program, $500,000 is for the strike force teams initiative as provided in the current year, and $6,300,000 is for the trade enforcement and compliance initiative, the full amount requested in the budget. Senate report language regarding the Mid-American Regional Council is incorporated by reference.

Import Administration.—The conference agreement provides $40,645,000 for the Import Administration. Requested program increases are included as follows: $1,250,000 for overseas compliance; $2,225,000 for China and Japan compliance; and $3,000,000 for import surge monitoring enforcement. Funding for a trade-law technical assistance center and a World Trade Organization initiative is not included. Senate report language on ITA and USTR work is included by reference.

U.S. and Foreign Commercial Service (US & FCS).—The conference agreement includes $194,638,000 for the programs of the US & FCS, the same amount provided in the House bill and $23,923,000 above the Senate-reported amendment. House report language regarding the Rural Export Initiative, the Global Diversity Initiative, and base resources is adopted by reference. Senate report language regarding the US & FCS's work on the Appalachian-Turkish Trade Project is adopted by reference.

Executive Direction and Administration.—The conference agreement includes $11,859,000 in direct appropriations and $847,000 in prior year carryover, providing total availability of $12,706,000 for the administrative and policy functions of the ITA. The conference agreement does not include Senate-reported amendment language regarding Executive Direction and Administration funding.

House report language regarding trade missions, buying power maintenance, and trade show revenues is included by reference.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The conference agreement includes $64,854,000 for the Bureau of Export Administration (BXA) instead of $53,833,000 as proposed in the House bill and $61,037,000 as proposed in the Senate-reported amendment. The conference agreement assumes $425,000 will be available from prior year carryover. Of the amount provided, $31,328,000 is for Export Administration base, including Chemical Weapons Convention (CWC) implementation and $7,250,000 is for CWC inspections; $25,033,000 is for Export En-

forcement, including $500,000 for computer export verification as in the current year and $1,000,000 for the Chemical Weapons Convention Treaty; $4,051,000 is for Management and Policy Coordination; and $4,867,000 is for the Critical Infrastructure Assurance Office (CIAO). The House report language regarding the final year of operation for the CIAO is incorporated by reference.

The conference agreement does not include under this heading, a provision proposed in the House bill regarding the processing of licenses for the export of satellites to the People's Republic of China. The conference agreement includes an identical provision under "Department of State, Diplomatic and Consular Programs", as proposed in the Senate-reported amendment.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The conference agreement includes $411,879,000 for Economic Development Administration (EDA) grant programs instead of $361,879,000 as proposed in the House bill and $218,000,000 as proposed in the Senate-reported amendment.

Of the amounts provided, $286,700,000 is for Public Works and Economic Development, $49,629,000 is for Economic Adjustment Assistance, $31,450,000 is for Defense Conversion, $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. EDA is expected to allocate the funding as directed in the House report. The conference agreement does not include set-aside funding for specific sectors or populations that was requested in the budget. The authorized, traditional programs provide support for all communities facing economic hardship. Within the funding for Economic Adjustment Assistance, EDA is expected to increase funding for assistance to the timber and coal industries above fiscal year 2000 levels. In addition, EDA is expected to provide resources for communities affected by economic downturns due to United States-Canadian trade-related issues, New England fisheries impacted by regulations, and communities impacted by NAFTA, as directed in the Senate report.

The conference agreement makes funding under this account available until expended, as proposed in both the House bill and the Senate-reported amendment.

SALARIES AND EXPENSES

The conference agreement includes $28,000,000 for salaries and expenses of the EDA instead of $26,499,000 as proposed in the House bill and $31,542,000 as proposed in the Senate-reported amendment. This funding will allow EDA to increase its level of administrative operations to manage increased program funding levels. The EDA is directed to aggressively pursue all opportunities for reimbursement, deobligations, and use of non-appropriated resources to achieve efficient and effective control of EDA programs.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The conference agreement includes $27,314,000 for the programs of the Minority Business Development Agency (MBDA), as proposed in the House bill, instead of $27,000,000 as proposed in the Senate-reported amendment. House report language regarding the Entrepreneurial Technology Apprenticeship Program is included by reference.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

The conference agreement includes $53,745,000 for salaries and expenses of the activities funded under the Economic and Statistical Analysis account, instead of $49,499,000 as proposed in the House bill and $53,992,000 as proposed in the Senate-reported amendment. Funding is included to begin the necessary task of updating and improving statistical measurements of the U.S. economy, international transactions, and the effects of e-business, as referenced in the Senate report. House report language regarding the Integrated Environmental-Economic Accounting initiative is included by reference.

BUREAU OF THE CENSUS

The conference agreement provides total spending of $733,633,000 for the Bureau of the Census for fiscal year 2001, instead of a direct appropriation of $670,867,000 as proposed in the House bill, and a direct appropriation of $693,610,000 as proposed in the Senate-reported amendment.

SALARIES AND EXPENSES

The conference agreement includes $157,227,000 for the Salaries and Expenses of the Bureau of the Census for fiscal year 2001, instead of $140,000,000 as proposed in the House bill, and $158,386,000 as proposed in the Senate-reported amendment. The agreement represents a $17,227,000 increase over the fiscal year 2000 level. The distribution of funding is as follows:

Current Economic Statistics	$103,228,000
Current Demographic Statistics	50,100,000
Survey Development and Data Surveys	3,899,000
Total	157,227,000

For current economic statistics programs, the conference agreement provides a total of $103,228,000, of which $11,295,000 is for adjustments to base, and $3,000,000 is for program enhancements for the following initiatives: $2,000,000 to begin the measurement of electronic businesses, and $1,000,000 to support efforts to improve the timeliness, quality and coverage of export trade statistics. The conference agreement fully funds base requirements for these programs to ensure that key reports on manufacturing, general economic and foreign trade statistics are maintained and issued on

a timely basis. The conference agreement does not include additional funding requested to begin funding a specialized Survey of Minority Owned Business Enterprises under this account, because such action is inconsistent with the long-standing practice of requiring specialized surveys to be funded by an affected agency or entity. The conference agreement adopts the Senate report language requiring a report on reimbursements to be submitted with the fiscal year 2002 budget request.

The Bureau of the Census is directed to make the following changes beginning with the data collection on or after October 1, 2000, to the monthly report entitled "Preliminary: U.S. Imports for Consumption of Steel Products": (1) to delineate all products listed in such report into the following categories: alloy steel products, stainless steel products, and carbon steel products; (2) to add the following specialty steel categories to the report: alloy steel and silicon electrical steel; and (3) to divide in the report all steel line pipe products into the following categories: line pipe products 16 inches or less in diameter, and line pipe products over 16 inches in diameter.

Concerns have been expressed regarding recent actions taken by the Bureau of the Census to change the manner in which data are collected from the Shipper's Export Declaration, and the burden this may impose on some shippers. The Bureau is requested to provide a report on this matter to the Committees on Appropriations no later than December 15, 2000.

It is the Congress' understanding that the Office of Management and Budget (OMB) will not be designating or defining any changes to metropolitan areas during fiscal year 2001. In order to ensure public acceptance of revised standards for defining metropolitan areas, OMB will continue to work with the Congress to resolve outstanding issues before adopting revised standards. With respect to the titling of Combined Areas that may be defined in 2003, OMB is urged to adopt a standard as follows: (1) the name of the largest principal city of the largest Core Based Statistical Area should appear first in the Combined Area title; and (2) in accordance with local opinion, up to two additional names could be included in the Combined Area title, provided that the additional names are the names of principal cities in the Combined Area or suitable regional names; and the resulting title of the Combined Area would be distinct from the title of any Metropolitan Area, Micropolitan Area, or Metropolitan Division defined in 2003 or beyond. With respect to titling of Metropolitan Areas, OMB is urged to continue to work with the Congress to address local concerns.

PERIODIC CENSUSES AND PROGRAMS

The conference agreement provides a total spending level of $576,406,000 for periodic censuses and programs, of which $276,406,000 is provided as a direct appropriation, and $300,000,000 is from prior year unobligated balances, instead of a direct appropriation of $530,867,000 as proposed in the House bill, and a direct appropriation of $535,224,000 as proposed in the Senate-reported amendment.

Decennial Census Programs.—The conference agreement includes a total of $390,898,000 for completion of the 2000 decennial

census, of which $130,898,000 is provided as a direct appropriation, and $260,000,000 is derived from prior year carryover, instead of a direct appropriation of $392,898,000 as proposed in the House bill, and a direct appropriation of $389,716,000 as proposed in the Senate-reported amendment. The following represents the distribution of total funds provided for the 2000 Census in fiscal year 2001:

Program Development and Management	$24,055,000
Data Content and Products	55,096,000
Field Data Collection and Support Systems	122,000,000
Address List Development	1,500,000
Automated Data Process and Telecommunications Support	115,038,000
Testing and Evaluation	55,000,000
Puerto Rico, Virgin Islands and Pacific Areas	5,512,000
Marketing, Communications and Partnerships	9,197,000
Census Monitoring Board	3,500,000
Total, Decennial Census	390,898,000

The Bureau is directed to continue to provide monthly reports on the obligation of funds against each framework. Reallocation of resources among the frameworks listed above is subject to the requirements of section 605 of this Act, as is allocation of any additional unobligated balances not allocated in this conference agreement.

The conference agreement includes language designating the amounts provided for each decennial framework, modified from language proposed in the House bill. Should the operational needs of the decennial census necessitate the transfer of funds between these frameworks, the Bureau may transfer such funds as necessary subject to the standard transfer and reprogramming procedures set forth in section 605 of this Act. In addition, the conference agreement includes language designating funding under this account for the expenses of the Census Monitoring Board as proposed in the House bill. The Senate bill did not include a similar provision.

Other Periodic Programs.—The conference agreement includes a total of $185,508,000 for other periodic censuses and programs, of which $40,000,000 is derived from prior year unobligated balances available from the decennial census, instead of a direct appropriation of $137,969,000 as proposed in the House bill, and $145,508,000 as proposed in the Senate-reported amendment. The following table represents the distribution of funds provided for non-decennial periodic censuses and related programs:

Economic Statistics Programs	$45,928,000
Economic Censuses	*(42,846,000)*
Census of Governments	*(3,082,000)*
Demographic Statistics Programs	96,380,000
Intercensal Demographic Estimates	*(5,583,000)*
Continuous Measurement	*(21,615,000)*
Demographic Survey Sample Redesign	*(4,769,000)*
Electronic Information Collection (CASIC)	*(6,000,000)*
Geographic Support	*(35,108,000)*
Data Processing Systems	*(23,305,000)*
Suitland Federal Center	43,200,000
Total	185,508,000

The Secretary of Commerce is directed to submit to the Congress, no later than September 30, 2001, a written report on any methodological, logistical, and other issues associated with the in-

clusion in future decennial censuses of American citizens and their dependents living abroad, for apportionment, redistricting, and other purposes for which decennial census results are used. This report shall include estimates of the number of Americans living abroad in the following categories: Federal civilian employees, military personnel, employees of business enterprises, employees of non-profit entities, and individuals not otherwise described.

Suitland Federal Center.—The conference agreement includes a total of $43,200,000 for activities related to renovation of Census Bureau facilities at the Suitland Federal Center, of which $40,000,000 is provided from prior year unobligated balances and $3,200,000 is provided from direct appropriations. This amount represents the Census Bureau's costs associated with renovation of this facility, as follows: $3,200,000 for planning and design work, and $40,000,000 for above-standard costs. The construction and tenant build-out costs for this facility are to be funded by the General Services Administration (GSA), not the Census Bureau, and the conference agreement includes new language prohibiting Census Bureau funds from being used for these purposes. Language is also included, as proposed in the Senate-reported amendment, requiring quarterly reports from the Census Bureau and GSA on this project.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $11,437,000 for the salaries and expenses of the National Telecommunications and Information Administration (NTIA) as provided in the Senate-reported amendment, instead of $10,975,000 as proposed in the House bill. The conference agreement includes, by reference, Senate report language regarding funding for the critical infrastructure program, and House report language regarding reimbursements.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

The conference agreement includes $43,500,000 for the Public Telecommunications Facilities, Planning and Construction (PTFP) program, instead of $31,000,000 as proposed in the House bill and $50,000,000 as proposed in the Senate-reported amendment. NTIA is expected to use this funding for the existing equipment and facilities replacement program, and to maintain an appropriate balance between traditional grants and those to stations converting to digital broadcasting. NTIA is directed to place emphasis on distance learning initiatives targeting rural areas, as described in Senate report.

INFORMATION INFRASTRUCTURE GRANTS

The conference agreement includes $45,500,000 for NTIA's Information Infrastructure Grants program, instead of $15,500,000 as proposed in both the House bill and the Senate-reported amendment. Senate report language regarding the overlap of funding under this heading with funding for the Department of Justice, Of-

fice of Justice Programs, with respect to law enforcement communication and information networks is included by reference. The conference agreement includes language proposed in the Senate-reported amendment regarding uses of spectrum. The House bill did not include a provision on this matter. Senate report language regarding proposals for several grant programs is not included in the conference agreement. House report language regarding telecommunications research is included by reference.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

The conference agreement provides a total funding level of $1,038,732,000 for the Patent and Trademark Office (PTO) as proposed in the Senate-reported amendment and requested in the budget, instead of $904,924,000 as proposed in the House bill. Of the amount provided in the conference agreement, $783,843,000 is to be derived from fiscal year 2001 offsetting fee collections, and $254,889,000 is to be derived from carryover of prior year fee collections. This amount represents an increase of $167,732,000, or 19 percent, above the fiscal year 2000 operating level for the PTO. The PTO has experienced significant growth in recent years due to increased application filings for patents and trademarks, and funding is provided to address these increased filings.

The conference agreement includes bill language limiting the amount of carryover that may be obligated in fiscal year 2001, as proposed in the House bill.

The conference agreement includes House report language concerning PTO's partnership with the National Inventor's Hall of Fame and Inventure Place, and Senate report language concerning the official insignias of Native American Tribes, and agency budget forecasts.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

The conference agreement includes $8,080,000 for the Technology Administration, instead of $7,945,000 as proposed in the House bill, and $8,216,000 as proposed in the Senate-reported amendment. The conference agreement continues direction as in fiscal years 1998, 1999, and 2000 regarding the use of Technology Administration and Department of Commerce resources to support foreign policy initiatives and programs.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The conference agreement includes $312,617,000 for the internal (core) research account of the National Institute of Standards and Technology (NIST), instead of $292,056,000 as proposed in the

House bill, and $305,003,000 as proposed in the Senate-reported amendment.

The conference agreement provides funds for the core research programs of NIST as follows:

Electronics and Electrical Engineering	$40,127,000
Manufacturing Engineering	19,821,000
Chemical Science and Technology	33,360,000
Physics	31,556,000
Material Sciences and Engineering	54,658,000
Building and Fire Research	17,124,000
Computer Science and Applied Mathematics	52,551,000
Technology Assistance	17,349,000
Baldrige Quality Awards	5,205,000
Research Support	36,599,000
Infrastructure Protection Research Grants	5,000,000
Subtotal	313,350,000
Deobligations	*(733,000)*
Total	312,617,000

In addition, the conference agreement includes funding for the Physics program as referenced in the Senate report. Of the funding provided for Computer Science and Applied Mathematics, $3,000,000 is for expert review teams, and $4,000,000 is for internal critical infrastructure protection activities. Funding is included for the Building and Fire Program at $1,192,000 above the budget request, and $2,000,000 is to continue the disaster research program on effects of windstorms on protective structures and other technologies begun in fiscal year 1998. A total of $282,000 is authorized to be transferred to the NIST working capital fund, as referenced in the House bill instead of $6,200,000 as referenced in the Senate-reported amendment. Language regarding the placement of NIST personnel overseas is included as in the House report.

Funding of $5,000,000 is provided for a new program to award research grants for critical infrastructure protection. NIST is required to submit an implementation plan for this new, competitive grant program, prior to obligation of funding.

INDUSTRIAL TECHNOLOGY SERVICES

The conference agreement includes $250,837,000 for the NIST external research account, instead of $104,836,000 as proposed in the House bill, and $262,737,000 as proposed in the Senate-reported amendment.

Manufacturing Extension Partnership Program.—The conference agreement includes $105,137,000 for the Manufacturing Extension Partnership Program (MEP), instead of $104,836,000 as proposed in the House bill, and $109,137,000 as proposed in the Senate-reported amendment. The conference agreement includes no funding for new initiatives. Additional funding is provided for the centers. The conference agreement incorporates direction in the Senate report that the Northern Great Plains Initiative e-commerce project should assist small manufacturers with marketing and business development purposes in rural areas.

Advanced Technology Program.—The conference agreement includes $145,700,000 for the Advanced Technology Program (ATP), instead of $153,600,000 as proposed in the Senate-reported amendment, and no funding as proposed in the House bill. The amount

of carryover funding available in fiscal year 2001 is $45,000,000, providing total available funding of $190,700,000 for fiscal year 2001.

The recommendation provides the following: (1) $84,800,000 for continued funding requirements for awards made in fiscal years 1996, 1997, 1998, 1999, and 2000; (2) $60,700,000 for new awards in fiscal year 2001; and (3) $45,200,000 for administration, internal NIST lab support and Small Business Innovation Research requirements.

The conference agreement includes bill language, modified from the Senate language, designating $60,700,000 for new ATP awards.

CONSTRUCTION OF RESEARCH FACILITIES

The conference agreement provides $34,879,000 for construction, renovation and maintenance of NIST facilities, instead of $26,000,000 as proposed in the House bill, and $28,879,000 as proposed in the Senate-reported amendment.

Of the amount provided, $14,000,000 is for grants and cooperative agreements as referenced in Section 209 of this Act; and $20,879,000 is for safety, capacity, maintenance, and repair projects at NIST, including funding to address electrical service issues at NIST's Boulder campus.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The conference agreement provides a total funding level of $2,627,500,000 for all programs of the National Oceanic and Atmospheric Administration (NOAA), instead of $2,230,959,000 as proposed in the House bill, and $2,687,070,000 as proposed in the Senate-reported amendment. Of these amounts, the conference agreement includes $1,869,170,000 in the Operations, Research, and Facilities (ORF) account, $682,899,000 in the Procurement, Acquisition and Construction (PAC) account, and $75,431,000 in other NOAA accounts.

OPERATIONS, RESEARCH, AND FACILITIES (INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes $1,869,170,000 for the Operations, Research, and Facilities account of the National Oceanic and Atmospheric Administration instead of $1,608,125,000 as proposed in the House bill, and $1,958,046,000 as proposed in the Senate-reported amendment.

In addition to the new budget authority provided, the conference agreement allows a transfer of $68,000,000 from balances in the account entitled "Promote and Develop Fishery Products and Research Related to American Fisheries", as proposed in the House bill, instead of $72,828,000 as proposed in the Senate-reported amendment. In addition, the conference agreement assumes prior year deobligations totaling $16,650,000, $4,000,000 in offsets from fee collections, and $3,200,000 to be transferred from the Coastal Zone Management Fund to the ORF account.

The conference agreement does not include language proposed in the House bill designating the amounts provided under this ac-

count for the six NOAA lines offices. The Senate-reported amendment contained no similar provision.

The conference agreement includes language, similar to language proposed in the House bill and carried since the 1999 Appropriations Act, designating the amount available for Executive Direction and Administration and prohibiting augmentation of specified offices through formal or informal personnel details, transfers, or reimbursements above 42 personnel. The Senate-reported amendment contained no such provision.

The conference agreement includes language proposed in the House bill making the use of deobligated balances subject to standard reprogramming procedures. NOAA is directed that any use of deobligations above $16,650,000 is subject to the procedures set forth in section 605 of this Act. In addition, the conference agreement includes House bill language limiting administrative charges assessed on assigned activities, as in the current year. The Senate-reported amendment included no similar provisions.

The conference agreement does not include language in the Senate-reported amendment regarding lawsuits. The House bill did not address this matter.

The conference agreement does not include $34,000,000 in controversial new fisheries and navigation safety fees that were proposed in the budget request. House and Senate report language regarding these fees is incorporated by reference.

The conference agreement does not include a provision, as proposed in the Senate-reported amendment, permitting the Secretary to have NOAA occupy and operate research facilities at Lafayette, Louisiana.

The following table reflects the distribution of the funds provided in this conference agreement.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH AND FACILITIES, FISCAL YEAR 2001

	Fiscal year—				
	2000 Enacted	2001 Request	2001 House	2001 Senate	2001 Conf.
NATIONAL OCEAN SERVICE					
Navigation Services:					
Mapping and Charting	35,298	38,456	32,718	40,256	37,437
Address Survey Backlog	18,900	18,000	18,900	22,000	20,450
Subtotal	54,198	56,456	51,618	62,256	57,887
Geodesy	20,159	20,206	21,159	21,134	22,384
Tide and Current Data	12,390	15,089	15,089	12,293	15,089
Acquisition of Data	15,546	17,246	14,546	18,246	18,246
NOAA Corps strength increase	.....	.....	.....	1,000	1,000
Total, Navigation Services	102,293	108,997	102,412	114,929	114,606
Ocean Resources Conservation and Assessment:					
Ocean Assessment Program	44,846	41,465	34,348	49,515	49,956
GLERL	.....	6,085	.....	7,000	.....
Response and Restoration	15,329	20,149	10,991	19,884	11,600
Oceanic and Coastal Research	8,470	8,500	5,410	10,500	9,500
Subtotal—Estuarine & Coastal Assessment	68,645	76,199	50,749	86,899	71,056
Coastal Ocean Program	17,200	18,232	17,087	19,432	18,287
Total, Ocean Resources Conservation & Assessment	85,845	94,431	67,836	106,331	89,343
Ocean and Coastal Management:					
CZM Grants	54,700	147,400	54,700	60,000	52,000
Program Administration	4,500	6,608	4,500	4,500	4,500
Estuarine Research Reserve System	6,000	12,000	6,000	12,000	9,750
Nonpoint Pollution Control	2,500	4,500	2,500	.....	.....
Subtotal, Coastal Management	67,700	170,508	67,700	76,500	66,250
Marine Sanctuary Program	23,000	32,000	22,500	23,500	20,500

Total, Ocean & Coastal Management	90,700	202,508	90,200	100,000	86,750
Total, NOS	278,838	405,936	260,448	321,260	290,699
NATIONAL MARINE FISHERIES SERVICE					
Information Collection and Analysis:					
Resource Information	107,848	101,988	100,100	117,795	119,945
Antarctic Research	1,234	1,200	1,200	2,000	1,500
Chesapeake Bay Office	2,390	1,500	2,390	3,000	2,500
Right Whale Research	.....	200	.....	.....	.....
MARFIN	2,750	2,750	2,500	3,500	3,500
SEAMAP	1,200	1,200	1,200	1,200	1,400
Alaskan Groundfish Surveys	900	661	661	900	900
Bering Sea Pollock Research	945	945	945	945	945
West Coast groundfish	820	780	820	780	820
New England Stock Depletion	1,000	1,000	1,000	1,000	1,000
Hawaii Stock Management Plan	500	.....	500	500	500
Yukon River Chinook Salmon	1,200	700	.....	1,500	1,500
Atlantic Salmon Research	710	710	710	710	710
Gulf of Maine Groundfish Survey	567	567	567	567	567
Dolphin/Yellowfin Tuna Research	250	250	250	250	250
Pacific Salmon Treaty Program	17,431	10,587	5,587	10,587	7,456
Red Snapper Monitoring and Research	.....	.....	.....	7,500	4,500
SE Cooperative Research	.....	.....	.....	.....	2,500
Hawaiian Monk Seals	750	500	500	800	800
Steller Sea Lion Recovery Plan	4,000	1,440	1,440	12,300	12,300
Hawaiian Sea Turtles	285	248	248	300	300
Bluefish/Striped Bass	1,000	.....	1,000	.....	1,500
Halibut/Sablefish	1,200	1,200	1,200	1,200	1,200
Subtotal	146,980	128,426	122,818	167,334	166,593
Fishery Industry Information:					
Fish Statistics	13,000	18,871	13,000	21,871	17,680
Alaska Groundfish Monitoring	5,500	5,200	5,200	7,100	6,750
PACFIN/Catch Effort Data	3,000	3,000	4,700	3,700	3,000
AKFIN (Alaska Fishery Information Network)	2,500	.....	.....	3,400	3,000
RECFIN	3,700	3,100	3,100	3,700	3,700
GULF FIN Data Collection Effort	3,500	.....	3,000	.....	3,500

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH AND FACILITIES, FISCAL YEAR 2001—Continued

	Fiscal year—				
	2000 Enacted	2001 Request	2001 House	2001 Senate	2001 Conf.
Subtotal	31,200	30,171	29,000	39,771	37,630
Information Analyses and Dissemination	20,900	21,403	20,400	21,403	21,150
Computer Hardware and Software	3,500	3,500	750	3,500	3,500
Subtotal	24,400	24,903	21,150	24,903	24,650
Acquisition of Data	25,943	25,944	25,943	26,944	26,900
Total, Information, Collection, and Analyses	228,523	209,444	198,911	258,952	255,773
Conservation and Management Operations:					
Fisheries Management Programs	38,830	37,825	34,680	79,295	62,888
Columbia River Hatcheries	12,055	15,212	12,055	15,742	14,055
Columbia River Endangered Species	288	288	288	288	288
Regional Councils	13,150	13,100	13,150	15,100	13,150
International Fisheries Commissions	400	400	400	400	400
Management of George's Bank	478	478	478	478	478
Pacific Tuna Management/Pelagic Fisheries	2,300	1,250	1,250	3,000	2,650
Fisheries Habitat Restoration	2,000	4,000	2,000	2,000	2,000
NE Fisheries Management	6,000	11,980	6,000	3,980	.....
NE Consortium	.....	.....	.....	5,000	5,000
NE Cooperative	.....	15,000	15,000	15,000	15,000
Norton Sound Fisheries	.....	5,000	5,000	5,000	5,000
Coral Reefs	.....	5,000	.....	3,000	.....
Subtotal, Fisheries Mgmt. Programs	75,501	109,533	90,301	143,283	120,909
Protected Species Management	6,200	8,988	6,950	11,288	9,038
Dolphin Encirclement	3,300	3,300	3,300	3,300	3,300
Driftnet Act Implementation	3,439	3,278	3,278	5,250	3,775
Marine Mammal Protection Act	7,583	7,225	7,225	8,225	8,125
Endangered Species Act Recovery Plan	43,500	55,450	42,800	47,765	55,338
Native Marine Mammals	950	700	200	1,200	950

Observers/Training	2,650	4,500	5,700	4,925	6,475
Subtotal	67,622	83,441	69,453	81,953	87,001
Habitat Conservation	9,200	11,079	9,200	11,079	10,140
Enforcement & Surveillance	17,950	22,354	17,950	22,354	22,354
Total, Conservation, Management & Operations	170,273	226,407	186,904	258,669	240,404
State and Industry Assistance Programs:					
Interjurisdictional Fisheries Grants	2,600	2,590	2,590	2,590	2,590
Anadromous Grants	2,100	2,100	2,100	2,100	2,100
Interstate Fish Commissions	7,750	4,000	7,750	8,750	8,000
Subtotal	12,450	8,690	12,440	13,440	12,690
Fisheries Development Program:					
Product Quality and Safety/Seafood Inspection	9,500	8,328	8,328	8,778	8,328
Hawaiian Fisheries Development	750	.....	.....	750	750
Alaska Fisheries Development Foundation	.....	.....	.....	300	.....
Subtotal	10,250	8,328	8,328	9,828	9,078
Total, State and Industry Programs	22,700	17,018	20,768	23,268	21,768
Total, NMFS	421,496	452,870	406,583	540,889	517,945
OCEANIC AND ATMOSPHERIC RESEARCH					
Climate and Air Quality Research:					
Interannual & Seasonal	16,900	14,986	12,900	14,986	14,943
Climate & Global Change Research	67,000	67,095	63,000	68,895	68,500
GLOBE	3,000	5,000	.....	.....	3,000
Climate Observations & Services	.....	24,000	.....	14,000	12,250
Subtotal	86,900	111,081	75,900	97,881	98,693
Long-term Climate & Air Quality Research	30,000	30,525	29,409	33,025	33,019
Information Technology/High Performance Computing	12,750	12,750	12,000	12,750	12,750

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH AND FACILITIES, FISCAL YEAR 2001—Continued

	Fiscal year—				
	2000 Enacted	2001 Request	2001 House	2001 Senate	2001 Conf.
Subtotal	42,750	43,275	41,409	45,775	45,769
Total, Climate and Air Quality Research	129,650	154,356	117,309	143,656	144,462
Atmospheric Programs:					
Weather Research	37,350	37,075	35,850	38,075	37,500
STORM	2,000	.....	.....	1,000	350
Wind Profiler	4,350	4,350	4,350	4,350	4,350
Subtotal	43,700	41,425	40,200	43,425	42,200
Solar/Geomagnetic Research	7,000	6,182	6,000	6,182	6,000
Total, Atmospheric Programs	50,700	47,607	46,200	49,607	48,200
Ocean and Great Lakes Programs:					
Marine Prediction Research	27,325	22,595	19,725	30,245	32,525
GLERL	6,825	.....	7,125	.....	7,000
Sea Grant Program	59,250	59,250	61,250	64,750	62,250
National Undersea Research Program	13,800	5,750	.....	17,000	15,800
Total, Ocean and Great Lakes Programs	107,200	87,595	88,100	111,995	117,575
Acquisition of Data	12,952	12,952	12,952	12,952	12,952
Total, OAR	300,502	302,510	264,561	318,210	323,189
NATIONAL WEATHER SERVICE					
Operations and Research:					
Local Warnings and Forecasts	480,758	508,936	506,348	505,503	462,180
Susquehanna River Basin flood system	1,125	619	1,250	1,500	1,313
Aviation forecasts	35,596	35,596	35,596	35,596	35,596
Advanced Hydrological Prediction System	1,000	1,000	1,000	1,000	1,000
WFO Maintenance	3,250	5,250	3,250	5,250	4,250
Weather Radio Transmitters	.....	.....	3,000	.....	4,308

Subtotal	480,758	508,936	503,348	505,403	508,647
Central Forecast Guidance	37,081	38,001	37,081	38,001	37,500
Atmospheric and Hydrological Research	3,000	3,068	3,000	3,068	3,034
Total, Operations and Research	520,839	550,005	543,429	546,472	549,181
Systems Acquisition:					
Public Warnings and Forecast Systems:					
NEXRAD	38,836	38,802	38,802	38,802	38,802
ASOS	7,345	7,423	7,345	7,423	7,423
AWIPS/NOAA Port	32,150	38,642	32,150	38,642	35,396
Total, Systems Acquisition	78,331	84,867	78,297	84,867	81,621
Total, NWS	599,170	634,872	621,726	631,339	630,802
NAT'L ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE					
Satellite Observing Systems:					
Ocean Remote Sensing	4,000	4,000	.....	4,000	4,000
Environmental Observing Systems	53,300	53,912	50,800	56,412	53,300
Global Disaster Information Network	.....	5,500	.....	.....	3,000
Total, Satellite Observing Systems	57,300	63,412	50,800	60,412	60,300
Data and Information Services	38,700	32,454	40,700	35,754	49,700
Environmental Data Management Systems	12,335	12,335	12,335	12,335	12,335
Regional Climate Centers	2,750	.....	2,750	3,600	2,900
Total, EDMS	53,785	44,789	55,785	51,689	64,935
Total, NESDIS	111,085	108,201	106,585	112,101	125,235
PROGRAM SUPPORTS					
Administration and Services:					
Executive Direction and Administration	19,387	19,902	19,902	19,902	19,902
Systems Acquisition Office	712	712	700	712	712
NMFS Study	.....	.....	.....	750	750
Subtotal	20,099	20,614	19,900	21,364	21,364

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH AND FACILITIES, FISCAL YEAR 2001—Continued

	Fiscal year—				
	2000 Enacted	2001 Request	2001 House	2001 Senate	2001 Conf.
Central Administrative Support	31,850	33,132	31,850	33,132	33,132
Minority Serving Institutions	.....	17,000	.....	.....	15,000
Total, Administration and Services	51,949	53,746	51,750	54,496	69,496
Aircraft Services	10,760	11,009	11,000	14,309	11,809
Rent Savings (Transferred to ATB)	(4,656)	.....	(4,656)	.....	.....
Total, Program Support	58,053	64,755	58,094	68,805	81,305
Fleet Planning and Maintenance	13,243	9,294	7,000	19,004	11,010
Facilities:					
NOAA Facilities Maintenance	1,809	1,941	1,800	1,941	1,870
Environmental Compliance	2,000	3,899	2,000	3,899	2,000
Suitland	.....	.....	.....	14,700	.....
Columbia River Facilities	3,365	.....	3,365	3,465	3,365
NERRS Construction	.....	.....	.....	3,000	.....
Boulder Facilities (GSA) Operations	3,850	5,350	3,850	4,000	4,000
NARA Records Mgmt	.....	262	.....	262	.....
Total, Facilities	11,024	11,452	11,015	31,267	11,235
Direct Obligations	1,793,411	1,989,890	1,736,012	2,042,875	1,991,420
Offset for Fee Collections (Adjustment)	(4,000)	.....	4,000	4,000	4,000
Reimbursable Obligations	195,767	204,400	204,400	204,400	204,400
Offsetting Collections (data sales)	3,600	3,600	3,600	3,600	3,600
Offsetting Collections (fish fees/IFQ CDQ)	4,000	.....	.....	.....	.....
Subtotal, Reimbursables	199,367	208,000	212,000	212,000	212,000
Total, Obligations	1,992,778	2,197,890	1,948,012	2,254,875	2,203,420
Financing:					
Deobligations (Prior year recoveries)	(36,000)	(36,000)	(36,000)	(10,000)	(16,650)

Unobligated Balance transferred, net	.....	.....	.....	.....	.....
Offsetting Collections (data sales)	(3,600)	(3,600)	(3,600)	(3,600)	(3,600)
Offsetting Collections (fish fees/IFQ CDQ)	(4,000)	.....	(4,000)	.....	(4,000)
Federal Funds	(134,927)	(147,700)	(147,700)	147,700)	(147,700)
Non-federal Funds	(60,840)	(56,700)	(56,700)	(56,700)	(56,700)
Subtotal, Financing	(239,367)	(244,000)	(248,000)	(218,000)	(228,650)
Budget Authority	1,753,411	1,953,890	1,700,012	2,036,875	1,974,770
Financing From:					
Promote and Develop American Fisheries	(68,000)	(68,000)	(68,000)	(66,278)	(68,000)
Coastal Zone Management Fund	(4,000)	(3,200)	(4,000)	(3,200)	(3,200)
Anticipated Offsetting Collections (fish fees)	.....	(20,000)	.....	.....	.....
Anticipated Offsetting Collections (navigation fees)	.....	(14,000)	.....	.....	.....
Disaster Relief—Norton Sound	.....	(5,000)	(5,000)	(5,000)	(5,000)
Disaster Relief—NE Fisheries	.....	(15,000)	(15,000)	(15,000)	(15,000)
Subtotal, ORF	1,310,677	1,501,890	1,240,012	1,610,875	1,883,570
Additional Adjustments:					
Domestic Travel	.....	.....	.....	.....	(4,000)
Foreign Travel	.....	.....	.....	.....	(2,400)
General Office Supplies	.....	.....	.....	.....	(5,000)
Non-Maritime/Non-capitalized equipment	.....	.....	.....	.....	(3,000)
Subtotal, ORF	1,681,411	1,828,690	1,608,012	1,947,397	1,869,170
Total, ORF	1,681,411	1,828,690	1,608,012	1,947,397	1,869,170
PROCUREMENT, ACQUISITION AND CONSTRUCTION					
Systems Acquisition:					
CAMS	.....	15,823	4,500	17,823	19,823
AWIPS	16,000	17,300	16,000	17,300	16,300
ASOS	3,855	5,125	3,855	5,125	3,855
NEXRAD	8,280	9,580	8,280	9,580	8,280
Computer Facilities Upgrades	11,100	15,085	11,100	15,085	15,085
Polar Spacecraft and Launching	190,979	213,619	206,965	213,639	210,310
Geostationary Spacecraft and Launching	266,615	290,824	290,824	290,824	290,824
Radiosonde Replacement	7,000	7,000	2,000	7,000	5,000
GFDL Supercomputer	5,000	7,000	5,000	7,000	4,000
Evansville Dopple Radar	.....	5,500	5,500	.....	5,500

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH AND FACILITIES, FISCAL YEAR 2001—Continued

	Fiscal year—				
	2000 Enacted	2001 Request	2001 House	2001 Senate	2001 Conf.
NOAA Weather Radio Expansion/Enhancement	.....	6,244	.....	6,244	.....
National Data Archive [NEDAAS]	.....	4,000	.....	4,000	2,000
Subtotal, Systems Acquisition	508,829	597,100	554,024	593,620	580,977
Construction:					
WFO Construction	9,526	9,526	9,136	9,526	9,526
NERRS Construction	6,750	8,000	6,000	8,000	7,500
Botanical Gardens	1,500	.....	.....	.....	3,500
Alaska Facilities	9,750	1,000	.....	19,000	19,000
National Marine Life Center	.....	.....	.....	1,000	800
Great Bay NERRS, NH	.....	.....	.....	.....	5,000
Kasitsna Bay Lab/Kachemak Bay	.....	.....	.....	.....	5,000
NORC Rehabilitation (Suitland)	3,045	.....	.....	.....	.....
Marine Sanctuaries	3,000	3,000	3,000	.....	.....
Suitland Facility	3,000	.....	.....	.....	15,000
Norman, OK	.....	3,000	.....	3,000	3,000
LaJolla Bluffs, CA	.....	4,600	.....	4,600	.....
Western Region Consolidation	.....	200	.....	200	.....
Coastal Service Center Wing (SC)	.....	.....	.....	4,000	.....
Aquatic Resources	.....	.....	.....	.....	5,000
Pribilof Island Cleanup (AK)	.....	.....	.....	7,000	6,000
Folly Beach Seabrook Tract (SC)	.....	.....	.....	2,000	2,000
Subtotal, Construction	36,571	29,326	18,136	57,326	81,326
Fleet Replacement	.....	.....	.....	.....	.....
Fishery Research Vessel Placement	51,567	8,300	.....	8,300	8,300
Adventurous Refurbishment	.....	8,000	.....	8,000	8,000
Fairweather Refurbishment	.....	.....	.....	.....	6,800
Naval Surplus vessels for coastal research (YTT)	.....	.....	.....	.....	5,000
Subtotal, Fleet Replacement	51,567	16,300	.....	16,300	28,100

Deobligations (PAC)	(7,400)	(7,504)	(8,704)	(7,504)	(7,504)
Offset from House floor action:					
Total, PAC	589,567	635,222	563,456	659,742	682,899
Pacific Coast Salmon Recovery	58,000	160,000	58,000	58,000	74,000
Coastal Impact Assistance Fund	.....	100,000	.....	.....	.....
Fisheries Assistance Fund	.....	10,000	.....	.....	.....
Fisherman's Contingency	953	951	951	953	952
Foreign Fish. Observer Fund	189	191	189	191	191
Fisheries Finance Program	338	6,628	238	338	288
(Individual Fisheries Quota)	(100)	(100)	.....	.....	.....
Total, NOAA	2,330,458	2,741,682	2,230,846	2,666,621	2,627,500

The following narrative provides additional information related to certain items included in the preceding table.

NATIONAL OCEAN SERVICE

The conferees have provided a total of $290,699,000 under this account for the activities of the National Ocean Service, instead of $260,448,000 as recommended in the House bill and $321,260,000 as proposed in the Senate-reported amendment.

Mapping and Charting.—The conference agreement provides $37,437,000 for NOAA's mapping and charting programs, reflecting continued commitment to the navigation safety programs of the NOS and concerns about the ability of the NOS of continue to meet its mission requirements over the long term. Within the total funding provided under Mapping and Charting, the conference agreement includes $2,580,000 for the joint hydrographic center established in fiscal year 1999, one-time funding of $300,000 for the Seacoast Science Center, and $1,500,000 for shoreline mapping as requested in the budget.

The conference agreement also includes $20,450,000 within the line item Address Survey Backlog/Contracts exclusively for contracting with the private sector for data acquisition needs. This is $2,450,000 above the request and is intended to increase efforts to address the backlog through contract support.

Geodesy.—The conference agreement provides $22,384,000 for geodesy programs, including $19,634,000 for the base program; not less than $500,000 for the South Carolina Geodetic Survey as referenced in the Senate report; not less than $1,000,000 for the implementation of the National Height Modernization (NHM) system in North Carolina; not less than $1,000,000 for the California Spatial Reference Center; and not less than $250,000 for the National Geodetic Survey to implement the NHM study.

Tide and Current Data.—The conference agreement includes $15,089,000 for this activity, including $12,293,000 for the base program and $2,796,000 for the continued implementation of the Physical Oceanographic Real-Time System (PORTS) program, as referenced in the House report.

The conference agreement includes $2,000,000 above the request for data acquisition and for building NOAA corps officer strength and for additional days at sea.

Ocean Assessment Program.—The conference agreement includes $49,956,000 for the activity, including the following: $12,658,000 for the base program; $5,800,000 to continue the Cooperative Institute for Coastal and Estuarine Environmental Technology; $900,000 for the South Florida ecosystem restoration program; $2,000,000 to support coral reef studies in the Pacific and Southeast, of which $1,000,000 is for Hawaiian coral reef monitoring, $500,000 is for reef monitoring in Florida, and $500,000 is for reef monitoring in Puerto Rico through the Department of Natural Resource; $4,425,000 for pfisteria and other harmful algal bloom research and monitoring, of which $500,000 is for a pilot project to preemptively address emerging problems prior to the occurrence of harmful blooms, to be carried out by the South Carolina Department of Marine Resources: $2,500,000 for the JASON project; and $2,923,000 for the NOAA Beaufort/Oxford Laboratory.

In addition, the conference agreement includes $18,750,000 for the Coastal Services Center, including funds for initiation of a collaborative program in Hawaii for the U.S. Pacific Basin, consistent with activities identified in the fiscal year 2000 conference report, and funding for planning and design for additional space at the Coastal Services Center.

Office of Response and Restoration.—The conference agreement includes $11,600,000 for the activity, including; $2,674,000 for the Estuarine and Coastal Assessment program, $5,210,000 for the Damage Assessment program, $1,000,000 in accordance with the Oil Pollution Act of 1990, and $2,716,000 for a new base program to provide greater flexibility for program managers to address response and restoration functions. No funding is provided for coral restoration.

Oceanic and Coastal Research.—The conference agreement includes $9,500,000 for this activity, which includes $6,970,000 for base, $1,250,000 for fish forensics and enforcement, and $1,280,000 for the Marine Environmental Health Research Laboratory (MEHRL). The conference agreement includes language as proposed in the Senate report regarding national overhead costs associated with managing the missions and operations of the research facilities funded in the Oceanic and Coastal Research activity and the National Ocean Service is directed to transfer budget and management operations for the MEHRL and the Charleston Lab to the Coastal Services Center.

The conference agreement does not include the proposed transfer of the Great Lakes Environmental Research Laboratory (GLERL) from Oceanic and Atmospheric Research to NOS, as proposed in the Senate report.

Coastal Ocean Program (COP).—The conference agreement provides $18,287,000 for the Coastal Ocean Program, of which $5,287,000 is provided for research related to hypoxia, pfistereia, and other harmful algal blooms, including the "dead-zone" in the Gulf of Mexico, as referenced in the House report. The managers of COP are directed to follow the direction included in the Senate report concerning research on small high-salinity estuaries and the land use-coastal ecosystem study. The conference agreement also assumes continued funding at the current level for restoration of the South Florida ecosystem.

Coastal Zone Management.—The conference agreement includes $66,250,000 for this activity, of which $52,000,000 is for grants under sections 306, 306A, and 309 of the Coastal Zone Management Act (CZMA), and $4,500,000 is for program administration. NOAA is directed to prepare 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 conference agreement does not include funding for the Non-Point Pollution program authorized under section 6217 of the CZMA. The conference agreement also includes $9,750,000 for the National Estuarine Research Reserve System (NERRS) operations and maintenance program, an increase of $3,750,000 above the current year level.

Marine Sanctuary Program.—The conference agreement includes $20,500,000 for the National Marine Sanctuary Program. Of

this amount, $500,000 is provided to support the activities of the Northwest Straits Citizens Advisory Commission as outlined in the House and Senate reports.

NATIONAL MARINE FISHERIES SERVICE

The conference agreement includes a total of $517,945,000 for the National Marine Fisheries Service (NMFS), instead of $406,583,000, as recommended in the House bill and $540,889,000, as recommended in the Senate report.

In addition, the conference agreement includes $4,000,000 to be collected under the Magnuson-Stevens Act to support the Community and Individual Fishery Quota Program.

Resource Information.—The conference agreement provides $119,945,000 for fisheries resource information. Within the funds provided for resource information, $88,145,000 is provided for the base programs. The conference agreement includes $4,250,000 for west coast groundfish. NMFS is directed to distribute this funding to appropriate labs based on the current year distribution, and no labs should receive less than current year funding. Funding above the amounts for the base program is as follows: $1,700,000 is to expand stock assessments; $850,000 is for MARMAP; $2,500,000 is for the Gulf of Mexico consortium; and $200,000 is for the Atlantic Herring and Mackerel initiative. In addition, NMFS is expected to continue to provide onsite technical assistance to the National Warmwater Aquaculture Research Center and provide $250,000 from base resources for the harvest technology unit under this direction included in the Senate report. In addition, $500,000 is provided for the Hawaiian Community Development Program and fishery demonstration projects for native fisheries, as referenced in the Senate report.

In addition, within the total funds provided for resource information, the conference agreement includes: $6,500,000 for the Gulf of Alaska for continued implementation of the Magnuson-Stevens Act, as referenced in the Senate report; $1,000,000 for research on Alaska near shore fisheries, to be distributed as in the current year; $850,000 for the Chesapeake Bay oyster recovery partnership; $3,000,000 for research on the Charleston bump; $300,000 for research on shrimp pathogens; $150,000 for lobster sampling; $600,000, for bluefin tuna tagging initiative for the New England Aquarium; $300,000 for Chinook Salmon research in the NMFS Auke Bay laboratory; $750,000 for Magnuson-Stevens Act implementation; $200,000 for the Northeast Fisheries Science Center for the Cooperative Marine Education and Research Program, under the direction in the Senate report; $300,000 for research on Southeastern sea turtles; $200,000 for the Kotzebue Sound test fishery for king crab and sea snail; $1,000,000 for the State of Alaska for the Bering Sea crab; $350,000 for the South Carolina Department of Natural Resources Biological Identification Program; and $1,000,000 for the Tri-Coastal Marine Stock Assessment. In addition, within the amounts provided for Resource Information, $8,000,000 is included to continue the aquatic resources environmental initiative. NOAA is directed to continue working with the Xiphophorus Genetic Stock Center to improve the understanding of fish genetics and evolution.

NMFS is directed to continue collaborative research with the Center for Shark Research and other qualified institutions to provide the information necessary for effective management of the highly migratory shark fishery and conservation of shark fishery resources.

Funding for the Chesapeake Bay Multi-Species Management Strategy has been moved to the Chesapeake Bay Office line, for a total of $2,500,000 for the office, of which $500,000 is for multi-species management, including blue crabs.

Under the MARFIN line, $3,250,000 is provided for base activities, including $750,000 for activities relating to red snapper research, and $250,000 is provided for Northeast activities.

Funding for right whale research and recovery activities is provided under the Endangered Species line. Under the Yukon River Chinook Salmon line, $1,000,000 is provided for base activities, and $500,000 is provided for the Yukon River Drainage Fisheries Association. Under the Pacific Salmon Treaty Program, $5,587,000 is provided for base activities, $1,844,000 is provided for the Chinook Salmon Agreement, and funding is provided for the North Pacific Research Board, as referenced in the Senate report. The conference agreement includes $12,300,000 for Steller sea lion recovery, to be allocated according to the direction in the Senate report. Senate language regarding the Administration's reduction of funding for Steller sea lion recovery is included by reference.

Senate language regarding computer hardware and software funding is included by reference.

Funding for bluefish/striped bass has been provided as follows: $450,000 for the NMFS base research program, $800,000 for the Cooperative Marine Education and Research Program in New Jersey, and $250,000 for other existing bluefish/striped bass research.

Funding of $2,500,000 is provided for a cooperative research program to address the lack of sufficient funding for research for the southeast.

Fishery Industry Information.—The conference agreement provides $37,630,000 for this activity. Within the $6,750,000 provided for Alaska groundfish monitoring, the conference agreement includes $3,125,000 for the base program, of which $1,600,000 is to implement requirements of the American Fisheries Act and the crab and scallop fisheries management plans; $1,000,000 for a winter pollock survey in Alaska; and current year levels for NMFS rockfish research, crab management, and external rockfish research. In addition, the conference agreement provides $175,000 for the Gulf of Alaska Coastal Communities Coalition, $300,000 for the NMFS Alaska region infield monitoring program, and $150,000 for the Bering Sea Fisherman's Association CDQ.

Within the funds provided for fish statistics, the conference agreement provides $13,180,000 for the base program, $1,000,000 for the National Standard 8 program, $2,000,000 for research and data collection on fishing communities and economics; and $1,500,000 for the Atlantic States Marine Fishery Commission as referenced by the Senate report. Of the $3,700,000 for recreational fishery harvest monitoring, $500,000 is for the annual collection of data on marine recreational fishing, with the balance to be expended in accordance with the direction included in the Senate re-

port. Funds are also appropriated under the Fish Industry Information activity for the Pacific Fisheries Information Network, including Hawaii, and the Alaska Fisheries Information Network as two separate lines, in accordance with the direction included in the Senate report. In addition, of the funding, $3,500,000 is provided for the Gulf of Mexico Fisheries Information Network.

Under the Acquisition of Data line, within the total of $26,900,000, $957,000 is provided for additional days at sea for data acquisition.

Fisheries Management Programs.—The conference agreement includes $62,888,000 for this activity. Within this amount, $29,288,000 is provided for base activities, and $4,000,000 is for NMFS facilities maintenance. In addition, $21,000,000 is included to provide increases for data collection on fishery management programs, including $8,000,000 to respond to lawsuits under the National Environmental Policy Act (NEPA), $3,000,000 for research regarding Hawaiian sea turtles related lawsuits, and $10,000,000 for research regarding the Alaska Steller sea lion and pollock lawsuit. The requested levels for the Atlantic Salmon Recovery Plan, the State of Maine Recovery Plan, and Rancho Nuevo sea turtles are included. Funding is included for continuation of the Bronx River recovery and restoration project as referenced in the House report; $300,000 for the Connecticut River Partnership; and $150,000 for Chinook Salmon management; and $6,700,000 is for American Fisheries Act Implementation, including $500,000 each for the North Pacific Fishery Management Council and the State of Alaska.

The conference agreement appropriates a total of $14,055,000 for NMFS support of the Columbia River hatcheries program. NMFS is expected to support base hatchery operations at a level of $11,400,000, $600,000 is for fall chinook rearing, $1,700,000 is provided for monitoring and evaluation efforts, and $300,000 is for conservation marking as referenced in the Senate report.

Under the Pacific Tuna Management line, $400,000 is for swordfish research as referenced in the Senate report and the balance is for JIMAR.

For New England Fisheries Management, $5,000,000 is provided as proposed in the Senate-reported amendment. The conference agreement also includes a transfer of $15,000,000 from USDA (P.L. 106–78) for NE cooperative fisheries.

Protected Species Management.—Within the funds provided for protected species management, $750,000 is for continuation of a study on the impacts of California sea lions and harbor seals on salmonids and the West Coast ecosystem, $1,500,000 is provided for the State of Maine salmon recovery, and $750,000 is for bottlenosed dolphins.

Driftnet Act Implementation.—Within the funds provided for Driftnet Act Implementation, $150,000 is for Pacific Rim Fisheries Program, $200,000 is for Washington and Alaska participation, and $250,000 is for Russian EEZ observers.

Marine Mammal Protection Act.—Within funds provided, $900,000 is for harbor seal research in Alaska.

Endangered Species Recovery Plans.—A total of $55,338,000 is provided for this activity. Of these amounts, $1,500,000 is for tech-

nical support to the State of Washington, $850,000 is for Alaskan Steller sea lion recovery, $2,700,000 is for other species, $3,338,000 is for sea turtles, $36,450,000 is for the Pacific salmon recovery initiative, $3,500,000 is for marine mammals, $2,000,000 for Atlantic Salmon recovery, and $5,000,000 is for right whales. Within the amount provided for right whales, NMFS is directed to make tagging whales a priority. NMFS is directed to make $2,900,000 available to the Northeast Consortium to administer a competitive grants program, open to all Atlantic coastal States, using an independent review panel of experts and scientists in the field, to fund research on whale-friendly fishing gear and operations, surveys and studies to reduce potential conflicts between right whales and local industries, and other research including tagging, acoustic studies, habitat research and hydrodynamic modeling studies. Of the funding provided, $2,100,000 is to help meet its responsibilities for the implementation of programs, research, and enforcement activities for the recovery of the right whale, including the use of aerial surveys, of which no more than 30 percent can be used for salaries. Due to the Department of Commerce's delay in providing a spending plan and allocating right whale funds in fiscal year 2000, NMFS is directed to provide the Committees on Appropriations no later than January 30, 2001, with a spending plan for fiscal year 2001. In addition, the Committee expects NMFS to develop and submit by July 31, 2001, a five-year research and management plan to facilitate right whale recovery.

Native Marine Mammal Commissions.—The conference agreement recommends that funding be distributed at current year levels.

Observers and Training.—The conference agreement distributes funding as follows: (1) $425,000 for the North Pacific fishery observer training program; (2) $1,875,000 for North Pacific marine resources observers; (3) $350,000 for east coast observers; (4) $2,275,000 for west coast observers; (5) $1,200,000 for observers for Hawaii; and (6) $350,000 for Atlantic coast observers. NMFS is directed to submit a spending plan prior to allocation of funding. Senate language regarding enforcement and surveillance is adopted by reference.

Interstate Fish Commissions.—The conference agreement includes $8,000,000 for this activity, of which $750,000 is to be equally divided among the three commissions, and $7,250,000 is for implementation of the Atlantic Coastal Fisheries Cooperative Management Act.

Other.—In addition, within the funds available for the Saltonstall-Kennedy grants program, NMFS is directed to provide to the Alaska Fisheries Development Foundation funding to be used in accordance with the direction included in the Senate report, and to provide funds pursuant to the direction included in the House report to support ongoing efforts related to Vibrio vulnificus. Senate report language regarding the Hawaiian fisheries development program and the Oceanic Institute is adopted by reference.

OCEANIC AND ATMOSPHERIC RESEARCH

The conference agreement includes a total of $323,189,000 for Oceanic and Atmospheric Research activities, instead of

$264,561,000 as recommended in the House bill and $318,210,000 as recommended in the Senate-reported amendment.

Interannual and Seasonal Climate Research.—The conference agreement includes $14,943,000 for interannual and seasonal climate research, of which $2,000,000 is for the Institute for the Study of Earth, Oceans, and Space.

Climate and Global Change Research.—The conference agreement includes $68,500,000 for the Climate and Global Change research program, of which $750,000 is above base resources for the International Research Institute for Climate Prediction to restore it to the fiscal year 2000 appropriated level of funding. Of the amounts provided, $1,000,000 is for the variability beyond ENSO activity, $1,000,000 is the climate forming agents activity, and $2,000,000 is for refinement of climate models.

Climate Observations & Services.—The conference agreement includes $1,000,000 for climate data and information; $2,000,000 for baseline observations; $5,000,000 for ocean observations; $3,000,000 for the climate reference network; and $1,250,000 for an ice research program at the Thayer School of Engineering.

Long-Term Climate and Air Quality Research.—The conference agreement provides $33,019,000 for this activity. Funding is distributed as follows: $27,850,000 for base; $500,000 for the California ozone study; and $4,669,000 for the Health of the Atmosphere initiative.

Atmospheric Programs.—The conference agreement provides $37,500,000 for this activity. Of this amount, $1,000,000 is provided for research related to wind-profile data in accordance with the direction provided in the Senate report. In addition, $1,500,000 is provided for the U.S. Weather Research Program for hurricane-related research.

STORM.—The conference agreement includes $350,000 for the Science Center for Teaching, Outreach and Research on Meteorology for the collection and analysis of weather data in the Midwest.

Marine Prediction Research.—The conference agreement includes $32,525,000 for marine prediction research. Within this amount, the following is provided: $9,825,000 for the base program; $1,650,000 for Arctic research; $2,400,000 for the Open Ocean Aquaculture program; $3,300,000 for tsunami mitigation, of which $1,000,000 is for TWEAK; $150,000 for a Lake Champlain Study; $2,100,000 for the VENTS program; $4,300,000 for continuation of the initiative on aquatic ecosystems, including $300,000 for a nitrogen study; $1,650,000 for implementation of the National Invasive Species Act, of which $850,000 is for the Chesapeake Bay ballast water demonstration; $100,000 for the Lake Champlain Canal Barrier Demonstration, as referenced in Senate report; $500,000 for additional resources to support Hypoxia research; $2,600,000 for mariculture research; and $450,000 for the Pacific tropical fish program to be administered by HIEDA. The conference agreement includes $2,000,000 for the ocean exploration initiative, as referenced in Senate report; $500,000 for the International Pacific Research Center at the University of Hawaii, and $1,000,000 for the SE Atlantic Marine monitoring and prediction center at the University of North Carolina, as referenced in the Senate report.

GLERL.—Within the $7,000,000 provided for the Great Lakes Environmental Research Laboratory, the conference agreement assumes continued support for the Great Lakes nearshore and zebra mussel research programs at current levels.

Sea Grant.—The conference agreement includes $62,250,000 for the National Sea Grant program, of which $56,250,000 is for the base program. Sea Grant is directed to fund the oyster disease research program at $2,000,000, an increase of $500,000, and to maintain current levels for the zebra mussel research program and the Gulf of Mexico oyster program. The Sea Grant program is directed to develop a research plan to address the causes of harmful algal blooms and a monitoring and prevention program and submit to the Committees on Appropriations by June 30, 2001.

National Undersea Research Program (NURP).—The conference agreement includes $15,800,000 for the National Undersea Research Program (NURP). The Senate report included $17,800,000 for this program; the House did not include funding for this program. Of the amount provided, $6,900,000 is for research conducted through the east coast NURP centers and $6,900,000 is for the west coast NURP centers, including Hawaiian and Pacific center and the west coast and polar regions center. The conferees expect level funding will be available for Aquarius, ALVIN, and program administration. Of the amount provided, $2,000,000 is for the National Center for Natural Products.

NATIONAL WEATHER SERVICE

The conference agreement includes a total of $630,802,000 for the National Weather Service (NWS), instead of $621,726,000 as proposed in the House bill, and $631,339,000 as proposed in the Senate-reported amendment.

Local Warnings and Forecasts.—The conference agreement includes $462,180,000 for this activity, including $452,280,000 for base, $4,790,000 for mitigation activities, and $400,000 for the Cooperative Observers Network. The NWS is directed to submit a spending plan to the Committees on Appropriations for the Cooperative Observers Network. Within the total amount provided for Local Warnings and Forecasts, $270,000 is for the North Dakota Agricultural Weather Network, $590,000 is for the University of Utah for support to the Winter Olympics; and $500,000 is for the Mount Washington Observatory, as directed in Senate report. The NWS is directed to follow direction in the Senate report relating to "the 1995 Secretary's Report to Congress on the Adequacy of NEXRAD Coverage and Degradation of Weather Services", and to make appropriate arrangements for Erie, PA and Williston, ND. Of the funds provided for Local Warnings and Forecasts, $3,350,000 is provided for data buoys, of which $1,700,000 is for Alaska.

Weather Radio Transmitters.—Of the amount provided, $2,323,000 is provided for base; $500,000 is for the sate of Illinois, to complete state-wide implementation; $77,000 is for a transmitter in Mason County, Kentucky; $100,000 is for Melba, Mississippi transmitters; $100,000 is for Barrow, Alaska; $125,000 is for New Hampshire; $855,000 is for Kentucky, including Elizabethtown; $150,000 is for South Dakota; and $78,000 is for a transmitter in Steuben County, Indiana.

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE

The conference agreement includes $125,235,000 for NOAA's satellite and data management programs. In addition, the conference agreement includes $580,977,000 under the NOAA PAC account for satellite systems acquisition and related activities.

Satellite Observing Systems.—The conferees have included $60,300,000 for this activity, an increase of $3,000,000 for the Global Disaster Information Network (GDIN). Funding for other services is consistent with current year levels. Funding for the wind demonstration project is to be provided in accordance with the direction in the Senate report.

Environmental Data Management.—The conference agreement includes: $64,935,000 for EDMS activities. For EDMS base activities, the conference agreement includes $25,000,000. No funds are included to continue weather record rescue and preservation activities or the environmental data rescue program. The conference agreement includes $500,000 for the Cooperative Observers Network modernization. In addition, $6,000,000 is included for the Coastal Ocean Data Development Center and $2,500,000 for the Center for Spatial Data Research at Jackson State University. The conference agreement provides $15,700,000 to continue the multi-year program of climate database modernization and utilization, as referenced in the House report. The conference agreement includes $2,900,000 for the Regional Climate Centers.

PROGRAM SUPPORT

The conference agreement provides $81,305,000 for NOAA program support, instead of $58,094,000 as provided in the House report, and $68,805,000, as provided in the Senate-reported amendment. Included in this total is $11,809,000 for Aircraft Services, including an increase to base of $800,000 for increased fuel costs. Included in the amount provided, $15,000,000 is for the new educational program with Minority Serving Institutions. Under Departmental Management, the Commerce Department is directed to submit reports on the Commerce Administrative Management System (CAMS) implementation, as referenced in the Senate report.

The conference agreement includes $750,000 to fund a study to review the ability of NMFS to adequately meet its legal missions and requirements. NOAA is expected to have the review headed by an individual from outside the agency who is familiar with oceans and fishery management issues. The individual selected must seek the assistance of the National Academy of Sciences and the American Society of Public Administration in conducting a top to bottom review of NMFS programs, budgetary requirements, management, and constituent relations. This review must be completed within one year. NOAA is expected to give regular progress reports to the Committees on Appropriations prior to submitting the final written report outlining the findings and recommendations for the future.

FLEET PLANNING AND MAINTENANCE

The conference agreement includes $11,010,000 for this activity, instead of $7,000,000 in the House report, and $19,004,000 in

the Senate-reported amendment. The amount provided includes $9,294,000 for base and $1,716,000 for additional days at sea and general maintenance.

FACILITIES

The conference agreement includes $11,235,000 for facilities maintenance, lease costs, and environmental compliance, instead of $11,015,000 as proposed in the House report, and $31,267,000 as recommended in the Senate report. The Department of Commerce is directed to continue working with the General Services Administration (GSA) to address the 39 percent increase in GSA rental charges for the Boulder facility, as referenced in the Senate report language.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes a total of $682,899,000 in direct appropriations for the Procurement, Acquisition and Construction account, and assumes $7,504,000 in deobligations from this account. The following distribution reflects the fiscal year 2001 funding provided for activities within this account:

Systems Acquisition:	
CAMS	$19,823,000
ASOS	3,855,000
NEXRAD	8,280,000
Computer Facilities Upgrade	15,085,000
Evansville Doppler	5,500,000
Polar Spacecraft and Launching	210,310,000
Geostationary Spacecraft and Launching	290,824,000
Radiosonde Replacement	5,000,000
AWIPS	16,300,000
National Data Archives	2,000,000
GFDL Supercomputer	4,000,000
Subtotal, Systems Acquisition	580,977,000
Construction:	
WFO Construction	9,526,000
NERRS Construction	7,500,000
N.Y. Botanical Garden	3,500,000
Alaska Facilities	19,000,000
National Marine Life Center	800,000
Norman, Oklahoma	3,000,000
Aquatic Resources	5,000,000
Pribilof Cleanup	6,000,000
Folley Beach Tract	2,000,000
Suitland Facility	15,000,000
Kasitsna Bay Lab/Kachemak Bay	5,000,000
Great Bay	5,000,000
Subtotal, Construction	81,326,000
Fleet Replacement:	
Fishery Research Vessel Replacement	8,300,000
ADVENTUROUS Refurbishment	8,000,000
FAIRWEATHER Refurbishment	6,800,000
Navy Surplus Coastal Research Vessel	5,000,000
Subtotal, Fleet Replacement	28,100,000

Systems Acquisition.—Of the funding provided for Polar Spacecraft and Launching, $73,325,000 is for Polar Convergence. A total of $290,824,000 for the Geostationary Spacecraft and Launching line is provided as requested in the budget.

Construction.—The funds appropriated for National Estuarine Research Reserve construction are to be distributed as follows: $7,000,000 is for overall NERRS requirements, and $500,000 is for the Jacques Cousteau NERRS. The funds appropriated for Alaska facilities are to be distributed as follows: $15,000,000 is for the Juneau Lab, and $4,000,000 is for the SeaLife Center. The conference agreement includes $3,000,000 for architecture and engineering of a building for the University of Oklahoma. The conference agreement assumes that funding for NOAA's occupancy of the proposed building will be based on an operating lease arrangement once the building has been constructed by the University of Oklahoma and is ready for NOAA occupancy.

In addition, the conference agreement includes $15,000,000 for NOAA's Suitland, Maryland facility. Funding is provided to cover those costs in addition to the basic building costs provided by the GSA. Bill language is included to prohibit the Department of Commerce from paying the traditional GSA building requirements for the Suitland facility.

Fleet Replacement.—The conference agreement includes funding for the refurbishment of the *Fairweather* in Alaska and the Navy Surplus YTT vessel, other than baseline operations, in South Carolina.

COASTAL AND OCEAN ACTIVITIES

In addition to the funds provided to the National Oceanic and Atmospheric Administration in the above table and narrative, the conference agreement includes an additional $420,000,000 for special purposes. Of this amount, $150,000,000 is for coastal impact assistance as authorized by section 31 of the Outer Continental Shelf Act for fiscal year 2001 only and does not alter the underlying authorization; $135,000,000 is for ocean, coastal and conservation programs, and $135,000,000 is for National Oceanic and Atmospheric Administration programs. Of the funds provided for ocean, coastal and conservation programs, $10,000,000 is provided for implementation of Sate nonpoint pollution control plans pursuant to section 6217 of the Coastal Zone Act, as amended, other than non-contiguous States except Hawaii; $30,000,000 is for competitive grants for coastal communities in the Great Lakes region; $14,000,000 is for the University of New Hampshire marine facilities program; $1,000,000 is for the Sea Coast Science Center; $3,000,000 is for the Great Bay Partnership; $1,000,000 is for the New Hampshire Department of Environmental Services Marsh Restoration initiative; $1,000,000 is for the Mississippi Laboratories at Pascagoula, $8,000,000 is for the ACE Basin NERRS Research Center construction, $2,500,000 is for Winyah Bay land acquisition, $2,000,000 is for ACE Basin Land Acquisition, $10,000,000 is for the Sealife Center, $4,000,000 is for Kachameck Bay NERRS research center construction; $1,000,000 is for the Raritan, N.J. NERRS land acquisition; $10,000,000 is for DuPage River restoration; $1,000,000 if for Detroit River restoration,

$500,000 is for lower Rouge River restoration; $8,500,000 is for Bronx River restoration and land acquisition; $16,000,000 is for a grant for Eastern Kentucky Pride, Inc., of which $11,000,000 is for design and construction of facilities for water protection and related environmental infrastructure, and $5,000,000 is for the aquatic resources environmental initiative; $3,000,000 is for a grant to the Louisiana Department of Natural Resources for brown marsh research, mitigation and nutria control; $2,000,000 is for land acquisition in southern Orange County, California for conservation of coastal sage scrub and riparian habitats; $3,000,000 is for planning, renovation and construction of facilities for a new national estuarine research reserve in San Francisco, California; $2,000,000 is for a grant to the National Fish and Wildlife Foundation for species management and esturaine habitat conservation; and $1,500,000 is for a grant to the Pinellas County Environmental Foundation for the Tampa Bay watershed. Of the funds provided for the National Oceanic and Atmospheric Administration programs, $5,000,000 is for National Estuarine Research Reserve operations, $12,000,000 is for Marine Sanctuary operations, $8,500,000 for Coastal Zone Management, $1,500,000 for CZMA Program Administration, $4,000,000 is for marine mammal strandings, $14,000,000 is for the National Ocean Service's protection of coral reefs program, $11,000,000 is for the National Marine Fisheries Service's Coral reefs program, $36,000,000 is for additional amounts for the purpose of the Pacific Coastal Salmon Recovery account, $6,000,000 is for fisheries habitat restoration, $15,000,000 is for NOAA's Cooperative Enforcement initiative, $3,000,000 is for Atlantic coast observers, $3,000,000 is for Cooperative Research, $3,000,000 is for Red Snapper research, $3,000,000 is for Aquaculture, $5,000,000 is for Harmful Algal Bloom research, $2,000,000 is for the Ocean Exploration initiative, and $3,000,000 is for Marine Sanctuary construction. The amounts provided under this heading for certain activities for ocean, coastal and waterway conservation programs are in addition to amounts provided elsewhere in this bill.

Of the $135,000,000 provided for NOAA programs, NOAA is directed to develop and submit to the Committees on Appropriations an implementation plan for the additional funding initiatives by February 28, 2001.

Great Lakes Coastal Restoration Grants.—The conference agreement includes a new appropriation of $30,000,000 for matching grants to be awarded competitively to state and local governments to undertake coastal and water quality restoration projects in the Great Lakes region. Proposals funded under this program should be consistent with a Great Lakes State's approved coastal management program under section 306 of the Coastal Zone Management Act. Restoration projects eligible for funding would include contaminated site cleanup, stormwater controls, wetland restoration, acquisition of greenways and buffers, and other projects designed to control polluted runoff and protect and restore coastal resources. NOAA is directed to develop and submit to the Committees on Appropriations an implementation plan for this initiative no later than January 15, 2001.

PACIFIC SALMON COASTAL RECOVERY

In fiscal year 2000, funding for the Southern Fund was provided under the NOAA, ORF account heading. The conference agreement includes funding for the Northern Transboundary Fund and Southern Transboundary Fund under this heading, in addition to funding provided within the Department of State. The conference agreement includes the full amount requested for the funds and for a payment to the State of Washington.

In addition, the conference agreement includes $54,000,000 for salmon habitat restoration, stock enhancement, and research. Of this amount, $18,000,000 is provided to the State of Washington, $10,000,000 is provided to the State of Alaska, $9,000,000 is provided to the State of Oregon, and $9,000,000 is provided to the State of California. In addition, $6,000,000 is provided for coastal tribes, and $2,000,000 for river tribes. Of the funds made available to the State of Washington, $4,000,000 shall be allocated through the Salmon Recovery Funding Board directly to the Washington State Department of Natural Resources and other State and Federal agencies for purposes of implementing the State of Washington's Forest and Fish Report. The monies shall be spent in accordance with the terms and conditions of the Forest and Fish Report and consistent with the requirements of the Endangered Species Act and Clean Water Act. Of the funding made available to the State of Alaska, $350,000 shall be used to continue the operation of the Crystal Lake hatchery in Petersburg, and $1,000,000 for the Metlakatla hatchery. None of the $54,000,000 shall be used for the buy back of commercial fishing licenses or vessels.

The conference agreement includes language proposed in the House bill making funding under this heading subject to express authorization. The Senate-reported amendment did not include this language.

COASTAL ZONE MANAGEMENT FUND

The conference agreement includes an appropriation of $3,200,000 as provided in the Senate-reported amendment, instead of $4,000,000 as provided in the House bill. This amount is reflected under the National Ocean Service within the Operations, Research, and Facilities account.

FISHERMEN'S CONTINGENCY FUND

The conference agreement includes $952,000 for the Fishermen's Contingency Fund. The House bill included $951,000 and the Senate-reported amendment included $953,000 for this program.

FOREIGN FISHING OBSERVER FUND

The conference agreement includes $191,000 for the expenses related to the Foreign Fishing Observer Fund, as provided in the Senate-reported amendment. The House bill included $189,000 for this program.

FISHERIES FINANCE PROGRAM ACCOUNT

The conference agreement provides $288,000 in subsidy amounts for the Fisheries Finance Program Account, instead of

$238,000 as provided in the House bill and $338,000 as provided in the Senate-reported amendment. Funding is provided in accordance with the Senate-reported amendment.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement includes $35,920,000 for the departmental management of the Commerce Department, instead of $28,392,000, as proposed in the House bill, and $32,340,000, as proposed in the Senate-reported amendment; of which $4,000,000 is provided for the Department's re-wiring initiative. No funding is provided for the security initiative. Funding of $19,823,000 is provided within NOAA for the Commerce Administrative Management System (CAMS). The Commerce Department is directed to submit quarterly reports for implementation of CAMS, the initial report should include an overview of planned CAMS implementation, including milestones, and cost estimates for each stage of deployment. All subsequent reports should outline progress in meeting the milestones and spending targets.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $20,000,000 for the Commerce Department Inspector General, instead of $21,000,000 as recommended in the House bill and $19,000,000 as recommended in the Senate-reported amendment. The Inspector General is reminded that office closings, staff reductions, or reorganizations are subject to the reprogramming procedures outlined in section 605 of this Act.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

The conference agreement includes the following general provisions for the Department of Commerce:

Sec. 201.—The conference agreement includes section 201, included in both the House bill and the Senate-reported amendment, regarding certifications of advanced payments.

Sec. 202.—The conference agreement includes section 202, identical in the House bill and the Senate-reported amendment, allowing funds to be used for hire of passenger motor vehicles.

Sec. 203.—The conference agreement includes section 203, identical in the House bill and the Senate-reported amendment, prohibiting reimbursement to the Air Force for hurricane reconnaissance planes.

Sec. 204.—The conference agreement includes section 204, identical in the House bill and the Senate-reported amendment, prohibiting funds from being used to reimburse the Unemployment Trust Fund for temporary census workers. The Senate-reported amendment included a provision prohibiting reimbursements in relation to the 1990 decennial census.

Sec. 205.—The conference agreement includes section 205, as proposed in the House bill, regarding transfer authority among Commerce Department appropriation accounts. The Senate-re-

ported amendment proposed to increase the percentage of funding available for transfer.

The conference agreement does not include section 206 of the House bill providing for the notification of the House and Senate Committees on Appropriations of a plan for transferring funds to appropriate successor organizations within 90 days of enactment of any legislation dismantling or reorganizing the Department of Commerce. The Senate bill did not contain a provision on this matter.

Sec. 206.—The conference agreement includes section 206, included in both the House bill and the Senate-reported amendment, requiring that any costs related to personnel actions incurred by a department or agency funded in title II of the accompanying Act be absorbed within the total budgetary resources available to such department or agency, with a modification to include loan collateral and grants protection.

Sec. 207.—The conference agreement includes section 207, as proposed in both the House bill and the Senate-reported amendment, allowing the Secretary to award contracts for certain mapping and charting activities in accordance with the Federal Property and Administrative Services Act.

Sec. 208.—The conference agreement includes section 208, as proposed in both the House bill and the Senate-reported amendment with minor technical changes, allowing the Department of Commerce Franchise Fund to retain a portion of its earnings from services provided.

Sec. 209.—The conference agreement includes section 209, modified from a provision in the Senate-reported amendment, to provide $14,000,000 within the "National Institute of Standards and Technology, Construction of Research Facilities" account, for four construction projects. Of this amount, $4,000,000 is appropriated to the Institute at Saint Anselm College, $4,000,000 is for a cooperative agreement with the Medical University of South Carolina, $3,000,000 is for the Thayer School of Engineering for the biocommodity and biomass research initiative, and $3,000,000 is appropriated to establish the Institute for Information Infrastructure Protection at the Institute for Security Technology Studies. In addition, of the amounts provided within the NOAA PAC account, $5,000,000 is provided for a grant to Pride, Inc.

Sec. 210.—The conference agreement includes a new provision, numbered as section 210, which establishes the Dr. Nancy Foster Memorial Scholarship program for advanced degrees in marine studies, as part of the National Marine Sanctuary Program.

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

The conference agreement includes $37,591,000 for the salaries and expenses of the Supreme Court, as provided in the Senate-reported amendment, instead of $36,782,000 as provided in the House bill.

House report language with respect to law clerk selection is adopted by reference.

CARE OF THE BUILDING AND GROUNDS

The conference agreement includes $7,530,000 for the Supreme Court Care of the Building and Grounds account, as provided in the House bill and the Senate-reported amendment. This is the amount the Architect of the Capitol currently estimates is required for fiscal year 2001.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The conference agreement includes $17,930,000 for the U.S. Court of Appeals for the Federal Circuit as provided in the Senate-reported amendment, instead of $17,846,000 as provided in the House bill. This provides funding for base adjustments and two additional assistants. No funding is provided for additional staff in the Clerk's office.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

The conference agreement includes $12,456,000 for the U.S. Court of International Trade as provided in the Senate-reported amendment, instead of $12,299,000 as provided in the House bill.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The conference agreement provides $3,359,725,000 for the salaries and expenses of the Federal Judiciary as provided in the Senate-reported amendment, instead of $3,328,778,000 as provided in the House bill.

House report language with respect to the Southwest Border is adopted by reference.

An April 2000 review of Federal judges sharing of courtrooms prepared by the Congressional Budget Office (CBO) indicated that courtroom sharing by judges should not cause trial delays for a significant number of trials, and that for the few that might be delayed the waiting time would be less than half a day. The CBO study also found that many courtrooms are in use for a small percentage of the available workdays. A study of the Judiciary's space and facilities program recently completed by Ernst and Young, however, suggested that requiring judges to share courtrooms is not practical. The Ernst and Young report stated that current court records do not adequately track courtroom usage, making it difficult to determine if courtroom sharing by Federal judges is a viable option. The conference agreement directs CBO to review and comment on the Ernst and Young report, and to provide the Committees on Appropriations with its findings no later than February 1, 2001. The Administrative Office of the U.S. Courts shall provide such assistance as may be necessary to CBO to complete its review.

This issue is of great importance because any reduction in the number of courtrooms and associated court space could significantly reduce rental payments, which continue to consume an inordinate amount of the Judiciary's available resources.

VACCINE INJURY COMPENSATION TRUST FUND

The conference agreement provides $2,602,000 from the Vaccine Injury Compensation Trust Fund for expenses associated with the National Childhood Vaccine Injury Act of 1986 as provided in the Senate-reported amendment, instead of $2,600,000 as provided in the House bill.

DEFENDER SERVICES

The conference agreement includes $435,000,000 for the Federal Judiciary's Defender Services account, instead of $420,338,000 as provided in the House bill, and $416,368,000 as provided in the Senate-reported amendment. The conference agreement directs that a portion of the funds made available be used for an increase to $75 an hour for in-court time and $55 an hour for out-of-court time for Criminal Justice Act panel attorneys.

Language relating to capital habeas corpus costs in the House report is adopted by reference.

FEES OF JURORS AND COMMISSIONERS

The conference agreement includes $59,567,000 for Fees of Jurors and Commissioners, as proposed in the Senate-reported amendment, instead of $60,821,000 as provided in the House bill.

COURT SECURITY

The conference agreement includes $199,575,000 for the Federal Judiciary's Court Security account as provided in the Senate-reported amendment, instead of $198,265,000 as proposed in the House bill. Of the amount provided, $10,000,000 for security system funding shall remain available until expended.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

The conference agreement includes $58,340,000 for the Administrative Office of the United States Courts as provided in the House bill, instead of $50,000,000 as provided in the Senate-reported amendment.

Language in the introductory section relating to the Federal Judiciary in the House report with respect to the Optimal Utilization of Judicial Resources report is adopted by reference.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

The conference agreement includes $18,777,000 for fiscal year 2001 salaries and expenses of the Federal Judicial Center as provided in the House bill, instead of $19,215,000 as proposed in the Senate-reported amendment. Of the amount provided, $1,000 shall

be available for official reception and representation expenses, as provided in the House bill, instead of $1,500 as proposed in the Senate-reported amendment.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

The conference agreement includes $35,700,000 for payment to the various judicial retirement funds, as provided in both the House bill and the Senate-reported amendment.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $9,931,000 for the U.S. Sentencing Commission, as provided in the Senate-reported amendment, instead of $9,615,000 as provided in the House bill.

GENERAL PROVISIONS—THE JUDICIARY

Section 301.—The conference agreement includes a provision included in both the House bill and the Senate-reported amendment allowing appropriations to be used for services as authorized by 5 U.S.C. 3109.

Sec. 302.—The conference agreement includes a provision as proposed in the House bill related to the transfer of funds, instead of the modification proposed in the Senate-reported amendment. The House report language with respect to section 302 is incorporated by reference.

Sec. 303.—The conference agreement includes a provision included in both the House bill and the Senate-reported amendment allowing up to $11,000 of salaries and expenses provided in this title to be used for official reception and representation expenses of the Judicial Conference of the United States.

Sec. 304.—The conference agreement includes a provision included in the House bill to authorize the Judiciary to appoint statutory certifying officers who will be responsible for verifying the receipt of and payment for goods and services. This authority is currently available to the Executive Branch. The Senate-reported amendment did not contain a similar provision.

Sec. 305.—The conference agreement includes a new provision authorizing ten district judgeships, one for each of the following states: Arizona, Florida, Kentucky, Nevada, New Mexico, South Carolina, Virginia, and Wisconsin; and two additional district judgeships for Texas. In addition, the section directs the chief judge of the eastern district of Wisconsin to designate one judge who shall hold court for such district in Green Bay, Wisconsin.

Sec. 306.—The conference agreement includes a new provision that allows the United States Court of Appeals for the Federal Circuit to appoint a circuit executive or a clerk, but not both, or to appoint a combined circuit executive/clerk.

Sec. 307.—The conference agreement includes a new provision to extend to the Judiciary authority currently available to the Legislative and Executive branches of Government, to use appropriated funds to pay for the employment of personal assistants. The

language will allow the judicial branch to hire readers for the blind, interpreters for the deaf, and other personal assistants as may be necessary for judges and other employees with disabilities.

Sec. 308.—The conference agreement includes a new provision to bring the Supreme Court Police into parity with the retirement benefits provided to the United States Capitol Police and other federal law enforcement agencies.

Sec. 309.—The conference agreement includes a provision, modified from a provision proposed as section 304 in the Senate-reported amendment. The modified language authorizes Justices and judges of the United States to receive a salary adjustment only if under each provision of law amended by section 704(a)(2) of the Ethics Reform Act of 1989 (5 U.S.C. 5318 note), adjustments under 5 U.S.C. 5305 shall take effect in fiscal year 2001. If such adjustments are made, then $8,801,000 is appropriated for the cost of adjustments under this Title. The House bill did not include a similar provision on this matter.

The conference agreement does not include the Senate provision related to honoraria or outside earnings limits for Federal judges.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The conference agreement includes a total of $3,168,725,000 for Diplomatic and Consular Programs, instead of $3,089,325,000 as included in the House bill and $3,148,494,000 as included in the Senate-reported amendment. The conference agreement includes $2,718,725,000 for State Department activities under this account, $40,000,000 related to the implementation of the 1999 Pacific Salmon Treaty, and an additional $410,000,000 to remain available until expended for worldwide security upgrades.

The conference agreement includes language in this account, and throughout this Title, that modifies citations of authorization legislation carried in previous years. These changes are intended to simplify and streamline bill language, and are not intended to modify the authorities for the use of funds under any account.

The conference agreement does not include language proposed in the Senate-reported amendment to modify the purposes for which funds transferred from this account to the "Emergencies in the Diplomatic and Consular Service" account may be used.

The conference agreement includes language, not included in the House bill or the Senate-reported amendment, transferring $1,400,000 to the Presidential Advisory Commission on Holocaust Assets in the United States.

The conference agreement includes language, as proposed in the House bill, which makes fees collected in fiscal year 2001 related to affidavits of support available until expended. The Senate-reported amendment gave the Department permanent authority to use such fee collections.

The conference agreement includes language designating $246,644,000 for public diplomacy international information programs as proposed in the House bill. The Senate-reported amendment did not contain a similar provision. This amount represents the full requested funding level for these program activities.

The conference agreement includes language under this account allowing the Department to collect and use reimbursements for services provided to the press. This language was proposed in the Senate-reported amendment under "Representation Allowances". The House bill did not contain a provision on this matter.

The conference agreement does not include language proposed in the Senate-reported amendment to place limitations on certain details of State Department senior executives to other agencies or organizations. The House bill did not include a similar provision.

The conference agreement does not include an earmark of $5,000,000 under this account, as proposed in the Senate-reported amendment, for a payment to the City of Seattle for costs incurred as host of the WTO Ministerial Conference. The House bill did not include a provision on this matter. The conference agreement addresses this issue under the "Protection of Foreign Missions and Officials" account.

The conference agreement does not adopt a Senate provision providing $1,000,000 to establish an Ambassador's Fund for Cultural Preservation. Instead, the Department shall identify up to $1,000,000 from funds provided under this account for an Ambassador's Fund for Cultural Preservation as described in the Senate report. United States Ambassadors in less-developed countries may submit competitive proposals for one-time or recurring projects with awards based on the importance of the site, object, or form of expression, the country's need, the impact of the United States contribution to the preservation of the site, object, or form of expression, and the anticipated benefit to the advancement of United States diplomatic goals. The Department is directed to submit an annual report to the House and Senate Committees on Appropriations on the selection process used, and on the expenditure of funds by project.

The conference agreement includes language making $5,000,000 available for overseas continuing language education, instead of $10,000,000 as proposed in the Senate-reported amendment. The House bill did not include a similar provision. Language in the Senate report requiring a report on the distribution of this funding is adopted by reference.

The conference agreement does not include language earmarking $12,500,000 for the East-West Center, as proposed in the Senate-reported amendment. The House bill did not contain a similar provision. Funding for the East-West Center is addressed under a separate heading in this Title.

The conference agreement does not include language earmarking $1,350,000 for the Protection Project as proposed in the Senate-reported amendment. The House bill did not contain a similar provision. The Department is directed to continue support for this activity.

The conference agreement includes language allowing certain advances for services related to the Panama Canal Commission to

be credited to this account and to remain available until expended, as proposed in the House bill. The Senate-reported amendment did not include a similar provision.

The conference agreement includes a provision, modified from language included in the Senate-reported amendment, designating $40,000,000 under this account to implement the 1999 Pacific Salmon Treaty. The Senate-reported amendment provided $60,000,000 for this purpose, and the House bill did not contain a similar provision. Of the amount provided, $10,000,000 is for further capitalizing the Northern Boundary Fund, $10,000,000 is for further capitalizing the Southern Boundary Fund, and $20,000,000 is for the State of Washington Department of Fish and Wildlife as authorized under section 628 of this Act.

The conference agreement does not include a provision proposed in the Senate-reported amendment regarding funding for the Office of Defense Trade Controls. The Office is expected to review applications, regardless of identified end user, with the utmost scrutiny.

The conference agreement includes language requiring the Department to notify Congress fifteen days in advance of processing licenses for the export of satellites to the People's Republic of China, as proposed in the Senate-reported amendment. The House bill included an identical provision under the Department of Commerce, Bureau of Export Administration.

The conference agreement includes a provision, not in the House bill or the Senate-reported amendment, to allow the Department to collect and deposit Machine Readable Visa fees as offsetting collections to this account in fiscal years 2001 and 2002 to recover costs. The conference agreement does not include provisions to limit the use of Machine Readable Visa fees in fiscal year 2001 and to make excess collections available in the subsequent fiscal year, as carried in both the House bill and the Senate-reported amendment. The House bill included a fiscal year 2001 spending limitation of $342,667,000. The Senate-reported amendment included a limitation of $267,000,000.

The conference agreement does not include language proposed in the Senate-reported amendment earmarking funds for the Office of the Coordinator for Counterterrorism and for the preparation of a study on the U.S. Government response to an international WMD terrorist event. The House bill did not include a similar provision.

The conference agreement includes $410,000,000 for worldwide security upgrades under this account as proposed in the House bill, instead of $272,736,000 as proposed in the Senate-reported amendment. The Department shall submit a detailed spending plan by December 31, 2000, for the entire amount provided for worldwide security upgrades. The House report designated $66,000,000 for a perimeter security initiative, and $16,000,000 to support additional staffing for the Bureau of Diplomatic Security, as requested. Since the time of the budget request, the Department has notified the Committees of increasing requirements to implement perimeter security upgrades. The Department is expected to reflect this development in the spending plan, increasing the amount for perimeter security and decreasing the amount for staffing. Any amount exceeding $8,000,000 for increased staffing will be subject to re-

programming. The conference agreement adopts, by reference, language in the Senate report regarding bomb detection equipment and a report on certain security issues.

The Committees acknowledge the Department's continuing efforts to increase minority recruitment and diversity in the Foreign Service and commend the Department for its ongoing efforts to partner with Howard University and other institutions. For fiscal year 2001 the Department is directed to supplement its minority recruitment activities by initiating a model program to facilitate the entry of non-traditional and minority students into foreign policy careers. This program would provide a continuum of education and support for successful students at two- and four-year colleges to continue their studies at a university that provides undergraduate programs for non-traditional students and graduate studies in international and public affairs. The Department is directed to provide $1,000,000 to the educational partnership between Hostos Community College and Columbia University in New York to establish such a model program. It is expected that this new program would assist members of minority groups in pursuing careers in the Foreign Service and the State Department.

Within the amount provided under this account, and including any savings the Department identifies, the Department will have the ability to propose that funds be used for purposes not specifically funded by the conference agreement through the normal reprogramming process.

Extended tours, particularly at language incentive posts, could improve efficiency and reduce costs. The Department is directed to report to the Committees, not later than February 15, 2001 on: 1) cost savings by subaccount that would result from four-year tours being adopted; 2) proposed changes to promotion criteria necessary to accommodate four-year tours; and 3) proposed four-year assignments by job description and post with full justification.

The conference agreement does not adopt language in the Senate report allocating additional funds to certain geographic regions, but commends the Department's operations in Buenos Aires, Argentina; Montevideo, Uruguay; and Sao Paulo, Brazil. These posts are well run, language skills are uniformly excellent, and personnel are genuinely enthusiastic about, and deeply involved in, the local government, community and culture. These posts serve as model embassies to be emulated. The Department is urged to devote the necessary resources to these posts to maintain the high caliber of operations at each.

Questions have been raised concerning the adequacy of current U.S. representation in Equatorial Guinea. Therefore, the Department is directed to explore the establishment, within resources currently available, of an American Presence Post in Equatorial Guinea and to report to the Committees no later than December 1, 2000, on the costs, staffing, and need for such a post.

Increasing amounts of funding are requested under this title for costs related to the absence or inadequacy of democratic governance in Kosovo, East Timor, Sierra Leone, and the Democratic Republic of the Congo. United Nations peacekeeping missions in Kosovo and East Timor are, in fact, surrogate governments, for which the United States is assessed over thirty percent of the total

costs. In order to ensure that adequate and coordinated efforts are underway to develop effective democratic governance, the Department is directed to submit to the Committees a plan describing all such U.S. Government-sponsored activities in these four locations, and the anticipated results from these activities, not later than May 1, 2001. The Department is directed to coordinate closely with other U.S. Government agencies, the United Nations, the National Endowment for Democracy, and relevant non-governmental organizations in compiling the plan.

The conference agreement adopts, by reference, language in the House report regarding: reform and restructuring, including the submission of a reorganization plan corresponding with general provisions included in this title; carrying out the recommendations of the Overseas Presence Advisory Panel including the submission of a report; the submission of a minority recruitment and hiring plan; the Overseas Schools Advisory Council; the negotiation of effective extradition treaties; and unfair treatment of U.S. companies in Peru.

The conference agreement adopts, by reference, language in the Senate report regarding: the Department's budget justification books; amounts to be provided for the Arctic Council and the Bering Straits Commission; the submission of a plan regarding information about biotechnology abroad; and a report on international sea turtle conservation efforts.

The conference agreement does not include language in the Senate report on Sierra Leone and the Department's Bureau of African Affairs.

CAPITAL INVESTMENT FUND

The conference agreement includes $97,000,000 for the Capital Investment Fund, instead of $79,670,000 as proposed in the House bill and $104,000,000 as proposed in the Senate-reported amendment. The conference agreement does not include language as proposed in the Senate-reported amendment allowing the Department to retain control of its overseas telecommunications infrastructure in the event that the current joint management is abolished or dissolved.

Within the amount provided in this account, $17,000,000 shall be for a pilot project to establish a common technology platform at overseas posts pursuant to the recommendations of the Overseas Presence Advisory Panel. The conference agreement includes the direction in the House report requiring the submission of a spending plan for this pilot project.

The conference agreement also includes, by reference, the report on modernization projects and resulting efficiencies requested in the House report.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $28,490,000 for the Office of Inspector General as proposed in the House bill, instead of $29,395,000 as proposed in the Senate-reported amendment. The conference agreement includes, by reference, the guidance included in both the House and Senate reports.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The conference agreement includes $231,587,000 for Educational and Cultural Exchange Programs of the Department of State, instead of $213,771,000 as proposed in the House bill and $225,000,000 as proposed in the Senate-reported amendment. The conference agreement makes the funds provided under this account available until expended as in previous years, and as proposed in the House bill.

The following chart displays the conference agreement on the distribution of funds by program or activity under this account:

[In thousands of dollars]

	Amount
Academic Programs:	
Fulbright Program	114,000
Regional Scholars Program	2,000
Foreign Study Grants for U.S. Undergraduates	1,500
College and University Affiliations Program	1,000
Educational Advising and Student Services	3,200
English Language Programs	2,600
Hubert H. Humphrey Fellowships	6,100
Edmund S. Muskie Fellowship Program	500
American Overseas Research Centers	2,280
South Pacific Exchanges	500
Tibet Exchanges	500
East Timor Exchanges	500
Disability Exchange Clearinghouse	500
Subtotal, Academic Programs	135,180
Professional and Cultural Programs:	
International Visitor Program	46,500
Citizen Exchange Program	15,000
Congress Bundestag Youth Exchange	2,857
Mike Mansfield Fellowship Program	2,200
Olympic/Paralympic Exchanges	1,000
Special Olympic Exchanges	500
Youth Science Leadership Institute of the Americas	100
Irish Institute	500
Montana International Business Exchange	100
University of Akron Global Business Exchange	100
Interparliamentary Exchanges with Asia	150
Subtotal, Professional and Cultural Exchanges	69,007
North/South Center	1,400
Exchanges Support	26,000
Total	231,587

Deviations from this distribution of funds will be subject to the normal reprogramming procedures under section 605 of this Act. Significant carryover and recovered balances are often available under this account, and the Department is directed to submit a proposed spending plan for such balances, subject to the regular reprogramming procedures. To the extent such balances are available, the Department is encouraged to give priority to providing additional support for the Muskie Fellowship Program, and supporting the Central European Executive Exchange Program and the Institute for Representative Government.

The conference agreement includes only $500,000 in new appropriations under this account for Muskie Fellowships for grad-

uate student exchanges with the former Soviet Union. In addition to the amounts provided under this account for nations of the former Soviet Union, the Department expects to receive transfers from appropriations for Freedom Support Act exchange programs. In fiscal year 2000, an additional $93,000,000 was transferred to this account for exchanges with the former Soviet Union, including $18,309,000 for graduate student exchanges. A similar amount is expected to be available for such exchanges in fiscal year 2001. In its graduate exchange programs with the former Soviet Union, the Department shall emphasize Masters in Business Administration programs in such areas as marketing, distribution, and finance.

Should balances become available, the Department is expected to consider awarding a grant for the Central European Executive Exchange Program. The Committees expect that the proposal submitted for this project will include participation from Central European countries in addition to Hungary and the Czech Republic, and will contain a plan to continue the project in future years without Federal financial support.

The conference agreement includes, by reference, the program guidance contained in both the House and Senate reports.

REPRESENTATION ALLOWANCES

The conference agreement includes $6,499,000 for Representation Allowances instead of $5,826,000 as proposed in the House bill, and $6,773,000 as proposed in the Senate-reported amendment. The conference agreement does not include language under this account allowing the Department to collect and use reimbursement for services provided to the press as proposed in the Senate-reported amendment. This language is instead included under the "Diplomatic and Consular Programs" account.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

The conference agreement includes $15,467,000 for Protection of Foreign Missions and Officials, instead of $8,067,000 as provided in the House bill and $10,490,000 as proposed in the Senate-reported amendment. Of the amount provided, $5,000,000 is designated for reimbursement to the City of Seattle. Similar language was included in the Senate-reported amendment under "Diplomatic and Consular Programs". The House bill did not address this matter. The direction included in the House and Senate reports regarding the review of reimbursement claims is adopted by reference.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The conference agreement includes $1,079,976,000 for this account, instead of $1,064,976,000 as proposed in the House bill and $782,004,000 as proposed in the Senate-reported amendment.

The conference agreement does not include language proposed in the Senate-reported amendment adding "Centers for Antiterrorism and Security Training" to the allowable uses of funding under this account. The House bill had no similar language.

The conference agreement does not include a Senate provision stating that certain proceeds of sales shall be available only for a new embassy facility in the Republic of Korea. Proceeds realized

from the sale of the diplomatic facility in Seoul known as "Compound II" shall only be available for the site acquisition and preparation, design, or construction of diplomatic facilities, housing, or Marine security guard quarters in the Republic of Korea. These funds shall be available for obligation and expenditure until all proceeds from the sale of "Compound II" are exhausted. The Committees expect the Department to provide an update every January 1 on construction projects in the Republic of Korea.

The conference agreement includes $663,000,000 for the costs of worldwide security upgrades, including $515,000,000 for capital security projects. The conferees direct the Department to comply with the direction in the House report regarding the submission of a spending plan within sixty days of the date of enactment of this Act. In proposing such a spending plan, the Department shall include an assessment of need, and such funding as is appropriate, for security upgrades related to existing housing, schools, and Marine quarters, as well as the acquisition of new secure Marine quarters.

The conference agreement does not include new appropriations for non-security capital projects. The Department has indicated that $30,500,000 is available from previous appropriations and proceeds to pay all anticipated site acquisition and related costs of the new Beijing chancery project in fiscal year 2001. The conference agreement includes, by reference, the direction in the Senate report regarding the Beijing chancery project. The ongoing costs of housing projects in Chengdu and Shenyang are included in amounts provided for facilities rehabilitation under this account.

The budget request included planned expenditures of $67,000,000 from proceeds of sale of surplus property for opportunity purchases and capital projects. The conference agreement anticipates that the amount of funds available for such purchases will be much greater, and directs the Department to submit a spending plan for these funds that includes: at least $19,000,000 for opportunity purchases to replace uneconomical leases; at least $25,000,000 for capital security projects; and $20,000,000 for continuing costs of the Taiwan project. Any additional use of these funds is subject to reprogramming.

The conference agreement includes, by reference, language in the House report under "Worldwide Security Upgrades" and "Responding to the Recommendations of the Overseas Presence Advisory Panel", and language in the Senate report on joint ventures and a General Accounting Office review of a property issue in Paris. Within the amount provided under this account, the Department is expected to support the rehabilitation projects in Moscow and Istanbul described in the Senate report.

The Department is directed to submit, and receive approval for, a financial plan for the funding provided under this account, whether from direct appropriations or proceeds of sales, prior to the obligation or expenditure of funds for capital and rehabilitation projects. The overall spending plan shall include project-level detail, and shall be provided to the Appropriations Committees not later than 60 days after the date of enactment of this Act. Any deviation from the plan after approval shall be treated as a reprogramming in the case of an addition greater than $500,000 or

as a notification in the case of a deletion, a project cost overrun exceeding 25 percent, or a project schedule delay exceeding 6 months. Notification requirements also extend to the rebaselining of a given project's cost estimate, schedule, or scope of work.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

The conference agreement includes $5,477,000 for the Emergencies in the Diplomatic and Consular Service account, as provided in the House bill, instead of $11,000,000, as provided in the Senate-reported amendment.

REPATRIATION LOANS PROGRAM ACCOUNT

The conference agreement includes a total appropriation of $1,195,000 for the Repatriation Loans Program account as provided in the House bill, instead of $1,200,000 as provided in the Senate-reported amendment.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

The conference agreement includes $16,345,000 for the Payment to the American Institute in Taiwan account, as provided in both the House bill and the Senate-reported amendment. The conference agreement includes, by reference, language in both the House and Senate reports. Funding for the relocation of the Institute is discussed under the "Embassy Security, Construction, and Maintenance" account.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The conference agreement includes $131,224,000 for the Payment to the Foreign Service Retirement and Disability Fund account, as provided in both the House bill and the Senate-reported amendment.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The conference agreement includes $870,833,000 for Contributions to International Organizations to pay the costs assessed to the United States for membership in international organizations, instead of $880,505,000 as proposed in the House bill, and $943,944,000 as proposed in the Senate-reported amendment.

The conference agreement includes language requiring that $100,000,000 may be made available to the United Nations only pursuant to a certification that the U.N. has taken no action during calendar year 2000 prior to the enactment of this Act to cause the U.N. to exceed the adopted budget for the biennium 2000–2001. Similar language was included in the House bill. The Senate-reported amendment did not include a provision on this matter.

The conference agreement does not include an additional $64,800,000 for the United States share of the new North Atlantic Treaty Organization headquarters as proposed in the Senate-reported amendment. The House bill did not have a similar provision. Within the amount provided under this heading, $8,000,000

is included for the first incremental payment for the U.S. share of the new headquarters building, as requested.

The amount provided by the conference agreement is expected to be sufficient to fully pay assessments to international organizations. The conference agreement anticipates that the Department has prepaid $32,600,000 of the fiscal year 2001 assessment for the United Nations regular budget, using excess fiscal year 2000 funds. In addition, the Department's recalculation of its fiscal year 2001 request for this account has resulted in a lowering of the request by an additional $37,908,000, resulting primarily from exchange rate fluctuations. In recognition of the prepayment and the recalculation of the request, the conference agreement assumes an adjusted request level of $875,552,000. The conference agreement does not include requested funding for the Interparliamentary Union and the Bureau of International Expositions, and anticipates additional savings related to requested programs that are terminating or have not yet begun.

Provisions in the House report relating to reports on reforms in international organizations, and Senate report language relating to reporting on War Crimes Tribunals are adopted by reference. The conference agreement does not include an additional $13,000,000, as proposed in the Senate report, for Pan American Health Organization (PAHO) disease prevention and control programs. The Department is encouraged to pursue appropriate funding for such an initiative in the future. The conference agreement adopts, by reference, language in the House report concerning PAHO, and directs the Department to provide PAHO with its full United States assessment level for fiscal year 2001.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The conference agreement provides $846,000,000 for Contributions for International Peacekeeping Activities, instead of $500,000,000 as proposed in the Senate-reported amendment and $498,100,000 as proposed in the House bill.

The conference agreement provides that, of the total funding provided under this heading, not to exceed fifteen percent shall remain available until September 30, 2002. The Senate-reported amendment made all funding available until expended, and the House bill had no provision on the matter. The conferees expect that before any excess funding is carried over into fiscal year 2002 in this account, the Department shall transfer the maximum allowable amount to the Contributions to International Organizations account to prepay the fiscal year 2002 assessment for the United Nations regular budget.

The conference agreement includes, by reference, language in the House report requiring a Department report to the Committees related to the costs of continuing UN activities in Angola and Haiti from the UN regular budget, requiring a report on peacekeeping assessment rate reform, and directing the Department to support the work of the UN Office of Internal Oversight Services. The conference agreement also includes, by reference, language in the Senate report regarding the investigation of charges against those responsible for the planning and execution of the air war over Serbia and Kosovo.

The establishment of several large and complex missions over the past year has overtaken the capacity of the UN to successfully plan and manage such activities. The Department is directed to allocate available funds in this account on a priority basis, and to take no action to extend or expand missions or create new missions for which funding is not available. The conference agreement does not include funding for the MINURSO mission in Western Sahara. In addition to the notification requirements under this account, the Department is directed to submit a proposed distribution of the total resources available under this account no later than December 31, 2000, through the normal reprogramming process.

ARREARAGE PAYMENTS

The conference agreement does not include funding for arrearage payments in this Act. The Senate-reported amendment provided $102,000,000 for additional arrearage payments above the $926,000,000 authorized and appropriated in previous years, subject to certain conditions. The House bill did not include new funding for arrearage payments.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

SALARIES AND EXPENSES

The conference agreement includes $7,142,000 for Salaries and Expenses of the International Boundary and Water Commission (IBWC) as proposed in the Senate-reported amendment, instead of $19,470,000 as proposed in the House bill. The conference agreement includes, by reference, language in the House report regarding the South Bay International Wastewater Treatment Plant.

CONSTRUCTION

The conference agreement includes $22,950,000 for the Construction account of the IBWC instead of $26,747,000 as proposed in the Senate-reported amendment and $6,415,000 as proposed in the House bill. The conference agreement provides funding for the following activities: facilities renovation—$425,000; heavy equipment replacement—$1,000,000; land mobile radio systems replacement—$500,000; hydrologic data collection system rehabilitation—$500,000; Rio Grande construction—$2,685,000; Colorado River construction—$805,000; a feasibility study for the construction of a diversionary structure to control sewage flows in the flood control channel of the Tijuana River—$500,000; and operations and maintenance—$16,535,000. The conference agreement adopts, by reference, language in the House report regarding the reallocation of funds subject to reprogramming. The conferees also expect the Commission to submit to the Committees, not later than November 15, 2001, an end-of-year report on operations and maintenance spending. This report shall include actual obligations, and balances carried forward, by project.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The conference agreement includes $6,741,000 for 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, as proposed in the Senate-reported amendment, instead of $5,710,000 as proposed in the House bill. The conference level will provide funding at the following levels for the three commissions: International Boundary Commission—$970,000; International Joint Commission—$3,771,000; and Border Environment Cooperation Commission—$2,000,000.

INTERNATIONAL FISHERIES COMMISSIONS

The conference agreement includes $19,392,000 for the U.S. share of the expenses of the International Fisheries Commissions and related activities, as proposed in the Senate-reported amendment, instead of $15,485,000 as proposed in the House bill.

The conference agreement includes the funding distribution requested in the President's budget and adopts, by reference, language in the Senate report on treating Lake Champlain with lampricide, and giving priority to States providing matching funds.

OTHER

PAYMENT TO THE ASIA FOUNDATION

The conference agreement includes $9,250,000 for the Payment to the Asia Foundation account, instead of $8,216,000 as provided in the House bill, and instead of no funding as provided in the Senate-reported amendment. The conferees support the work of the Asia Foundation on democracy and the rule of law in the Asia-Pacific region. Since the establishment of multi-party democracy in 1990, Nepal continues to struggle with political instability, weak legal institutions and economic stagnation. Increased funding in this account is expected to allow the Foundation to expand law reform activities in Nepal.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

The conference agreement includes language as provided in both the House bill and the Senate-reported amendment allowing all interest and earnings accruing to the Trust Fund in fiscal year 2001 to be used for necessary expenses of the Eisenhower Exchange Fellowships.

ISRAELI ARAB SCHOLARSHIP PROGRAM

The conference agreement includes language as provided in both the House bill and the Senate-reported amendment allowing all interest and earnings accruing to the Scholarship Fund in fiscal year 2001 to be used for necessary expenses of the Israeli Arab Scholarship Program.

EAST-WEST CENTER

The conference agreement includes $13,500,000 for operations of the East-West Center as proposed in the Senate-reported amend-

ment, instead of no funds as proposed in the House bill. The conference agreement does not include an additional earmark of $12,500,000 from the Department of State, Diplomatic and Consular Programs account, as proposed in the Senate-reported amendment.

NATIONAL ENDOWMENT FOR DEMOCRACY

The conference agreement includes $30,999,000 for the National Endowment for Democracy as proposed in the Senate-reported amendment, instead of $30,872,000 as proposed in the House bill. The Endowment shall submit to the Committees, not later than February 1, 2001, a detailed program plan for NED activities in East Timor, Kosovo, Sierra Leone and the Democratic Republic of the Congo.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The conference agreement includes $398,971,000 for International Broadcasting Operations, instead of $419,777,000 as proposed in the House bill and $388,421,000 as proposed in the Senate-reported amendment. Rather than funding broadcasting to Cuba under this account, as proposed by the House, all funding for broadcasting to Cuba is included under a separate account, as proposed in the Senate-reported amendment, and as enacted in previous years.

The conference agreement includes language in this and other broadcasting accounts that modifies citations of authorization legislation as carried in previous years. These changes are intended to simplify and streamline bill language, and are not intended to modify the authorities for the use of funds under any account.

The conference agreement includes, by reference, language in the House report on the review of television-related programs, Radio Free Asia, further consolidation and streamlining within international broadcasting, and reprogramming requirements. The conference agreement also includes, by reference, language in the Senate report on the VOA charter requirements, and on the initiation of RFE/RL broadcasting in Avar, Chechen and Circassian.

The Broadcasting Board of Governors (BBG) is expected to devote a proportionate and reasonable share of total VOA programming to the charter requirements of explaining American foreign policy and explaining American values, institutions, and thought. Should the BBG determine that organizational changes would facilitate the achievement of this goal, such proposed changes shall be submitted to the Committees through the regular reprogramming process.

The conference agreement provides inflationary adjustments to base funding levels for all broadcasting entities. Within the amount provided, $1,000,000 shall be for Uighur language broadcasting by Radio Free Asia. The BBG is directed to provide an allocation plan for all available funding under this account to the Committees within sixty days from the enactment of this Act.

BROADCASTING TO CUBA

The conference agreement includes $22,095,000, to remain available until expended, for Broadcasting to Cuba under a separate account as proposed in the Senate-reported amendment, instead of $22,806,000 within the total for International Broadcasting Operations as proposed in the House bill. The conference agreement does not include language proposed in the Senate-reported amendment, providing that funds may be used for aircraft to house television broadcasting equipment. The House bill did not contain a provision on this matter.

BROADCASTING CAPITAL IMPROVEMENTS

The conference agreement includes $20,358,000 for the Broadcasting Capital Improvements account, instead of $18,358,000 as proposed in the House bill, and $31,075,000 as proposed in the Senate-reported amendment. The conference agreement does not include language proposed in the Senate-reported amendment making a specific amount under this account available for the costs of overseas security upgrades.

The conference agreement includes, by reference, language in the House report on digital development and conversion, security upgrades, relocation of the Poro Point medium wave transmitter, and the submission of a spending plan through the reprogramming process. The conference agreement also includes, by reference, language in the Senate report on the notification of the Committees prior to the release of funds for security upgrades.

The BBG may propose through the reprogramming process to allocate funds under this account for rotatable antennas, or for other infrastructure improvements at the Greenville, NC, transmitting station, as discussed in the Senate report.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

Section 401.—The conference agreement includes section 401, as proposed in the House bill, permitting use of funds for allowances, differentials, and transportation. The Senate-reported amendment included a similar provision with minor technical differences related to the citation of authorizing provisions.

Sec. 402.—The conference agreement includes section 402, as provided in both the House bill and the Senate-reported amendment, dealing with transfer authority.

Sec. 403.—The conference agreement includes section 403, proposed as section 404 in both the House bill and the Senate-reported amendment, prohibiting the use of funds by the Department of State or the Broadcasting Board of Governors (BBG) to provide certain types of assistance to the Palestinian Broadcasting Corporation (PBC). The conference agreement does not include training that supports accurate and responsible broadcasting among the types of assistance prohibited. The conferees agree that neither the Department of State, nor the BBG, shall provide any assistance to the PBC that could support restrictions of press freedoms or the broadcasting of inaccurate, inflammatory messages. The conferees further expect the Department and the BBG to submit a report to

the Committees, before December 15, 2000, detailing any programs or activities involving the PBC in fiscal year 2000, and any plans for such programs in fiscal year 2001.

Sec. 404.—The conference agreement includes section 404, proposed as section 405 in the House bill, creating the position of Deputy Secretary of State for Management and Resources. The Senate-reported amendment did not include a provision on this matter. The conference agreement adopts, by reference, the guidance on this matter provided in the House report under the "Diplomatic and Consular Programs" account.

Sec. 405.—The conference agreement includes section 405, as proposed in the Senate bill, prohibiting the use of funds made available in this Act by the United Nations for activities authorizing the United Nations or any of its specialized agencies or affiliated organizations to tax any aspect of the Internet.

Sec. 406.—The conference agreement includes section 406, proposed in the Senate-reported amendment as section 409, prohibiting the use of funds in this or any other Act to allow entry of diamonds into the United States if they were mined in certain countries, unless certain documentation is provided. The House bill did not include a provision on this matter.

Sec. 407.—The conference agreement includes section 407, not included in either the House bill or the Senate-reported amendment, extending authorities to provide protective services to departing and incoming Secretaries of State.

Sec. 408.—The conference agreement includes section 408, not included in either the House bill or the Senate-reported amendment, waiving provisions of existing legislation that require authorizations to be in place for the State Department and the Broadcasting Board of Governors prior to the expenditure of any appropriated funds.

TITLE V—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

The conference agreement includes $98,700,000 for the Maritime Security Program as proposed in both the House bill and the Senate-reported amendment.

OPERATIONS AND TRAINING

The conference agreement includes $86,910,000 for the Maritime Administration Operations and Training account instead of $84,799,000 as proposed in the House bill and $80,240,000 as proposed in the Senate-reported amendment. Within this amount, $47,236,000 shall be for the operation and maintenance of the U.S. Merchant Marine Academy, including $13,000,000 above base funding levels for further deferred maintenance and renovation requirements as described in the House report. The conferees adopt, by reference, language in the House report regarding the submission of a spending plan for this initiative.

The conference agreement includes $7,473,000 for the State Maritime Academies. Within the amount for State Maritime Academies, $1,200,000 shall be for student incentive payments, the same amount as provided in fiscal year 2000.

The conference agreement also includes, by reference, language in the House report on submission of a report on maritime education and training.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

The conference agreement provides $30,000,000 in subsidy appropriations for the Maritime Guaranteed Loan Program instead of $10,621,000 as proposed in the House bill and $20,221,000 as proposed in the Senate-reported amendment. The conference agreement adopts the Senate approach of dropping a limitation on the loan program level of not to exceed $1,000,000,000. The House bill included this provision, which has also been carried in previous years. MARAD shall not make commitments exceeding $1,000,000,000 in fiscal year 2001, including commitments made with appropriations from previous fiscal years, without prior notification to the Committees in accordance with section 605 reprogramming procedures.

The conference agreement also includes an additional $3,987,000 for administrative expenses associated with the Maritime Guaranteed Loan Program instead of $3,795,000 as proposed in the House bill, and $4,179,000 as proposed in the Senate-reported amendment. The amount for administrative expenses may be transferred to and merged with amounts under the MARAD Operations and Training account.

MARAD has indicated to the Committees that it expects to carry over approximately $10,000,000 in this account which may be used as additional subsidy budget authority in fiscal year 2001.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

The conference agreement includes provisions, as proposed in both the House bill and the Senate-reported amendment, involving Government property controlled by MARAD, the accounting for certain funds received by MARAD, and a prohibition on obligations from the MARAD construction fund.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

The conference agreement provides $490,000 for the Commission for the Preservation of America's Heritage Abroad, as proposed in the Senate-reported amendment, instead of $390,000 as proposed in the House bill.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

The conference agreement includes $8,900,000 for the salaries and expenses of the Commission on Civil Rights as proposed in the

Senate-reported amendment, instead of $8,866,000 as proposed in the House bill.

The conference agreement includes language allowing the Chairperson to be reimbursed for 125 billable days, as proposed in the House bill, and as carried in previous years. The Senate-reported amendment included language limiting all commissioners to not more than 75 billable days.

COMMISSION ON OCEAN POLICY

SALARIES AND EXPENSES

The conference agreement includes $1,000,000 for the Commission on Ocean Policy as proposed in the Senate-reported amendment, instead of no funding as proposed in the House bill.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

The conference agreement includes $1,370,000 for the Commission on Security and Cooperation in Europe as proposed in the Senate-reported amendment, instead of $1,182,000 as proposed in the House bill.

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

SALARIES AND EXPENSES

The conference agreement includes $500,000 for the Congressional-Executive Commission on the People's Republic of China. Neither the House bill nor the Senate-reported amendment included funding for this new Commission.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $303,864,000 for the salaries and expenses of the Equal Employment Opportunity Commission, instead of $290,928,000 as proposed in the House bill, and $294,800,000 as proposed in the Senate-reported amendment.

Within the total amount, the conference agreement includes $30,000,000 for payments to State and local Fair Employment Practices Agencies (FEPAs) for specific services to the Commission, instead of $29,000,000 as proposed in the House bill, and $31,000,000 as proposed in the Senate-reported amendment. The conference agreement includes, by reference, language in the House report regarding submission of a spending plan, reducing the backlog of private sector charges, and utilizing the experience the FEPAs have in mediation as the Commission implements its alternative dispute resolution programs.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

The conference agreement includes a total of $230,000,000 for the salaries and expenses of the Federal Communications Commission (FCC), instead of $207,909,000 as provided in the House bill, and $237,188,000 as proposed in the Senate-reported amendment. Of the amounts provided, $200,146,000 is to be derived from offsetting fee collections, as provided in both the House bill and the Senate-reported amendment, resulting in a net direct appropriation of $29,854,000, instead of $7,763,000 included in the House bill, and $37,042,000 included in the Senate-reported amendment. Receipts in excess of $200,146,000 shall remain available until expended but shall not be available for obligation until October 1, 2001.

The conference agreement directs the Commission to submit, no later than December 15, 2000, a financial plan proposing a distribution of all the funds in this account, subject to the reprogramming requirements under section 605 of this Act.

From within the funds provided, the FCC is urged to support public safety, emergency preparedness and telecommunications functions of the 2002 Olympic Winter Games.

The Senate report included language on public broadcasting stations' access to spectrum. The House included no similar language. The FCC is examining this issue, which is also pending in the Court of Appeals. The conference agreement reflects the belief that this issue can be resolved through the administrative or judicial process, so no legislative action is required at this time. The Chairman of the FCC should report to the House and Senate Committees on Appropriations on any action the Commission takes on this issue by April 1, 2001.

The FCC shall take all actions necessary to complete the processing of applications for licenses or other authorizations for facilities that would provide services covered by the Satellite Home Viewers Improvement Act (Public Law 106–113, 113 Stat. 1501), specifically to deliver multi-channel video services including all local broadcast television station signals and broadband services in unserved and underserved local television markets by November 29, 2000, as required by Public Law 106–113, 113 Stat. 1501.

The Senate report language with respect to a broadcast industry code of conduct for the content of programming is incorporated by reference.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $15,500,000 for the salaries and expenses of the Federal Maritime Commission, instead of $14,097,000 as proposed in the House bill and $16,222,000 as proposed in the Senate-reported amendment.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes a total operating level of $147,154,000 for the Federal Trade Commission, instead of $134,807,000 as proposed in the House bill and $159,500,000 as proposed in the Senate-reported amendment. The conference agreement assumes that, of the amount provided, $145,254,000 will be derived from fees collected in fiscal year 2001 and $1,900,000 will be derived from estimated unobligated fee collections available from fiscal year 2000. These actions result in a final appropriation of $0. Any use of remaining unobligated fee collections from prior years are subject to the reprogramming requirements outlined in section 605 of this Act.

The conference agreement adopts by reference the Senate report language on slotting allowances, identity theft and Internet fraud.

Appropriations for both the Antitrust Division of the Department of Justice and the Federal Trade Commission are financed with Hart-Scott-Rodino Act pre-merger filing fees. Section 630 of this Act modifies the Hart-Scott-Rodino Act to establish a three-tiered fee structure that increases the filing threshold for a merger transaction from $15,000,000 to $50,000,000. Both the House bill and the Senate-reported amendment included in the Federal Trade Commission's appropriation language similar language to create a three tiered fee structure and raise the filing threshold to $35,000,000. It is anticipated that the increase in the filing threshold will reduce the number of mergers requiring review by approximately 50 percent. This should allow the Commission to focus more resources on the review of complex mergers and non-merger activities such as consumer protection.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

The conference agreement includes $330,000,000 for the payment to the Legal Services Corporation, instead of $300,000,000 as proposed in the Senate-reported amendment, and $275,000,000 as proposed in the House bill. The conference agreement provides $310,000,000 for grants to basic field programs and independent audits, $10,800,000 for management and administration, $2,200,000 for the Office of Inspector General, and $7,000,000 for client self-help and information technology. The conference agreement also includes $31,625,000 for civil legal assistance under the Violence Against Woman Act programs funded under Title I of this Act. In addition, according to LSC-released statistics, grantees received over $605,000,000 of funding during 1999.

Within the amounts provided for management and administration, the Corporation is expected to hire at least seven investigators for the Compliance and Enforcement Division to investigate field grantees' compliance with the regulations grantees agreed to abide by when accepting Federal funding.

The conference agreement adopts by reference the House report language on class action suits and the Senate report language on travel.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

The conference agreement includes language to continue the terms and conditions included under this section in the fiscal year 2000 Act, as proposed in both the House bill and the Senate-reported amendment.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $1,700,000 for the salaries and expenses of the Marine Mammal Commission, as proposed in both the House bill and the Senate-reported amendment.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $422,800,000 for the Securities and Exchange Commission (SEC), instead of $392,624,000 as proposed in the House bill and $489,652,000 as proposed in the Senate-reported amendment. The conference agreement includes bill language appropriating separate amounts from offsetting fee collections from fiscal years 1999 and 2001, as proposed in both the House bill and the Senate-reported amendment. The conference agreement appropriates $295,000,000 from fees collected in fiscal year 1999, and $127,800,000 from fees to be collected in fiscal year 2001.

The conference agreement provides for the Commission's adjustments to base and requested program increases for additional staff, information systems, and a special pay rate. Within the increased funding provided for information systems, the Commission shall identify $2,000,000 for additional information systems support to help investigate and prosecute Internet fraud cases, as described in the Senate report. The conference agreement does not include language in Title VI of this Act, nor additional funding above the request under this heading, as proposed in the Senate-reported amendment, for the exemption of the SEC from Federal pay regulations.

Any offsetting fee collections in fiscal year 2001 in excess of $127,800,000 will remain available for the Securities and Exchange Commission in future years through the regular appropriations process.

The conference agreement includes, by reference, language in the Senate report on the Office of Economic Analysis, the implementation of a new fee collection system, recommendations for increased civil penalties, and the need to educate investors regarding Internet securities fraud.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides an appropriation of $331,635,000 for the Small Business Administration (SBA) Salaries and Expenses account, instead of $304,094,000 as proposed in the House bill and $143,475,000 as proposed in the Senate-reported amendment. The conference agreement does not split funding for non-credit business assistance programs into a separate account, as proposed in the budget request and the Senate-reported amendment, but rather includes funding for such programs under this account.

In addition, the conference agreement includes $37,000,000 for programs related to the New Markets Venture Capital Program subject to the authorization of that program, including $7,000,000 for BusinessLINC and $30,000,000 for technical assistance.

The conference agreement includes language, as proposed in the Senate-reported amendment, allowing SBA to use five percent, or not to exceed $3,000,000, of increased collections of delinquent non-tax debt to reimburse for qualified expenses of such collections. The House bill did not contain language on this matter.

In addition to amounts made available under this heading, the conference agreement includes $129,000,000 for administrative expenses under the Business Loans Program account. This amount is transferred to and merged with amounts available under Salaries and Expenses. The conference agreement also includes an additional $108,354,000 for administrative expenses under the Disaster Loans Program account, which may under certain conditions be transferred to and merged with amounts available under Salaries and Expenses. These conditions are described under the Disaster Loans Program account.

The conference agreement provides a total of $166,541,000 for SBA's regular operating expenses under this account. This amount includes $2,000,000 for expenses of the HUBZone program, and $8,000,000 for systems modernization initiatives to continue the improvement of SBA's management and oversight of its loan portfolio. This amount also includes $2,000,000 to assist the SBA in transforming its workforce to meet changes in the way its programs are carried out. The SBA shall submit a plan, prior to the expenditure of resources provided for systems modernization and workforce transformation, in accordance with section 605 of this Act.

The conference agreement includes the following amounts for non-credit programs:

Small Business Development Centers	$88,000,000
7(j) Technical Assistance	3,600,000
Microloan Technical Assistance	20,000,000
SCORE	3,750,000
Business Information Centers	500,000
Women's Business Centers	12,000,000
Survey of Women-Owned Businesses	694,000
National Women's Business Council	750,000
One Stop Capital Shops	3,100,000
US Export Assistance Centers	3,100,000
Advocacy Research	1,100,000
National Veterans Business Development Corp	4,000,000

SBIR Rural Outreach Program	5,000,000
ProNet	500,000
Drug-free Workplace Grants	3,500,000
PRIME	15,000,000
New Markets Technical Assistance	30,000,000
BusinessLINC	7,000,000
Regulatory Fairness Boards	500,000
Total	202,094,000

Small Business Development Centers (SBDCs).—Of the amounts provided for SBDCs, the conference agreement includes $2,000,000 to continue the SBDC Defense transition program, and $1,000,000 to continue the Environmental Compliance Project, as directed in the House report. In addition, the conference agreement includes language, similar to that proposed in the Senate-reported amendment under "Non-Credit Business Assistance Programs" making funds for the SBDC program available for two years.

National Veterans Business Development Corporation.—The conference agreement includes language, as proposed in the House bill, designating $4,000,000 for the National Veterans Business Development Corporation. The Senate-reported amendment did not include a provision on this matter, but Senate report language designated $4,000,000 for the same purpose.

Microloan Technical Assistance.—The conference agreement includes $20,000,000 for the Microloan Technical Assistance program. Should savings occur during fiscal year 2001 in this account, the SBA may propose to allocate an additional amount for the Microloan Technical Assistance program through the regular reprogramming process. The SBA was unable to obligate approximately $3,500,000 allocated to this program in fiscal year 2000, which was transferred to the Business Loans Program account.

The conference agreement adopts language included in the House report directing the SBA to fully fund LowDoc Processing Centers, and to continue activities assisting small businesses to adapt to a paperless procurement environment.

NON-CREDIT BUSINESS ASSISTANCE PROGRAMS

The conference agreement adopts the approach in the House bill of not including funding under a separate heading for the non-credit business assistance programs of the SBA. Instead, funding for these programs is included under "Salaries and Expenses", as in previous years. The Senate-reported amendment included $153,690,000 for such programs under this separate account.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $11,953,000 for the SBA Office of Inspector General, instead of $10,905,000 as proposed in the House bill and $13,000,000 as proposed in the Senate-reported amendment.

An additional $500,000 has been provided under the administrative expenses of the Disaster Loans Program account to be made available to the Office of Inspector General for work associated with oversight of the Disaster Loans Program. The conference agreement does not include direction provided in the Senate report.

BUSINESS LOANS PROGRAM ACCOUNT

The conference agreement includes $294,410,000 under the SBA Business Loans Program Account, instead of $269,300,000 as proposed in the House bill, and $296,200,000 as proposed in the Senate-reported amendment. The conference agreement includes language, as proposed in the House bill, making $45,000,000 of the amount included for guaranteed loans available for two fiscal years. The Senate-reported amendment did not contain a similar provision. Within the amount provided, $22,000,000 shall be available only for the New Markets Venture Capital Program, subject to the enactment of authorizing legislation in fiscal year 2001.

The conference agreement includes $2,250,000 for the costs of direct loans, instead of $2,500,000 as proposed in the House bill and $2,600,000 as proposed in the Senate-reported amendment. The conferees understand that $300,000 in carryover is available for the Microloan Direct Loan Program, and, together with the appropriated amount, will support an estimated fiscal year 2001 program level of over $28,400,000.

Not including the funding provided for the New Markets Venture Capital Program, the conference agreement includes $141,160,000 for the costs of guaranteed loans, including the following programs:

7(a) General Business Loans.—The conference agreement provides $114,960,000 in subsidy appropriations for the 7(a) general business guaranteed loan program, instead of $114,500,000 as proposed in the House bill and $134,000,000 as proposed in the Senate-reported amendment. When combined with an estimated $14,000,000 in available carryover balances and recoveries, this amount will subsidize an estimated fiscal year 2001 program level of up to $10,400,000,000, assuming a subsidy rate of 1.24%. In addition, the conference agreement includes a provision, as proposed in both the House bill and the Senate-reported amendment, requiring the SBA to notify the Committees in accordance with section 605 of this Act prior to providing a total program level greater than $10,000,000,000.

Small Business Investment Companies (SBIC).—The conference agreement provides $26,200,000 for the SBIC participating securities program as proposed in the Senate-reported amendment, instead of $23,300,000 as proposed in the House bill. This amount will result in an estimated total program level of $2,000,000,000 in fiscal year 2001. No appropriation is required for the SBIC debentures program, as the program will operate with a zero subsidy rate in fiscal year 2001.

The conference agreement includes required language, as proposed in the House bill, limiting the 504 CDC and the SBIC debentures program levels, instead of similar language in the Senate-reported amendment.

In addition, the conference agreement includes $129,000,000 for administrative expenses to carry out the direct and guaranteed loan programs as proposed in the House bill, instead of $130,800,000 as proposed in the Senate-reported amendment, and makes such funds available to be transferred to and merged with appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

The conference agreement includes a total of $184,494,000 for this account, of which $76,140,000 is for the subsidy costs for disaster loans and $108,354,000 is for administrative expenses associated with the disaster loans program. The House bill proposed $140,400,000 for loans and $136,000,000 for administrative expenses. The Senate-reported amendment provided $142,100,000 for loans and $139,000,000 for administrative expenses.

For disaster loans, the conference agreement assumes that the $76,140,000 subsidy appropriation, when combined with $71,000,000 in carryover balances and $10,000,000 in recoveries, will provide a total disaster loan program level of $900,000,000.

The conference agreement includes language, as proposed in the House bill, designating amounts for direct and indirect administrative expenses, and allowing appropriations for indirect administrative costs to be transferred to and merged with appropriations for Salaries and Expenses under certain conditions. The conference agreement includes $98,000,000 for direct administrative expenses instead of $125,646,000 as proposed in the House bill, and $9,854,000 for indirect administrative expenses as proposed in the House bill. The amount provided for direct administrative expenses, when combined with an estimated $26,000,000 in carryover balances, will provide the requested level for this activity. The conference agreement includes a provision that any amount in excess of $9,854,000 to be transferred to Salaries and Expenses from the Disaster Loans Program account for indirect administrative expenses shall be treated as a reprogramming of funds under section 605 of this Act, as proposed in the House bill. In addition, any such reprogramming shall be accompanied by a report from the Administrator on the anticipated effect of the proposed transfer on the ability of the SBA to cover the full annual requirements for direct administrative costs of disaster loan-making and -servicing.

Of the amounts provided for administrative expenses under this heading, $500,000 is to be transferred to and merged with the Office of Inspector General account for oversight and audit activities related to the Disaster Loans program.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

The conference agreement includes a provision providing SBA with the authority to transfer funds between appropriations accounts as proposed in the House bill, instead of a similar provision in the Senate-reported amendment.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

The conference agreement provides $6,850,000 for the State Justice Institute as proposed in the Senate-reported amendment, instead of $4,500,000 as proposed in the House bill. The conference agreement does not include the transfer of an additional $8,000,000 to this account from the Courts of Appeals, District Courts, and Other Judicial Services account in Title III as proposed in the Senate-reported amendment.

TITLE VI—GENERAL PROVISIONS

The conference agreement includes the following general provisions:

Sec. 601.—The conference agreement includes section 601, identical in both the House bill and the Senate-reported amendment, regarding the use of appropriations for publicity or propaganda purposes.

Sec. 602.—The conference agreement includes section 602, identical in both the House bill and the Senate-reported amendment, regarding the availability of appropriations for obligation beyond the current fiscal year.

Sec. 603.—The conference agreement includes section 603, identical in both the House bill and the Senate-reported amendment, regarding the use of funds for consulting services.

Sec. 604.—The conference agreement includes section 604, as proposed in the House bill, providing that should any provision of the Act be held to be invalid, the remainder of the Act would not be affected. The Senate-reported amendment did not include this provision, which has been carried in previous years.

Sec. 605.—The conference agreement includes section 605, as included in the Senate-reported amendment, establishing the policy by which funding available to the agencies funded under this Act may be reprogrammed for other purposes, instead of the version in the House bill which contained minor differences.

Sec. 606.—The conference agreement includes section 606, identical in both the House bill and the Senate-reported amendment, regarding the construction, repair or modification of National Oceanic and Atmospheric Administration vessels in overseas shipyards.

Sec. 607.—The conference agreement includes section 607, as proposed in the House bill, regarding the purchase of American-made products. The Senate-reported amendment did not include this provision, which has been carried in previous years.

Sec. 608.—The conference agreement includes section 608, identical in both the House bill and the Senate-reported amendment, which prohibits funds in the bill from being used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission similar to proposed guidelines covering harassment based on religion published by the EEOC in October, 1993.

Sec. 609.—The conference agreement includes section 609, as proposed in the House bill, prohibiting the use of funds for any United Nations peacekeeping mission that involves U.S. Armed Forces under the command or operational control of a foreign national, unless the President certifies that the involvement is in the national security interest. The Senate-reported amendment did not contain a provision on this matter.

Sec. 610.—The conference agreement includes section 610, identical to the House bill and section 609 in the Senate-reported amendment, that prohibits use of funds to expand the U.S. diplomatic presence in Vietnam beyond the level in effect on July 11, 1995, unless the President makes a certification that several condi-

tions have been met regarding Vietnam's cooperation with the United States on POW/MIA issues.

Sec. 611.—The conference agreement includes section 611, as proposed in the House bill, which prohibits the use of funds to provide certain amenities for Federal prisoners. The Senate-reported amendment included a similar provision as section 612, but proposed to make the prohibition permanent.

Sec. 612.—The conference agreement includes section 612, as proposed in the House bill, restricting the use of funds provided under the National Oceanic and Atmospheric Administration for fleet modernization activities. The Senate-reported amendment did not contain a provision on this matter.

Sec. 613.—The conference agreement includes section 613, identical in both the House bill and the Senate-reported amendment, which requires agencies and departments funded in this Act to absorb any necessary costs related to downsizing or consolidations within the amounts provided to the agency or department.

Sec. 614.—The conference agreement includes section 614, as proposed in the Senate-reported amendment, which permanently prohibits funds made available to the Federal Bureau of Prisons from being used to make available any commercially published information or material that is sexually explicit or features nudity to a prisoner. The House bill included a similar provision as section 614, but did not propose to make the prohibition permanent.

Sec. 615.—The conference agreement includes section 615, as proposed in the House bill, which 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. The Senate-reported amendment did not include a similar provision.

Sec. 616.—The conference agreement includes section 616, as proposed in the House bill, which prohibits funds provided 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 such restrictions are applied equally to all tobacco 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. The Senate-reported amendment did not contain a provision on this matter.

Sec. 617.—The conference agreement includes section 617, modified from language proposed as section 615 in the Senate-reported amendment, which extends the prohibition in last year's bill on use of funds to issue a visa to any alien involved in extrajudicial and political killings in Haiti. The provision also adds eight individuals to the list of victims, and extends the exemption and reporting requirements from last year's provision. The House bill did not contain a provision on this matter.

Sec. 618.—The conference agreement includes section 618, identical, but proposed as section 617 in the House bill and section 616 in the Senate-reported amendment, which prohibits a user fee from being charged for background checks conducted pursuant to

the Brady Handgun Control Act of 1993, and prohibits implementation of a background check system which does not require or result in destruction of certain information.

Sec. 619.—The conference agreement includes section 619, modified from language proposed as section 618 in the House bill and section 619 in the Senate-reported amendment, which delays obligation of any receipts deposited or available in the Crime Victims Fund in excess of $537,500,000 until the following fiscal year. The conferees have taken this action to protect against wide fluctuations in receipts into the Fund, and to ensure that a stable level of funding will remain available for these programs in future years.

Sec. 620.—The conference agreement includes section 620, proposed as section 619 in the House bill, which prohibits the use of Department of Justice funds for programs which discriminate against, denigrate, or otherwise undermine the religious beliefs of students participating in such programs. The Senate-reported amendment did not contain a provision on this matter.

Sec. 621.—The conference agreement includes section 621, identical in both the House bill and the Senate-reported amendment, but proposed as section 620 in the House bill, which prohibits the use of funds to process visas for citizens of countries that the Attorney General has determined deny or delay accepting the return of deported citizens.

Sec. 622.—The conference agreement includes section 622, proposed as section 621 in the House bill, which prohibits the use of Department of Justice funds to transport a maximum or high security prisoner to any facility other than to a facility certified by the Bureau of Prisons as appropriately secure to house such a prisoner. The Senate-reported amendment did not contain a similar provision.

Sec. 623.—The conference agreement includes section 623, modified from language proposed as section 622 in the House bill, regarding the Kyoto Protocol on Climate Change. The Senate-reported amendment did not include a provision on this matter. The conference agreement does not adopt the report language contained in the House report.

Sec. 624.—The conference agreement includes section 624, modified from language proposed as section 623 in the House bill, which prohibits funds from being used for the participation of United States delegates to the Standing Consultative Commission unless the President submits a certification that the U.S. Government is not implementing a 1997 memorandum of understanding regarding the 1972 Anti-Ballistic Missile Treaty between the U.S. and the U.S.S.R., or the Senate ratifies the memorandum of understanding. The Senate-reported amendment did not include a provision on this matter.

Sec. 625.—The conference agreement includes section 625, proposed as section 624 in the House bill, which prohibits the use of funds for the State Department to approve the purchase of property in Arlington, Virginia, by the Xinhua News Agency. The Senate-reported amendment did not include a provision on this matter.

Sec. 626.—The conference agreement includes section 626, proposed in the Senate-reported amendment as section 623, amending existing law related to certain medical costs to apply to suspects in

the custody of the Federal Bureau of Investigation. The House bill did not include a provision on this matter.

Sec. 627.—The conference agreement includes section 627, proposed in the Senate-reported amendment as section 624, amending a fiscal year 1999 supplemental appropriations provision to permanently extend the time period in which certain takings of Cook Inlet Beluga Whales would be considered violations of the Marine Mammal Protection Act. The House bill did not include a provision on this matter.

Sec. 628.—The conference agreement includes section 628, modified from language proposed in the Senate-reported amendment as section 625, amending Public Law 106–113 to extend the authorization for Pacific Salmon Treaty and Recovery efforts. The House bill did not include a provision on these matters.

Sec. 629.—The conference agreement includes a new section 629, to clarify the Interstate Horseracing Act regarding certain pari-mutuel wagers.

Sec. 630.—The conference agreement includes a new section 630, which modifies existing law to include a three-tiered Hart-Scott-Rodino fee structure that increases the filing threshold for a merger transaction from $15,000,000 to $50,000,000. Similar language was included under the "Federal Trade Commission, Salaries and Expenses" heading in Title V of both the House bill and the Senate-reported amendment.

Sec. 631.—The conference agreement includes a new section 631, authorizing the stabilization and renovation of a certain lock and dam.

Sec. 632.—The conference agreement includes a new section 632, requiring the Federal Communications Commission to take certain actions regarding Low-Power FM regulations.

Sec. 633.—The conference agreement includes a new section 633, providing additional amounts for the Small Business Administration, Salaries and Expenses account for a number of small business initiatives.

Sec. 634.—The conference agreement includes a new section 634, prohibiting the use of funds in this, or any previous Act, or hereinafter made available to the Department of Commerce, to allow fishing vessels to use aircraft to assist in the fishing of Atlantic bluefin tuna.

Sec. 635.—The conference agreement includes section 635, amending 42 U.S.C. 1301 to prohibit certain misuses of social security numbers. The House bill did not include a provision on this matter.

Sec. 636.—The conference agreement includes a new section 636, related to designation of the Cuyahoga Valley National Park pursuant to 42 U.S.C. sections 7470–7479.

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

DRUG ENFORCEMENT ADMINISTRATION

DRUG DIVERSION CONTROL FEE ACCOUNT

(RESCISSION)

The conference agreement includes a rescission of $8,000,000 from the amounts otherwise available for obligation in fiscal year 2001 for the "Drug Diversion Control Fee Account", as proposed in the Senate-reported amendment. The House bill did not include a rescission from this account.

RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(RESCISSION)

The conference agreement includes a rescission of $7,644,000 from unobligated balances under this heading, as proposed in the House bill. The Senate-reported amendment did not include a rescission from this account.

The conference agreement does not include a title providing contingent emergency funds for a "Southwest Border Initiative" for certain Department of Justice and Federal Judiciary accounts, as proposed in the Senate-reported amendment.

These needs are instead addressed in the regular accounts for such programs in Title I and Title III of this Act.

TITLE VIII—DEBT REDUCTION

DEPARTMENT OF TREASURY

BUREAU OF THE PUBLIC DEBT

Gifts to the United States for Reduction of the Public Debt

The conference agreement includes a new title depositing an additional amount in fiscal year 2001 into the account established under 31 U.S.C. section 3113(d), to reduce the public debt.

TITLE IX—WILDLIFE, OCEAN AND COASTAL CONSERVATION

Secs. 901–902.—The conference agreement includes $50,000,000 for formula grants to the States for wildlife conservation and restoration programs. Funding is provided through the U.S. Fish and Wildlife Service in the Department of Interior. This amount is in addition to funds provided for new, competitively awarded and cost-shared wildlife programs in the FY 2001 Interior Appropriations Act. This action recognizes wildlife conservation as

a critical component of a nationwide strategy and supports state efforts in wildlife conservation and restoration. The conference agreement includes authorization language for this program.

Funding has been provided for the development, revision, and implementation of wildlife conservation and restoration programs and plans to address the unmet needs for a diverse array of wildlife and associated habitats. Funds provided to states or Indian Tribes may be used for planning and implementation of wildlife conservation programs and conservation strategies, including wildlife conservation, wildlife conservation education, and wildlife-associated recreation projects, for new programs and projects as well as to enhance existing programs and projects.

Each state's apportionment is determined by formula which considers the total area of the state (1/3 of the formula) and the population (2/3 of the formula). No state will receive an amount that is less than one percent of the amount available or more than five percent for any fiscal year. Puerto Rico and the District of Columbia each receive a sum equal to not more than one-half of one percent and Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands each receive a sum equal to not more than one-fourth of one percent. The conference agreement requires States and other jurisdiction to have or agree to develop a wildlife conservation strategy and plan as a condition for receiving a federal grant under this program.

Sec. 903.—The conference agreement includes language authorizing a coastal impact assistance program for fiscal year 2001.

TITLE X

The conference agreement includes a new title X to authorize loan guarantees in order to facilitate access to local television broadcast signals in unserved and underserved areas, and for other purposes.

TITLE XI

The conference agreement includes a new title XI, the Legal Immigration Family Equity Act.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2001 recommended by the Committee of Conference, with comparisons to the fiscal year 2000 amount, the 2001 budget estimates, and the House and Senate bills for 2001 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2000	$39,600,967
Budget estimates of new (obligational) authority, fiscal year 2001	50,932,968
House bill, fiscal year 2001	37,394,617
Senate bill, fiscal year 2001	36,689,955
Conference agreement, fiscal year 2001	39,868,390
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2000	+267,423
Budget estimates of new (obligational) authority, fiscal year 2001	−11,064,578
House bill, fiscal year 2001	+2,473,773
Senate bill, fiscal year 2001	+3,178,435

ERNEST J. ISTOOK, Jr.,
RANDY "DUKE" CUNNINGHAM,
TODD TIAHRT,
ROBERT B. ADERHOLT,
JO ANN EMERSON,
JOHN E. SUNUNU,
C.W. BILL YOUNG,
Managers on the Part of the House.

KAY BAILEY HUTCHISON,
JON KYL,
TED STEVENS,
RICHARD J. DURBIN (DC only),
DANIEL K. INOUYE (DC only),
Managers on the Part of the Senate.

○