

MAKING APPROPRIATIONS FOR THE DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002, AND FOR OTHER PURPOSES

NOVEMBER 9, 2001.—Ordered to be printed

Mr. WOLF, from the Committee of Conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 2500]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2500) “making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, 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:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, 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, \$91,668,000, 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 \$8,451,000 shall be expended for the Department Leadership Program exclusive of augmentation that occurred in these offices in fiscal year 2001: Provided further, That not to exceed 41 permanent positions and 48 full-time equivalent

workyears and \$4,997,000 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 preceding 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, \$1,000,000, 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, \$94,615,000, to remain available until expended.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Attorney General, \$4,989,000, to remain available until expended, to reimburse any Department of Justice organization for: (1) the costs incurred in re-establishing 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.

ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, \$173,647,000.

DETENTION TRUSTEE

For necessary expenses of the 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 oth-

erwise 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 overseeing 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, \$50,735,000; 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, \$9,876,000.

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, \$549,176,000; of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: Provided, 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: Provided further, That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" 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.

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.

LEGAL ACTIVITIES OFFICE AUTOMATION

For necessary office-automation expenses of organizations funded under the headings "Salaries and Expenses", General Legal Activities, and "Salaries and Expenses", General Administration, and of the United States Attorneys, the United States Marshals Service, the Antitrust Division, the United States Trustee Program, the Executive Office for Immigration Review, and the Community Relations Service, \$15,765,000, to remain available until expended.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, \$130,791,000: Provided, That, notwithstanding any other provision of law, not to exceed \$130,791,000 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. 18a), regardless of the year of collection, 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 2002, so as to result in a final fiscal year 2002 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, \$1,353,968,000; of which not to exceed \$2,500,000 shall be available until September 30, 2003, 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, in addition to reimbursable full-time equivalent workyears available to the Offices of the United States Attorneys, not to exceed 9,571 positions and 9,776 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Attorneys: Provided further, That, notwithstanding any other provision of law, the Attorney General shall transfer to the Department of Justice Working Capital Fund, unobligated, all unexpended funds appropriated by the first heading of chapter 2 of title II of division B of Public Law 106-246 and by section 202 of division A of appendix H.R. 5666 of Public Law 106-554: 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 Pub-

lic Law 106-113 shall apply to amounts made available under this heading for fiscal year 2002.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized by 28 U.S.C. 589a(a), \$147,000,000, 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, \$147,000,000 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 2002, so as to result in a final fiscal year 2002 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, \$1,136,000.

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, \$619,429,000; 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 4,128 positions and 3,993 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Marshals Service.

In addition, for the costs of courthouse security equipment, including furnishings, relocations, and telephone systems and cabling, \$14,267,000, to remain available until expended.

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, \$15,000,000 to remain available until expended.

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, \$706,182,000, to remain available until expended.

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, \$156,145,000, 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, \$9,269,000 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, \$22,949,000, 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, \$1,996,000.

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, \$338,577,000, 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 set forth 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 1,354 passenger motor vehicles, of which 1,190 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, \$3,491,073,000; 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, 2003; of which not less than \$459,243,000 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 of the amount made available under this heading, \$53,000 shall be available only to reimburse Acadian Ambulance & Air Med Services for costs incurred during the December 1999 prison riot in St. Martin Parish Correctional Center, St. Martin Parish, Louisiana: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Federal Bureau of Investigation, not to exceed 24,935 positions and 24,488 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Federal Bureau of Investigation.

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; \$33,791,000, 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 1,477 passenger motor vehicles, of which 1,354 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, \$1,481,783,000; of which \$33,000,000 for permanent change of station shall remain available until September 30, 2003; 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, 2003; 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 7,654 positions and 7,515 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 Buffalo Detention Facility, \$2,739,695,000; of which not to exceed \$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, 2002, except that the INS Commissioner may exceed this cap as necessary for national security purposes and in cases of immigration emergencies: 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 20,759 positions and 20,096 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", \$631,745,000, 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 appropriations 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 unencumbered positions in the aforementioned offices after the date of enactment of this Act shall be filled only by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis, or any other formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis up to 10 full-time equivalent workyears: 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 six permanent positions and six 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, 2002, except that the INS Commissioner may exceed this cap as necessary for national security purposes and in cases of immigration emergencies: 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 3,500 full-time equivalent workyears shall be supported from the funds appropriated under this heading in this Act for the Immigration and Naturalization Service.

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, \$128,454,000, 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 685, of which 610 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, \$3,808,600,000: 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 \$50,000,000 shall remain available for necessary operations until September 30, 2003: 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, \$813,552,000, 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 (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, \$185,514,000, 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 819 and 821 of the Antiterrorism and Effective Death Penalty Act of 1996 and for other counterterrorism programs, \$251,494,000, 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"); the Victims of Child Abuse Act of 1990, as amended ("the 1990 Act"); and the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386); \$2,403,354,000 (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) \$400,000,000 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 and retroactive to October 1, 2000, Guam shall be considered as one "State" for all purposes under H.R. 728, notwithstanding any provision of section 108(3) thereof, 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) \$70,000,000 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,

(B) \$19,956,000 shall be available for grants, contracts, and other assistance to carry out section 102(c) of H.R. 728;

(2) \$565,000,000 for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act, as amended;

(3) \$20,000,000 for the Cooperative Agreement Program;

(4) \$48,162,000 for assistance to Indian tribes, of which:

- (A) \$35,191,000 shall be available for grants under section 20109(a)(2) of subtitle A of title II of the 1994 Act;
- (B) \$7,982,000 shall be available for the Tribal Courts Initiative; and
- (C) \$4,989,000 shall be available for demonstration grants on alcohol and crime in Indian Country;
- (5) \$594,489,000 for programs authorized by part E of title I of the 1968 Act, notwithstanding the provisions of section 511 of said Act, of which \$94,489,000 shall be for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs;
- (6) \$11,975,000 for the Court Appointed Special Advocate Program, as authorized by section 218 of the 1990 Act;
- (7) \$2,296,000 for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 224 of the 1990 Act;
- (8) \$998,000 for grants for televised testimony, as authorized by section 1001(a)(7) of the 1968 Act;
- (9) \$184,737,000 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) \$1,000,000 shall be for the Bureau of Justice Statistics for grants, contracts, and other assistance for a domestic violence Federal case processing study;
- (B) \$5,200,000 shall be for the National Institute of Justice for grants, contracts, and other assistance 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) \$200,000 for the Attorney General to conduct a study and prepare a report to be submitted to the Subcommittee on Commerce, Justice and State Appropriations of the Senate and House of Representatives Appropriations Committee on the response of local law enforcement agencies to emergency calls involving domestic violence;
- (10) \$64,925,000 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;
- (11) \$39,945,000 for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants, as authorized by section 40295 of the 1994 Act;
- (12) \$4,989,000 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;
- (13) \$3,000,000 for grants to States and units of local government to improve the process for entering data regarding stalking and domestic violence into local, State, and national crime information databases, as authorized by section 40602 of the 1994 Act;

(14) \$10,000,000 for grants to reduce Violent Crimes Against Women on Campus, as authorized by section 1108(a) of Public Law 106-386;

(15) \$40,000,000 for Legal Assistance for Victims, as authorized by section 1201 of Public Law 106-386;

(16) \$5,000,000 for enhancing protection for older and disabled women from domestic violence and sexual assault as authorized by section 40801 of the 1994 Act;

(17) \$15,000,000 for the Safe Havens for Children Pilot Program as authorized by section 1301 of Public Law 106-386;

(18) \$200,000 for the study of standards and processes for forensic exams of domestic violence, as authorized by section 1405 of Public Law 106-386;

(19) \$7,500,000 for Education and Training to end violence against and abuse of women with disabilities, as authorized by section 1402 of Public Law 106-386;

(20) \$10,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106-386;

(21) \$70,000,000 for grants for residential substance abuse treatment for State prisoners, as authorized by section 1001(a)(17) of the 1968 Act: Provided, That States that have in-prison drug treatment programs, in compliance with Federal requirements, may use their residential substance abuse grant funds for treatment, both during incarceration and after release;

(22) \$898,000 for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(c) of the 1994 Act;

(23) \$50,000,000 for Drug Courts, as authorized by title V of the 1994 Act;

(24) \$1,497,000 for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act;

(25) \$1,995,000 for public awareness programs addressing marketing scams aimed at senior citizens, as authorized by section 250005(3) of the 1994 Act;

(26) \$249,450,000 for Juvenile Accountability Incentive Block Grants, of which \$38,000,000 shall be available for grants, contracts, and other assistance under the Project ChildSafe Initiative, 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 2002, 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

(27) \$1,298,000 for Motor Vehicle Theft Prevention Programs, as authorized by section 220002(h) of the 1994 Act: Provided, That funds made available in fiscal year 2002 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.

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, \$58,925,000, 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), \$1,050,440,000, to remain available until expended: Provided, That prior year balances available in this program shall be used for the direct hiring of law enforcement officers through the Universal Hiring Program: Provided further, That section 1703 (b) and (c) of the 1968 Act shall not apply to non-hiring grants made pursuant to part Q of title I thereof (42 U.S.C. 3796dd et seq.): Provided further, That all prior year balances derived from the Violent Crime Trust Fund for Community Oriented Policing Services may be transferred into this appropriation: Provided further, That the officer redeployment demonstration described in Section 1701(b)(1)(C) shall not apply to equipment, technology, support system or overtime grants made pursuant to part Q of title I thereof (42 U.S.C. 3796dd et seq.).

Of the amounts provided:

(1) for Public Safety and Community Policing Grants pursuant to title I of the 1994 Act, \$496,014,000 as follows: \$330,000,000 for the hiring of law enforcement officers, including up to \$180,000,000 for school resource officers; \$20,662,000 for training and technical assistance; \$25,444,000 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, as amended ("the 1968 Act"); \$35,000,000 to improve tribal law enforcement including equipment and training; \$70,473,000 for policing initiatives to combat methamphetamine production and trafficking and to en-

hance policing initiatives in “drug hot spots”; and \$14,435,000 for Police Corps education, training, and service under sections 200101–200113 of the 1994 Act;

(2) for crime technology, \$351,632,000 as follows: \$154,345,000 for a law enforcement technology program; \$35,000,000 for grants to upgrade criminal records, as authorized under the Crime Identification Technology Act of 1998 (42 U.S.C. 14601); \$40,000,000 for DNA analysis and backlog reduction of which \$35,000,000 shall be used as authorized by the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–546) and of which \$5,000,000 shall be available for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797j et seq.); \$35,000,000 for State and local DNA laboratories as authorized by section 1001(a)(22) of the 1968 Act, and improvements to forensic laboratory general forensic science capacity and capabilities; and \$87,287,000 for grants, contracts and other assistance to States under section 102(b) of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601), of which \$17,000,000 is for the National Institute of Justice for grants, contracts, and other agreements to develop school safety technologies and training;

(3) for prosecution assistance, \$99,780,000 as follows: \$49,780,000 for a national program to reduce gun violence, and \$50,000,000 for the Southwest Border Prosecutor Initiative to reimburse State, county, parish, tribal, or municipal governments only for Federal costs associated with the prosecution of criminal cases declined by local U.S. Attorneys offices;

(4) for grants, training, technical assistance, and other expenses to support community crime prevention efforts, \$70,202,000 as follows: \$14,967,000 for Project Sentry; \$14,934,000 for an offender re-entry program; \$23,338,000 for the Safe Schools Initiative; and \$16,963,000 for a police integrity program; and

(5) not to exceed \$32,812,000 for program management and administration.

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, \$286,403,000, 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, \$6,832,000 shall be available for expenses authorized by part A of title II of the Act, \$88,804,000 shall be available for expenses authorized by part B of title II of the Act, and \$58,513,000 shall be available for expenses authorized by part C of title II of the Act: Provided, That \$26,442,000 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) \$11,974,000 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) \$9,978,000 shall be available for expenses authorized by section 285 of part E of title II of the Act; (4) \$15,965,000 shall be available for expenses authorized by part G of title II of the Act for juvenile mentoring programs; and (5) \$94,337,000 shall be available for expenses authorized by title V of the Act for incentive grants for local delinquency prevention programs; of which \$12,472,000 shall be for delinquency prevention, control, and system improvement programs for tribal youth; of which \$14,513,000 shall be available for the Safe Schools Initiative including \$5,033,000 for grants, contracts, and other assistance under the Project Sentry Initiative; and 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: 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, \$10,976,000 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, \$8,481,000, 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 \$4,500,000, 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. 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: Provided further, That rewards made pursuant to section 501 of Public Law 107-56 shall not be subject to this section.

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 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. 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. 109. Section 286 of the Immigration and Nationality Act (8 U.S.C. 1356), as amended, is further amended as follows:

- (1) by striking in subsection (d) “\$6”, and inserting “\$7”;*
- (2) by amending subsection (e)(1), by replacing “No” with “Except as provided in paragraph (3), no”;* and
- (3) by adding a new paragraph (e)(3) as follows:*

“(3) The Attorney General is authorized to charge and collect \$3 per individual for the immigration inspection or pre-inspection of each commercial vessel passenger whose journey originated in the United States or in any place set forth in paragraph (1): Provided, That this authorization shall not apply to immigration inspection at designated ports of entry of passengers arriving by the following vessels, when operating on a regular schedule: Great Lakes international ferries, or Great Lakes Vessels on the Great Lakes and connecting waterways.”.

SEC. 110. Section 286(q)(1)(A) of the Immigration and Nationality Act of 1953, as amended, is further amended by striking “6” and inserting “96”.

SEC. 111. (a) Section 1402(d)(3) of the Victims of Crime Act of 1984, is amended by striking the period at the end and inserting “, and for a Victim Notification System.”.

(b) Section 1402(c) of the Victims of Crime Act of 1984 is amended to read as it did on October 25, 2001.

SEC. 112. Section 6 of the Hmong Veterans’ Naturalization Act of 2000 (Public Law 106–207; 8 U.S.C. 1423 note) (as amended by Public Law 106–415) is amended by striking “18 months” each place such term appears and inserting “36 months”.

SEC. 113. No provision of section 614 of Public Law 107–56 shall incorporate the organization that administers Title I of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (Community Oriented Policing Services), its programs and functions, into the Office of Justice Programs, for fiscal year 2002 and thereafter.

SEC. 114. (a) Notwithstanding any provision of title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.), the Attorney General shall provide, in accordance with this section, for the granting of posthumous citizenship, as of September 10, 2001, to a person described in subsection (b), if the Attorney General approves an application for such citizenship filed under subsection (e).

- (b) A person referred to in subsection (a) is a person who—*
 - (1) while an alien or a noncitizen national of the United States, died as a result of an injury incurred in one or more of the events described in subsection (c);*
 - (2) was not culpable for any of such events; and*
 - (3) on September 11, 2001, had pending an application for naturalization filed with the Attorney General by the person.*

(c)(1) The events described in this subsection are the following:

(A) The hijacking of American Airlines Flight 11 on September 11, 2001, the crash of that aircraft into the World Trade Center in New York, New York, and the subsequent destruction that resulted.

(B) The hijacking of United Airlines Flight 175 on such date, the crash of that aircraft into the World Trade Center in New York, New York, and the subsequent destruction that resulted.

(C) *The hijacking of American Airlines Flight 77 on such date, the crash of that aircraft into the Pentagon in Arlington, Virginia, and the subsequent destruction that resulted.*

(D) *The hijacking of United Airlines Flight 93 on such date, and the crash of that aircraft in Stony Creek Township, Pennsylvania.*

(2) *Any person who died as a result of an injury incurred while assisting in the emergency response to an event described in paragraph (1) (such as military personnel, law enforcement officers, firefighters, emergency management personnel, search and rescue personnel, medical personnel, engineers and other personnel providing technical assistance, and volunteers) shall be considered to have died as a result of an injury incurred in such event.*

(d)(1) *Unless otherwise provided by this section, no person may be granted posthumous citizenship under this section who would not otherwise have been eligible for naturalization on the date of the person's death. Unless otherwise provided by this section, any provision of law that specifically bars or prohibits a person from being naturalized as a citizen of the United States shall be applied to the granting of posthumous citizenship under this section.*

(2) *Notwithstanding section 312 of the Immigration and Nationality Act (8 U.S.C. 1423), or any similar provision of law requiring that a person demonstrate an understanding of the English language or a knowledge and understanding of the fundamentals of the history, and of the principles and form of government, of the United States in order to be naturalized, no such demonstration shall be required for the granting of posthumous citizenship under this section.*

(3) *No oath of renunciation or allegiance shall be required for the granting of posthumous citizenship under this section.*

(4) *To the maximum extent practicable, the investigation and examination described in section 335 of the Immigration and Nationality Act (8 U.S.C. 1446) shall be conducted with respect to an application described in subsection (b)(3) in the same manner as they otherwise would have been conducted if the subject of the application had not died.*

(e) *A request for the granting of posthumous citizenship to a person described in subsection (b) may be filed on behalf of the person only by the next of kin (as defined by the Attorney General) or another representative (as defined by the Attorney General), and must be filed not later than 2 years after the later of—*

(1) the date of the enactment of this section; or

(2) the date of the person's death.

(f) *If the Attorney General approves such a request to grant a person posthumous citizenship, the Attorney General shall send to the individual who filed the request a suitable document which states that the United States considers the person to have been a citizen of the United States as of September 10, 2001.*

(g) *Nothing in this section shall be construed as providing for any benefits under the Immigration and Nationality Act for any spouse, son, daughter, or other relative of a person granted posthumous citizenship under this section.*

(h)(1) *Notwithstanding section 341 of the Immigration and Nationality Act (8 U.S.C. 1452), the Attorney General shall provide, in accordance with this subsection, for the furnishing of a certificate*

of citizenship to a person described in paragraph (4), if the Attorney General approves under paragraph (3) an application for such certificate described in paragraph (2).

(2) An application described in this paragraph is an application for a certificate of citizenship that was—

(A) filed with the Attorney General under such section 341 by a person who subsequently died as a result of an injury incurred in one or more of the events described in section 114(c) and who was not culpable for any of such events; and

(B) pending on September 11, 2001.

(3) The Attorney General shall consider an application described in paragraph (2) pursuant to the standards under such section 341 and shall approve the application if the applicant would have been eligible to receive a certificate of citizenship on September 11, 2001, if the applicant had not died, except that the requirements of such section relating to the oath of allegiance and presence within the United States shall not apply.

(4) A request for a certificate of citizenship under this subsection may be filed only by the next of kin (as defined by the Attorney General) or another representative (as defined by the Attorney General) of the applicant described in paragraph (2), and must be filed not later than 2 years after the later of—

(A) the date of the enactment of this section; or

(B) the date of the applicant's death.

(i)(1) Notwithstanding section 322 of the Immigration and Nationality Act (8 U.S.C. 1433), the Attorney General shall provide, in accordance with this subsection, for the furnishing of a certificate of citizenship to a parent described in paragraph (2), if, upon the request of the parent, the Attorney General approves under paragraph (3) an application for naturalization described in paragraph (2).

(2) An application described in this paragraph is an application for naturalization that was—

(A) filed with the Attorney General under such section 322 by a parent of a child who subsequently died as a result of an injury incurred in one or more of the events described in section 114(c) and who was not culpable for any of such events; and

(B) pending on September 11, 2001.

(3) The Attorney General shall consider an application described in paragraph (2) pursuant to the standards under such section 322 and shall approve the application if the child would have been eligible to receive a certificate of citizenship on September 11, 2001, if the child had not died, except that the requirements of such section relating to the oath of allegiance shall not apply.

SEC. 115. (a) Section 231(a) of the Immigration and Nationality Act, 8 U.S.C. 1221(a), is amended to read—

“(a) ARRIVAL MANIFEST; FORM AND CONTENTS.—With respect to the arrival of any person by water or by air at any port within the United States from any place outside the United States, it shall be the duty of the master or commanding officer, or authorized agent, owner, or consignee, of the vessel or aircraft transporting such person to deliver to the Service at the port of arrival a list or manifest of the persons transported on such vessel or aircraft. The Attorney General is authorized to extend, by regulation, the requirements of this subsection to any public or private carrier transporting persons

by land to the United States. Such list or manifest shall be prepared and delivered at such time, be in such form, and shall contain such information as the Attorney General shall prescribe by regulation as being necessary for the identification of the persons transported and for the enforcement of the immigration laws. The Attorney General may require in such regulations that the list or manifest be delivered electronically prior to boarding the vessel, aircraft, train or bus at the place of departure, or at such other time reasonably in advance of the arrival of the vessel, aircraft, train or bus in the United States as the Attorney General may direct.”

(b) Section 231(b) of the Immigration and Nationality Act is amended to read—

“(b) DEPARTURE MANIFEST; FORM AND CONTENTS.—It shall be the duty of the master or commanding officer or authorized agent of every vessel or aircraft taking passengers on board at any port of the United States, who are destined to any place outside the United States, to file with the immigration officers before departure from such port a list or manifest of all such persons transported. The Attorney General is authorized to extend, by regulation, the requirements of this subsection to any public or private carrier transporting persons by land from the United States. Such list or manifest shall be prepared and delivered at such time, be in such form, and shall contain such information as the Attorney General shall prescribe by regulation as being necessary for the identification of the persons transported and for the enforcement of the immigration laws. The Attorney General may require in such regulations that the list or manifest be delivered electronically prior to boarding the vessel, aircraft, train or bus at the place of departure, or at such other time reasonably in advance of the departure of the vessel, aircraft, train or bus from the United States as the Attorney General may direct. No master or commanding officer of any such vessel or aircraft, or operator of any private or public carrier, shall be granted clearance papers until he or the authorized agent has complied with the requirements of this subsection, except that in the case of vessels, aircraft, trains or buses which the Attorney General determines are making regular trips to the United States, the Attorney General may, when expedient, arrange for the delivery of lists of outgoing persons at a later date.”

(c) Section 231(d) of the Immigration and Nationality Act is amended by—

(1) In the heading, striking “Shipments or Aircraft” and inserting in lieu thereof, “Shipments, Aircraft or Carriers”;

(2) In the first sentence, inserting “, any public or private carrier,” after “or aircraft,”; and

(3) In the second sentence, striking “vessel or aircraft” and inserting in lieu thereof, “vessel, aircraft, train or bus”.

This title may be cited as the “Department of Justice Appropriations Act, 2002”.

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, \$30,097,000, 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, \$51,440,000, 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 for 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, \$347,547,000, 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 \$67,669,000 shall be for Trade Development, \$27,741,000 shall be for Market Access and Compliance, \$43,346,000 shall be for the Import Administration, \$195,791,000

shall be for the United States and Foreign Commercial Service, and \$13,000,000 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, \$68,893,000, 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, \$335,000,000, to remain available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, \$30,557,000: 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, \$28,381,000.

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, \$62,515,000, to remain available until September 30, 2003.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, \$169,424,000.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses related to the 2000 decennial census, \$85,238,000, to remain available until expended: Provided, That, of the total amount available related to the 2000 decennial census (\$85,238,000 in new appropriations and \$54,000,000 in deobligated balances from prior years), \$8,606,000 is for Program Development and Management; \$68,330,000 is for Data Content and Products; \$9,455,000 is for Field Data Collection and Support Systems; \$24,462,000 is for Automated Data Processing and Telecommunications Support; \$22,844,000 is for Testing and Evaluation; \$3,105,000 is for activities related to Puerto Rico, the Virgin Islands and Pacific Areas; and \$2,436,000 is for Marketing, Communications and Partnership activities.

In addition, for expenses related to planning, testing, and implementing the 2010 decennial census, \$65,000,000.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, \$171,138,000, 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), \$14,054,000, 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, \$43,466,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed \$2,358,000 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, \$15,503,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed \$3,097,000 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, cul-

tural, 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.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, \$843,701,000, to remain available until expended, which amount 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, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2002, so as to result in a fiscal year 2002 appropriation from the general fund estimated at \$0: Provided further, That during fiscal year 2002, should the total amount of offsetting fee collections be less than \$843,701,000, the total amounts available to the United States Patent and Trademark Office shall be reduced accordingly: Provided further, That an additional amount not to exceed \$282,300,000 from fees collected in prior fiscal years shall be available for obligation in fiscal year 2002, to remain available until expended: Provided further, That from amounts provided herein, not to exceed \$1,000 shall be made available in fiscal year 2002 for official reception and representation expenses.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology / Office of Technology Policy, \$8,238,000.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, \$321,111,000, 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,

\$106,522,000, to remain available until expended: Provided, That the Secretary of Commerce is authorized to enter into agreements with one or more nonprofit organizations for the purpose of carrying out collective research and development initiatives pertaining to 15 U.S.C. 278k paragraph (a), and is authorized to seek and accept contributions from public and private sources to support these efforts as necessary.

In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, \$184,500,000, 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, \$62,393,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER 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, \$2,253,697,000, 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, of the \$2,341,697,000 provided for in direct obligations under this heading (of which \$2,253,697,000 is appropriated from the General Fund, \$71,000,000 is provided by transfer, and \$17,000,000 is derived from deobligations from prior years), \$413,911,000 shall be for the National Ocean Service, \$579,196,000 shall be for the National Marine Fisheries Service, \$356,062,000 shall be for Oceanic and Atmospheric Research, \$672,355,000 shall be for the National Weather Service, \$139,627,000 shall be for the National Environmental Satellite, Data, and Information Service, and \$180,546,000 shall be for Program Support: Provided further, That, hereafter, habitat conservation activities under this heading shall be considered to be within the "Coastal Assistance sub-category" in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That, of the amount provided under this heading, \$223,273,000 shall be for the conservation activities

defined in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: 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 so that total National Oceanic and Atmospheric Administration administrative expenses shall not exceed \$265,025,000: 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: Provided further, That of the amounts provided, \$3,000,000 shall be derived by transfer from the fund entitled "Coastal Zone Management": Provided further, That the Secretary may proceed as he deems necessary to have the National Oceanic and Atmospheric Administration occupy and operate its research facilities which are located at Lafayette, Louisiana: Provided further, That the R/V FAIRWEATHER shall be homeported in Ketchikan, Alaska.

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, \$836,552,000, 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 of the amounts provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense: Provided further, That of the amount provided under this heading for expenses necessary to carry out conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, including funds for the Coastal and Estuarine Land Conservation Program, \$58,487,000 to remain available until expended: Provided further, That the Secretary shall establish a Coastal and Estuarine Land Conservation Program, for the purpose of protecting important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses: Provided further, That by September 30, 2002, the Secretary shall issue guidelines for this program delineating the criteria for grant awards: Provided further, That the Secretary shall distribute these funds in consultation with the States' Coastal Zone Managers' or Governors' designated representatives based on demonstrated need and ability to successfully leverage funds, and shall

give priority to lands which can be effectively managed and protected and which have significant ecological value: Provided further, That grants funded under this program shall require a 100 percent match from other sources: 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 General Services Administration's standard construction and tenant build-out costs of a facility at the Suitland Federal Center.

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, \$110,000,000: Provided, That this amount shall be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

In addition, for implementation of the 1999 Pacific Salmon Treaty Agreement, \$47,419,000, of which \$20,000,000 shall be deposited in the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund, of which \$20,000,000 shall be deposited in the Southern Boundary Restoration and Enhancement Fund, of which \$5,419,000 shall be for a final direct payment to the State of Washington for obligations under the 1999 Pacific Salmon Treaty Agreement, and of which \$2,000,000 is for the Pacific Salmon Commission: Provided, That this amount shall be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

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 \$3,000,000 shall be transferred to the "Operations, Research, and Facilities" account to offset the costs of implementing 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, \$287,000, 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 \$5,000 for official entertainment, \$37,652,000.

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), \$20,176,000.

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. 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. 205. 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. 206. 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. 207. 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 2002 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 2002 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. 208. 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", \$8,000,000 is appropriated to fund a cooperative agreement with the Medical University of South Carolina, \$6,000,000 is appropriated to the Thayer School of Engineering for the nanocrystalline materials and biomass research initiative, \$3,000,000 is appropriated to the Institute for Information Infrastructure Protection at the Institute for Security Technology Studies, \$3,350,000 is appropriated for the Institute for Politics, \$650,000 is appropriated to the Mount Washington Technology Village, \$6,500,000 is appropriated for a critical infrastructure project at the George Mason University School of Law, \$3,700,000 is appropriated for the Conservation Institute of the Bronx Zoo, \$2,000,000 is appropriated for the Adolescent Mental Health Residential Treatment program at Bronx-Leb-

anon Hospital Center, \$1,300,000 is appropriated for the Puerto Rican Historical, Cultural and Activities Center, \$5,000,000 is appropriated for the National Infrastructure Institute, and \$2,000,000 is appropriated for the University of South Carolina School of Public Health.

SEC. 209. (a) The Secretary of Commerce shall present with the fiscal year 2003 budget request a detailed description of all projects, programs, and activities to be funded from the "Working Capital Fund" and the "Advances and Reimbursements" account.

(b) The "Working Capital Fund" and "Advances and Reimbursements" account shall be subject to section 605 of this Act beginning in fiscal year 2003.

SEC. 210. (a) Notwithstanding section 102 of the Marine Mammal Protection Act of 1972, as amended, or section 9 of the Endangered Species Act of 1973, the Anchorage Sister Cities Commission of Anchorage, Alaska, may export, on a one-time basis, to the Town of Whitby, in the care of the Scarborough Borough Council, Whitby, North Yorkshire, United Kingdom, two bowhead whale jawbones taken as part of a legal subsistence hunt by Native Alaskans and identified in U.S. Fish and Wildlife Service, Convention on International Trade of Endangered Species, permit 01US037393/9.

(b) The Anchorage Sister Cities Commission shall notify the National Marine Fisheries Service Office of Enforcement 15 days prior to shipment to ensure compliance with all applicable export requirements.

SEC. 211. Section 213(a) of Title II of Division C of Public Law 105-277 is amended by striking the second sentence and inserting in lieu thereof: "There are authorized to be appropriated \$6,700,000 per year to carry out the provisions of this Act through fiscal year 2004."

This title may be cited as the "Department of Commerce and Related Agencies Appropriations Act, 2002".

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, \$39,988,000.

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), \$37,530,000, which 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, \$19,287,000.

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, \$13,064,000.

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, \$3,591,116,000 (including the purchase of firearms and ammunition); of which not to exceed \$27,817,000 shall remain available until expended for space alteration projects and 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 \$2,692,000, 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; 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); and for necessary training and general administrative expenses, \$500,671,000, 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)), \$48,131,000, 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 providing protective guard services for United States courthouses and the procurement, installation, and maintenance of security equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and 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), \$220,677,000, of which not to exceed \$10,000,000 shall remain available until expended for security systems or contract costs for court security officers, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility 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, \$61,664,000, 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, \$19,735,000; of which \$1,800,000 shall remain available through September 30, 2003, 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), \$26,700,000; to the Judicial Survivors'

Annuities Fund, as authorized by 28 U.S.C. 376(c), \$8,400,000; 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, \$11,575,000, 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. Of the unexpended balances transferred to the Commission on Structural Alternatives in Federal Appellate Courts, \$400,000 shall be transferred to, and merged with, funds in the "Federal Judicial Center, Salaries and Expenses" appropriations account to be available only for distance learning.

SEC. 305. Pursuant to section 140 of Public Law 97-92, justices and judges of the United States are authorized during fiscal year 2002, to receive a salary adjustment in accordance with 28 U.S.C. 461: Provided, That \$8,625,000 is appropriated for salary 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, 2002".

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 by section 801 of the United States Information and Educational Exchange Act of 1948, as amended; 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, non-proliferation and disarmament activities as authorized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, \$3,142,277,000: 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, of the amount made available under this heading, \$270,259,000 shall be available only for public diplomacy international information programs: Provided further, That of the amount made available under this heading, \$694,190,000 shall be available only for information resource management: 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 2002 and 2003, 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 2002 and 2003 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, of the amount made available under this heading, \$1,800,000 shall be available for a grant to conduct an international conference on combating sex trafficking: 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.

In addition, not to exceed \$1,343,000 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 cred-

ited 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, \$487,735,000, to remain available until expended.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, \$203,000,000, 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, \$29,000,000, 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, \$237,000,000, to remain available until expended: Provided, That not to exceed \$2,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, educational advising and counseling programs, and exchange visitor programs as authorized.

REPRESENTATION ALLOWANCES

For representation allowances as authorized, \$6,485,000.

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, \$9,400,000, to remain available until September 30, 2003.

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 Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, \$458,000,000, 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, furnishings, or generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, \$815,960,000, 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, \$6,500,000, 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, \$612,000, 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, \$607,000, 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, \$17,044,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY
FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, \$135,629,000.

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, \$850,000,000: 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 2001 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 organiza-

tions, 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, \$844,139,000, of which 15 percent shall remain available until September 30, 2003: 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, \$24,705,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, \$5,450,000, 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, \$9,911,000, 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, \$20,480,000: 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 the Asia Foundation Act (22 U.S.C. 4402), as amended, \$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, 2002, 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, 2002, 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 Be-

tween 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, \$14,000,000: 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, \$33,500,000, 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, \$428,234,000, 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 cooperating 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, \$24,872,000, 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, \$25,900,000, 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 for 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. Hereafter, none of the funds appropriated or otherwise made available 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 or international currency transactions.

SEC. 405. Funds appropriated by this Act for the Broadcasting Board of Governors and the Department of State 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.

SEC. 406. The Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.) is amended by adding at the end the following new section:

“SEC. 114. ALLOCATION OF FUNDS TRANSFERRED TO THE BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS.

“Of each amount transferred to the Bureau of Educational and Cultural Affairs out of appropriations other than appropriations under the heading ‘Educational and Cultural Exchange Programs’ for support of an educational or cultural exchange program, notwithstanding any other provision of law, not more than 7.5 percent shall be made available to cover administrative expenses incurred in connection with support of the program. Amounts made available to cover administrative expenses shall be credited to the appropriations under the heading ‘Educational and Cultural Exchange Programs’ and shall remain available until expended.”.

SEC. 407. (a) Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted in division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105-277 and amended by section 404(a) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001) is amended by striking “October 1, 2001” and inserting “October 1, 2005”.

(b) *The amendment made by subsection (a) shall take effect as if included in the enactment of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001.*

(c) *The provisions of law repealed by section 404(c) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (section 404(c) of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106-113; appendix G; 113 Stat. 1501A-446) are hereby reenacted into law.*

(d) *Notwithstanding any other provision of law, any period of discontinuity of the United States Advisory Commission on Public Diplomacy shall not affect the appointment or terms of service of members of the commission.*

SEC. 408. (a) *Section 303 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1988 (as enacted into law by section 101(a) of Public Law 100-202) is amended in the first sentence by striking “\$440,000” and inserting “\$620,000”.*

(b)(1) *Section 2(2) of the joint resolution entitled “Joint resolution to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization”, approved July 11, 1956 (22 U.S.C. 1928b) is amended—*

(A) *by striking “\$100,000” and inserting “\$200,000”; and*

(B) *by striking “\$50,000” each of the two places it appears and inserting “\$100,000”.*

(2) *Section 2 of the joint resolution entitled “Joint resolution to authorize participation by the United States in parliamentary conferences with Mexico”, approved April 9, 1960 (22 U.S.C. 276i) is amended—*

(A) *by striking “\$80,000” and inserting “\$120,000”; and*

(B) *by striking “\$40,000” each of the two places it appears and inserting “\$60,000”.*

(3) *Section 2 of the joint resolution entitled “Joint resolution to authorize participation by the United States in parliamentary conferences with Canada”, approved June 11, 1959 (22 U.S.C. 276e) is amended—*

(A) *by striking “\$70,000” and inserting “\$150,000”; and*

(B) *by striking “\$35,000” each of the two places it appears and inserting “\$75,000”.*

(4) *Section 109(b) of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 276 note) is amended by striking “\$50,000” and inserting “\$100,000”.*

(c) *Notwithstanding any other provision of law, whenever either the House of Representatives or the Senate does not appoint its allotment of members as part of the American delegation or group to a conference or assembly of the British-American Interparliamentary Group, the Conference on Security and Cooperation in Europe (CSCE), the Mexico-United States Interparliamentary Group, the North Atlantic Assembly, or any similar interparliamentary group of which the United States is a member or participates and so notifies the other body of Congress, the other body may make appointments to complete the membership of the American delegation. Any appointment pursuant to this section shall be for the period of such conference or assembly and the body of Congress making such an*

appointment shall be responsible for the expenses of any member so appointed. Any such appointment shall be made in the same manner in which other appointments to the delegation by such body of Congress are made.

This title may be cited as the "Department of State and Related Agency Appropriations Act, 2002".

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, \$89,054,000, of which \$13,000,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by the Merchant Marine Act, 1936, \$33,000,000, 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 \$3,978,000, 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 Appropriations 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, \$489,000, 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, \$9,096,000: 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 INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (Public Law 105-292), \$3,000,000, to remain available until expended.

COMMISSION ON OCEAN POLICY

SALARIES AND EXPENSES

For the necessary expenses of the Commission on Ocean Policy, pursuant to Public Law 106-256, \$3,000,000, 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, \$1,499,000, 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, \$1,000,000, 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, \$310,406,000: 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, \$245,071,000, of which not to exceed \$300,000 shall remain available until September 30, 2003, for research and policy studies: Provided, That \$218,757,000 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 2002 so as to result in a final fiscal year 2002 appropriation estimated at \$26,314,000: Provided further, That any offsetting collections received in excess of \$218,757,000 in fiscal year 2002 shall remain available until expended, but shall not be available for obligation until October 1, 2002.

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, \$16,458,000: 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, \$155,982,000: 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 any other provision of law, not to exceed \$155,982,000 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. 18a), regardless of the year of collection, 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 2002, so as to result in a final fiscal year 2002 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, \$329,300,000, of which \$310,000,000 is for basic field programs and required independent audits; \$2,500,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; \$12,400,000 is for management and administration; and \$4,400,000 is for client self-help and information technology.

ADMINISTRATIVE PROVISIONS—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 2001 and 2002, respectively.

Section 504(a)(16) of Public Law 104–134 is hereafter amended by striking “if such relief does not involve” and all that follows through “representation”.

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, \$1,957,000.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

For necessary expenses of the National Veterans Business Development Corporation as authorized under section 33(a) of the Small Business Act, as amended, \$4,000,000.

PACIFIC CHARTER COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Pacific Charter Commission, as authorized by the Pacific Charter Commission Act of 2000 (Public Law 106-570), \$1,500,000, to remain available until expended.

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, \$109,500,000 from fees collected in fiscal year 2002 to remain available until expended, and from fees collected in previous fiscal years, \$328,400,000, 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: Provided further, That in the event that H.R. 1088, the Investor and Capital Markets Fee Relief Act, or other legislation to amend section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)), and sections 13(e), 14(g), and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e), 78n(g) and 78ee), is enacted into law prior to the date on which a regular appropriation

to the Commission for fiscal year 2003 is enacted, the fees, charges, and assessments authorized by such sections, as amended, shall be deposited and credited to this account as offsetting collections: Provided further, That fees collected as authorized by section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) for sales transacted on, and with respect to securities registered solely on, an exchange that is initially granted registration as a national securities exchange after February 24, 2000 shall be credited to this account as offsetting collections: Provided further, That for purposes of collections under section 31, a security shall not be deemed registered on a national securities exchange solely because that national securities exchange continues or extends unlisted trading privileges to that security.

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, \$308,476,000: 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 2002 or fiscal year 2003 as authorized by section 21 of the Small Business Act, as amended.

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.), \$11,464,000.

BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$1,860,000, to be available until expended; and for the cost of guaranteed loans, \$78,000,000, as authorized by 15 U.S.C. 631 note, of which \$45,000,000 shall remain available until September 30, 2003: 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: Provided further, That during fiscal year 2002 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, as amended, shall not exceed \$4,500,000,000, as provided under section 20(h)(1)(B)(ii) of the Small Business Act: Provided further, That during fiscal year 2002 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 2002 commitments to guarantee loans for debentures and participating securities under

section 303(b) of the Small Business Investment Act of 1958, as amended, shall not exceed the levels established by section 20(h)(1)(C) of the Small Business Act.

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, \$87,360,000, 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, \$122,354,000, 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 \$112,000,000 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), \$3,000,000: Provided, That not to exceed \$2,500 shall be available for official reception and representation expenses.

UNITED STATES-CANADA ALASKA RAIL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the "United States-Canada Alaska Rail Commission", as authorized by Title III of Public Law 106-520, \$2,000,000, to remain available until expended.

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 2002, 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 2002, 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 Com-

mittees 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 2002.

SEC. 611. Hereafter, none of the funds appropriated or otherwise made available to the Bureau of Prisons 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. (a) *The President shall submit as part of the fiscal year 2003 budget to Congress a proposal to restructure the Department of Justice to include a coordinator of Department of Justice activities relating to combating domestic terrorism, including State and local grant programs subject to the authority of the Attorney General, and who will serve as the Department of Justice representative at interagency meetings on combating terrorism below the Cabinet level.*

(b) *If the President does not submit a proposal as described in subsection (a), or if Congress fails to enact legislation establishing a new position described in subsection (a), by June 30, 2002, then effective on such date subsections (c) through (f) shall take effect.*

(c)(1) *Section 504 of title 28, United States Code, is amended by inserting after "General" the following: "and a Deputy Attorney General for Combating Domestic Terrorism".*

(2) *the Section heading for section 504 of title 28, United States Code, is amended by striking "Attorney" and inserting "Attorneys".*

(d) *The Deputy Attorney General for Combating Domestic Terrorism (appointed under section 504 of title 28, United States Code, as amended by subsection (c)) shall—*

(1) *serve as the principal adviser to the Attorney General for combating terrorism, counterterrorism, and antiterrorism policy;*

(2) *have responsibility for coordinating all functions within the Department of Justice relating to combating domestic terrorism including—*

(A) *policies, plans, and oversight, as they relate to combating terrorism, counterterrorism, and antiterrorism activities;*

(B) *State and local preparedness for terrorist events;*

(C) *security classifications and clearances within the Department of Justice;*

(D) *contingency operations within the Department of Justice; and*

(E) *critical infrastructure.*

(3) *coordinate—*

(A) *all inter-agency interface between the Department of Justice and other departments, agencies, and entities of the United States, including State and local organizations, engaged in combating terrorism, counterterrorism, and antiterrorism activities; and*

(B) the implementation of the national strategy for combating terrorism by State and local entities with responsibilities for combating domestic terrorism; and

(4) recommend changes in the organization and management of the Department of Justice and State and local entities engaged in combating domestic terrorism to the Attorney General.

(e) There is appropriated, out of any money in the Treasury of the United States not otherwise appropriated, for necessary expenses of the Office of the Deputy Attorney General for Combating Domestic Terrorism of the Department of Justice, \$1,000,000, to remain available until expended.

(f) Effective September 30, 2002, there is transferred to the Deputy Attorney General for Combating Domestic Terrorism all authorities, liabilities, funding, personnel, equipment, and real property employed or used by, or associated with, the Office of Domestic Preparedness, the National Domestic Preparedness Office, the Executive Office of National Security, and such appropriate components of the Office of Intelligence Policy and Review as relate to combating terrorism, counterterrorism, and antiterrorism activities.

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 appropriated or otherwise made available 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 restric-

tions 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 by striking "Claudy Myrthil,".

(c) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2002.

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 \$550,000,000 shall not be available for obligation until the following fiscal year, with the exception of emergency appropriations made available by Public Law 107-38 and transferred to the Fund.

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 or otherwise made available to the Department of State and the Department of Justice 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. The requirements of section 312(a)(3) of the Magnuson-Stevens Fishery Conservation and Management Act shall not apply to funds made available by section 2201 of Public Law 106-246.

SEC. 624. (a) Section 203(i) of the Act entitled "An Act to approve a governing international agreement between the United States and the Republic of Poland, and for other purposes", approved November 13, 1998, is amended by striking "2001" and inserting "2006".

(b) Section 203 of such Act, as amended by subsection (a), is further amended by adding at the end the following:

“(j) Not later than December 31, 2001, and every 2 years thereafter, the Pacific State Marine Fisheries Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives a report on the health and management of the Dungeness Crab fishery located off the coasts of the States of Washington, Oregon, and California.”.

SEC. 625. Section 140 of Public Law 97-92 (28 U.S.C. 461 note; 95 Stat. 1200) is amended by adding at the end the following: “This section shall apply to fiscal year 1981 and each fiscal year thereafter.”.

SEC. 626. (a) The President shall submit, by not later than the time of submission of the Budget of the United States Government for Fiscal Year 2003, a legislative proposal to establish a comprehensive program to ensure fair, equitable, and prompt compensation for all United States victims of international terrorism (or relatives of deceased United States victims of international terrorism) that occurred or occurs on or after November 1, 1979.

(b) The legislative proposal shall include, among other things, which types of events should be covered; which categories of individuals should be covered by a compensation program; the means by which United States victims of prior or future acts of international terrorism, including those with hostage claims against foreign states, will be covered; the establishment of a Special Master to administer the program; the categories of injuries for which there should be compensation; the process by which any collateral source of compensation to a victim (or a relative of a deceased victim) for an act of international terrorism shall be offset from any compensation that may be paid to that victim (or that relative) under the program established by this section; and identifiable sources of funds including assets of any state sponsor of terrorism to make payments under the program.

(c) Amend 28 U.S.C. Section 1605(a)(7)(A) by inserting at the end, before the semicolon, the following: “or the act is related to Case Number 1:00CV03110(ESG) in the United States District Court for the District of Columbia”.

SEC. 627. No funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes. The preceding sentence does not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

SEC. 628. Clause (ii) of section 621(5)(A) of the Communications Satellite Act of 1962 (47 U.S.C. 763(5)(A)) is amended by striking “on or about October 1, 2000,” and all that follows through the end and inserting “not later than December 31, 2002, except that the Commission may extend this deadline to not later than June 30, 2003.”.

SEC. 629. For an additional amount for “Small Business Administration, Salaries and Expenses”, \$30,000,000, of which \$1,000,000 shall be available for a grant to Green Thumb, Inc., to expand activities serving small businesses and older entrepreneurs;

\$500,000 shall be available for a grant to the New York Small Business Development Center to establish veterans business outreach programs; \$1,000,000 shall be for a grant to the University of West Florida for a virtual business accelerator program; \$1,000,000 shall be for a grant to Hamilton County, Tennessee, to establish a high-tech small business incubator; \$500,000 shall be available for a grant to the Oklahoma Department of Career and Technology Education for a technology-based program for vocational training for economic and job development; \$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; \$100,000 shall be available for a grant to Oklahoma State University for a center for international trade development; \$300,000 shall be for a grant to the University of Montana to establish an economic development resource center; \$1,000,000 shall be for a grant to George Mason University to conduct an information technology business development program; \$1,500,000 shall be for a grant to Shenandoah University to develop a historical and tourism development facility; \$1,000,000 shall be for a grant to the Software Productivity Consortium to develop a facility to support demonstration programs on information technology and telework; \$1,000,000 shall be for a grant to the Southern Kentucky Tourism Development Association for continuation of a regional tourism promotion initiative; \$1,500,000 shall be for a grant to the Southern Kentucky Economic Development Corporation for regional infrastructure and economic development initiatives; \$450,000 shall be for a grant to Southern Kentucky Rehabilitation Industries for financial assistance and small business development; \$350,000 shall be available for a grant to the Catskill Mountain Foundation to develop facilities and small business assistance programs; \$500,000 shall be for a grant to the East Los Angeles Community Union to redevelop small business assistance facilities; \$300,000 shall be for a grant to the Rockford, Illinois, Health Council for a pilot program on small business health care insurance issues; \$2,000,000 shall be for a grant for the Illinois Coalition for a national demonstration project providing one-stop assistance for technology startup businesses; \$1,000,000 shall be for a grant to James Madison University for library programs and facilities to assist small businesses; \$300,000 shall be for a grant to Lewis and Clark College in Lewiston, Idaho, to develop a virtual business incubator; \$300,000 shall be for a grant to the City of Chesapeake, Virginia, to develop a community and microenterprise development facility; \$700,000 shall be for a grant to Social Compact for the "Realizing the Dream" initiative; \$1,000,000 shall be for a grant to Soundview Community in Action for a technology access and business improvement project; \$500,000 shall be for a grant to the Urban Justice Center in New York City for a community development project; \$1,000,000 shall be for a grant to the Bronx Child Study Center at the Bronx-Lebanon Hospital Center; \$2,000,000 shall be for a grant to the Los Angeles Conservancy for rebuilding and revitalization; \$2,000,000 shall be to the Rhode Island School of Design for the modernization of a building to establish a small business incubator; \$500,000 shall be for a grant to Johnstown Area Regional Industries for a High Technology Initiative and a Wireless/Digital Technology Program; \$400,000 shall be for a grant to Purdue University for the purposes of constructing the Purdue Re-

gional Technology Center in Lake County, Indiana; \$500,000 shall be for a grant to the NTTC at Wheeling Jesuit University to continue the outreach program to assist small business development; \$400,000 shall be for a grant to the Infotonics Center of Excellence in Rochester, New York, for photonics incubation and business development; \$1,100,000 shall be for a grant to the MountainMade Foundation to fulfill its charter purposes and to continue the initiative developed by the NTTC for promotion, business and sites development, and education of artists and craftspeople; \$500,000 shall be for a grant to the West Virginia High Technology Consortium Foundation to develop a small business commercialization grant program; \$400,000 shall be 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; \$500,000 shall be for a grant to the Chippewa Falls Industrial Development Corporation in Chippewa Falls, Wisconsin, for a business development assistance program; \$400,000 shall be for a grant to the National Center for e-Commerce at Polytechnic University in Brooklyn, New York; \$150,000 shall be for a grant to Portage County, Wisconsin, for the establishment of a revolving loan fund; \$1,000,000 shall be for a grant to the Upper Manhattan Empowerment Zone to develop a community accessible recreational area and economic development site along the Hudson River between 125th and 135th Streets; \$150,000 is for a grant to the Long Island Bay Shore Aquarium to develop a facility; \$500,000 is for a grant to Yonkers, New York, for the Nepperhan Valley Technology Center; and \$500,000 shall be for a grant for Greenpoint Manufacturing and Design Center to acquire certain properties to develop a small business incubator facility: Provided, That Section 633 of Public Law 106-553 is amended with respect to a grant of \$1,000,000 for the City of Oak Ridge, Tennessee, by inserting the words "through a subaward to the Oak Ridge Associated University for renovation and expansion of a facility owned by the Oak Ridge Associated University" after "to support technology and economic development initiatives".

SEC. 630. None of the funds appropriated or otherwise made available by this Act shall be available for cooperation with, or assistance or other support to, the International Criminal Court or the Preparatory Commission. This subsection shall not be construed to apply to any other entity outside the Rome treaty.

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

ASSETS FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, \$40,000,000 are rescinded.

DEPARTMENT OF COMMERCE

DEPARTMENTAL MANAGEMENT

EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM ACCOUNT

(RESCISSION)

Of the unobligated balances available under this heading from prior year appropriations, \$5,200,000 are rescinded.

RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

SHIP CONSTRUCTION

(RESCISSION)

Of the unobligated balances available under this heading, \$4,400,000 are rescinded.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading, \$50,000,000 are rescinded.

SMALL BUSINESS ADMINISTRATION

BUSINESS LOANS PROGRAM ACCOUNT

(RESCISSION)

Of the unobligated balances available under this heading, \$5,500,000 are rescinded.

This Act may be cited as the "Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002".

And the Senate agree to the same.

FRANK R. WOLF,
HAROLD ROGERS,
JIM KOLBE,
CHARLES H. TAYLOR,
RALPH REGULA,
TOM LATHAM,
DAN MILLER,
DAVID VITTER,
BILL YOUNG,
JOSE E. SERRANO,
ALAN B. MOLLOHAN,
LUCILLE ROYBAL-ALLARD,
ROBERT E. CRAMER, Jr.,
PATRICK J. KENNEDY,
DAVID OBEY,

Managers on the Part of the House.

ERNEST HOLLINGS,
DANIEL K. INOUE,
BARBARA A. MIKULSKI,
PATRICK J. LEAHY,
HERB KOHL,
PATTY MURRAY,
JACK REED,
ROBERT C. BYRD,
JUDD GREGG,
TED STEVENS,
PETE V. DOMENICI,
MITCH MCCONNELL,
KAY BAILEY HUTCHISON,
BEN NIGHORSE CAMPBELL,
THAD COCHRAN,

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. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies for the fiscal year ending September 30, 2002, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report. The legislative intent in the House and Senate versions in H.R. 2500 is set forth in the accompanying House report (H. Rept. 107-139) and the accompanying Senate report (S. 107-42).

Senate amendment: The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes \$91,668,000 for General Administration as proposed by the House, instead \$93,433,000 as proposed by the Senate.

The conference agreement adopts by reference the House report language regarding the planned integration of the Immigration and Naturalization Service (INS) IDENT system and the Federal Bureau of Investigation (FBI) IAFIS system.

The conference agreement adopts by reference the Senate report language regarding a study for the establishment of an International Law Enforcement Training Academy in Mexico.

The conferees continue to be concerned about the security of classified information at the Department. The conferees understand that Federal requirements for storage of classified information mandate that the General Services Administration approved containers are secured with locks that meet or exceed Federal specifications. The conferees expect the Department to report to the Committees no later than March 1, 2002, identifying the number of Department-controlled containers that are not in compliance with the Federal specification.

The conferees are concerned that the Department of Justice has not adequately focused its attention on the growing problem of methamphetamine production and trafficking and the strain this crime is placing on State and local law enforcement resources. The Department of Justice is directed to undertake a review of its cur-

rent efforts in assisting States and local communities with this growing problem and to prepare a report that (1) defines the scope of the methamphetamine problem nationwide; (2) identifies the regions of the country most adversely affected by methamphetamine production and trafficking; (3) identifies the needs of State and local law enforcement in addressing this issue; and (4) defines the Department's role in providing training, investigative, and clean-up assistance to States and localities. This plan shall be provided to the Committee by February 15, 2002.

The conference agreement includes bill language, as proposed by the House, 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 a total of \$15,957,000 for the Joint Automated Booking System (JABS) program as proposed by the House, instead of \$22,500,000 as proposed by the Senate. This includes \$1,000,000 in direct appropriations and a transfer of \$14,957,000 from the Working Capital Fund. The JABS program office may transfer both prior year unobligated and current year JABS funds between components as necessary to accelerate the deployment of the system nationwide without recourse to a re-programming. The JABS program office is directed to report to the Committees on Appropriations as necessary regarding the status of program deployment.

NARROWBAND COMMUNICATIONS

The conference agreement includes a total of \$104,615,000 for narrowband communications conversion activities as proposed by the House, instead of \$204,549,000 as proposed by the Senate. This includes \$94,615,000 in direct appropriations and a \$10,000,000 transfer from the Working Capital Fund. The conferees note that there is \$105,000,000 in prior year carryover in this account. The conference agreement provides funding necessary to continue implementation of the Department of Justice Wireless Network and for operations and maintenance of legacy systems. The conference agreement does not include language from the Senate report regarding transfers from the Judiciary or the State Department, or availability of funds for this account. Instead, the Wireless Management Office is directed to submit, as part of the fiscal year 2003 President's budget submission, a program plan based on the final list of system requirements and a breakout, by fiscal year and activity, of the total program cost based on the program plan.

COUNTERTERRORISM FUND

The conference agreement includes \$4,989,000 for the Counterterrorism Fund as proposed by the House. The Senate did not fund this program. When combined with \$41,077,000 in prior year carryover, this will make a total of \$46,066,000 available in the Fund for fiscal year 2002 to cover unanticipated, extraordinary expenses as a result of a terrorist threat or incident.

PORT SECURITY

The conference agreement does not include \$39,950,000 for Port Security as proposed by the Senate. The House did not address this matter.

The conferees believe that the Maritime Administration (MARAD) is better suited to administer a port security program. The conferees support any actions taken by MARAD to work with local ports to improve security.

ADMINISTRATIVE REVIEW AND APPEALS

The conference agreement includes \$173,647,000 for Administrative Review and Appeals, instead of \$178,751,000 as proposed by the House and \$45,813,000 as proposed by the Senate.

The conference agreement includes \$12,940,000 for inflationary costs and other adjustments to base. The conferees direct that the Executive Office of Immigration Review fully fund contract court interpreter services as necessary. The conferees adopt by reference the House reporting requirement regarding the detention of criminal aliens, but direct that the Immigration and Naturalization Service prepare this report and submit it to the Committees on Appropriations by December 28, 2001.

DETENTION TRUSTEE

The conference agreement includes \$1,000,000 for the Federal Detention Trustee, instead of \$1,721,000 as proposed by the House, and \$88,884,000 as proposed by the Senate. The conferees note that once again the Department has failed to centralize funding for the Department's detention needs under the Detention Trustee account as required by the fiscal year 2001 conference report. The Attorney General is directed, as part of the fiscal year 2003 budget submission, to include either a funding proposal to fully centralize all detention funding under the Detention Trustee, or a plan for the orderly shutdown of this office.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes \$50,735,000 for the Office of Inspector General as proposed by the House, instead of \$46,006,000 as proposed by the Senate.

The conference agreement adopts by reference the House report language regarding the provision of \$5,000,000 to expand the Inspector General's authorities in investigating allegations of employee misconduct within the FBI and the Drug Enforcement Administration (DEA).

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$9,876,000 for the United States Parole Commission, instead of \$10,915,000 as proposed by the House and \$8,836,000 as proposed by the Senate.

The conferees are aware that the Parole Commission is scheduled to be phased out in November 2002. The conferees are also aware that a substantial parole caseload, the majority of which is

District of Columbia prisoners, will exist well into the future. As part of the fiscal year 2003 budget submission, the Attorney General is directed to propose either an extension of the existing Commission or the transfer of the residual caseload to a Federal or District of Columbia agency. In the event the latter is proposed, the budget submission should include a plan for the orderly shutdown of the Parole Commission.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The conference agreement includes \$549,176,000 for General Legal Activities, instead of \$568,011,000 as proposed by the House and \$527,543,000 as proposed by the Senate.

The conference agreement adopts by reference the House report language and funding levels for the Civil Rights Division to enforce the Victims of Trafficking and Protection Act of 2000 and to investigate and prosecute abuses in facilities for individuals who are mentally ill and developmentally disabled, nursing homes, juvenile correctional facilities, and adult jails and prisons.

The conference agreement adopts by reference the Senate report language and funding levels for the Criminal Division's Child Exploitation and Obscenity section, Computer Crime and Intellectual Property section, and Office of Enforcement Operations, and the Civil Division's All Other Torts section.

Within the Environment and Natural Resources Division's base, the conference agreement adopts by reference the Senate report language on the prosecution of drug labs in Federal parklands and poaching on Federal lands.

The Department is directed to notify the Committees of its fiscal year 2002 spending plan incorporating the above initiatives no later than January 15, 2002. The plan will not be subject to Committee approval unless it alters or fails to incorporate any of the aforementioned items.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

The conference agreement includes a reimbursement of \$4,028,000 for fiscal year 2002 from the Vaccine Injury Compensation Trust Fund to the Department of Justice, as proposed by the House and Senate.

LEGAL ACTIVITIES OFFICE AUTOMATION

The conference agreement includes \$15,765,000 for Legal Activities Office Automation, instead of \$34,600,000 as proposed by the Senate. The House provided \$18,835,000 for Legal Activities Office Automation through the "Salaries and Expenses, General Legal Activities" appropriation. The conference agreement adopts the Senate language creating this new account structure.

The conferees expect the Department to provide an additional \$18,835,000 for Legal Activities Office Automation from the Working Capital Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

The conference agreement provides \$130,791,000 for the Anti-trust Division as proposed by the Senate, instead of \$141,366,000 as proposed by the House. This amount will be offset with Hart-Scott-Rodino fee collections, regardless of the year of collection, resulting in no direct appropriations. The conference agreement adopts the Senate bill language structure.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The conference agreement includes \$1,353,968,000 for the United States Attorneys as proposed by the House, instead of \$1,260,353,000 as proposed by the Senate.

The conference agreement includes \$9,000,000 for Project Sentry. This will establish new Federal-State partnerships that will support and expand Project Safe Neighborhood, particularly focusing on school safety, and identifying and prosecuting juveniles who violate State and Federal firearms laws and adults who illegally furnish firearms to them.

The conference agreement adopts by reference the House report language regarding habeas corpus overload, and adopts Senate report language regarding fundamental reform of United States Attorneys operations, gun prosecutions in Colorado, and the National Advocacy Center, including the distance learning facility. In addition, the conference agreement provides such sums as may be necessary for court technology and computer and telecommunications coordinators.

The conference agreement directs the United States Attorneys to provide a total of \$10,000,000 for cybercrime and intellectual property enforcement. The direction included in both the House and Senate reports regarding the submission of a report on copyright enforcement is adopted by reference.

The conference agreement does not include language in the Senate bill and report regarding gun surveillance technology and state and local training on child pornography investigations. Instead, both projects were funded under the Office of Justice Programs. The conference agreement includes \$6,500,000 under the Office of Justice Programs, Justice Assistance, to assist State and local law enforcement agencies to acquire the necessary knowledge, equipment, and personnel resources to prevent, interdict, or investigate child sexual exploitation.

UNITED STATES TRUSTEE SYSTEM FUND

The conference agreement provides \$147,000,000 for the United States Trustees, to be funded entirely from offsetting collections, instead of \$145,937,000 as proposed by the House and \$154,044,000 as proposed by the Senate.

The conference agreement adopts by reference the House report language regarding funding various automation projects through the Working Capital Fund, and the Senate report language on the National Advocacy Center.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The conference agreement includes \$1,136,000 for the Foreign Claims Settlement Commission as proposed by the House, instead of \$1,130,000 as proposed by the Senate.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

The conference agreement includes \$619,429,000 for the U.S. Marshals Service (USMS) salaries and expenses account, instead of \$622,646,000 as proposed by the House and \$644,746,000 as proposed by the Senate. The conference agreement adopts by reference Senate language and funding levels for the Warrant Information Network and other networks and on-line services, including the transfer from the Justice Detainee Information System, recurring costs of the Electronic Surveillance Unit, and the transfer of funds from Human Resources to the Central Courthouse Management Group for safety and health programs. The conference agreement does not adopt Senate language regarding increases to the base, except those specifically addressed below, or the transfer of Justice Prisoner and Alien Transportation System funding from this account to the Detention Trustee. The conference agreement includes \$500,000 for Special Operations Group training, equipment, and facilities maintenance and \$583,000 for permanent changes of station. The latter two items should be treated as permanent increases to the base. The conference agreement does not include Senate language or funding levels referencing courthouse security personnel, terrorism or radios, or House language and funding levels regarding District of Columbia revitalization. The conference agreement includes language providing not to exceed 4,128 positions and 3,993 full time equivalents for the Marshals Service as proposed by the House. The Senate did not include a similar provision.

Overseas Assignments.—The conferees are aware that the U.S. Marshals Service has established a number of foreign offices in U.S. embassies without Congressional approval, using extended temporary duty assignments to circumvent the relocation report process. Therefore, the conferees direct the Justice Management Division to report by November 30, 2001, to the Committees on Appropriations regarding the locations and purposes of all Marshals overseas assignments of greater than 30 days for the previous five years. The Department is directed to terminate all Marshals overseas operations that should have been included in the relocation report. Finally, none of the funds appropriated or otherwise made available by this Act may be used for Marshals overseas temporary duty assignments of greater than 30 days without the approval of the Committees on Appropriations.

Financial Management.—The conferees are concerned that, even with a reformed budget execution process, a small budget shortfall in the Marshals Service at the beginning of the year was left unaddressed until well into the fourth quarter, despite sharp prompting from the Committees on Appropriations. Therefore, the conferees direct the Marshals Service to submit, through the Justice Management Division, within 30 days of the date of enactment

of this Act, an overall agency spending plan for the full amount appropriated for fiscal year 2002.

Special Assignments.—The conferees are concerned that special assignment funds, provided for contingencies, are being used to subsidize base activities. This misuse of emergency funding threatens to undermine the budget execution process. Therefore, the conferees direct that management of all operations associated with the New York City and East Africa bombing trials, including protective details, be returned to the Southern District of New York, that all costs associated with these operations be budgeted out of base funds, and that a multi-agency security review of these operations be undertaken immediately. This review shall be provided to the Committees on Appropriations when completed. In addition, the conferees direct that, within two weeks of the date of enactment of this Act, the Marshals shall identify to the Committees on Appropriations the total amount available for special assignments in fiscal year 2002. Thereafter, obligations of special assignment funds shall require the notification of the Committees on Appropriations.

Fugitive Apprehensions.—The conference agreement provides increases of \$3,150,000 for Electronic Surveillance Unit personnel and equipment and \$5,825,000 for the establishment of dedicated fugitive task forces on both coasts as proposed by the Senate.

Courthouse Security Staffing and Prisoner Transportation.—The total amount of funding provided also includes increases of \$3,625,000 for courthouse security personnel for existing and new courthouses, and \$1,451,000 for prisoner transportation.

Courthouse Security Equipment.—The conference agreement includes a new appropriation for the USMS, “courthouse security equipment,” as proposed by the Senate. The House did not include a similar provision. The conference agreement includes \$14,267,000 for these activities, instead of \$5,769,000 as proposed by the House under USMS salaries and expenses and \$18,145,000 as proposed by the Senate. Funding for courthouse security equipment is provided as follows:

USMS courthouse security equipment

[In thousands of dollars]

Detainee Facilities	\$13,069
Fort Smith, AR	200
Denver, CO	1,090
Washington, DC	75
Jacksonville, FL	1,065
Dublin, GA	432
Moscow, ID	50
Bowling Green, KY	330
Bay City, MI	175
Detroit, MI	450
Cape Girardeau, MO	75
East St. Louis, MO	10
Greenville, MS	645
Gulfport, MS	540
Hattiesburg, MS	590
Oxford, MS	1,095
Newark, NJ	300
Columbus, OH	300
Muskogee, OK	920
Aiken, SC	220
Florence, SC	321
Spartanburg, SC	555

Columbia, TN	195
Amarillo, TX	450
Houston, TX	1,063
Laredo, TX	700
Waco, TX	423
Cheyenne, WY	800
Subtotal, Detainee Facilities	13,069
Minor Repair	375
Engineering Services	643
Security Survey	180
Total, USMS Security Equipment	14,267

CONSTRUCTION

The conference agreement includes \$15,000,000 for the USMS construction account, instead of \$6,628,000 as proposed by the House and \$25,812,000 as proposed by the Senate. The conference agreement includes the following distribution of funds:

USMS Construction

[In thousands of dollars]

Detainee Facilities:	
Construction:	
Hot Springs, AR	\$1,328
Prescott, AZ	550
Grand Junction, CO	450
Davenport, IA	856
Sioux City, IA	100
Moscow, ID	200
Rock Island, IL	1,250
Rockford, IL	24
Springfield, IL	85
Bay City, MI	685
Flint, MI	248
Natchez, MS	1,000
Billings, MT	850
Raleigh, NC	2,446
Sante Fe, NM	500
New York, NY (40 Foley)	250
Columbus, OH	1,000
Dayton, OH	150
Muskogee, OK	280
Sioux Falls, SD	680
Cheyenne, WY	200
Subtotal, Construction	13,132
Planning, Design & Relocation:	
El Dorado, AR	100
Fayetteville, AR	100
El Centro, CA	32
Ocala, FL	475
Billings, MT	200
Wilmington, NC	125
Columbia, SC	46
Casper, WY	100
Subtotal, Planning, Design & Relocation	1,178
Security Specialists/Construction Engineers	690
Subtotal, Construction	\$15,000

JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM FUND

The conference agreement does not include funding for the USMS Justice Prisoner and Alien Transportation System account,

as proposed by the House, instead of \$53,050,000 as proposed by the Senate.

FEDERAL PRISONER DETENTION

The conference agreement provides \$706,182,000 for Federal Prisoner Detention, instead of \$724,682,000 as proposed by the House and \$687,682,000 as proposed by the Senate. This is an increase of \$110,094,000, or 18 percent, over the fiscal year 2001 appropriation. The Department should notify the Committees on Appropriations by the end of the second quarter regarding the status of obligations in this account.

FEES AND EXPENSES OF WITNESSES

The conference agreement includes \$156,145,000 for Fees and Expenses of Witnesses as proposed by the Senate, instead of \$148,494,000 as proposed by the House.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

The conference agreement includes \$9,269,000 for the Community Relations Service, as proposed by both the House and Senate.

The conference agreement includes a provision allowing the Attorney General to transfer up to \$1,000,000 to this program, as proposed by the House and Senate. The Attorney General is expected to notify the Committees if this transfer authority is exercised. In addition, a provision is included allowing the Attorney General to transfer additional resources, subject to reprogramming requirements, upon a determination that emergent circumstances warrant additional funding, as proposed by the House.

ASSETS FORFEITURE FUND

The conference agreement provides \$22,949,000 for the Assets Forfeiture Fund as proposed by Senate, instead of \$21,949,000 as proposed by the House.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

The conference agreement includes \$1,996,000 for administrative expenses for the Radiation Exposure Compensation Act, as proposed by the House and Senate.

PAYMENT TO THE RADIATION EXPOSURE COMPENSATION TRUST FUND

The conference agreement does not include funding to make payment to the Radiation Exposure Compensation Trust Fund, instead of \$10,776,000 as proposed by the House and Senate.

The conferees believe that the Federal government must meet its obligations to persons, and their families, who were exposed to radiation and who now suffer from related diseases. The conferees note that the compensation payments are based on claimants meeting eligibility criteria and therefore should be scored or treated as mandatory payments under the Budget Act. Such payments were assumed in the fiscal year 2002 congressional budget resolution to be scored as mandatory with enactment of appropriate legislation

starting in fiscal year 2002. Supplemental appropriations were provided for fiscal year 2001 with the understanding and expectation that future funding for this purpose would be mandatory and that further discretionary appropriations would not be necessary.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The conference agreement provides \$338,577,000 for Interagency Crime and Drug Enforcement, instead of \$340,189,000 as proposed by the House and \$336,966,000 as proposed by the Senate. Of the amounts provided, \$500,000 shall be made available to equip the Federal gun range replacing the closed range at Rocky Flats, Colorado, for use by Federal, state and local law enforcement. The conferees adopt by reference the Senate language regarding the Immigration and Naturalization Service 25 percent matching requirement. The distribution of the total available funding, which reflects a permanent reprogramming of \$450,000 from the Tax Division to the Criminal Division, is as follows:

Reimbursements by agency

[In thousands of dollars]

Drug Enforcement Administration	\$111,422
Federal Bureau of Investigation	115,444
Immigration and Naturalization Service	15,987
Marshals Service	2,049
U.S. Attorneys	89,623
Criminal Division	1,328
Tax Division	964
Administrative Office	1,760
Total	338,577

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

The conference agreement includes a total of \$3,491,073,000 in new budget authority for the Salaries and Expenses account of the Federal Bureau of Investigation (FBI) as proposed by the House, instead of \$3,425,041,000 as proposed by the Senate. Of this amount, not less than \$459,243,000 shall be used for counterterrorism investigations, foreign counterintelligence, and other activities related to national security, instead of \$448,467,000 as proposed by the House and \$485,278,000 as proposed by the Senate.

The conference agreement includes an increase of \$122,119,000 for inflationary increases and other adjustments to base to support the FBI's current staffing and operating level as reflected in the budget request. The conference agreement does not adopt the new budget structure proposed by the Senate.

The conference agreement also includes programmatic increases of \$140,472,000. The FBI is reminded that changes in this distribution are subject to the reprogramming requirements in section 605 of this Act.

FBI SALARIES AND EXPENSES

(In thousands of dollars)

Activity	Positions	FTE	Amount
Criminal, Security and Other Investigations:			
Organized Criminal Activities	3,778	3,787	\$467,246
White Collar Crime	4,164	4,068	501,066
Other Field Programs	10,362	10,130	1,442,277
Subtotal	18,304	17,985	2,410,589
Law Enforcement Support:			
Training, Recruitment, and Applicants	1,014	985	124,383
Forensic Services	730	697	156,853
Information, Management, Automation & Telecommunications	553	554	213,603
Technical Field Support & Services	263	244	164,510
Criminal Justice Services	2,010	2,021	210,354
Subtotal	4,570	4,501	869,703
Program Direction: Management and Administration	2,061	2,002	210,781
Total, Direct Appropriations	24,935	24,488	\$3,491,073

The conference agreement adopts by reference House language and funding levels for counterintelligence, the 2002 Winter Olympics, the Incident Response Readiness Program, and a comprehensive information technology report, and the Senate language and funding levels regarding technically-trained agent and electronic technician training, Computer Analysis Response Team training, Evidence Response Team supplies, interception capabilities, counter-encryption equipment, white-collar crime computer equipment, forensic research, the forensic audio/video program, regional mitochondrial DNA lab oversight, the National Instant Background Check System, and drug jurisdiction. The conference agreement does not include language or funding levels in the Senate report regarding regional computer forensic labs, regional mitochondrial DNA labs, the Violent Criminal Apprehension Program, or end strength. The conference agreement also adopts by reference the House and Senate report language regarding the Jewelry and Gem program.

Trafficking in Persons.—The conferees expect the FBI to continue its support of the Southeast European Cooperative Initiative with regard to its efforts to combat trafficking in women and children.

Trilogy.—The conference agreement includes a total of \$142,390,000 for Trilogy, of which \$74,730,000 is base funding, \$29,565,000 is derived from a Working Capital Fund transfer, and \$38,095,000 is provided in new direct appropriations.

Quantico Laboratory.—The conference agreement provides a total of \$36,602,000 for laboratory activation, including a transfer of \$24,837,000 from the Working Capital Fund for laboratory equipment and \$11,765,000 for moving costs, fit out, and operations and maintenance. If prior year recoveries or other funds become available, the FBI should seek a reprogramming to initiate decommissioning and renovation of former lab space in the J. Edgar Hoover Building.

The conference agreement directs the FBI to fully reimburse private ambulance providers for their costs in support of Hostage

Rescue Team operations in St. Martin Parish, Louisiana, in December 1999, as proposed by the Senate. The House did not include a similar provision.

The conference agreement includes language limiting the FBI to not exceed 24,935 positions and 24,488 full time equivalents, as proposed by the House. The Senate did not include a similar provision. The conference agreement also includes a provision that provides for up to 1,354 passenger motor vehicles, of which 1,190 will be for replacement only, as proposed by the Senate, instead of 1,236 and 1,142, respectively, as proposed by the House.

CONSTRUCTION

The conference agreement includes \$33,791,000 for construction for the FBI, instead of \$1,250,000 as requested and proposed by the House and \$44,074,000 as proposed by the Senate. This includes funding for an annex at the Engineering Research Facility that will support consolidation of various high technology programs on the FBI Academy campus in Quantico, Virginia.

Hazardous Devices School.—The conferees recognize the FBI's mission to prevent and detect terrorist activities and understand the importance preparedness plays in achieving this mission, particularly as it relates to Weapons of Mass Destruction (WMD). An essential element of an effective U.S. response to WMD incidents rests with first responders, including public safety bomb squads. All state and local bomb technicians are trained and certified at the Hazardous Devices School (HDS) at the Redstone Arsenal in Huntsville, Alabama, which is operated jointly by the FBI and the U.S. Army. The conferees approve of the transfer of \$9,000,000 in no year funds from the Department of Defense to the FBI for the construction of practical training villages for the HDS. These villages will be used for realistic training exercises. Further, the conferees support the transfer from DOD of an additional \$14,000,000 in no year funds to be used by the FBI for the construction of a classroom building at the HDS.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes \$1,481,783,000 for the Drug Enforcement Administration (DEA) Salaries and Expenses account, instead of \$1,476,083,000 as proposed by the House and \$1,489,779,000 as proposed by the Senate.

Budget and Financial Management.—The conference agreement adopts by reference the language included in the Senate report regarding budget and financial management. The conference agreement includes bill language, as proposed by the House, providing not to exceed 7,654 positions and 7,515 full time equivalents for DEA from funds provided in this Act. The Senate did not include a similar provision. The conference agreement also includes bill language, as proposed by the Senate, to provide two year funding authority for costs associated with permanent change of station. The House bill did not include a similar provision.

The following table represents funding provided under this account:

DEA SALARIES AND EXPENSES

[In thousands of dollars]

Activity	Positions	FTE	Amount
Enforcement:			
Domestic Enforcement	2,091	2,042	\$435,183
Foreign Cooperative Investigations	633	600	193,275
Drug and Chemical Diversion	165	166	18,961
State and Local Task Forces	1,699	1,696	244,385
Subtotal	4,804	4,504	891,804
Investigative Support:			
Intelligence	952	967	120,237
Laboratory Services	452	415	60,674
Training	99	98	24,754
Research, Engineering and Technical Operations	582	565	121,270
Automated Data Processing	125	0	159,044
Subtotal	2,210	2,045	\$485,979
Management and Administration	850	841	104,000
TOTAL, DEA	7,654	7,515	1,481,783

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 \$68,213,000 for base adjustments as follows: increases totaling \$73,532,000 for pay and other inflationary costs to maintain current operations, offset by a \$5,319,000 reduction for GSA rent decreases. In addition, the conference agreement includes program increases totaling \$53,260,000 as follows:

Special Operations Division.—The conference agreement includes increases totaling \$14,006,000 for drug enforcement investigations of the Special Operations Division, including \$8,223,000 for domestic enforcement, \$242,000 for intelligence, \$164,000 for management and administration and drug and chemical conversion, and \$5,377,000 for research, engineering, and technical operations.

FIREBIRD Implementation.—The conference agreement includes an increase of \$19,400,000 for FIREBIRD implementation, including increases of \$2,500,000 for deployment, \$1,900,000 for network security, and \$15,000,000 for technology renewal. DEA is directed to continue to provide quarterly FIREBIRD status and obligation reports to the Committees on Appropriations.

Forensic Support.—The conference agreement includes an increase of \$13,104,000, as provided by both the House and Senate, to support additional chemists and purchase laboratory equipment. The conference agreement adopts by reference House language regarding distribution of this funding.

In addition, \$6,750,000 is provided to procure one twin engine medium lift helicopter to meet enforcement needs in Hawaii, and one single engine light aircraft helicopter for drug enforcement activities elsewhere. The conferees adopt by reference House and Senate language regarding the Caribbean Initiative, High Intensity

Drug Trafficking Areas, heroin, OxyContin, MDMA, methamphetamines, and Special Investigative Units.

In addition, the conference agreement includes a total of \$20,000,000 under the Community Oriented Policing Services Methamphetamine/Drug “Hot Spots” program for DEA to assist State and local law enforcement agencies with the costs associated with methamphetamine clean up.

Drug Diversion Control Fee Account.—The conference agreement includes total funding of \$86,021,000 for DEA’s Drug Diversion Control Program for fiscal year 2002, of which \$67,000,000 is from new diversion fee collections and \$19,021,000 is from prior year collections. The conference agreement assumes that the level of balances in the Fee Account is sufficient to fully support diversion control programs in fiscal year 2002.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

The conference agreement includes \$3,371,440,000 for the salaries and expenses of the Immigration and Naturalization Service (INS) as proposed by the House, instead of \$3,176,037,000 as proposed by the Senate. In addition to the amounts appropriated, the conference agreement assumes that \$2,142,926,000 will be available from offsetting fee collections, instead of \$2,140,610,000 as proposed by the House and \$2,058,723,000 as proposed by the Senate. Thus, including resources provided under the Construction account, the conference agreement provides a total operating level of \$5,642,820,000 for the INS, instead of \$5,640,504,000 as proposed by the House and \$5,506,299,000 as proposed by the Senate. This funding level is an increase of \$841,332,000, or 18 percent, over fiscal year 2001.

INS Organization and Management.—Consistent with the concept of separating immigration enforcement from services, the conference agreement continues to use, as in the last three fiscal years, two accounts, as requested by the President 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.

A cap on overtime of \$30,000 per employee per calendar year has been in place the last several years in order to help the INS maintain control over its budget. The conference agreement maintains this limit as provided in the House bill, but provides the INS Commissioner the flexibility to exceed the cap as necessary for national security purposes and in cases of immigration emergencies. The Senate bill limited overtime to \$1,153 per employee per pay period. The INS is directed to submit to the Committees on Appropriations quarterly reports on overtime expenditures by employee, activity and district. It is expected that funding provided in this act for 570 additional Border Patrol agents, 348 additional land border inspectors, new airport and seaport inspectors funded by the fee increases, as well as additional agents and inspectors that may be funded in other Appropriations Acts during this fiscal year, will reduce the need for overtime beyond \$30,000 per employee for the calendar year.

The conference agreement includes a provision limiting the number of non-career personnel appointments at the INS to six positions, instead of a limit of four positions as proposed by the House and no limit as proposed by the Senate. This level represents an increase of 50 percent above the current ceiling for non-career appointments at INS. The conferees expect the Commissioner to use this increased authority to hire qualified personnel with management and information technology expertise who can contribute to the goal of fundamental INS reform. The conferees will consider a request for additional non-career hiring authority or other personnel authority options above this ceiling during the fiscal year 2003 budget process. The conferees expect that a detailed proposal outlining both the need for such additional authorities and how they relate to proposed INS restructuring and management reforms, to be coordinated with the Department of Justice, the Office of Personnel Management, and the Office of Management and Budget, will accompany the INS fiscal year 2003 budget submission.

The conference agreement also modifies language from the House bill to provide that when positions become vacant in the Offices of Legislative Affairs and Public Affairs, at least ten of these positions be filled with detailees, transfers, or other non-permanent staff, with the goal of rotating staff who have experience in INS field operations through these offices. The Senate bill included a different version of this provision.

Base adjustments.—The conference agreement provides a total increase of \$80,110,000 and 429 full time equivalents for inflationary cost increases and adjustments to base for INS salaries and expenses. The conference agreement does not include transfers to the Exams Fees account or the Breached Bond/Detention account as proposed by the Senate.

ENFORCEMENT AND BORDER AFFAIRS

The conference agreement provides \$2,739,695,000 for this account, instead of \$2,738,517,000 as proposed by the House. The Senate did not provide separate funding for this account. This amount includes an increase of \$74,911,000 and 417 full time equivalents for pay and inflationary adjustments for Border Patrol,

Investigations, Detention and Deportation, and Intelligence, as requested. None of these amounts include offsetting fees, which are used to fund both enforcement and services functions. The INS is directed to notify the Committees on Appropriations regarding the assignment of all new border patrol agents and inspectors provided for in this Act as well as any other Appropriations Acts that may be enacted during fiscal year 2002.

Border Control and Management.—The conference agreement includes increases of \$123,331,000 for border control and management, as follows:

Land Border Inspectors.—The conference agreement includes an increase of \$25,408,000 for 348 new land border ports-of-entry inspectors as proposed by the Senate. The House did not include a similar provision. The INS is expected to assign these new inspectors to the highest priority locations, paying particular attention to the Northern Border.

Border Patrol Agents.—The conference agreement includes an increase of \$66,352,000 to hire 570 additional border patrol agents, as proposed by the House, instead of \$75,000,000 as proposed by the Senate. Senate language regarding assignment of border patrol agents is adopted by reference. In addition, an increase of \$2,076,000 is provided for new border patrol vehicles, instead of the funding level referenced by the Senate. The House did not include a similar provision. The conferees understand that the INS spent about \$100,000,000 to acquire 2,762 replacement and enhancement vehicles in fiscal year 2001 using base funds, enhancement funds, and recoveries.

Detention and Removals.—The conference agreement also includes increases of \$20,823,000 for consolidated bed space expansion needs, instead of \$39,388,000 as proposed by the House and no funding as proposed by the Senate. This amount includes an increase of \$10,154,000 for additional detention staff, support staff and removal costs; an increase of \$1,873,000 for detainee transportation vehicles; and an increase of \$8,796,000 for Joint Prisoner and Alien Transportation System (JPATS) requirements to support additional domestic and repatriation movements. The conference agreement does not include the proposed transfer of funds from INS to the JPATS Fund for this activity, which was recommended by the Senate. In addition, the conference agreement also includes an increase of \$8,672,000 as proposed by the House for detainee medical costs. The Senate did not include a similar provision.

Interior Enforcement.—The conference agreement also includes funding as necessary to support an additional Quick Response Team (QRT) for New Jersey, if merited. The INS is directed to consult with the Committees on Appropriations regarding the status of its interior enforcement effort. The conference agreement does not adopt Senate language regarding QRTs.

Border Patrol Equipment and Technology.—The conference agreement adopts by reference the Senate report language and funding levels regarding the Integrated Surveillance Intelligence System systems engineering, and the House language regarding border patrol equipment.

IDENT/IAFIS.—The conference agreement provides a transfer of \$9,000,000 from the Working Capital Fund to the Department

of Justice General Administration account to provide for the continued integration of the INS and FBI fingerprint identification systems. This amount reflects a current estimate of the funding need as provided to the Committees on Appropriations by the Department of Justice.

In addition, the conferees adopt by reference House language regarding enforcement of section 212 of the Immigration and Nationality Act. The Senate did not include a similar provision. Further, the INS is directed to ensure that it does not allow any aliens to enter the United States who have been involved in the illegal harvesting of human organs.

The conference agreement adopts by reference House language regarding the Tucson Sector. The conference agreement does not include language on basic training costs as proposed by the Senate. The House did not address this matter.

CITIZENSHIP AND BENEFITS, IMMIGRATION SUPPORT AND PROGRAM
DIRECTION

The conference agreement provides \$631,745,000 for this account, instead of \$632,923,000 as proposed by the House. The Senate did not provide separate funding for this account. This amount includes an increase of \$5,199,000 and 12 full time equivalents for pay and inflationary adjustments for the activities of Citizenship and Benefits, Immigration Support, and Management and Administration, as requested. None of these amounts include offsetting fees, which are used to fund both enforcement and services functions.

Immigration Services.—The conference agreement includes an increase of \$45,000,000, as requested and proposed by the House, to support naturalization and other benefits processing backlog reduction activities. The Senate did not include a similar provision. This amount, when combined with \$35,000,000 in base funding and \$20,000,000 in fees, will provide \$100,000,000 toward reaching a universal six-month processing standard for all immigration applications and petitions. The conference agreement does not include Senate language that transferred \$67,000,000 to the Immigration Service and Infrastructure Account. The House did not address this matter.

In addition, an increase of \$1,000,000 is provided for legal orientation programs, instead of \$2,800,000 as proposed by the Senate, and an increase of \$3,000,000 is provided for alternatives to detention, instead of \$7,300,000 as proposed by the Senate. The House did not include similar provisions.

Further, the conferees adopt by reference Senate direction to provide \$5,500,000 to the Eastern Adjudication Service Center to process immigration self-petitions and U visas under the Violence Against Women Act, and T visas under the Victims of Trafficking and Violence Protection Act, and agree that of this amount, \$500,000 shall be for the Eastern Adjudication Center as directed by the Senate. The House did not contain a similar provision.

The Committees continue to be concerned about the problems of backlogs in application processing and casework, and deficiencies in other services. In the fiscal year 2001 conference report, the INS was 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. The Committees have yet to receive this review. Therefore, the INS is directed to allocate additional staffing and upgrade offices as necessary for the following areas: Roanoke, Virginia; Omaha, Nebraska; Nashville, Tennessee, as described in the Senate report; Paterson, New Jersey; the Bronx, New York; Las Vegas, Nevada, as described in the Senate report; and the other locations mentioned in the fiscal year 2001 conference report.

In addition to identical provisions included by both the House and Senate, the conference agreement includes the following provisions: (1) a limit of 3,165 passenger motor vehicles, of which 2,211 are for replacement only, as proposed by the House, instead of the Senate proposed limit; (2) 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; (3) a provision, as proposed by the House, to make available \$5,000 for official reception and representation expenses; and (4) a provision, as proposed by the House, to permit the INS to equip, maintain, and make infrastructure improvements and purchase vehicles for police type use within the Enforcement and Border Affairs account.

OFFSETTING FEE COLLECTIONS

The conference agreement assumes \$2,142,926,000 will be available from offsetting fee collections, instead of \$2,140,610,000 as proposed by the House and \$2,058,723,000 as proposed by the Senate, 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 who are applying for immigration benefits. The following levels are recommended:

Immigration Inspections User Fees.—The conference agreement includes \$591,866,000 of spending from offsetting collections in this account, the same amount requested and proposed by the House, instead of \$656,648,000 as proposed by the Senate. This amount represents a \$97,482,000 increase over fiscal year 2001 spending, including \$20,991,000 for adjustments to base, the full amount requested. The amount also assumes an increase from \$6 to \$7 for the current airline passenger immigration inspection user fee, and \$3 for a new immigration inspection cruise ship passenger fee. The conferees adopt by reference Senate language directing that not less than nine percent of fee collections in this account should be used for technology infrastructure improvements. The House did not address this matter.

The expected increase in fee collections will fund the following safety, service and technology improvements at airports: \$19,927,000, 459 positions and 230 full time equivalents to increase primary inspectors at new and existing airport terminals, as well as at high growth terminals; and \$4,510,000, 60 positions and 30 full time equivalents for additional Immigration Inspectors to expand INS/U.S. Customs Service passenger analysis units at airports to analyze traveler information in advance of plane arrivals in order to identify inadmissible aliens, including criminal aliens, drug traffickers, and terrorists. This funding level will also enable

the INS to invest at least \$14,370,000 in its automated entry/exit system that tracks alien arrivals and departures at airports. This funding level will also fund at least \$6,425,000 for upgrades to the National Automated Inspection Lookout System (NAIS), and for additional Live Scan Devices that can send electronic fingerprint submissions to the FBI's Integrated Automated Fingerprint Identification System (IAFIS). The funding level will also provide an additional \$6,512,000 for additional Detention Enforcement Officers, Deportation Officers, and docket clerks, and 200 additional detention beds.

In addition, this level will fund the following safety, service and technology improvements at seaports: \$4,153,000, 54 positions and 27 full time equivalents for new immigration inspectors at newly activated seaport terminals and current understaffed terminals; \$2,273,000, 20 positions and 10 full time equivalents for joint INS/U.S. Customs units to analyze traveler information in advance of ship arrivals; and \$5,545,000 for the automated entry/exit system and upgrades to the NAIS system. The INS is directed to ensure that it allocates funding for base activities, e.g. salaries and expenses, before it undertakes any enhancement activities. The INS shall report to the Committees on Appropriations as necessary should fee revenues decline more than five percent from October projections. Further, 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 \$1,376,871,000 to support the adjudication of applications for immigration benefits, the amount requested and proposed by the House, instead of \$1,258,088,000 as proposed by the Senate. These funds are derived from offsetting collections from persons applying for immigration benefits, including collections from the premium-processing fee, and are in addition to \$80,000,000 in new and continued direct appropriations provided under the Citizenship and Benefits, Immigration Support, and Program Direction account to eliminate the backlog in applications. The conference agreement reflects INS' revised revenue estimates for collections from existing fees, which is \$118,783,000 higher than the amount assumed in the budget request and \$407,020,000 above the amount available in fiscal year 2001. The conference agreement does not adopt the transfer of \$127,834,000 from Examinations Fees funding to the Executive Office of Immigration Review or the transfer of \$147,602,000 in activities from the Salaries and Expenses account to the Examinations Fees account, which were proposed by the Senate. The conference agreement adopts by reference House report language regarding the telephone customer service center and the indexing and conversion of INS microfilm images.

Within the Examinations Fees account, the conference agreement provides \$18,979,000 for adjustments to base as requested.

Land Border Inspections Fees.—The conference agreement includes \$4,490,000 in spending from the Land Border Inspection Fund, instead of \$2,944,000 as proposed by the House and \$1,714,000 as proposed by the Senate. This amount reflects revised estimates of collections. The 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, as well as from Automated Permit Ports that provide pre-screened local border residents with border crossing privileges by means of automated inspections. The conference agreement adopts the Senate provision, which provides that the Attorney General may expand from 6 to 96 the number of ports of entry qualifying to participate in a fee pilot. The House did not address this matter.

Immigration Breached Bond/Detention Fund.—The conference agreement includes \$120,763,000 in spending from the Breached Bond/Detention Fund as proposed by the Senate, instead of \$139,935,000 as proposed by the House. The conference agreement does not assume the reinstatement of section 245(i) of the Immigration and Nationality Act, which was proposed by the Senate. The conference agreement provides a \$40,000,000 increase, as requested, to fund 1,407 additional detention beds, and \$1,483,000 to fund vehicles to transport detainees. 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 \$22,664,000 in spending from Immigration Enforcement fines, instead of \$12,994,000 as proposed by the House and \$5,510,000 as proposed by the Senate. This level reflects the current estimate of revenues available in this account for fiscal year 2002.

H-1B Fees.—The conference agreement includes \$26,272,000 in spending from the H-1B Fee account, instead of \$16,000,000 proposed by both the House and the Senate. This level reflects the current estimate of revenues available in this account for fiscal year 2002.

CONSTRUCTION

The conference agreement includes \$128,454,000 for construction for INS as proposed by the House, instead of \$205,015,000 as proposed by the Senate. This amount fully funds the Administration's request as proposed in the budget submission. This funding level does not include the Senate proposal to transfer funding from the Bureau of Prisons buildings and facilities account to the INS construction account, the Senate proposal to allow the INS to purchase construction vehicles, or the Senate proposal to comply with Occupational Safety and Health Administration programs.

The conference agreement includes language, as proposed by the House 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 did not include a similar provision.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The conference agreement includes \$3,808,600,000 for the salaries and expenses of the Federal Prison System, instead of \$3,830,971,000 as proposed by the House and \$3,786,228,000 as proposed by the Senate. This funding level is an increase of

\$308,428,000 above the fiscal year 2001 amount. The conferees note that the Bureau of Prisons submitted a reprogramming on September 27, 2001, for \$37,963,000 to meet increased utility costs incurred during fiscal year 2001.

Activation of New Prisons.—The conference agreement includes an increase of \$72,752,000 to activate a new medium security facility in Petersburg, Virginia and a high security facility in Lee County, Virginia.

Equipment Funding.—The conference agreement also includes an increase of \$9,100,000 for equipment funding the United States Prison in Canaan, Pennsylvania, and the Federal Corrections Institute in Glenville, West Virginia.

Contract Confinement.—The conference agreement includes an increase of \$47,443,000 to fund an additional 1,500 contract beds to accommodate the increasing number of criminal aliens and to support 1,499 general contract inmate beds, including 85 juvenile beds.

The conference agreement provides that of the funding provided, \$11,554,000 is for activation of the Atwater, California facility, and \$13,323,000 is for the activation of the facility at Honolulu, Hawaii. The conference adopts by reference House language regarding drug treatment programs and establishment of faith-based and other pilots, and Senate language regarding a pilot internship at the prison at Yazoo City, Mississippi, \$1,000,000 for a sexual misconduct study, and a feasibility study for Yazoo City, Mississippi. The conference agreement does not include bill language proposed by the Senate designating specific amounts for activation of specific prisons. The House bill did not include such language.

BUILDINGS AND FACILITIES

The conference agreement includes \$813,552,000 for construction, modernization, maintenance, and repair of prison and detention facilities housing Federal prisoners, as provided by the House, instead of \$899,797,000 as provided by the Senate. The conference agreement does not include the proposed transfer from BOP to the INS for construction of detainee facilities as provided in the Senate bill. The conference agreement does not include bill language designating specific amounts for partial site and planning for a specific prison, as proposed by the Senate. The conference agreement provides that of the \$650,047,000 provided for increases as outlined below, \$5,000,000 shall be for partial site and planning of the USP Northeast/Mid-Atlantic facility, to be located in Berlin, New Hampshire:

[In thousands of dollars]

Facilities with prior funding:	
Western/USP California	\$147,000
Southeast/USP Coleman, FL	133,000
Southeast/FCI South Carolina	106,000
Mid-Atlantic FCI	91,047
INS Long-Term Detainee Capacity:	
USP Western	11,500
FCI Butner, NC Medium	11,500

USP Terre Haute, IN	130,000
Subtotal, Projects with Prior Funding	630,047
Facilities with no prior funding:	
Female Facility in N. Florida	5,000
Female Facility in N. Central Region	5,000
Male Facility for FCI S. Central Region	5,000
Male Facility for USP NE/N Mid Atlantic	5,000
Subtotal, New Sentenced Capacity	20,000
Total, New Construction Program Increases	650,047

FEDERAL PRISON INDUSTRIES, INCORPORATED

(LIMITATION ON ADMINISTRATIVE EXPENSES)

The conference agreement includes a limitation on administrative expenses of \$3,429,000 for Federal Prison Industries, Incorporated as proposed by both the House and the Senate.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

The conference agreement includes \$437,008,000 for Justice Assistance, instead of \$408,371,000 as proposed by the House and \$574,538,000 as proposed by the Senate. The distribution of funding is as follows:

JUSTICE ASSISTANCE

[Dollars in thousands]

	Amount
National Institute of Justice	\$54,879
Bureau of Justice Statistics	32,335
Missing Children	22,997
Regional Information Sharing System	28,278
White Collar Crime Information Center	9,230
Management and Administration	37,795
Counterterrorism Programs	251,494
Total	437,008

National Institute of Justice (NIJ).—The conference agreement provides \$54,879,000 for NIJ. Within the total amount provided to NIJ, the following initiatives should be funded at least at the current levels:

- National Law Enforcement and Corrections Technology Center system, including \$1,500,000 for the Less than Lethal Technology for Law Enforcement Program, \$2,800,000 for the Office of Law Enforcement Technology Commercialization, Inc., and \$1,500,000 for the Center for Rural Law Enforcement Technology and Training;
- Computerized identification systems;
- Facial Recognition;
- DNA Technology Research and Development; and
- High Intensity Drug Trafficking Areas.

The conference agreement provides \$450,000 for Non-Toxic Drug Detection and Identification Aerosol Technology; \$1,500,000

for the “Breaking the Cycle” Program in Jacksonville, Florida and Lane County, Oregon; and \$3,000,000 for a prison health research project at the University of Connecticut.

The Office of Justice Programs is expected to review a proposal for a grant to the Kitsap County Medical Examiner’s Office that will assist in the development of a new death investigation module for the FBI ViCAP system and provide a grant, if warranted.

The conferees understand that NIJ is currently evaluating the operational utility of the SECURES gunshot detection system in Austin, Texas. This evaluation is scheduled to be completed by August 1, 2002. In the next phase of evaluations, NIJ is expected to consider installing the SECURES gunshot detection system in Richmond, Virginia; San Bernardino, California; and Phoenix, Arizona.

Office of Victims of Crime.—The conference agreement adopts by reference the Senate report language regarding the Victim Assistance to Indian Country and Children’s Justice Act programs.

Missing Children.—The conference agreement includes \$22,997,000 for the Missing Children Program. Of this amount, \$11,450,000 is provided for the National Center for Missing and Exploited Children (NCMEC), including \$2,245,000 for the CyberTipline and the Exploited Child Unit, and \$2,700,000 for the Jimmy Ryce Law Enforcement Training Center. The conferees recommend that the NCMEC consult with I-Safe America to provide nationwide Internet Safety Training in grades K–12.

Within the amounts provided, \$6,500,000 is provided for the Internet Crimes Against Children Task Force 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 NCMEC.

Management and Administration.—The conference agreement provides \$37,795,000 for the management and administration of the Office of Justice Programs (OJP), instead of \$43,491,000 as proposed by the House and \$42,797,000 as proposed by the Senate. Funding is also provided from the “Juvenile Justice” and “State and Local Law Enforcement Assistance” accounts for the administration of grants under these activities. If additional management and administration funds are required, a request for reprogramming or transfer of funds, pursuant to Section 605 of this Act, should be submitted. OJP shall submit to the Committees, by January 15, 2002, a spending plan for all management and administration resources. This plan should reflect all sources of funding, including those derived from program accounts. Beginning with the fiscal year 2003 budget submission, OJP shall identify all management and administration resources in its budget submission, including those derived from program accounts.

Counterterrorism Program.—The conference agreement includes \$251,494,000 for the counterterrorism program, instead of \$220,494,000 as proposed by the House and \$373,800,000 as proposed by the Senate.

The conferees recognize the selfless acts of our Nation’s first responders following the September 11, 2001, terrorist attacks on the United States. They are truly our first line of defense. The

dedication, professionalism, and heroism of the men and women who serve as police officers, fire fighters, emergency medical personnel, and emergency managers, reflect the true spirit of this great Nation. The conferees extend their sincere gratitude on behalf of the nation to the fire companies, State and local police departments, and rescue squads who responded without hesitation to the emergencies in New York, Virginia, and Pennsylvania. In their efforts to rescue those in danger, some of these brave men and women made the ultimate sacrifice. The conferees also note that untold numbers of volunteers from States across the Nation also worked shoulder to shoulder in the rescue efforts, and their contributions in the face of this tragedy cannot be praised enough.

The events of September 11 underscore how important it is that this country's first responders have the proper equipment and training in the event of another terrorist act. The conferees recommend the following distribution of funding for counterterrorism equipment grants, training, and research and development programs:

COUNTERTERRORISM PROGRAM

[Dollars in thousands]

	Amount
Equipment Grants:	
State & Other Equipment Grant Program	\$112,740
State & Local Bomb Technician Equipment Program	10,000
Subtotal, Equipment Grants	122,740
Training and Technical Assistance:	
Integrated Training & Technical Assistance Program	35,485
Fort McClellan/Center for Domestic Preparedness	18,716
National Domestic Preparedness Consortium	13,969
Virtual Medical Campus	2,000
Website Pilot Program	2,000
Subtotal, General Training and Assistance	72,170
Exercise, Evaluation, & Improved Response:	
Situational Exercises	3,991
Nunn-Lugar-Domenici Improved Response Plans	2,600
TOPOFF II	2,993
Subtotal, Exercise, Evaluation, & Improved Response	9,584
Research and Development Program:	
Research and Development program	18,000
Dartmouth Institute	18,000
Oklahoma City National Memorial Institute	4,000
New York Center on Catastrophe Preparedness and Response	7,000
Subtotal, Research and Development Program	47,000
Total, Counterterrorism Programs	251,494

The conferees continue the direction regarding the distribution of general equipment grants only in accordance with Statewide plans. The conferees understand that these plans are currently being submitted to OJP.

The conferees are not convinced that sufficient attention is being given to potential chemical and biological threats nationally. Within available resources of the research and development program, OJP should conduct a study, in conjunction with George Mason University, to determine the feasibility for the establishment of a national center for biodefense, which would include the research, development, and production of vaccines to combat biological terrorism.

The conference agreement includes \$7,000,000 to support counterterrorism activities of the Center on Catastrophe Preparedness and Response at New York University (NYU). NYU proposes to bring the expertise of its departments of biomedical science, environmental health, medicine, public health, dentistry, and nursing, among others, to bear on counterterrorism studies. The conferees urge OJP to work with the Center to assure that there is a sufficient focus on chemical and biological threats.

The conferees are aware of the Joint Vulnerability Assessment Tool that provides the Department of Defense with an antiterrorism vulnerability assessment, risk management, and planning tool. OJP is directed to evaluate whether this program will be beneficial to State and local first responders and emergency planners, and fund its development if warranted.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

The conference agreement includes \$2,403,354,000 for the State and Local Law Enforcement Assistance Program, instead of \$2,519,575,000 as proposed by the House and \$2,094,990,000 as proposed by the Senate. The conference agreement provides for the following programs:

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

[Dollars in thousands]

	Amount
Local Law Enforcement Block Grant	\$400,000
(Boys and Girls Club)	(70,000)
(National Institute of Justice)	(19,956)
State Criminal Alien Assistance Program	565,000
Cooperative Agreement Program	20,000
Indian Assistance	48,162
(Tribal Prison Construction Program)	(35,191)
(Indian Tribal Courts Program)	(7,982)
(Alcohol and Substance Abuse)	(4,989)
Byrne Grants:	
Discretionary Grants	94,489
Formula Grants	500,000
Total, Byrne Grants	594,489
Violence Against Women Grants	390,565
Victims of Trafficking Grants	10,000
State Prison Drug Treatment	70,000
Drug Courts	50,000
Juvenile Crime Block Grant	249,450
(Project ChildSafe)	(38,000)
Other Crime Control Programs:	
Missing Alzheimer's Patients	898
Law Enforcement Family Support	1,497
Motor Vehicle Theft Prevention	1,298

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE—Continued

[Dollars in thousands]

	Amount
Senior Citizens Vs. Marketing Scams	1,995
Total, State and Local Assistance	2,403,354

Local Law Enforcement Block Grant.—The conference agreement includes \$400,000,000 for the Local Law Enforcement Block Grant program as proposed by the Senate, instead of \$521,849,000 as proposed by the House. Within the amount provided, the conference agreement includes \$70,000,000 for the Boys and Girls Clubs of America. The conferees expect the Boys and Girls Clubs of America to use a portion of these funds to carry out the Kids2000 Act (Public Law 106–313; 114 Stat. 1260).

Cooperative Agreement Program.—The conference agreement includes \$20,000,000 for the Cooperative Agreement Program, instead of \$35,000,000 as proposed by the House and Senate. Currently, there is over \$20,000,000 of unobligated balances available for this program. The conferees are concerned over the very high level of funding carried forward in the Cooperative Agreement Program. This program is intended to provide guaranteed State and local bed space for Federal detainees in USMS and INS custody. The conferees direct that the USMS, in consultation with INS, provide an implementation plan for these resources no later than January 15, 2002. The plan should include steps that USMS and INS intend to take to ensure that funding is obligated and this bed space is available.

Tribal Prison Construction.—The conference agreement includes \$35,191,000 for the prison construction program as proposed by both the House and Senate. The conferees expect OJP to examine each of the following proposals, provide grants if warranted, and submit a report on its intentions for each proposal: a NANA 28 bed jail for Kotzebue, Alaska; construction of a detention facility within the Spirit Lake Nation; construction of a detention facility for the Lower Brule Sioux Tribe; construction of a detention facility for the Mississippi Band of Choctaw Indians; and expansion of an adult detention facility for the Gila River Indian reservation.

Edward Byrne Grants to States.—The conference agreement includes \$594,489,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which \$94,489,000 is for discretionary grants and \$500,000,000 is for formula grants under this program. Within the amounts provided for discretionary grants, OJP is expected to review the following proposals, provide grants if warranted, and report to the Committees on its intentions. In addition, up to 10 percent of the funds provided for each program shall be made available for an independent evaluation of that program.

- \$5,000,000 for the National Crime Prevention Council's McGruff campaign;
- \$300,000 for the Women's Center, Vienna, VA;
- \$250,000 for the DuPage County, IL Fire Investigation Task Force for arson investigations;

- \$1,000,000 for the Julian Dixon Courtroom and Advocacy Center at the Southwestern University School of Law in Los Angeles, CA;
- \$1,000,000 for the Night Lights Program expansion in San Bernardino, CA;
- \$2,000,000 for the San Joaquin Valley, CA Rural Agricultural Crime Prevention Program;
- \$3,942,000 for the Center for Court Innovation in New York State, including \$1,000,000 for Onondaga County and surrounding areas;
- \$3,000,000 for the Law Enforcement Innovation Center (LEIC), TN;
- \$300,000 for the Chattanooga Endeavors Program;
- \$15,000 for the New Mexico Technology to Recover Abducted Kids (TRAK);
- \$3,000,000 for the National Fatherhood Initiative;
- \$3,000,000 for 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;
- \$300,000 for the National Association of Town Watch's National Night Out crime prevention program;
- \$750,000 for a prevent underage drinking demonstration program;
- \$500,000 for BiasHELP of Long Island;
- \$50,000 for the City of San Luis Obispo, CA, for a gang prevention project;
- \$75,000 for the NYPD criminal justice coordination project;
- \$1,100,000 for the National Training and Information Center (NTIC);
- \$1,000,000 for I-SAFE, for teaching children online safety;
- \$500,000 for Community Security Initiatives (CSI) of the Local Initiatives Support Corporation;
- \$600,000 for Atlanta, GA, for a comprehensive homicide reduction initiative;
- \$1,000,000 for Excelsior College in NY for a distance education degree program in criminal justice;
- \$200,000 for Men Against Destruction, Defending Against Drugs and Social Disorder (MAD DADS) of Miami-Dade, FL;
- \$2,235,000 for the Washington Metropolitan Area Drug Enforcement Task Force (MATF);
- \$500,000 for the Northwestern MA District Attorney's Office special prosecution program, for crimes against seniors and the disabled;
- \$500,000 for the expansion of law enforcement counseling programs at the On-Site Academy in Gardner, MA;
- \$350,000 for Turtle Mountain Community College's "Project Peacemaker";
- \$1,000,000 for the Doe Fund's Ready Willing and Able Program;

- \$1,000,000 for the TELACU family-based gang violence prevention program;
- \$20,000 for the Thin Blue Line of Michigan for assistance to law enforcement families in crisis;
- \$400,000 for the National Indian Justice Center;
- \$100,000 for the Rock Island Juvenile Court;
- \$1,000,000 for the National Corrections and Law Enforcement Training and Technology Center in Moundsville, WV;
- \$1,000,000 for the National White Collar Crime Center;
- \$1,000,000 for Kent State University's Institute for the Study and Prevention of Violence;
- \$2,000,000 for the Harold Rogers Prescription Drug Monitoring Program;
- \$6,000,000 for the Police Athletic League;
- \$100,000 for the Will County, IL Juvenile Drug Court;
- \$350,000 for the National Association of Court Management;
- \$1,000,000 for Mothers Against Drunk Driving (MADD);
- \$4,000,000 for Mental Health Courts;
- \$1,500,000 for the Newport News, VA, Achievable Dream Program;
- \$750,000 for the Chicago Project for Violence Prevention;
- \$662,000 for the Virginia Community Policing Institute;
- \$1,000,000 for Roger Williams University in Bristol, RI, for a law enforcement professional training program with the Justice System Research and Training Institute;
- \$1,750,000 for Kristen's Act;
- \$900,000 for the Beyond Missing Program to be coordinated with Office of Justice Programs and the National Center for Missing and Exploited Children;
- \$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;
- \$500,000 for Santee-Lynches Cops Demonstration Project to reduce violent crime, drug trafficking, and substance abuse;
- \$2,000,000 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;
- \$2,750,000 for the Drug Abuse Resistance Education (DARE AMERICA) program. The Conferees are concerned that DARE programs effectiveness has been called into question and encourages DARE to continue the restructuring effort currently underway and to report to the Committees on its progress;
- \$150,000 for the Indianapolis Comprehensive Domestic Violence Response Program;
- \$200,000 for the Baker County, Oregon Federal Law Enforcement Training Center;

- \$250,000 for Alfred University's Coordinating County Services for Families and Youth;
- \$1,400,000 to the Springfield, Missouri Police and Fire Training Center;
- \$3,000,000 for the Clearwater, Idaho EDA for the Lewis and Clark Bicentennial Bi-State Public Safety Project;
- \$350,000 for the Albuquerque, NM DWI Resource Center to fund drunk driving awareness and prevention programs;
- \$750,000 to the Nevada National Judicial College;
- \$1,500,000 for the Tools for Tolerance Program;
- \$400,000 for the University of Northern Iowa for the Domestic Violence Services for Women project;
- \$4,000,000 for the Eisenhower Foundation for the Youth Safe Haven program;
- \$500,000 for the Littleton Area Learning Center;
- \$200,000 for Boyle-Mercer County for a Court Appointed Special Advocate;
- \$250,000 for the Regional Prevention Center in Maysville, Kentucky;
- \$1,500,000 to the New Hampshire Department of Safety for Operation Streetsweeper;
- \$400,000 for the Carroll County District Court's Alternate Sentencing Program in New Hampshire;
- \$1,500,000 for the Center for Task Force Training;
- \$1,000,000 for the University of Nebraska, Department of Criminal Justice, for a police professionalism initiative;
- \$350,000 for the Southwest Arkansas Domestic Violence Center for domestic violence prevention activities to fund programmatic and equipment costs;
- \$500,000 for the Southwest Texas State University Law Enforcement Training Center for equipment and program support;
- \$250,000 for the Oklahoma Bureau of Narcotics for the necessary equipment to establish a Mobile Command Post;
- \$500,000 for the Arizona Criminal Justice Commission;
- \$350,000 to the Iowa Department of Public Health to institute a pilot program to rehabilitate nonviolent drug offenders;
- \$350,000 for the Ninth West Judicial District in Arkansas for video conference equipment for remote witness testimony;
- \$200,000 for the Cranston, Rhode Island Police Department's Community Police Division for community policing initiatives;
- \$900,000 for Ridge House Treatment Facility in Reno, Nevada to house low intensity, non-sex offender, non-violent convicts;
- \$110,000 for a Statewide DARE coordinator in Alaska;
- \$300,000 for the National Center for Rural Law Enforcement in Little Rock, Arkansas;
- \$750,000 for the Alaska Native Justice Center Restorative Justice programs;
- \$1,100,000 for rural alcohol interdiction, investigations, and prosecutions in the State of Alaska;

- \$250,000 for the Partners for Downtown Progress program in Alaska;
- \$1,000,000 for Jefferson County, Alabama for an emergency system;
- \$100,000 for the Native American Community Board in Lake Andes, South Dakota for programming and equipment related to the Domestic Violence Shelter and Community Prevention Program;
- \$150,000 for the Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota;
- \$230,000 for the MUSC Innovative Alternatives for Women program;
- \$1,000,000 for the South Carolina U.S. Attorney’s Office in Charleston for software, personnel, and equipment related to a gunfire detection system;
- \$500,000 for Kansas City, Missouri, for the continuation of the Community Security Initiative; and
- \$500,000 for STEP II, for the Washoe County Rehabilitation Program.

Violence Against Women Act.—The conference agreement includes \$390,565,000 to support grants under the Violence Against Women Act, as proposed by both the House and Senate. The conference agreement provides funding under this account as follows:

VIOLENCE AGAINST WOMEN ACT PROGRAMS

[Dollars in thousands]

	Amount
General Grants	\$184,737
(National Institute of Justice)	(5,200)
(Safe Start Program)	(10,000)
(Domestic Violence Federal Case Processing Study)	(1,000)
(Domestic Violence Emergency Calls Study)	(200)
Victims of Child Abuse:	
CASA (Special Advocates)	11,975
Training for Judicial Personnel	2,296
Grants for Televised Testimony	998
Grants to Encourage Arrests Policies	64,925
Rural Domestic Violence Assistance Grants	39,945
Training Programs	4,989
Stalking Database	3,000
Violence on College Campuses	10,000
Civil Legal Assistance	40,000
Elder Abuse Grant Program	5,000
Safe Haven Project	15,000
Domestic Violence Forensic Exams Study	200
Education and Training for Disabled Female Victims	7,500
Total	390,565

The conference agreement adopts by reference Senate report language directing the Department to work with the State of Alaska, the Alaska Native community, and non-profit organizations involved in prevention and treatment of domestic violence to develop a Statewide plan to combat domestic violence.

Substance Abuse Treatment for State Prisoners.—The conference agreement includes \$70,000,000 for grants to States and units of local government for development and implementation of residential substance abuse treatment programs within State cor-

rectional facilities and certain local correctional and detention facilities. The conference agreement adopts by reference the House report language regarding expanding the use of these grants to provide treatment for released State prisoners.

Juvenile Accountability Incentive Block Grant.—The conference agreement includes \$249,450,000 for the Juvenile Accountability Incentive Block Grant program as proposed by the House and Senate. Within this amount, \$38,000,000 is available for Project ChildSafe, an initiative that will ensure gun safety locks are available for every handgun in America. An additional \$12,000,000 is included for gun safety locks under Juvenile Justice, for a total funding level of \$50,000,000.

The conferees support the use of gun safety locks and encourage the distribution of safety locks to handgun owners. However, the conferees are concerned with reports that some of these safety locks have failed or do not work on certain handguns. The conferees understand that the Department of Justice is reviewing the availability of national standards for gun safety locks, and that private industry groups have also sought the promulgation of such standards. The Department of Justice is directed to work with various Federal agencies, private industry groups, and other interested parties in the development of national standards for gun safety locks. Funds recommended for Project ChildSafe may be used to offset the cost of this effort. Until such national standards are established, or interim standards identified, no funds shall be obligated for the purchase and distribution of gun safety locks and only locks that meet these standards should be purchased and distributed.

The conferees direct the Department of Justice to submit a report by January 15, 2002 that: (1) reports the status of the development of interim and national standards for handgun safety locks; (2) provides cost estimates for gun safety locks based on the new national standards; and (3) describes how funding for gun safety locks will be distributed to the States.

Senior Citizens Against Marketing Scams.—The conference agreement includes \$1,995,000 for programs to assist law enforcement in preventing and stopping marketing scams against the elderly. The conference agreement adopts by reference the Senate report language requesting OJP to conduct some program sessions at the National Advocacy Center and to coordinate efforts with the Federal Trade Commission.

WEED AND SEED PROGRAM FUND

The conference agreement includes \$58,925,000 for the Weed and Seed program, as proposed by both the House and Senate.

COMMUNITY ORIENTED POLICING SERVICES

The conference agreement includes \$1,050,440,000 for the Community Oriented Policing Services (COPS), instead of \$1,013,498,000 as proposed by the House and \$1,049,659,000 as proposed by the Senate. The conference agreement provides funding under this account as follows:

COMMUNITY ORIENTED POLICING SERVICES

[Dollars in thousands]

	Amount
Public Safety and Community Policing:	
COPS Hiring Program	\$330,000
(School Resource Officers)	(180,000)
Training and Technical Assistance	20,662
Tribal Law Enforcement	35,000
Police Corps	14,435
Methamphetamine Enforcement & Clean-up	70,473
Bulletproof Vests	25,444
Subtotal, Public Safety and Community	496,014
Crime-Fighting Technologies:	
Law Enforcement Technology Program	154,345
Crime Identification Technology Act	87,287
(Safe Schools Technology)	(17,000)
National Criminal History Improvement	35,000
Crime Laboratory Improvement Program	35,000
DNA Backlog Elimination	40,000
Subtotal, Crime-Fighting Technologies	351,632
Prosecution Assistance:	
Southwest Border Prosecutors	50,000
Gun Violence Reduction Program	49,780
Subtotal, Prosecution Assistance	99,780
Community Crime Prevention:	
Police Integrity	16,963
Offender Reentry	14,934
School Safety Initiatives	23,338
Project Sentry	14,967
Subtotal, Community Crime Prevention	70,202
Management and Administration	32,812
Total, Community Policing Services	1,050,440

COPS Hiring Program.—The conference agreement includes \$330,000,000 for the COPS hiring program, with up to \$180,000,000 available for the hiring of school resource officers. The conferees understand that approximately \$55,000,000 is available in recoveries. Language has been included making these recoveries available for the direct hiring of law enforcement officers through the COPS Hiring Program.

The conference agreement includes language that allows technology grants to be made from fiscal year 2002 direct appropriations under the COPS Hiring Program not subject to redeployment tracking requirements. However, the conferees expect that requests for technology funds will still demonstrate the time savings expected from implementing these technology grants.

Police Corps.—The conference agreement includes \$14,435,000 for the Police Corps Program. The conferees understand that the Police Corps program has sufficient unobligated balances available to allow the program to maintain its activities in fiscal year 2002 at the prior year level.

Methamphetamine Enforcement and Clean-Up.—The conference agreement includes \$70,473,000 for State and local law enforcement programs to combat methamphetamine production and distribution, to target drug “hot spots,” and to remove and dispose of hazardous materials at clandestine methamphetamine labs.

Within the amount provided, the conferees have included \$20,000,000 to be reimbursed to the DEA for assistance to State and local law enforcement for proper removal and disposal of hazardous materials at clandestine methamphetamine labs.

Within the amounts provided, the Department is expected to review, in consultation with DEA, the following proposals, provide grants if warranted, and report to the Committees on its intentions:

- \$2,100,000 for the Sioux City, IA Regional Methamphetamine Training Center, to provide training to officers from eight states in over 80 classes;
- \$1,000,000 for the Methamphetamine Task Force in East Tennessee, to fight the spread of meth labs in this region;
- \$1,000,000 for the Oklahoma State Bureau of Investigations and Oklahoma Bureau of Narcotics and Dangerous Drug Control, to assist their methamphetamine clean up operations;
- \$1,500,000 for the Western Kentucky Methamphetamine Initiative, in collaboration with Daviess County;
- \$500,000 for the Virginia State Police, to assist their efforts in combating methamphetamine;
- \$500,000 for the Indiana State Police, to assist their efforts in combating methamphetamine;
- \$580,000 for the Marion County, OR, methamphetamine project;
- \$300,000 for the Marathon and Douglas Counties, WI, methamphetamine initiatives;
- \$1,000,000 for the City of Phoenix, AZ, for methamphetamine laboratory cleanup;
- \$200,000 for the Minot State University, ND, rural methamphetamine project;
- \$405,000 for the Jackson County, MS, Sheriff’s office methamphetamine initiative;
- \$500,000 for the Riley County, KS Police Department to assist in methamphetamine clean-up operations;
- \$803,000 for the Wichita Police Department clandestine methamphetamine lab equipment package;
- \$500,000 for the Louisiana Methamphetamine Task Force;
- \$461,000 for the Oklahoma City Police Department for a Methamphetamine/Drug Hot Spots Initiative;
- \$4,000,000 for the Washington State Methamphetamine Programs, participants in this program will include Benton County, Chelan County, City of Spokane, Clark County, Cowlitz County, Ferry County, Grant County, Grays Harbor County, King County, Kitsap County, Lewis County, Mason County, Pend Oreille County, Pierce County, Pierce County Alliance, Snohomish County, Spokane County, Stevens County, Thurston County, and Yakima County;

- \$3,000,000 for California Department of Justice, Bureau of Narcotics Enforcement, for the California Methamphetamine Strategy (CALMS);
- \$619,000 for the Mississippi Bureau of Narcotics to combat methamphetamine and to train officers on the proper recognition, collection, removal, and destruction of methamphetamine;
- \$750,000 for the Methamphetamine Awareness and Prevention Project of South Dakota to expand prevention efforts to include Native American reservations;
- \$500,000 for the Illinois State Police to combat methamphetamine and to train officers in those types of investigations;
- \$1,000,000 for the Iowa Methamphetamine Initiative;
- \$200,000 for the Iowa Tanks-A-Lock Project;
- \$655,000 for the Arkansas Methamphetamine/Drug Hot Spots Initiative, of which \$155,000 shall be used to retain three chemists at the Arkansas Crime Lab;
- \$250,000 for the Wisconsin Ecstasy Awareness Program;
- \$1,000,000 for the Wisconsin Methamphetamine Law Enforcement Initiative;
- \$500,000 for the Arizona Methamphetamine Initiative for personnel, training, and equipment;
- \$400,000 for the Vermont State Multi-Jurisdictional Drug Task Force;
- \$150,000 for methamphetamine training for rural law enforcement officers in Arkansas;
- \$500,000 for the Kansas Bureau of Investigation to combat methamphetamines;
- \$2,000,000 for the Montana Methamphetamine Initiative;
- \$500,000 for the Flathead Valley, Montana Methamphetamine Initiative;
- \$750,000 for the Central Utah Methamphetamine Program;
- \$1,250,000 for the Midwest Methamphetamine Initiative; and
- \$1,100,000 for the Missouri Methamphetamine Initiative.

Law Enforcement Technology Program.—The conference agreement includes \$154,345,000 for continued development of technologies and automated systems to assist State and local law enforcement agencies in investigating, responding to and preventing crime.

Within the amount provided, the COPS office should examine each of the following proposals, provide grants if warranted, and submit a report to the Committees on its intentions for each proposal:

- \$8,000 for the Walker County Jail, AL, for police radio system upgrades;
- \$10,000 for the Powell Police Department, AL, for police equipment upgrades and technology enhancements;
- \$60,000 for the Blountsville Police Department, AL, for an integrated automated fingerprint information system;

- \$3,815,000 for the Simulated Prison Environment Crisis Aversion Tools (SPECAT);
- \$400,000 for Mooresville, NC, for a Silent Dispatch and Automatic Vehicle Locator System;
- \$50,000 for Springfield, MO, for security equipment for the Southside District Police Station;
- \$400,000 for the Springfield, MO Police Department, for in-car video cameras;
- \$3,000,000 for the Alabama law enforcement SmartCOP technology initiative;
- \$1,000,000 for the City of Escondido, CA, for communications technology upgrades;
- \$1,000,000 for Placer County, CA, for public safety communications upgrades;
- \$1,000,000 for Citrus Heights, CA, for technological improvements to centralize the police force;
- \$300,000 for the City of Sierra Madre, CA, for law enforcement equipment for the Emergency Operations Center;
- \$900,000 for the Arcadia Police Department, CA, for the conversion to narrowband radios;
- \$200,000 for the Northeast Wisconsin Technical College Tactical Training Facility, Green Bay, WI, for equipment;
- \$500,000 for the Cache County, UT Sheriff's Department, for law enforcement training simulators;
- \$100,000 for the Aliquippa Police Department, PA, for police equipment, training, and computer resources;
- \$800,000 for the Joint Venture 9-1-1 Communications Center (Tri-Com), IL, for law enforcement communications equipment replacement;
- \$781,000 for the Long Beach Police Department, CA, for imaging technology;
- \$3,000,000 for the video teleconferencing grant program, through INS, to provide local sheriff's offices the ability to identify or arraign apprehended aliens;
- \$735,000 for the Redlands, CA East Valley Community Justice Center, to study and identify new technologies;
- \$750,000 for Inyo County, CA, for public safety radio communications;
- \$625,000 for the Arlington County, VA Police Department and the New Jersey State Police, for Racial Profiling Self-Assessment Software;
- \$45,000 for the Jeffersontown Police Department, KY, for in-car video systems;
- \$75,000 for the Jefferson County, KY Domestic Violence Unit, for the purchase of cameras to be used during investigations;
- \$750,000 for the Louisville, KY Division of Police, for in-car video systems;
- \$1,000,000 for the Sacramento, CA Sheriff's Department, for law enforcement technology systems;
- \$7,500,000 for the Regional Law Enforcement Technology Program in KY;
- \$1,000,000 for Sedgwick County, KS Sheriff's Department, for an integrated records management system;

- \$800,000 for Jefferson County, AL, for law enforcement communication equipment upgrades;
- \$250,000 for Washington Parish, LA Sheriff's Office, for law enforcement technology and automated systems;
- \$250,000 for Tangipahoa Parish, LA Sheriff's Office, for law enforcement technology and automated systems;
- \$125,000 for the City of Harahan, LA Police Department, for law enforcement technology and automated systems;
- \$250,000 for the City of Kenner, LA Police Department, for law enforcement technology and automated systems;
- \$125,000 for the City of Gretna, LA Police Department, for law enforcement technology and automated systems;
- \$500,000 for St. Tammany Parish, LA Sheriff's Office, for automated systems to assist investigations;
- \$500,000 for Orleans Parish, LA Police Department, for law enforcement technology and automated systems;
- \$3,000,000 for the Law Enforcement Online (LEO) Program;
- \$1,500,000 for the Chattanooga, TN Police Department, for law enforcement technology;
- \$1,500,000 for the Oklahoma Department of Public Safety, for in-car video cameras for the Highway Patrol;
- \$35,000 for Allen County, KY, for the law enforcement component of an emergency systems upgrade;
- \$165,000 for Page County, VA, for law enforcement equipment to consolidate 911 services;
- \$1,000,000 for the Virginia State Police, for in-car video cameras;
- \$2,000,000 for the Center for Criminal Justice Technology;
- \$3,500,000 for Pinellas County, FL, law enforcement agencies, for facial recognition technology;
- \$1,000,000 for the City of Mayaguez, PR, for municipal police technology improvements;
- \$1,500,000 for the City of Madison, WI, for laptop computers and video monitoring units in patrol cars;
- \$500,000 for the Las Vegas, NV Metropolitan Police Department's Interagency Cyber Crime Task Force, for technology improvements;
- \$750,000 for the City of Tallahassee, FL, for a joint law enforcement communications upgrade;
- \$1,850,000 for the City of Baltimore, MD, for law enforcement technology upgrades including laptop computers, cameras and wiretap equipment;
- \$300,000 for the Indianapolis, IN Police Department, for technology enhancements including in-car cameras;
- \$1,235,000 for the Territory of the Virgin Islands, for technology equipment and upgrades;
- \$750,000 for Lane County/Springfield/Eugene, OR, for law enforcement area information records system (AIRS);
- \$750,000 for the City of Austin, TX, for police mobile data computers;
- \$750,000 for the City of Fresno, CA Police Department, for a law enforcement communications system;

- \$100,000 for the NYPD 47th Police Precinct, for equipping a mobile command center;
- \$300,000 for East Palo Alto, CA Police Department, for communications and computer equipment;
- \$250,000 for the Marlboro Police Department in Monmouth County, NJ, for video cameras in patrol cars;
- \$150,000 for Marion County, OR, for mobile probation computers and radio equipment;
- \$625,000 for the East Hazel Crest, IL SSMMA/Regional Law Enforcement Technology Support Center, for technological enhancements;
- \$750,000 for the City of Pawtucket, RI Police Department, for technology upgrades, including a digital radio system;
- \$750,000 for the Town of Portsmouth, RI Police Department, for technology upgrades including computing and communications systems;
- \$750,000 for the Galveston County, TX Sheriff's Office, for the Southeast Texas Region Law Enforcement Technology Project, including data equipment and computers;
- \$87,000 for the Palos Park Police Department, for law enforcement equipment and new technology;
- \$33,000 for the Southwest Major Case Unit, IL, for video surveillance and related technology;
- \$75,000 for the Village of Larchmont, NY Police Department, for closed-circuit surveillance equipment;
- \$20,000 for the Town of Mamaroneck, NY, for police communications equipment;
- \$85,000 for the Village of Mamaroneck, NY Police Department, for an automated fingerprinting system;
- \$100,000 for the City of New Fairfield, CT Police Department, for technology improvements including laptop computers for patrol cars;
- \$210,000 for the Saint Paul, MN Police Department, for police radios;
- \$500,000 for North Attleboro, MA, for technology upgrades at the new police facility;
- \$1,000,000 for the facial recognition and data capture system demonstration for 5 counties in Massachusetts;
- \$750,000 for Jersey City, NJ, for radio system upgrades and fixed radio network equipment;
- \$250,000 for Union City, NJ, for CAD and RMS systems;
- \$500,000 for the Solano County, CA Regional Law Enforcement Training Center, for technology infrastructure;
- \$225,000 for the Holyoke, MA Police Department, for equipment;
- \$1,500,000 for the City of San Francisco, CA, for a geographic information crime mapping system;
- \$300,000 for Wake County, NC, for law enforcement communications;
- \$500,000 for the City of South Bend, IN, for video and audio recording systems in squad cars;
- \$1,801,000 for the Minneapolis, MN Police Department, for an automated resources system;

- \$500,000 for the Santa Ana, CA Police Department Crime Analysis Unit, for equipment purchases;
- \$900,000 for the City of Norfolk, VA Police Department, including \$400,000 for a computer aided dispatch system and \$500,000 for video cameras;
- \$750,000 for Ventura County, CA, for an Integrated Justice Information System;
- \$40,000 for White County, AR, for technology upgrades at the county jail;
- \$750,000 for the City of Abilene, TX, for purchase of emergency response and public safety communications equipment for law enforcement;
- \$750,000 for the Charlevoix-Cheboygan-Emmett, MI Central Dispatch Authority, for computer aided dispatch/records management software;
- \$750,000 for the Citrus County, FL, Emergency Operations and Communications Center, for law enforcement technology enhancements;
- \$90,000 for the San Juan County Criminal Justice Training Authority/City of Farmington, NM, for an automated fingerprint identification system;
- \$3,000,000 for Project Hoosier SAFE-T, for communications systems upgrade;
- \$45,000 for the Griffith, IN Police Department, for in-car video cameras;
- \$50,000 for the Northwest IN Police Department, for an automated fingerprint identification system;
- \$500,000 for the City of Inglewood, CA Police Department, for digital records management and equipment;
- \$500,000 for the City of Gardena, CA, for technology equipment for patrol cars;
- \$1,400,000 for Columbia County, OR, for law enforcement communications;
- \$1,000,000 for Los Angeles County, CA, for law enforcement communications upgrade;
- \$250,000 for Washington State Department of Corrections sex offender monitoring equipment upgrades;
- \$175,000 for the Washington County, NY Board of Supervisors, for a mobile command and communications center;
- \$60,000 for the City of Thibodaux, LA, for in-car video cameras and computers;
- \$100,000 for the New Orleans Metropolitan Crime Commission;
- \$1,549,000 for the San Bernardino County, CA Probation Department, for a case management system;
- \$90,000 for Douglas, WI, for drug interdiction software system;
- \$500,000 for the Borough of Shrewsbury, NJ Police Department, for technology upgrades;
- \$1,500,000 for the Orange County, CA Strategic Integrated Justice System, for the electronic linking of law enforcement communities;
- \$2,000,000 for the Illinois State Police, for the implementation of an integrated records management system;

- \$1,000,000 for the Louisiana State Police, for the Information and Management Systems within the Emergency Operations Center;
- \$1,000,000 for the Washington, DC Metropolitan Council of Government and Police Chiefs' Pawn database;
- \$300,000 for Del Mar College in Corpus Christi, TX, for the Network of Medicolegal Investigative Systems (NOMIS);
- \$500,000 for Orange County, CA District Attorney's Task Force aimed at Catching Killers, Rapists and Sexual Offenders (TrackERS);
- \$5,000,000 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 our law enforcement officials to help them 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;
- \$150,000 for Criminal Intelligence Unit in Iberia Parish, Louisiana;
- 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;
- \$4,000,000 for the Utah Communications Agency Network (UCAN) for enhancements and upgrades of security and communications infrastructure to assist with law enforcement needs arising from the 2002 Winter Olympics. Of the \$4,000,000 appropriated for UCAN \$1,440,000 is for Salt Lake County, Utah, \$640,000 is for Salt Lake City, Utah, and \$740,000 is for the City of Ogden, Utah;
- \$1,000,000 for the Montana Highway Patrol for computer upgrades;
- \$90,000 for the Billings, Montana Police Department for a firearms training system;
- \$250,000 for a grant to Portland, Oregon Police Department for its Squad Car Unit Identification (SQUID) program;
- \$125,000 for technology equipment to create a traffic enforcement unit in the Muncie, Indiana Police Department;
- \$250,000 for the Cache Valley, Utah Multi-jurisdictional 800 Megahertz Project;
- \$500,000 for the Louisiana Interstate 10 Technology Support Project;
- \$500,000 for teleconferencing equipment for the Montana Supreme Court;
- \$400,000 for a criminal justice records management system for the Missoula, Montana Sheriff's Department;
- \$310,000 to fund technology enhancements for the Douglas County, Colorado Sheriff's Office;
- \$700,000 for the City of Colorado Springs for its CMS and PASS systems;

- \$4,000,000 for the Missouri State Highway Patrol Integration Technology Program;
- \$6,000,000 for the Harrison County Public Safety Automated Systems project;
- \$500,000 for Simpson County, Mississippi's public safety automated technologies system;
- \$725,000 for the City of Jackson Mississippi's public safety automated technologies system;
- \$1,000,000 for the Jersey City Police Department's Crime Identification System to upgrade communications systems;
- \$400,000 for the Berkeley Township Police Department in New Jersey to upgrade communications technology;
- \$4,100,000 for the Southwest Border Anti-Drug Information System of which \$500,000 is to go to the State of Idaho;
- \$375,000 to fund the Bonner Sheriff's Department's Emergency Communications Center;
- \$2,800,000 to fund Minnesota's Criminal Justice Enterprise Architecture;
- \$750,000 for the Ohio Computer Crime Unit to upgrade technology;
- \$600,000 to the National Center for Victims of Crime INFOLINK Program;
- \$500,000 for a grant to Mountain Village to equip a new communications center to improve emergency dispatch services to the region;
- \$750,000 for a grant to Montrose Police Department for the purchase of a trunked communications system;
- \$1,000,000 to fund the Criminal Justice Information System (CJIS), an on-going project within the State of North Carolina;
- \$250,000 for the Macon County, Illinois Sheriff's Department for law enforcement technologies and to modernize equipment;
- \$1,000,000 for communications upgrades for Portsmouth, New Hampshire Police Department;
- \$185,000 to fund computer and technology upgrades for the Charleston, South Carolina Sheriff's Department;
- \$150,000 for Emergency 911 System Enhancements for the Hawaii County Police and Fire Department;
- \$350,000 for a grant to the Colchester and South Burlington Police Departments to fund computer upgrades;
- \$250,000 for a grant to the New Bedford Police Department for communication upgrades to improve the efficiency and effectiveness of local police efforts;
- \$750,000 for a grant to the Vermont Department of Public Safety for mobile communications technology upgrades to respond to and prevent acts of terrorism;
- \$2,200,000 for a grant to the Omaha Police Department and the Douglas County Sheriff's Office to fund technology for improved communications capabilities;
- \$1,500,000 for a grant to Clark County, Nevada to upgrade and replace the 911 and Emergency Response System in Clark County;

- \$500,000 for a grant to the Overland Park Police Department in Kansas for technology enhancements;
- \$139,000 for a grant to the Beaver and Butler County Regional Police Network for communications technology enhancements;
- \$750,000 for a grant to Pennsylvania's Allegheny County Regional Police Network for communications technology enhancements;
- \$125,000 for a grant for the Green Bay Police GangNet Program;
- \$320,000 for a grant to the Nashua Police Department for technology and equipment for training exercises;
- \$550,000 for a grant to Henderson City—County Police Departments for Mobile Data Terminals;
- \$1,000,000 for a grant to the Maine State Police Communications Systems for technology enhancements to improve its communications infrastructure;
- \$1,000,000 for a grant to the Wasilla Regional Dispatch Center in Alaska for technology and communications upgrades;
- \$2,000,000 for a grant to the Alaska Department of Public Safety for technology and communications upgrades;
- \$37,000 for a grant to the Napoleon, Ohio Police Department for technology upgrades;
- \$4,000,000 for the Consolidated Advanced Technologies for Law Enforcement to improve communications between police cruisers;
- \$4,500,000 for the South Carolina Coastal Plain Police Initiative;
- \$500,000 for a grant to the Boston School Safety Initiative to purchase equipment and technology to reduce school violence;
- \$750,000 for a grant to the Fresno Police Department for technology upgrades;
- \$130,000 for Red River, New Mexico to improve 911 capabilities;
- \$400,000 for a grant to fund the St. Louis Regional Justice Information Service;
- \$1,000,000 for the New Jersey State Police Law Enforcement Training Center;
- \$1,000,000 for the Arkansas State Police for in-car cameras;
- \$1,000,000 for Jefferson County, KY, mobile data terminals;
- \$250,000 for the South Carolina U.S. Attorney's Office in Charleston for technology enhancements related to a gunfire detection system;
- \$185,000 for the Cumberland Plateau Area Drug Task Force for a law enforcement information sharing initiative;
- \$800,000 for the National Sheriff's Association for multi-state ISS; and
- \$500,000 for Berlin, New Hampshire for technology upgrades.

Crime Identification Technology Act.—The conference agreement includes \$87,287,000 to be used and distributed pursuant to

the Crime Identification Technology Act of 1998, Public Law 105-251.

Within the overall amounts recommended, the OJP should examine each of the following proposals, provide grants if warranted, and submit a report to the Committees on its intentions for each proposal:

- \$4,000,000 for the Cyber Science Laboratory, for the acquisition and development of new and advanced investigative, analysis, and forensic tools for Federal, State and local law enforcement to help the justice community make better use of technologies;
- \$1,000,000 for the Washington Association of Sheriffs and Police Chiefs (WASPC), for the statewide jail booking, reporting, and victim notification system;
- \$3,500,000 for WEBCHECK, the Ohio background check system, for its integration into the FBI fingerprint system;
- \$6,500,000 for the Virginia Department of Criminal Justice Services, for the Integrated Criminal Justice Information System;
- \$1,700,000 for Buncombe County, NC, for conversion of the City-County Bureau of Identification criminal arrest records into an accessible electronic format;
- \$5,000,000 for the Squad Car Unit Identification (SQUID) program, for remote fingerprint identification programs in Ontario and Rialto, CA; Redlands, CA; and Minneapolis, MN;
- \$1,000,000 for the Las Vegas, NV Metropolitan Police Department, for the Metro Automated Identification Network (MAIN) System;
- \$3,052,000 for the Great Cities Universities Coalition, for criminal justice data gathering and analysis;
- \$500,000 for the San Diego, CA Police Department, for the Criminal Records Management System (CRMS);
- \$2,000,000 for the Wayne Area Justice Information System (WAJIS), MI;
- \$1,679,000 for Hennepin County, MN, for an integrated criminal database system;
- \$3,000,000 for the Mecklenburg County, NC, Criminal Justice Information System (CJIS);
- \$250,000 for the Miami-Dade County Juvenile Assessment Center Demonstration Project;
- \$500,000 for the Mecklenburg, NC Sheriff's Office, for a sex offender registration unit;
- \$500,000 for King County, WA for DNA testing;
- \$4,000,000 to the State Police of New Hampshire, for a VHF trunked digital radio system;
- \$2,500,000 for the Juvenile Justice Information System in Missouri;
- \$1,057,000 for the University of Southern Mississippi to fund crime identification technology training;
- \$762,000 for a grant to the State of Alaska to complete the final phase of the criminal justice management information system replacement;

- \$600,000 for a grant to the State of Alaska for the training of Village Public Safety Officers and small village police officers, and acquisition of emergency response equipment for rural communities;
- \$2,000,000 for a grant to the Alaska Department of Public Safety for the public safety information network to integrate Federal, State, and local criminal records along with social service and other records. The Committee expects the system design to include the capability to provide background checks on potential child care workers for child care providers and families with the permission of the job applicant. The State should consult with the National Instant Background Check System for technical expertise;
- \$900,000 for Critical Incidence Response Technologies in South Carolina;
- \$3,200,000 to fund the Criminal Justice Communications Upgrade in South Carolina;
- \$200,000 for a grant to the Xenia Police Department to investigate child sexual exploitation on the Internet;
- \$200,000 for a grant to Indiana University/Purdue University at Indianapolis to expand the use and deployment of imaging systems to State and local law enforcement agencies;
- \$300,000 for a grant to the Fifth Judicial Circuit of South Dakota to establish a coordinated juvenile arrest tracking system;
- \$6,500,000 for a grant to the State of South Dakota for the development of a statewide communications system;
- \$3,000,000 for the South Carolina State Law Enforcement Secure Communications Upgrade;
- \$3,000,000 for a grant to Milwaukee, Wisconsin, for communications infrastructure equipment;
- \$850,000 for a grant to the South Carolina State Law Enforcement Division for a High Technology Crime Investigative Unit.

Crime Laboratory Improvement Program.—The conference agreement includes \$35,000,000 for the crime laboratory improvement program.

Within the overall amounts recommended, the OJP should examine each of the following proposals, provide grants if warranted, and submit a report to the Committees on its intentions for each proposal:

- \$8,500,000 for the National Forensic Systems Technology Center;
- \$2,000,000 for the University of Connecticut for DNA research;
- \$2,000,000 for the University of New Haven, CT, for DNA research;
- \$3,000,000 for the Iowa State University Midwest Forensics Science Center;
- \$1,000,000 for the Central Gulf Coast Regional Computer Forensics Laboratory;
- \$1,000,000 for the Mississippi Crime Lab to upgrade the lab's capability to analyze DNA in a forensic laboratory;

- \$750,000 to the Northeastern Illinois Public Safety Training Academy for crime lab enhancements;
- \$1,000,000 for the National Forensic Science Institute;
- \$1,000,000 for upgrades to the Iowa Forensic Laboratory;
- \$500,000 for the National Academy for Forensic Computing in Central Piedmont, North Carolina;
- \$60,000 to address the DNA backlog in the Arkansas Crime Laboratory;
- \$1,000,000 for a grant to the Alabama Department of Forensic Sciences;
- \$250,000 for a grant to Virginia's Electronic Fingerprint Archive System;
- \$4,000,000 to the West Virginia University Forensic Identification Program;
- \$1,750,000 for the South Carolina Law Enforcement Division's Laboratory Improvement Program;
- \$777,000 for the South Carolina Law Enforcement Division's Computer Evidence Recovery Facility (CERF); and
- \$800,000 for the Ohio Computer Forensic Lab.

DNA Backlog Elimination.—The conference agreement includes \$40,000,000 to reduce the DNA sample backlog. Within this amount, \$5,000,000 is available for Paul Coverdell Forensics Sciences Improvement grants.

Southwest Border Prosecutions.—The conference agreement includes \$50,000,000 to provide assistance to State and local prosecutors located along the southwest border, including the integration and automation of court management systems. This program will provide financial assistance to Texas, New Mexico, Arizona, and California for the State and local costs associated with the handling and processing of drug and alien cases referred from Federal arrests.

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

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

Safe Schools Initiative.—The conference agreement includes \$23,338,000 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.

Within the amount provided, the COPS office should examine each of the following proposals, provide grants if warranted, and

submit a report to the Committees on its intentions for each proposal:

- \$1,000,000 for Miami-Dade County, FL Public Schools, for technology equipment for school policing activities;
- \$495,000 for the Home Run Program;
- \$1,000,000 for the University of Montana, Pathways to Discovery Project, a community based after-school program for at-risk youth;
- \$500,000 for the Family, Career and Community Leaders of America (FCCLA) “Stop the Violence” program;
- \$750,000 for the New Mexico State University for the After School Services Pilot Program for at-risk youth;
- \$500,000 for the Loudoun County, VA School Probation Program;
- \$350,000 for the Jacksonville, FL collaborative partnership for the Truancy Interdiction Program;
- \$600,000 for the South Carolina Law Enforcement Truancy Initiative;
- \$500,000 for Para Los Ninos collaborative program with the LA County Probation Department;
- \$5,000,000 for the Secure Our Schools Act;
- \$75,000 for DuPage County, IL Safe School Initiative;
- \$150,000 for the Port Chester, NY Public Schools at-risk youth program;
- \$205,000 for King County, WA, for the School Resource Officers Program;
- \$1,701,000 for North Eastern Massachusetts Law Enforcement Council for the School Threat Assessment and Response System (STARS);
- \$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;
- \$500,000 for the New Mexico School Security Technology and Resource Center;
- \$300,000 for the Secure School Program in New Mexico;
- \$250,000 to fund Project Success in Danville, Illinois;
- \$100,000 for the Watch D.O.G.S. Across America in Springdale, Arkansas to enhance school safety;
- \$1,000,000 for the School Violence Resource Center in Little Rock, Arkansas;
- \$500,000 for the Alaska Community in Schools Mentoring program;
- \$2,750,000 for the Partnership for High Risk Youth to improve opportunities for disadvantaged communities and to study social policies and public programs;
- \$100,000 for the Na Keika Law Center in Hawaii;
- \$762,000 for the Northeastern South Dakota Children and Family Initiative in Aberdeen, South Dakota;
- \$1,000,000 for South Dakota Internet Child Safety Project; and
- \$250,000 for the Boy Scouts Learning for Life Program.

JUVENILE JUSTICE PROGRAMS

The conference agreement includes \$305,860,000 for Juvenile Justice programs, instead of \$297,940,000 as proposed by the House and \$333,407,000 as proposed by the Senate. The conference agreement provides for the following programs:

JUVENILE JUSTICE PROGRAMS

[In thousands of dollars]

	Amount
Management/Administration	\$6,832
State Formula Grants	88,804
Discretionary Grants	58,513
Youth Gangs	11,974
State Challenge Activities	9,978
Juvenile Mentoring	15,965
Incentive Grants to Prevent Juvenile Crime	94,337
(Enforcing Underage Drinking Laws)	(25,000)
(Indian Youth Grants Program)	(12,472)
(Safe Schools Initiative)	(14,513)
(Project HomeSafe)	(12,000)
Subtotal, Juvenile Prevention Programs	286,403
Drug Prevention Program	10,976
Victims of Child Abuse Act Programs	8,481
Total	305,860

Discretionary Grants for National Programs and Special Emphasis Programs.—The conference agreement includes \$58,513,000 for this discretionary grant program. Within the amounts provided, OJP is expected to review the following proposals, provide grants if warranted, and report to the Committees on its intentions. In addition, up to 10 percent of the funds provided for each program shall be made available for an independent evaluation of that program.

- \$750,000 for the University of South Alabama for youth violence prevention research;
- \$500,000 for the ARISE Foundation for at-risk youth;
- \$1,000,000 for the Youth Crime Watch of America;
- \$1,250,000 for the Teens, Crime and Community program;
- \$3,000,000 for the National Council of Juvenile and Family Courts, which provides continuing legal education in family and juvenile law;
- \$300,000 for Prevent Child Abuse America for the programs of the National Family Support Roundtable;
- \$300,000 for the Detroit, MI Rescue Mission Ministries to support the at-risk youth program;
- \$1,900,000 for law related education for continued support;
- \$500,000 for Wichita State University for a juvenile justice program;
- \$3,425,000 for the Hamilton Fish National Institute on School and Community Violence;
- \$250,000 for the Westside Gang Prevention Demonstration Program in Syracuse, NY;

- \$1,000,000 for anti-gambling public service media campaign grants to be provided to in-school educational networks;
- \$200,000 for Pinellas County, FL, for the ABOUT FACE program;
- \$300,000 for the Oregon Museum of Science and Industry for the Science for At-Risk youth program;
- \$350,000 for Greater Philadelphia, PA, and Camden, NJ, for The Rock School at-risk youth program;
- \$300,000 for the Roxbury, MA, Family, YMCA for enhanced at-risk youth programs;
- \$500,000 for the West End House in Allston-Brighton, MA;
- \$400,000 for Bronx, NY Neighborhood Enhancement Training and Services (NETS), Inc. for the center for at-risk youth;
- \$2,000,000 for the Wayne County, MI Juvenile Justice Program for prevention activities and services;
- \$700,000 for the Clackamas County, OR, for juvenile detention programs;
- \$750,000 for the Good Knight Child Empowerment Network's Million Knight Campaign for youth violence prevention;
- \$1,300,000 for the Suffolk University Law School Juvenile Justice Center;
- \$100,000 for the Wausau, WI alternative juvenile offender program;
- \$250,000 for Project Juvenile Assistance Diversion Effort (JADE) in Los Angeles for a juvenile delinquency prevention program;
- \$2,000,000 for the L.A.'s BEST youth program;
- \$90,000 for the Glendale, CA, YMCA for "Your House" shelter and case management program for at-risk youth;
- \$1,000,000 for the West Farms Center to assist at-risk youth;
- \$1,000,000 for the Greater Heights Program, to provide mentoring to high-risk youth;
- \$750,000 for the Bronx Youth Conservation Corps "Save a Generation" work and study program;
- \$275,000 for the Sports Foundation, Inc. (SFI), for a focused mentoring program;
- \$300,000 for the "No Workshops . . . No Jump Shots" project to provide case management, counseling and mandatory workshops for at-risk youth in three cities;
- \$250,000 for a three year grant for Operation Blue Ridge Thunder for their continued work in educating their community to recognize and deter child pornography and in their investigation and resolution of local pornography cases. Funding is contingent upon Operation Blue Ridge Thunder maintaining and promoting the national investigative standards established by the Task Force Board of Directors and OJP, that have served to underwrite the success of these efforts;
- \$3,000,000 for Parents Anonymous;
- \$2,000,000 for Fuller Theological Seminary, for a youth violence and gambling study;

- \$150,000 for the Rapid Response Program in Washington and Hancock Counties, ME;
- \$1,500,000 for Girls and Boys Town, USA;
- \$450,000 for Shelby County, AL Juvenile Justice;
- \$300,000 for Prince William County, VA Juvenile Justice Systems;
- \$412,000 for Utah State University, Youth and Families Promise Program;
- \$2,000,000 for the Strengthening Abuse and Neglect Courts Act;
- \$1,000,000 for a youth violence prevention initiative of the Houston Independent School District;
- \$125,000 for programs for at-risk youth at the Tilles Center, Long Island University;
- \$300,000 for a youth crime prevention initiative at the Institute for International Sport;
- \$250,000 for the Jefferson County Youth Service System;
- \$725,000 for a grant to Iowa Big Brothers and Big Sisters Rural Youth Mentoring Program;
- \$400,000 for the New Mexico Police Athletic League;
- \$250,000 to fund the Youth Development Program in Chicago;
- \$800,000 to the Las Vegas Family Development Foundation;
- \$1,500,000 to fund the University of New Hampshire's Crimes Against Children Research Center;
- \$390,000 for the Juvenile Fire Setters Program;
- \$300,000 for the Chicota Youth Camp in Louisiana;
- \$250,000 for a grant to the At-Risk Early Intention Program in the 16th Judicial District, Louisiana;
- \$750,000 for Utah State University Youth and Families With Promise Program;
- \$200,000 for a teen program in Kuhio Park, Hawaii;
- \$130,000 for a grant to the South Dakota Unified Judicial System to better serve Children in Need of Supervision [CHINS];
- \$150,000 for a grant to the Vermont Coalition of Teen Centers;
- \$500,000 for a grant to Western Kentucky University to develop a Juvenile Delinquency Prevention Project aimed at students who have been removed from school;
- \$500,000 for a grant to establish and enhance after-school programs in Fairbanks, Alaska for at-risk youth through LOVE Social Services;
- \$1,000,000 for a grant to the State of Alaska for a child abuse investigation program;
- \$500,000 for a grant to the Center for Safe Urban Communities at the University of Louisville for studies on ways to prevent youth violence;
- \$1,097,000 for a grant to the City of Baltimore, Maryland to assist in operating and expanding the Police Athletic Leagues Program;
- \$500,000 for a grant to the Johnson County Family Resource Center in Kansas;

- \$500,000 for a grant to Elwin Project in Pennsylvania to reduce placement in institutions and recidivism of mentally ill youth;
- \$400,000 for a grant to the Martin Luther King, Jr. Center for Non-Violence to work with at-risk youth;
- \$250,000 for a grant to Macon, Georgia for an At-Risk Youth Program to help solve the underlying problems of at-risk youth and first time offenders;
- \$800,000 for a grant to Bergen County, New Jersey, to expand its Police Athletic League after-school programs;
- \$100,000 for a grant to fund Deschutes County, Oregon's Juvenile Justice Partnership Program;
- \$1,000,000 for a grant to fund South Dakota's Rural At-Risk Youth Outreach program;
- \$2,000,000 to expand and replicate the Beyond Bars program;
- \$300,000 for the Low Country Children's Center in South Carolina;
- \$1,650,000 to expand the Milwaukee Safe and Sound Program to other Milwaukee neighborhoods and other communities in Wisconsin;
- \$540,000 for a grant for the Milwaukee Summer Stars Program;
- \$75,000 for a grant to fund the Adolescent Behavior Control Program in Rhode Island;
- \$204,000 for a grant to the Children's Advocacy Center at the Crow Creek Sioux Indian Reservation in Fort Thompson, South Dakota for the Children's Safe Place program;
- \$300,000 for the From Darkness to Light Program in South Carolina;
- \$1,000,000 for the Mental Health Screening and Treatment Facility;
- \$400,000 for the Center for Corrections Education at Indiana University of Pennsylvania;
- \$100,000 for Aid of Children of relocated witnesses in Pennsylvania;
- \$175,000 for the Hazard, KY Buckhorn Wilderness Program;
- \$150,000 for a grant to fund Project Safe in Crow Creek, South Dakota; and
- A grant, if warranted, to the Alaska Mentoring Demonstration Project for a statewide at-risk youth mentoring program involving schools and non-profit entities, including Boys and Girls Clubs and Big Brothers-Big Sisters.

Juvenile Mentoring Program (Part G).—The conference agreement includes \$15,965,000 for the juvenile mentoring program. Within the amounts provided, OJP is directed to provide \$5,000,000 for the Big Brothers/Big Sisters of America program.

At-Risk Children's Program (Title V).—The conference agreement includes \$94,337,000 for At-Risk Children's Program.

Safe Schools Initiative.—The conference agreement includes \$14,513,000 within Title V grants for the Safe Schools initiative. Within this amount \$5,033,000 is provided for Project Sentry. This program will create a new Federal and State partnership estab-

lishing safe schools task forces across the country that will prosecute and supervise juveniles who violate Federal and State firearms laws and adults who illegally furnish firearms to them. An additional \$14,967,000 is provided for this initiative through the COPS program, for a total funding level of \$20,000,000.

Within the amounts provided for the safe schools initiative, OJP is expected to review the following proposals, provide grants if warranted, and report to the Committees on its intentions. In addition, up to 10 percent of the funds provided for each program shall be made available for an independent evaluation of that program.

- \$1,500,000 for the “I Have a Dream” Foundation for at-risk youth;
- \$1,000,000 for the YMCA Second Chance School for at-risk youth;
- \$417,000 for Phoenix, AZ to expand Operation Quality Time;
- \$1,300,000 for the Promoting Responsible Behavior and Preventing Violence Program in Montana;
- \$1,000,000 for the Safe Schools Initiative in Macon, Georgia;
- \$200,000 for the Youth Watch Initiative in Jackson, Mississippi;
- \$2,554,000 for the Safe School Education and Community Awareness Program; and
- \$1,500,000 for the Youth Advocates Program.

Tribal Youth Program.—The conference agreement includes \$12,472,000 within the Title V grants for programs to reduce, control, and prevent crime both by and against tribal and Native youth. This program also funds prevention initiatives focusing on alcohol and drugs, including the Alaska Federation of Natives to develop an underage drinking prevention program in rural Alaska that includes assessment and education and focuses on the children of alcoholics.

Enforcing Underage Drinking Laws.—The conference agreement includes \$25,000,000 within the Title V grants for programs to assist States in enforcing underage drinking laws, as proposed by the Senate. Within the amounts provided for underage drinking, \$2,000,000 shall be provided for a grant to fund the Alaska Illegal Drug and Alcohol Use Initiative.

Victims of Child Abuse Act.—The conference agreement includes \$8,481,000 for the various programs authorized under the Victims of Child Abuse Act. The conference agreement adopts by reference the House allocation for this program.

PUBLIC SAFETY OFFICERS BENEFITS

The conference agreement includes \$37,724,000 for Public Safety Officers Benefits, instead of \$35,619,000 as proposed by the House and Senate. This includes \$33,224,000 for the death benefits program and \$4,500,000 for the disability benefits program. The additional amount reflects the increase of disability payments from \$100,000 to \$250,000.

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, as proposed by the House and the Senate, regarding reception and representation expenses.

Sec. 102. The conference agreement includes section 102, as proposed by the House, which continues certain authorities for the Department of Justice contained in the fiscal year 1980 Department of Justice Appropriations Authorization Act, until enactment of subsequent authorization legislation. The Senate did not include a similar provision.

Sec. 103. The conference agreement includes section 103, as proposed by the House, which prohibits the use of funds to perform abortions in the Federal Prison System. The Senate did not include a similar provision.

Sec. 104. The conference agreement includes section 104, as proposed by the House, which prohibits the use of funds to require any person to perform, or facilitate the performance of, an abortion. The Senate did not include a similar provision.

Sec. 105. The conference agreement includes section 105, as proposed by the House, 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 did not include a similar provision.

Sec. 106. The conference agreement includes section 106, modified from provisions in both the House and Senate bills, which allows the Department of Justice to spend up to \$10,000,000 for rewards for information regarding acts of terrorism or espionage against the United States, in addition to rewards made subject to section 501 of Public Law 107-56.

Sec. 107. The conference agreement includes section 107, as proposed by both the House and the Senate, which continues the current limitations on transfers among Department of Justice accounts.

Sec. 108. The conference agreement includes section 108, as proposed by both the House and Senate, which provides that \$1,000,000 shall be available for technical assistance from funds appropriated for part G of title II of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

Sec. 109. The conference agreement includes section 109, as proposed by the House, which increases the current airline passenger immigration inspection fee from \$6 to \$7, and establishes a new \$3 cruise ship passenger immigration inspection fee, instead of a modified fee increase proposed by the Senate.

Sec. 110. The conference agreement includes section 110, as proposed by the Senate, which further amends the Immigration and Nationality Act of 1953, to provide that the Attorney General is authorized to increase from 6 to 96 the number of land border ports of entry pilot projects. The House did not include a similar provision.

Sec. 111. The conference agreement includes section 111, which provides for a victim notification system under the Crime Victims Fund as proposed by the Senate. The House did not include a similar provision.

Sec. 112. The conference agreement includes section 112, which amends Section 6 of the Hmong Veterans' Naturalization Act of 2000 to extend the applicability of that Act from 18 months to 36 months to certain former spouses of deceased Hmong veterans. The House did not include a similar provision.

Sec. 113. The conference agreement includes section 113, which amends P.L. 107-56, regarding a provision related to the Office of Justice Programs.

Sec. 114. The conference agreement includes section 114, which provides for posthumous citizenship for certain people killed in the September 11, 2001 terrorist attacks.

Sec. 115. The conference agreement includes section 115, which amends the Immigration and Nationality Act of 1952, to make mandatory the provision of passenger manifests to the Attorney General from commercial aircraft and vessels entering and departing the United States.

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 \$30,097,000 for the salaries and expenses of the Office of the United States Trade Representative (USTR), the same amount proposed in both the House and Senate bills.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$51,440,000 for the salaries and expenses of the International Trade Commission (ITC), the same amount proposed in both the House and Senate bills.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The conference agreement includes \$347,547,000 in new budgetary resources for the operations and administration of the International Trade Administration (ITA) for fiscal year 2002, of which \$3,000,000 is derived from fee collections. The House bill proposed \$347,654,000, of which \$3,000,000 is derived from fee collections. The Senate bill proposed \$347,090,000, of which \$3,000,000 is derived from fee collections.

The following table reflects the distribution of funds by activity included in the conference agreement:

Trade Development	\$67,669,000
Market Access and Compliance	27,741,000
Import Administration	43,346,000
U.S. & F.C.S.	195,791,000
Executive Direction and Administration	13,000,000
Fee Collections	(3,000,000)
Total, ITA Direct Appropriation	344,547,000

Trade Development (TD).—The conference agreement provides \$67,669,000 for this activity, instead of \$66,919,000 as proposed in the House bill and \$66,820,000 as proposed in the Senate bill. Of the amounts provided, \$52,919,000 is for the TD base program, \$10,000,000 is for the National Textile Consortium, \$3,000,000 is for the Textile/Clothing Technology Corporation, and \$250,000 is for the export database. Existing members of the National Textile Consortium should receive funding at the fiscal year 2001 level and the remaining \$250,000 is available for Cornell University and UC Davis. Further, the conference agreement includes \$500,000 for continuation of the international global competitiveness initiative, and \$500,000 for travel industry statistics, as proposed by the House report. In addition, \$500,000 is for the international trade center, as proposed by the Senate report.

Market Access and Compliance (MAC).—The conference agreement includes a total of \$27,741,000 for this activity, as proposed in both the House and Senate bills. Of the amounts provided, \$20,941,000 is for the base program, \$500,000 is for the strike force teams initiative and \$6,300,000 is for the trade enforcement and compliance initiative, as provided in the current year.

Import Administration.—The conference agreement includes \$43,346,000 for the Import Administration, as proposed in the House bill, instead of \$42,859,000 as proposed in the Senate bill.

U.S. and Foreign Commercial Service (US & FCS).—The conference agreement includes \$195,791,000 for the programs of the US & FCS, instead of \$196,791,000 as proposed in the House bill, and \$193,824,000 as proposed in the Senate bill. The agreement includes by reference language regarding the Rural Export Initiative, the Global Diversity Initiative, and base resources, as proposed in the House report. In addition, Senate report language regarding the Appalachian-Turkish Trade Project is adopted by reference.

Executive Direction and Administration.—House report language regarding trade missions, buying power maintenance, and trade show revenues is adopted by reference.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The conference agreement includes \$68,893,000 for the Bureau of Export Administration (BXA) as proposed in both the House and Senate bills. House and Senate report language regarding allocation of funds is adopted by reference. In addition, the conferees direct the Critical Infrastructure Assurance Office (CIAO) to prepare a report detailing the continuing requirements of this interim program, and to submit the report to the Committees on Appropriations by February 14, 2002.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The conference agreement includes \$335,000,000 for Economic Development Administration (EDA) grant programs as proposed in the House bill, instead of \$341,000,000 as proposed in the Senate bill. The conference agreement does not include funding under this heading for one specific project as proposed in the Senate bill.

Of the amounts provided, \$250,000,000 is for Public Works and Economic Development, \$40,900,000 is for Economic Adjustment Assistance, \$24,000,000 is for Planning, \$9,100,000 is for Technical Assistance, including University Centers, \$10,500,000 is for Trade Adjustment Assistance, and \$500,000 is for Research. EDA is expected to allocate the funding as directed in the House report. The authorized, traditional programs provide support for all communities facing economic hardship. Within the funding for Economic Adjustment Assistance, EDA is expected to continue funding for assistance to the timber and coal industries, as in the current year. 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 bill.

SALARIES AND EXPENSES

The conference agreement includes \$30,557,000 for salaries and expenses of the EDA, the same amount as proposed in both the House and Senate bills. This funding will allow EDA to continue its current level of administrative and oversight operations. 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 \$28,381,000 for the programs of the Minority Business Development Agency (MBDA), as proposed in both the House and Senate bills. House report language regarding the Entrepreneurial Technology Apprenticeship Program is adopted by reference.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

The conference agreement includes \$62,515,000 for salaries and expenses of the activities funded under the Economic and Statistical Analysis account, as proposed in both the House and Senate bills. Funding is included to continue updating and improving sta-

tistical measurements of the U.S. economy, international transactions, and the effects of e-business.

BUREAU OF THE CENSUS
SALARIES AND EXPENSES

The conference agreement includes \$169,424,000 for the Salaries and Expenses of the Bureau of the Census for fiscal year 2002, as proposed in the House bill, instead of \$168,561,000 as proposed in the Senate bill. The distribution of funding is as follows:

Current Economic Statistics	\$111,653,000
Current Demographic Statistics	53,544,000
Survey Development and Data Surveys	4,227,000
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Total	169,424,000

The conference agreement adopts Senate report language requiring a report on reimbursements to be submitted with the fiscal year 2003 budget request.

PERIODIC CENSUSES AND PROGRAMS

The conference agreement provides a total spending level of \$375,376,000 for periodic censuses and programs, of which \$321,376,000 is provided as a direct appropriation and \$54,000,000 is from prior year unobligated balances. The House bill proposed \$350,376,000 as a direct appropriation and \$25,000,000 from prior year unobligated balances. The Senate bill proposed \$348,529,000 as a direct appropriation and \$27,000,000 from prior year unobligated balances.

2000 Decennial Census.—The conference agreement includes a total of \$139,238,000 for completion of the 2000 decennial census, of which \$85,238,000 is provided as a direct appropriation, and \$54,000,000 is derived from prior year funding, instead of a direct appropriation of \$111,738,000 as proposed in the House bill, and a direct appropriation of \$112,238,000 as proposed in the Senate bill. The following represents the distribution of total funds provided for the 2000 Census in fiscal year 2002:

Program Development and Management	\$8,606,000
Data Content and Products	68,330,000
Field Data Collection and Support Systems	9,455,000
Automated Data Process and Telecommunications Support	24,462,000
Testing and Evaluation	22,844,000
Puerto Rico, Virgin Islands and Pacific Areas	3,105,000
Marketing, Communications and Partnerships	2,436,000
Prior year balances	–54,000,000
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Total, 2000 Decennial Census	85,238,000

The conference agreement continues direction from prior years for the Bureau 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. 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 re-programming procedures set forth in section 605 of this Act.

2010 Decennial Census.—The following represents the distribution of total funds provided for preparation of the 2010 Census:

Re-engineered Design Process	\$21,000,000
Long-Form Transitional Database Evaluation	29,000,000
MAF/TIGER Re-engineering	15,000,000
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Total, 2010 Decennial Census	65,000,000

The conference agreement includes frameworks for funding for the 2010 decennial census, as included in the House bill. The Bureau is directed to provide quarterly 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 the allocation of any additional unobligated balances not allocated in this conference agreement.

Other Periodic Programs.—The conference agreement includes a total of \$171,138,000 for other periodic censuses and programs, as proposed in the House bill, instead of \$171,291,000 as proposed in the Senate bill. The following table represents the distribution of funds provided for non-decennial periodic censuses and related programs:

Economic Statistics Programs	\$57,703,000
Economic Censuses	51,958,000
Census of Governments	5,745,000
Demographic Statistics Programs	113,435,000
Intercensal Demographic Estimates	6,048,000
Continuous Measurement	27,131,000
Demographic Survey Sample Redesign	12,583,000
Electronic Information Collection (CASIC)	6,254,000
Geographic Support	37,624,000
Data Processing Systems	23,795,000
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Total	171,138,000

NATIONAL TELECOMMUNICATIONS AND INFORMATION
ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes \$14,054,000 for the salaries and expenses of the National Telecommunications and Information Administration (NTIA), as proposed in the Senate bill, instead of \$13,048,000 as proposed in the House bill. The conference agreement includes a House provision regarding authorization of spectrum functions. The Senate bill did not include a similar provision. The conference agreement includes House report language regarding reimbursements.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND
CONSTRUCTION

The conference agreement includes \$43,466,000 for the Public Telecommunications Facilities, Planning and Construction (PTFP) program as proposed in both the Senate and House bills. House and Senate report language is adopted by reference.

INFORMATION INFRASTRUCTURE GRANTS

The conference agreement includes \$15,503,000 for NTIA's Information Infrastructure Grant program as proposed in both the House and Senate bills. Senate report language regarding the overlap of funding under this heading with funding for the Department of Justice, Office of Justice Programs, with respect to law enforcement communication and information networks is adopted by reference. House report language regarding telecommunications research is adopted by reference.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

The conference agreement provides a total funding level of \$1,126,001,000 for the United States Patent and Trademark Office (PTO), instead of \$1,129,001,000 as proposed in the House bill and \$1,139,001,000 as proposed in the Senate bill. Of the amount provided in the conference agreement, \$843,701,000 is to be derived from fiscal year 2002 offsetting fee collections, and \$282,300,000 is to be derived from carryover of prior year fee collections. This amount represents an increase of \$88,993,000 above the fiscal year 2001 operating level for the PTO. The PTO has experienced significant growth in recent years due to increased application filings for patents, and funding is provided to address these increased filings. Due to the decrease in the filing of trademark applications, the conference agreement has not fully funded the budget request.

The conference agreement includes House report language regarding PTO's partnership with the National Inventor's Hall of Fame, Inventure Place, and the International Intellectual Property Institute. In addition, House and Senate report language regarding PTO's 5-year plan and fiscal year 2003 budget structure is adopted by reference. Senate report language under the Commerce "Departmental Management" account regarding global intellectual property counterfeiting and privacy is adopted by reference under this heading.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes \$8,238,000 for the Technology Administration as proposed in the Senate bill, instead of \$8,094,000 as proposed in the House bill. The conference agreement continues direction as it has since fiscal year 1998 regarding the use of Technology Administration and Department of Commerce resources to support foreign policy initiatives and programs.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The conference agreement includes \$321,111,000 for the internal (core) research account of the National Institute of Standards and Technology (NIST), instead of \$348,589,000 as proposed in the

House bill and \$343,296,000 as proposed in the Senate bill. The conference agreement does not include a redirection of \$20,617,000 from the Industrial Technology Services account to the Scientific and Technical Research and Services account as proposed in the budget. The conference agreement provides funds for the core research programs of NIST as follows:

Electronics and Electrical Engineering	\$41,286,000
Manufacturing Engineering	20,428,000
Chemical Science and Technology	35,712,000
Physics	33,054,000
Material Sciences and Engineering	56,532,000
Building and Fire Research	19,982,000
Computer Science and Applied Mathematics	49,478,000
Technology Assistance	17,679,000
Baldrige Quality Awards	5,205,000
Research Support	41,755,000
Total	321,111,000

Funding for the Building and Fire Program is provided at the request level, and the remainder of funding is to continue the disaster research program on effects of windstorms on protective structures and other technologies begun in fiscal year 1998.

Funding for the research support program includes \$2,400,000 for the telecommuting demonstration project, as proposed in the House bill.

House report language regarding the placement of NIST personnel overseas is adopted by reference.

INDUSTRIAL TECHNOLOGY SERVICES

The conference agreement includes \$291,022,000 for the NIST external research account, instead of \$119,514,000 as proposed in the House bill, and \$309,337,000 as proposed in the Senate bill.

Manufacturing Extension Partnership Program.—The conference agreement includes \$106,522,000 for the Manufacturing Extension Partnership Program (MEP) as proposed in the House bill, instead of \$105,137,000 as proposed in the Senate bill. The conference agreement includes Senate bill language regarding agreements with non-profit organizations. This language is intended to increase the program's ability to leverage resources and not to increase the outyear costs of the program.

Advanced Technology Program.—The conference agreement includes \$184,500,000 for the Advanced Technology Program (ATP), instead of \$12,992,000 as proposed in the House bill and \$204,200,000 as proposed in the Senate bill. The amount of carry-over funding available from fiscal year 2001 is \$33,100,000, providing total available funding for ATP of \$217,600,000 for fiscal year 2002.

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 \$62,393,000 for construction, renovation and maintenance of NIST facilities, instead of

\$20,893,000 as proposed in the House bill and \$43,893,000 as proposed in the Senate bill.

Of the amount provided, \$41,500,000 is for grants and cooperative agreements as referenced in Section 208 of this Act; and \$20,893,000 is for safety, capacity, maintenance, and repair projects at NIST.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The conference agreement provides a total funding level of \$3,256,098,000 in appropriations for all programs of the National Oceanic and Atmospheric Administration (NOAA), instead of \$3,092,728,000 as proposed in the House bill and \$3,363,285,000 as proposed in the Senate bill. Of these amounts, the conference agreement includes \$2,253,697,000 in the Operations, Research, and Facilities (ORF) account, \$836,552,000 in the Procurement, Acquisition and Construction (PAC) account, and \$158,849,000 in other NOAA accounts.

Both the House and Senate bills display funding for the National Oceanic and Atmospheric Administration in the new revised budget format. The conference agreement adopts Senate report language regarding the fiscal year 2003 budget structure. House report language directing NOAA to provide to the Committees on Appropriations on a quarterly basis the status of obligations against the revised budget format is adopted by reference.

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes \$2,253,697,000 for the Operations, Research, and Facilities account of the National Oceanic and Atmospheric Administration, of which \$223,273,000 is within the category of conservation. The House bill proposed \$2,200,298,000, of which \$304,000,000 was under the conservation category, instead of \$2,276,305,000, of which \$33,650,000 was under the conservation category, as proposed in the Senate bill.

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 both the House and Senate bills. In addition, the conference agreement assumes prior year deobligations totaling \$17,000,000, and a transfer of \$3,000,000 from the Coastal Zone Management Fund to the ORF account.

The conference agreement includes language proposed in the House bill designating the amounts provided under this account for the six NOAA line offices. The Senate bill contained no similar provision. The conference agreement does not include two provisions regarding Executive Direction proposed by the Senate. The House contained no such provisions.

The conference agreement includes language proposed in the House bill making the use of deobligated balances subject to standard reprogramming procedures. The Senate bill proposed a similar provision. In addition, the conference agreement includes language modified from the House and Senate bills limiting administrative

charges assessed on assigned activities. In addition, the conference agreement does not include a provision, as proposed in the Senate bill regarding creation of a Business Management Fund. The House bill did not contain a similar provision. As part of the Committees' efforts to plan to continue to improve the NOAA budget structure, the conferees direct NOAA to identify services that could be better managed if centralized. This information is to be provided to the Committees on Appropriations by February 14, 2002.

The conference agreement does not include Senate bill language provisions designating amounts for four specific programs or projects. The House bill did not contain similar provisions.

The conference agreement includes a provision, as proposed in the Senate bill, permitting the Secretary to assess the necessity for NOAA to occupy a certain facility in Louisiana. The conference agreement does not include additional funding for this purpose, and directs that should permission to occupy this facility be granted, costs would be incurred from National Ocean Service base resources.

The following table reflects the distribution of the funds provided in this conference agreement.

National Ocean Service

	<i>FY02 Conf.</i>
Navigation Services:	
Mapping & Charting:	
Base	37,183
Electronic Navigational Charts	3,350
Electronic Navigational Charts—AK	900
Shoreline Mapping	2,000
Coastal Storms	1,000
Joint Hydrographic Center	2,580
Joint Hydrographic Center—Bathymetric study	750
Address Survey Backlog/Contracts	22,450
Increase for Gulf of Mexico and Lake Ponchartrain	4,535
Subtotal, Mapping & Charting	74,748
Geodesy:	
Base	20,612
National Spatial Reference System	250
Height Modernization Study—NGS Implementation	250
Height Modernization Study—NC	1,000
Height Modernization Study—CA Spatial Reference	1,000
Geodetic Survey—LA	1,000
Geodetic Survey—WI	500
Geodetic Survey—SC	500
Subtotal, Geodesy	25,112
Tide and Current Data:	
Base	13,250
PORTS	4,000
Great Lakes NWLON	2,045
Coastal Storms	1,000
Subtotal, Tide & Current Data	20,295
Total, Navigation Services	120,155
Ocean Resources Conservation & Management:	
Estuarine and Coastal Assessment—Ocean Assessment Program:	
Base	13,721

	<i>FY02 Conf.</i>
Coastal Observation Technology System	500
Alliance Technologies	2,000
Center for Integrated Marine Technologies	2,000
Wave Current Information System	1,000
Sea Grant Program—NH	2,000
Coastal Storms	750
Beaufort/Oxford	3,917
Pfiesteria and HAB Rapid Response	3,925
South Florida Ecosystem	900
Coastal Services Center	18,000
Pacific Coastal Services Center	1,750
Coastal Change Analysis	2,000
Coral Reef Program	14,000
Harmful Algal Bloom Research	5,000
Harmful Algal Blooms—SC	600
CICEET—NH	6,550
National Coral Reef Institute—Hawaii	1,000
National Coral Reef Institute—Florida	500
National Coral Reef Institute—Puerto Rico DNER	500
National Fish and Wildlife Foundation	1,500
JASON Foundation	2,500
Narragansett Explore the Bay Program	2,000
National Ocean Science Education Program	1,500
May River Ecosystem	100
New Bedford Oceanarium Research Program	3,000
Lake Pontchartrain—LA	1,350
CREST	450
CI-CORE	1,750
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Subtotal, Ocean Assessment Program	94,763
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Response and Restoration:	
Base	2,078
Estuarine and Coastal Assessment	2,670
Estuary Restoration Program	1,200
Damage Assessment Program	5,200
Oil Pollution Act of 1990	1,000
Coastal Protection and Restoration	1,000
Spill Response and Restoration Program	2,000
Aquatic Resources Environmental Initiative	8,500
Oil Skimmer—NH	225
Regional Restoration program—LA	1,000
Coastal Remediation Technology	750
Lafourche Parish, LA	2,000
Palmyra Atoll Bioremediation	750
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Subtotal, Response and Restoration	28,373
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Ocean and Coastal Research:	
Base	6,000
Fish Forensics/Enforcement	1,300
MEHRL	1,500
Murrell's Inlet special area	300
Pfiesteria/Toxins Research	1,000
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Subtotal, Ocean and Coastal Research	10,100
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Subtotal, Estuarine and Coastal Assessment	133,236
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Coastal Ocean Program:	
Base	12,890
ECOHAB	4,200
Hypoxia	1,085
South Florida Ecosystems	1,200
Long-Term Estuary Assessment Consortium	1,200

	<i>FY02 Conf.</i>
Mississippi River/Gulf of Mexico Nutrient Watershed	1,000
Subtotal, Coastal Ocean Program	21,575
Total, Ocean Resources Conservation & Assessment	154,811
Ocean and Coastal Management:	
Coastal Management:	
CZM grants	68,963
Program Administration	6,382
National Estuarine Research Reserve System	16,400
Nonpoint Pollution Implementation Grants	10,000
Marine Protected Areas	3,000
Subtotal, Coastal Management	104,745
Marine Sanctuary Program:	
Base	33,500
Northwest Straits Citizens Advisory Commission	700
Subtotal, Marine Sanctuary Program	34,200
Total, Ocean and Coastal Management	138,945
Total, National Ocean Service	413,911

National Marine Fisheries Service

Fisheries Research and Management Services:	
Science and Technology:	
Base	65,040
AKFIN	3,200
Alaska Fisheries Development Foundation	750
Alaska Groundfish Monitoring—Base	2,087
Alaska Groundfish Monitoring—Bering Sea Fishermen	150
Alaska—Bering Sea Pollock Research	945
Alaska Groundfish Monitoring—Crab Research	850
Alaska Groundfish Monitoring—Gulf of Alaska Coastal Commu- nities	175
Alaska Groundfish Monitoring—NMFS Field Fishery Monitoring	300
Alaska Groundfish Monitoring—NMFS Rockfish Research	350
Alaska Groundfish Monitoring—Rockfish Research/Crab	238
Alaska Groundfish Monitoring—State of AK Crab, Scallop Li- cense Limitation	1,000
Alaska Groundfish Monitoring—Winter Pollock Survey	1,000
Alaska Groundfish Surveys—Base	661
Alaska Groundfish Surveys—Calibration Studies	240
Alaska—Chinook Salmon Research at Auke Bay	300
Alaska—Impact on Ocean Climate Shifts—Stellar Sea Lion	6,000
Alaska Magnuson—Stevens Act Implementation	4,350
Alaska—Predator/Prey Relationships—Stellar Sea Lion	2,000
Alaska—Stellar Sea Lion/Pollock Research—N. Pacific Council ...	2,000
American Fisheries Act—Base	3,525
Atlantic Herring and Mackerel	200
Bluefin Tuna Tagging—New England Aquarium	850
Bluefish/Striped Bass—Base	700
Bluefish/Striped Bass—Rutgers	827
Charleston Bump Billfish Tagging	150
Computer Hardware and Software	3,492
Cooperative Research—National Cooperative Research	2,750
Cooperative Research—SE Cooperative Research	3,000
Driftnet Act Implementation—Base	1,800
Driftnet Act Implementation—Pacific Rim Fisheries	150
Driftnet Act Implementation—Science Observer Russian EEZ	250
Driftnet Act Implementation—State Participation AK/WA	200
Expand Stock Assessments—Improve Data Collection	2,000

Fish Statistics—Atlantic Coastal Cooperative Statistics Program	2,000
Fish Statistics—Base	13,900
Fish Statistics—National Economics and Social Sciences Research	2,500
Fish Statistics—National Fisheries Information System	2,575
Fish Statistics—National Standard 8	1,000
Fisheries Development Program—Product Quality and Safety/Seafood Inspection	8,685
Fisheries Oceanography	1,000
Great South Bay Hard Clams	250
GULFFIN Data Collection Effort	3,500
Gulf of Maine Groundfish Survey	567
Gulf of Mexico Consortium	2,750
Gulf and South Atlantic Fisheries	400
Hawaii Stock Management Plan—Oceanic Institute	500
Hawaii Fisheries Development Program—Oceanic Institute	750
Highly Migratory Shark Fishery Research Program	1,500
Highly Migratory Species Research—Pacific	750
Information Analysis & Dissemination	21,890
Joint Institute for Marine and Atmospheric Research (JIMAR) ...	2,475
Lobster Sampling	150
MARFIN—Base	2,500
MARFIN—NE Activities	250
MARFIN—Red Snapper	750
MarMap	850
NE Cooperative Research	3,750
NEC Cooperative Marine Education and Research	200
Northeast Consortium Cooperative Research	5,000
New England Stock Depletion	1,000
NMFS Facilities Maintenance	4,000
Observers—Fishery Observers—National Standards	750
Observers/Training—Atlantic Coast Observers	3,350
Observers/Training—East Coast Observers	350
Observers/Training—Hawaii Longline Observer Program	3,000
Observers/Training—North Pacific Marine Resources Observers	1,875
Observers/Training—North Pacific Observer Program	650
Observers/Training—West Coast Observers	4,075
PACFIN Catch Effort Data	3,000
Recreational Fishery Harvest Monitoring (RECFIN)	3,450
Recreational Fishery Harvest Monitoring (RECFIN)—SC	250
Red Snapper Monitoring and Research	5,000
Reduce Fishing Impacts on Essential Fish Habitat	500
SEAMAP	1,400
Shrimp Pathogens	299
South Carolina Taxonomic Center	350
West Coast Groundfish	5,220
Subtotal, Science and Technology	<u>230,491</u>
Conservation and Management:	
Base	7,775
Alaska Near Shore Fisheries	998
Alaska—Bering Sea Crab	1,000
Alaska—Yukon River Chinook Salmon—Base	1,000
Alaska—Yukon River Drainage Fisheries Association	499
Alaska—Magnuson Stevens Implementation	2,050
American Fisheries Act—Base	2,174
American Fisheries Act—N. Pacific Council	499
American Fisheries Act—State of Alaska	499
Anadromous Grants	2,100
Anadromous Fish Commission—North Pacific/Alaska	750
Cooper River Corridor Management—SC	150
Columbia River—Hatcheries Operations	11,457
Columbia River Hatcheries—Monitoring, Evaluation and Reform	1,700
Fisheries Management Programs	31,255
Halibut/Sablefish	1,200
HI Community Development	500
Interjurisdictional Fisheries Grants	2,590

International Fisheries Commissions	400
Interstate Fish Commissions—3 Commissions	750
Interstate Fish Commissions—Atlantic Cooperative Management	7,250
Management of George's Bank	478
National Environmental Policy Act	5,000
National Environmental Policy Act—Hawaiian Sea Turtles	3,000
Oregon Groundfish Outreach Program	1,000
Oregon Groundfish Disaster Assistance	1,500
Oregon Groundfish Cooperative Research	2,000
Pacific Salmon Treaty—Base	5,612
Pacific Salmon Treaty—Chinook Salmon Agreement	1,844
Refine Essential Fish Habitat Designations	1,000
Regional Councils	14,150
Subtotal, Conservation and Management	112,180
Total, Fisheries Research and Management Services	342,671
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Protected Resources Research and Management Services:	
Science and Technology:	
Base	12,037
Alaska Steller Sea Lion Recovery Plan—AK Sea Life Center	5,000
Alaska Steller Sea Lion Recovery Plan—Base	16,800
Alaska Steller Sea Lion Recovery Plan—N. Pacific University MMC	3,500
Alaska Steller Sea Lion Recovery Plan—University of AK Gulf Apex Predator	1,000
Alaska Steller Sea Lion Recovery Plan—Alaska Fisheries Foundation	500
Antarctic Research	1,550
Atlantic Salmon Research	710
Columbia River—Endangered Species Studies	299
Dolphin Encirclement	3,300
Dolphin/Yellowfin Tuna Research	250
Endangered Species Act—Atlantic Salmon	1,717
Endangered Species Act—Marine Mammals	3,500
Endangered Species Act—Other Species	2,700
Endangered Species Act—Right Whale Activities	2,250
Endangered Species Act—Right Whale Activities NE Consortium	1,000
Endangered Species Act—Pacific Salmon Recovery	17,450
Endangered Species Act—Sea Turtles	4,500
Endangered Species Act—Steller Sea Lions	850
Habitat Conservation	6,358
Hawaiian Monk Seals	825
Hawaiian Sea Turtles	300
Hawaiian Sea Turtle Research—Data Collection	3,000
Marine Mammal Protection	2,640
Marine Mammal Protection—AK Harbor Seal Research	900
Marine Mammal Protection—Base	4,435
Marine Mammal Strandings	4,000
Marine Mammal Protection—Erysipelas Research	150
Protected Species Management—Base	5,275
Protected Species Management—Bottlenose Dolphin Research	2,000
Rancho Nuevo Sea Turtles	350
Subtotal, Science and Technology	109,146
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Conservation and Management Services:	
Base	4,985
Alaska—Chinook Salmon Management	150
Alaska—Cook Inlet Beluga	150
Alaska Steller Sea Lion Recovery—State Work	2,495
Atlantic Salmon Recovery Plan	450
Endangered Species Act—Atlantic Salmon	500
Endangered Species Act—Pacific Salmon Recovery	20,500
Endangered Species Act—Right Whale Activities	2,100
Endangered Species Act—Right Whale Cooperative State Plans	1,500

Marine Mammal Strandings—Charleston Health and Risk Assessment	800
Native Marine Mammals—AK Eskimo Whaling Commission	400
Native Marine Mammals—Aleut Pacific Marine Resources Observers	125
Native Marine Mammals—Beluga Whale Committee	225
Native Marine Mammals—Bristol Bay Native Association	50
Native Marine Mammals—Alaska Native Harbor Seal Commission	150
Protected Species Management—Base	3,234
Protected Species Management—California Sea Lions	750
Protected Species Management—NFWF Species Management	1,000
Protected Species Management—State of Maine Salmon Recovery	1,500
Southeastern Sea Turtles	300
State of Maine Recovery Plan	150
Subtotal, Conservation and Management Services	41,514
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Subtotal, Protected Resources Research and Management Services	150,660
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Habitat Conservation:	
Sustainable Habitat Management:	
Base	1,500
Blue Crab Advanced Research Consortium	1,500
Charleston Bump	300
Chesapeake Bay Multi-Species Management	500
Chesapeake Bay Oyster Research	2,000
Chesapeake Bay Studies	2,750
Chesapeake Bay Environmental Education Program	1,200
Coral Reefs	11,000
Habitat Conservation	2,860
Magnuson-Stevens Implementation	850
Mobile Bay Oyster Recovery	1,000
Wetland Herbivory Control	1,000
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Subtotal, Sustainable Habitat Management	26,460
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Fisheries Habitat Restoration:	12,400
Connecticut River Partnership	300
Fisheries Habitat Restoration—Bronx River Restoration	1,500
Fisheries Habitat Restoration—Pinellas County Environmental Foundation	1,500
Fisheries Habitat Restoration—LA DNR	1,385
Marsh Restoration—NH	1,000
Subtotal, Fisheries Habitat Restoration	18,085
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Subtotal, Habitat Conservation	44,545
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Enforcement and Surveillance:	
Enforcement:	
Driftnet Act Implementation/Base	1,375
Enforcement and Surveillance—Base	20,420
Enforcement and Surveillance—Cooperative Agreements with States	2,500
Enforcement and Surveillance—Vessel Monitoring System	2,000
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Subtotal, Enforcement	26,295
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Cooperative Enforcement Programs:	
Enforcement and Surveillance—Cooperative Agreements with States	14,775

NH Fish & Game Enforcement Vessel	250
Subtotal, Cooperative Enforcement Programs	15,025
Subtotal, Enforcement and Surveillance	41,320
Total, National Marine Fisheries Service	579,196
<i>Oceanic & Atmospheric Research</i>	
Climate Research:	
Laboratories & Joint Institutes:	
Aeronomy Laboratory (Colorado)	8,111
Atlantic Oceanographic and Meteorological Laboratory (Florida) ..	5,691
Air Resources Laboratory (CO, ID, NC, NV, TN)	3,447
Climate Diagnostic Center (Colorado)	2,555
Climate Monitoring and Diagnostic Laboratory (Colorado)	5,952
Environmental Technology Laboratory (Colorado)	243
Forecast Systems Laboratory (Colorado)	156
Geophysical Fluid Dynamics Laboratory (New Jersey)	14,229
Pacific Marine Environmental Laboratory (Washington)	8,523
Space Environmental Center (Colorado)	236
Subtotal, Laboratories & Joint Institutes	49,143
Climate & Global Change Program:	
Climate and Global Change (Base)	69,625
Variability beyond ENSO	1,000
Climate Forcing Agents	1,000
Accelerating Climate Models—IRI	2,100
Subtotal, Climate & Global Change Program	73,725
Climate Observations & Services:	
Climate Reference Network	3,000
Climate Data & Info and CLASS in PAC	1,000
Baseline Observatories	2,500
Ocean Observations/Ocean Systems	3,500
ARGO Floats	7,950
Regional Assessments, Education and Outreach	1,750
Climate Change Assessments	650
Weather—Climate Connection	900
Carbon Cycle	2,300
Subtotal, Climate Observations & Services	23,500
Other Partnership Programs:	
Central California Ozone Study	250
AIRMAP	3,000
International Pacific Research Center	500
Subtotal, Other Partnership Programs	3,750
Total, Climate Research	150,168
Weather & Air Quality Research:	
Laboratories & Joint Institutes:	
Aeronomy Laboratory (Colorado)	2,054
Atlantic Oceanographic and Meteorological Laboratory (Florida) ..	3,921
Air Resources Laboratory (CO, ID, NC, NV, TN)	2,077
Climate Monitoring and Diagnostic Laboratory (Colorado)	166
Environmental Technology Laboratory (Colorado)	6,864
Forecast Systems Laboratory (Colorado)	10,646
Geophysical Fluid Dynamics Laboratory (New Jersey)	3,077
National Severe Storms Laboratory (Oklahoma)	7,552
Pacific Marine Environmental Laboratory (Washington)	264

Space Environmental Center (Colorado)	7,242
Subtotal, Laboratories & Joint Institutes	43,863
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U.S. Weather Research Program:	
U.S. Weather Research Program Base (USWRP)	2,750
Hawaii—3-D Ceilometer in HI	500
Space-Based Wind Profile Lidar Technology	1,000
Air Quality Forecasting Pilot Program	3,000
High Resolution Temperature Forecasting Pilot Program	3,000
Subtotal, U.S. Weather Research Program	10,250
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Other Partnership Programs:	
New England Air Quality	1,000
Subtotal, Other Partnership Programs	1,000
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STORM	349
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Total, Weather & Air Quality Research	55,462
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Ocean, Coastal, and Great Lakes Research:	
Laboratories & Joint Institutes:	
Atlantic Oceanographic and Meteorological Laboratory (Florida) ..	2,720
AOML Coral Reef Watch	499
Environmental Technology Laboratory (Colorado)	445
Great Lakes Environmental Research Laboratory (Michigan)	8,232
Pacific Marine Environmental Laboratory (Washington)	7,389
Subtotal, Laboratories & Joint Institutes	19,285
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National Sea Grant College Program:	
National Sea Grant College Program Base	56,410
Aquatic Nuisance Species/Zebra Mussel Research	3,000
Gulf of Mexico Oyster Initiative	1,000
Oyster Disease Research	2,000
Subtotal, National Sea Grant College Program	62,410
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National Undersea Research Program (NURP):	
National Undersea Research Program (NURP) Base	13,770
National Institute for Undersea Science and Technology	2,500
Subtotal, National Undersea Research Program	16,270
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Ocean Exploration	14,000
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Other Partnership Programs:	
Arctic Research	1,650
Aquatic Ecosystems	4,300
Carolina Coastal Ocean Observing and Prediction System	2,800
Gulf of Maine Council	500
Lake Champlain Research Consortium	250
NISA/Ballast Water Demonstrations	2,250
NISA/Prevent & Control Invasive Species	800
NH Milfoil	275
NOAA Marine Aquaculture Program	2,594
Cooperative Institute for New England Mariculture & Fisheries	3,000
Aquaculture Education Program—Cedar Point, MS	1,000
Pacific Tropical Ornamental Fish	450
Aquaculture Management Plan—RICRMC	1,500
SE Atlantic Marine Monitoring & Pred. Center (UNC)	998

Tsunami Hazard Mitigation (incl. TWEAK)	3,300
Subtotal, Other Partnership Programs	25,667
Total, Ocean, Coastal, & Great Lakes Research	137,632
High Performance Computing & Communications (HPCC)	12,800
Total, OAR	356,062
<i>National Weather Service</i>	
Local Warnings and Forecasts:	
Local Warnings and Forecasts Base	483,178
Alaska Data Buoys	1,700
New England Data Buoys	750
Sustain Cooperative Observer Network	1,890
Mt. Washington Observatory	500
Susquehanna River Basin Flood System	1,310
N.C. Floodplain Mapping Pilot	4,000
Aviation Forecasts	35,596
Subtotal, Local Warnings and Forecasts	528,924
Advanced Hydrological Prediction Service	1,500
WFO Maintenance	4,390
Weather Radio Transmitters:	
Weather Radio Transmitters Base	2,320
NOAA Weather Radio Transmitters—ME	300
NOAA Weather Radio Transmitters—NH	230
NOAA Weather Radio Transmitters—SD	350
NOAA Weather Radio Transmitters—WY	374
NOAA Weather Radio Transmitters—Big Horn, WY	76
NOAA Weather Radio Transmitters—WI	450
North Dakota Ag Weather Network	270
Subtotal, Weather Radio Transmitters	4,370
Central Forecast Guidance	41,925
Systems Operation & Maintenance (O&M):	
NEXRAD	39,996
WSR-88D	3,100
ASOS	7,650
ASOS—AK Aviation	4,000
AWIPS	36,500
Total, Systems Operation & Maintenance	91,246
Total, National Weather Service	672,355
<i>National Environmental Satellite, Data and Information Service</i>	
Environmental Satellite Observing Systems:	
Satellite Command and Control	30,461
Product Processing and Distribution	21,000
Product Development, Readiness & Application:	
Product Development, Readiness & Application	19,518
Coral Reef Monitoring	750

Global Wind Demonstration	3,000
Subtotal, Product Development, Readiness & Application	23,268
Commercial Remote Sensing Licensing & Enforcement	450
Total, Environmental Satellite Observing Systems	75,179
NOAA's Data Centers & Information Services:	
Archive, Access & Assessment:	
Archive, Access & Assessment	26,750
Climate Database Modernization	15,850
GOES Data Archive Project	2,000
Subtotal, Archive, Access & Assessment	44,600
National Coastal Ocean Data Development & Management Center ...	4,513
Regional Climate Centers	3,000
Environmental Data Systems Modernization	12,335
Total, NOAA's Data Centers & Information Services	64,448
Total, NESDIS	139,627
<i>Program Support</i>	
Corporate Services:	
Under Secretary and Associate Offices Base	21,823
Policy Formulation and Direction Base	35,000
Minority Serving Institutions	15,000
Total, Corporate Services	71,823
Office of Marine and Aviation Operations (OMAO):	
Aviation Operations:	
Aircraft Services	14,684
Subtotal, Aviation Operations	14,684
Marine Operations:	
Marine Services	63,829
Fleet Planning and Maintenance	11,120
Total, Marine Operations	74,949
Total, OMAO	89,633
Facilities:	
NOAA Maintenance, Repairs and Safety	3,225
Boulder Facilities Operations	4,500
Columbia River Facilities	3,365
Total, NOAA Maintenance, Repairs and Safety	11,090
Environmental Compliance	2,000
Project Planning and Execution:	
Pribilof Island Cleanup	6,000
Total, Project Planning and Execution	6,000
Total, Facilities	19,090
Total, Program Support	180,546

The following narrative provides additional information related to certain items included in the preceding table.

NATIONAL OCEAN SERVICE

The conference agreement includes \$413,911,000 under this account for the activities of the National Ocean Service, instead of \$375,609,000 as recommended in the House bill and \$388,840,000 as proposed in the Senate report.

Mapping and Charting.—The conference agreement provides \$74,748,000 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 to continue to meet its mission requirements over the long term. Within the total funding provided under Mapping and Charting, the conference agreement includes House report language urging NOAA to enter into a long-term lease or charter.

Estuarine and Coastal Assessment.—Senate report language regarding the Oxford laboratory is adopted by reference. Of the amounts provided for Aquatic Resources Environmental Initiative, \$500,000 is for Bluegrass Pride, Inc.

Coastal Ocean Program (COP).—The managers of COP are expected to follow the direction included in the Senate report concerning research on small high-salinity estuaries. Of the amounts provided, \$1,200,000 is for the land use-coastal ecosystem study.

Coastal Zone Management.—The conference agreement includes \$75,345,000 for this activity, of which \$68,963,000 is for grants under sections 306, 306A, and 309 of the Coastal Zone Management Act (CZMA), and \$6,382,000 is for program administration. In response to NOAA's report assessing the Coastal Zone Management program, the conference agreement includes direction to NOAA to begin designing and implementing performance measures to validate the continuation of the Coastal Zone Management program. Due to fiscal constraints, it is difficult to justify a currently unauthorized appropriation of this magnitude without some type of measurement of performance. The conference agreement directs NOAA to provide quarterly reports to the Committees on Appropriations on progress in meeting these goals.

Marine Sanctuary Program.—The conferees expect the Northwest Straits Commission to seek incorporation into the Marine Sanctuary Program.

Marine Protected Areas.—The conference agreement includes Senate report language on this subject.

NATIONAL MARINE FISHERIES SERVICE

The conference agreement includes a total of \$579,196,000 for the National Marine Fisheries Service (NMFS), instead of \$542,121,000 as proposed in the House bill and \$546,165,000 as proposed in the Senate report.

The conference agreement does not include bill language under this heading regarding changes to the regulations under the Endangered Species Act, as proposed by the Senate. The conference agreement includes direction to NMFS to complete the consultative process consistent with the deadlines and the documentation requirements of subsection (a)(2) of section 7 of the Endangered Species Act.

In addition, funding provided for Pacific Islands Area Office (PIAO) operations are intended to enhance and not supplant funds for existing operations and programs, including, among others, the fishery observer program, and other support.

Fisheries Research and Management/Science and Technology.—The conference agreement provides \$230,491,000 for fisheries science and technology.

Of the amounts provided for fishery observers, \$750,000 is provided to ensure that national standards are incorporated for all observer programs. The conferees direct NMFS to provide the Committees on Appropriations with progress reports on the incorporation of observer data and state fisheries data into the National Fisheries Information System.

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. In addition, of the funding provided for Highly Migratory Species research, \$150,000 is for the Pacific Fisheries Council.

The conference agreement includes direction to NMFS to fully implement cooperative research programs. The conferees urge NOAA to leverage State, Federal and local resources to attain the best fisheries science available.

Conservation and Management.—The conference agreement includes Senate report language regarding the North Atlantic Right whales and Hawaiian Sea turtles by reference.

In addition, of the amounts provided for Protected Species-Bottlenose Dolphin, \$750,000 is to continue a program initiated in the prior year, and the remainder is for a new program in Mississippi. Within the funding provided for Marine Mammal Protection/Alaska Harbor Seals, funding is to be allocated according to direction in the Senate report.

Funding for bluefish/striped bass has been provided as follows: \$450,000 for the NMFS base research program, \$827,000 for the Cooperative Marine Education and Research Program in New Jersey, and \$250,000 for other existing bluefish/striped bass research.

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.

Habitat Conservation.—Within the amounts provided for the Chesapeake Bay, \$1,200,000 is for the Chesapeake Bay Environmental Education Program; of this amount, \$400,000 is for a grant to a consortium to further the educational goals of the Chesapeake 2000 Agreement, and \$800,000 is for the NOAA Chesapeake Bay Office to conduct an environmental educational program in the Chesapeake Bay watershed. In addition, \$2,000,000 is for oyster bed restoration, including \$1,000,000 each for the Maryland Oyster Recovery Partnership and the Virginia Oyster Reef Heritage Foundation. In addition, \$1,500,000 is for the Blue Crab Advanced Re-

search Consortium to be administered by the University of Maryland Biotechnology Institute.

Other.—In addition, within the funds available for the Saltonstall-Kennedy grants program, NMFS is directed to continue ongoing efforts related to *Vibrio vulnificus*.

OCEANIC AND ATMOSPHERIC RESEARCH

The conference agreement includes a total of \$356,062,000 for Oceanic and Atmospheric Research activities, instead of \$317,483,000 as recommended by the House and \$365,430,000 as recommended by the Senate.

Climate Observations and Services.—Senate report language regarding ARGO floats is adopted by reference.

U.S. Weather Research Program (USWRP).—The conferees direct NOAA to collaborate with the AIRMAP program to establish an air quality forecasting pilot program and a high-resolution temperature forecasting pilot program in the northeastern United States.

Climate and Global Change.—Of the amounts provided, \$750,000 is to be allocated as directed in the House report.

STORM.—The conference agreement includes \$349,000 for the final payment to the Science Center for Teaching, Outreach and Research on Meteorology for the collection and analysis of weather data in the Midwest.

National Sea Grant Program.—The conference agreement includes \$3,000,000 for the fisheries extension program. This funding is intended to enhance and not supplant funds for the existing extension program.

National Undersea Research Program (NURP).—Of the amounts provided, \$6,885,000 is for research conducted through the east coast NURP centers and \$6,885,000 is for the west coast NURP centers, including the Hawaiian and Pacific center and the west coast and polar region center. The Committee expects level funding will be available for Aquarius, ALVIN, and program administration.

National Invasive Species Act/Ballast Water Demonstrations.—Funding is included for the Chesapeake Bay and Great Lakes ballast water demonstrations, of which \$2,000,000 is to be split according to the prior year allocation, and an additional \$250,000 is for a new technology system.

Great Lakes Risk Assessment.—The conferees encourage OAR to review a proposal from the University of Notre Dame to conduct a Great Lakes risk assessment and provide funding, if warranted.

NATIONAL WEATHER SERVICE

The conference agreement includes a total of \$672,355,000 for the National Weather Service (NWS), instead of \$659,349,000 as proposed in the House bill, and \$668,620,000 as proposed in the Senate report.

Local Warnings and Forecasts.—The conference agreement includes language in the Senate report regarding Williston, North Dakota, and Erie, Pennsylvania. The National Weather Service (NWS) is directed to ensure that the Federal Aviation Administration (FAA) is implementing the agreement between the NWS and

FAA to fully address the requirements for these areas in fiscal year 2002. The NWS is directed to report to the Committees on Appropriations on the progress of implementing this agreement by February 14, 2002.

In addition, funding for the WSR-88D is included as directed in the House report.

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE

The conference agreement includes \$139,627,000 for NOAA's satellite and data management programs. In addition, the conference agreement includes \$561,926,000 under the NOAA PAC account for satellite systems acquisition and related activities.

PROGRAM SUPPORT

The conference agreement provides \$180,546,000 for NOAA program support, instead of \$176,112,000 as proposed by the House, and \$150,725,000 as proposed by the Senate. Senate report language regarding the P-3 and the R/V *Ron Brown* is adopted by reference. The *Rude*, *Ferrel*, and *McArthur* are to be retired when the *Swath*, *YTT*, and *T-AGOS* (Hawaii) respectively come on-line. The conference agreement includes direction to the Office of Marine and Aviation Operations to provide detailed quarterly reports to the Committees on Appropriations on its operations.

Of the amounts provided for Pribilof Island Cleanup, \$2,000,000 is for assistance authorized under Section 206(b) of the Fur Seal Act of 1966 (16 USC 11669b), and \$4,000,000 is to carry out Section 3 of Public Law 104-91 (16 USC 1165 note).

The conference agreement includes funding for NOAA's portion of Commerce Administrative Management System (CAMS) implementation based on detailed information provided by NOAA. The conferees direct NOAA to fully implement CAMS by October 10, 2002.

PROCUREMENT, ACQUISITION AND CONSTRUCTION
(INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes a total of \$836,552,000 in direct appropriations for the NOAA Procurement, Acquisition and Construction account, and assumes \$3,200,000 in deobligations from this account. Of the amounts provided, \$58,487,000 is within the conservation category. The following distribution reflects the fiscal year 2002 funding provided for activities within this account:

<i>PAC</i>	<i>FY02 Conf.</i>
NOS Construction and Acquisition: Coastal and Estuarine Land Conservation Program:	
Bronx River, NY	1,500
East River, South Bronx, NY	1,000
Lake Superior, City of Superior, WI	800
Elkhorn Slough, CA	500
Hackensack, NJ	1,200
Kitsap County, WA	500
Village Point, AL	500
Widewater Peninsula, VA	225
Taskinas Creek, VA	275
Hempstead Harbor, NY	350

<i>PAC</i>	<i>FY02 Conf.</i>
Lake Ontario, NY	350
Detroit River—Wyandott/Chrysler, MI	1,000
NY/NJ Partnership	1,500
Warwick, RI	350
Worcester City, MD	350
Orange County, CA	350
Stamford Mill, CT	350
San Pablo Bay, CA	350
Manchester by the sea—Gloucester, MA	350
Camp Salmen, LA	225
Deer Island, MS	3,800
Subtotal, CECP	<u>15,825</u>
NERRS Acquisition/Construction:	
ACE Basin	13,500
Great Bay Partnership	6,000
Base Program	8,412
Subtotal, National Estuarine Research Reserve	<u>27,912</u>
Marine Sanctuaries Construction:	
Florida Keys National Marine Sanctuary	6,500
Humpback Whale National Marine Sanctuary	1,500
National <i>Monitor</i> Sanctuary	5,000
Monterey Bay National Marine Sanctuary	1,250
Stellwagen Bank National Marine Sanctuary	500
Subtotal, Marine Sanctuary Construction	<u>14,750</u>
Other NOS Facilities:	
Kachemak Bay Service Facility	800
Kasitsna Bay Laboratory	5,500
MEHRL	14,000
Beaufort Laboratory	5,000
Coastal Service Center	4,000
Subtotal, Other NOS	<u>29,300</u>
Subtotal, NOS Construction	<u>87,787</u>
NMFS Construction:	
Juneau Fisheries Laboratory	21,100
Aquatic Resources	5,000
NY Botanical Gardens	4,034
Honolulu lab	3,000
Kodiak Pier	2,000
Ketchikan Facilities	1,500
Santa Cruz Laboratory	550
Subtotal, NMFS Construction	<u>37,184</u>
OAR:	
CLASS	3,600
Research Supercomputing	7,750
Stone Laboratory	350
Norman Consolidation Project	8,000
Total, OAR	<u>19,700</u>
NWS:	
ASOS	5,125
AWIPS	16,264
NEXRAD	8,260
NWS WFO—Huntsville	3,000
NWSTG Backup—CIP	7,460

<i>PAC</i>	<i>FY02 Conf.</i>
Radiosonde Network Replacement	4,989
Weather and Climate Supercomputing	15,000
WFO Construction	10,630
Total, NWS	70,728
 NESDIS:	
Geostationary Systems	262,474
Polar Orbiting Systems	295,902
Continuity of Critical Facilities	3,550
Total, NESDIS	561,926
Program Support: CAMS	17,127
 OMAO/Fleet Replacement:	
ADVENTUROUS Refurbishment	4,200
ALBATROSS IV Repair	3,000
FAIRWEATHER Refurbishment	10,500
GORDON GUNTER	1,500
Naval Surplus Vessels for Coastal Research (YTT)	3,500
Small Waterplane Area Twin Hull Vessel (NH)	5,000
T-AGOS Vessel Conversion (HI—coral reef)	6,000
Fishery Research Vessel Replacement	5,400
Hydrographic Equipment Upgrades	6,200
Subtotal, OMAO	45,300
Total, Program Support	62,427
Total, Procurement, Acquisition, and Construction	839,752

Coastal and Estuarine Land Conservation Program.—The conference agreement includes \$15,825,000 for a new coastal and estuarine land conservation program, similar to a program proposed in the Senate bill. The House bill did not include a similar provision. This program is intended to protect those coastal and estuarine areas with significant conservation, recreation, ecological, historical or aesthetic values, or those that are threatened by conversion from their natural state to other uses. Federal funding must be matched by at least the same amount by other non-Federal sources. The Department of Commerce, including NOAA, is directed to promulgate regulations that are in accordance with the Coastal Zone Management Act. Bill language is included creating this new program.

National Estuarine Research Reserve System (NERRS).—A total of \$27,912,000 is provided for NERRS acquisition and construction, of which \$19,500,000 is not dependent upon receipt of local, state, or private matching funds.

Marine Sanctuaries Construction.—The conference agreement includes \$5,000,000 for the Mariners Museum for the planning, design, engineering and construction of the USS *Monitor* center.

Other NOS Facilities.—The conference agreement provides \$800,000 for the final Federal share of the Kachemak Bay service facility.

MEHRL.—The conference agreement provides \$14,000,000 for the MEHRL for the proteomics initiative, including the purchase of an 800 Mhz nuclear magnetic resonance (NMR) spectroscopy instrument, construction of necessary housing for this equipment, and associated costs. The conferees understand that the Medical University of South Carolina will provide the necessary expertise

to cooperatively manage the instrument with NOAA. The conferees commend the consortium as an exemplar of Federal, State and academic partners working collaboratively through the joint partner process to share facilities, equipment and research.

Systems Acquisition.—Of the funding provided for Polar Orbiting Spacecraft and Launching, \$157,400,000 is for Polar Convergence. The National Polar-orbiting Operational Environmental Satellite System (NPOESS) is a Presidentially—directed program between Department of Defense (DOD), Air Force, Department of Commerce (DOC), National Oceanic Atmospheric Administration (NOAA) and National Aeronautics and Space Administration (NASA). The program was established based on a 50/50 cost sharing agreement between DOD and DOC, while NASA would provide “in kind” services, including a satellite and launch vehicle. The program is required to meet jointly established technical and schedule requirements. Bill language is included to maintain the established cost sharing arrangement. House report language regarding NWS is adopted by reference.

In addition, a total of \$262,474,000 is for the Geostationary Spacecraft and Launching. The conference agreement does not include funding for the GOES–R series in fiscal year 2002 due to scheduling changes.

Construction.—The conference agreement includes \$8,000,000 for above-standard costs of a building in Norman, Oklahoma to house portions of the National Weather Service. The conference agreement does not include funding requested for the Suitland, Maryland facility, as funding is not required in fiscal year 2002.

PACIFIC SALMON COASTAL RECOVERY

The conference agreement includes \$157,419,000 for this account within the conservation category, of which \$110,000,000 is for the Pacific Salmon Recovery Fund, \$5,419,000 is for the final direct payment to the State of Washington as part of the 1999 Pacific Salmon Treaty compromise, \$40,000,000 is for the Treaty, and \$2,000,000 is for the Pacific Salmon Commission.

Of the amounts provided for the Pacific Salmon Recovery Fund, \$34,000,000 is for the State of Washington, \$27,000,000 is for the State of Alaska, \$17,000,000 is for the State of Oregon, \$17,000,000 is for the State of California, \$11,000,000 is for the Pacific Coastal tribes, and \$4,000,000 is for the Columbia River tribes.

Of the amounts provided for the state of Alaska, funding is allocated in accordance with the Senate report; \$250,000 is for the United Fishermen of Alaska, and \$500,000 is for the Klawock Lake habitat project.

Of the amounts provided to the State of Washington, \$1,000,000 is for mass marking, and \$4,000,000 is for 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 Report and consistent with the requirements of the Endangered Species Act and Clean Water Act.

Of the amounts provided for Oregon, funding is allocated in accordance with the Senate report.

Should an authorization including the State of Idaho under this program be enacted during fiscal year 2002, the conferees would entertain a reprogramming request for these funds.

Of the amounts provided for the Pacific Salmon Commission, funding is provided to implement salmon research, conservation, and harvest provisions of the 1999 Pacific Salmon Treaty.

Of the amounts provided for the Treaty, \$20,000,000 is for the Northern Transboundary Fund and \$20,000,000 is for the Southern Transboundary Fund. No funding is provided under the Department of State for this purpose.

The conference agreement does not include language proposed in the House bill making funding under this heading subject to express authorization. The Senate bill did not include a similar provision.

None of the \$110,000,000 is for commercial fishing license or vessel buybacks.

COASTAL ZONE MANAGEMENT FUND

The conference agreement includes an appropriation of \$3,000,000 as proposed in both the Senate and House bills. 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, identical to the amounts proposed in both the House and Senate bills.

FOREIGN FISHING OBSERVER FUND

The conference agreement includes \$191,000 for the expenses related to the Foreign Fishing Observer Fund, as proposed in both the Senate and House bills.

FISHERIES FINANCE PROGRAM ACCOUNT

The conference agreement provides \$287,000 in subsidy amounts for the Fisheries Finance Program Account, identical to amounts proposed in both the House and Senate bills.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement includes \$37,652,000 for the departmental management of the Commerce Department, instead of \$35,843,000 as proposed in the House bill, and \$42,062,000 as proposed in the Senate bill. The Commerce Department is directed to continue to submit quarterly reports for implementation of the Commerce Administrative Management System (CAMS).

OFFICE OF INSPECTOR GENERAL

The conference agreement includes \$20,176,000 for the Commerce Department Inspector General, instead of \$21,176,000 as

proposed in both the House and Senate bills. 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 and Senate bills, regarding certifications of advanced payments.

Sec. 202.—The conference agreement includes section 202, identical in the House and Senate bills, allowing funds to be used for hire of passenger motor vehicles.

Sec. 203.—The conference agreement includes section 203, identical in the House and Senate bills, prohibiting reimbursement to the Air Force for hurricane reconnaissance planes.

Sec. 204.—The conference agreement includes section 204, identical in the House and Senate bills, providing authority to transfer funds between accounts. The language provides that no account may be decreased by more than 5 percent or increased by more than 10 percent. The language also makes the transfers subject to the Committee's standard reprogramming procedures.

Sec. 205.—The conference agreement includes section 205, identical in the House and Senate bills, providing that any costs incurred by the Department in response to funding reductions to the Department shall not be subject to the reprogramming limitations of this Act.

Sec. 206.—The conference agreement includes section 206, identical in the House and Senate bills, allowing the Secretary to award contracts for certain mapping and charting activities in accordance with the Federal Property and Administrative Services Act.

Sec. 207.—The conference agreement includes section 207, as proposed in both the House and Senate bills, allowing the Department of Commerce Franchise Fund to retain a portion of its earnings from services provided.

Sec. 208.—The conference agreement includes section 208, modified from a provision in the Senate bill, providing \$41,500,000 within the "National Institute of Standards and Technology, Construction of Research Facilities" account for construction of specific projects.

Sec. 209.—The conference agreement includes section 209, modified from a provision in the Senate bill, to clarify requirements for the Department of Commerce Working Capital Fund and the Advances and Reimbursement Account.

Sec. 210.—The conference agreement includes section 210, identical to a provision in the Senate bill, to allow the City of Anchorage, Alaska to export, on a one-time basis, two whale jaw bones acquired in a legal subsistence hunt by Native Alaskans, to its sister city of Whitby of the United Kingdom.

Sec. 211.—The conference agreement includes a new section 211 that amends section 213 of Public Law 105-277, the American Fisheries Act. This change would delete a sunset provision and in-

stead authorize an annual appropriation, making permanent the prohibition on direct pollock fishing by non-American Fisheries Act (AFA) catcher/processors, even though this sector has some pre-AFA pollock history. The conferees understand that North Pacific groundfish fishermen and processors have agreed to work together on a proposal for consideration by the North Pacific Fishery Management Council for non-AFA catcher/processors to maximize utilization of their historic pollock catch. The conferees request that the appropriate Committees be notified immediately should the Secretary determine that the AFA statute precludes the Council from developing a regulation implementing the aforementioned agreement. The substitution of a September 30, 2004 reauthorization date for the original December 31, 2004 sunset date is intended to ensure a full Congressional review of the AFA within six years of its passage, as originally planned. This will also allow consideration of AFA issues during the reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act. Further, the conferees expect that any further authorization changes to the AFA will be addressed through the authorization committee process.

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

The conference agreement includes \$39,988,000 for the salaries and expenses of the Supreme Court as provided in the Senate bill, instead of \$42,066,000 as provided in the House bill.

The conferees recall that the late Julian Dixon, a member of the House Committee, worked tirelessly to remind the Supreme Court of the importance of fair hiring practices in the selection of law clerks. The Court has responded by providing information regarding its practices. The Court is directed to continue to provide information and make efforts to expand its pool of applicants in a manner to ensure fairness in hiring.

The conference agreement does not adopt language in the Senate report regarding the containment of mandatory costs and additional personnel.

CARE OF THE BUILDING AND GROUNDS

The conference agreement includes \$37,530,000 for the Supreme Court “Care of the Building and Grounds” account, instead of \$70,000,000 as provided in the House bill and \$7,530,000 in the Senate bill. The entire amount shall remain available until expended.

The conference agreement adopts, by reference, language in the House report related to the security and renovation needs of the Supreme Court.

The conference agreement does not include language in the Senate report regarding building renovations.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT
SALARIES AND EXPENSES

The conference agreement includes \$19,287,000 for the United States Court of Appeals for the Federal Circuit as provided in the House bill, instead of \$19,372,000 as provided in the Senate bill.

The conference agreement adopts, by reference, the House report language regarding funding priorities.

UNITED STATES COURT OF INTERNATIONAL TRADE
SALARIES AND EXPENSES

The conference agreement includes \$13,064,000 for the U.S. Court of International Trade, instead of \$13,073,000 as provided in the House bill and \$13,054,000 as provided in the Senate bill.

The conference report adopts, by reference, language in the House and Senate reports regarding the Court and the request for an architectural analysis of the Court's facilities.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL
SERVICES

SALARIES AND EXPENSES

The conference agreement provides \$3,591,116,000 for the salaries and expenses of the Courts of Appeals, District Courts and Other Judicial Services, instead of \$3,631,940,000 as provided in the House bill and \$3,559,012,000 as provided in the Senate bill. The agreement does not include Senate bill language related to court operations in Wyoming.

The conference agreement adopts, by reference, House report language with respect to non-appropriated funds and workload.

The conference agreement adopts, by reference, Senate report language requesting a study for the Committees on Appropriations by no later than February 1, 2002, on whether changes in the jury system may be necessary, to be prepared by the Administrative Office of the U.S. Courts.

VACCINE INJURY COMPENSATION TRUST FUND

The conference agreement provides \$2,692,000 from the Vaccine Injury Compensation Trust Fund as provided in both the House and Senate bills. The conference report adopts, by reference, the language from both the House and Senate reports.

DEFENDER SERVICES

The conference agreement includes \$500,671,000 for the Federal Judiciary's Defender Services account as provided in the House bill, instead of \$463,756,000 as provided in the Senate bill. The agreement includes House bill language related to training and administrative expenses. It does not include Senate bill language limiting the funding for Federal Defender Organizations.

The conference report adopts, by reference, the House report language. The conferees expect the Judiciary to implement the

panel attorney pay increase to \$90 per hour in- and out-of-court, by no later than May 1, 2002.

The conference agreement does not include Senate report language regarding the feasibility of establishing “firewalls” within Federal Defender Organizations.

FEES OF JURORS AND COMMISSIONERS

The conference agreement includes \$48,131,000 for Fees of Jurors and Commissioners, as proposed in the House bill, instead of \$50,131,000 as provided in the Senate bill.

COURT SECURITY

The conference agreement includes \$220,677,000 for the Federal Judiciary’s Court Security Account, instead of \$224,433,000 as provided in the House bill and \$209,762,000 as provided in the Senate bill.

The conference report adopts House bill and report language. The language clarifies the responsibilities of the Court Security Program. The conferees expect the courts will submit a report pursuant to section 605 of this bill should new facilities be needed to carry out the program or should court security be expanded at buildings housing court personnel that are leased, operated, or owned by the General Services Administration or by private interests.

The conference agreement does not include Senate bill and report language regarding radios.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

The conference agreement includes \$61,664,000 for the Administrative Office of the United States Courts, instead of \$60,029,000 as provided in the House bill and \$58,212,000 as provided in the Senate bill.

The conference agreement adopts, by reference, House report language. It does not include Senate report language regarding captioning initiatives.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

The conference agreement includes \$19,735,000 for salaries and expenses of the Federal Judicial Center as provided in the House bill, instead of \$19,742,000 as provided in the Senate bill. Section 304 provides an additional \$400,000 available by transfer to the Center, to be used for distance learning. The conference report adopts, by reference, House and Senate report language.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

The conference agreement includes \$37,000,000 for payment to various judicial retirement funds, as provided in both the House

and Senate bills. The conference agreement adopts, by reference, the House and Senate report language.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$11,575,000 for the U.S. Sentencing Commission, as provided in the House bill, instead of \$11,327,000 as provided in the Senate bill. The conference adopts, by reference, House and Senate report language.

GENERAL PROVISIONS—THE JUDICIARY

Section 301.—The conference agreement includes a provision included in both the House and Senate bills allowing appropriations to be used for services as authorized by 5 U.S.C. 3109.

Section 302.—The conference agreement includes a provision included in both the House and Senate bills related to the transfer of funds.

Section 303.—The conference agreement includes a provision included in both the House and Senate bills allowing up to \$11,000 of salaries and expenses provided in this title to be used for official representation expenses of the Judicial Conference of the United States.

Section 304.—The conference agreement includes a provision as provided in Section 305 of the Senate bill, which directs a transfer of \$400,000 to the “Federal Judicial Center, Salaries and Expenses” account to be used only for distance learning. House language in Section 304 would have transferred \$400,000 to the “Courts of Appeals, District Courts, and other Judicial Services, Salaries and Expenses”.

Section 305.—The conference agreement adopts a provision in the Senate bill authorizing a cost of living salary adjustment for Justices and judges and appropriates \$8,625,000 for this purpose.

Senate Section 304.—The conference agreement does not include a provision making permanent Section 140 of Public Law 97–92 relating to judges pay, but addresses the matter in Title VI, Section 625 of this report.

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 \$3,630,012,000 for Diplomatic and Consular Programs, instead of \$3,645,735,000 as included in the House bill and \$3,471,168,000 as included in the Senate bill. The conference agreement includes \$3,142,277,000 for State Department activities under this account, and an additional \$487,735,000 to remain available until expended for worldwide security upgrades.

The conference agreement provides \$361,360,000 in requested program increases to improve diplomatic readiness and the security of Department operations, as follows:

Diplomatic Readiness.—The conference agreement includes a program increase of \$106,895,000, the full amount requested, for increased staffing. The conferees expect this amount to support the hiring of 360 new employees in fiscal year 2002. In addition, the conference agreement includes \$18,500,000 for human resources enhancements, including \$3,000,000 for recruitment modernization, \$10,000,000 for service needs incentives, \$2,000,000 for a student loan repayment program, \$1,000,000 for a spousal employment program, and \$2,500,000 for civil service mobility and mid-level training programs.

Secure Operations.—The conference agreement includes program increases of \$79,412,000 to improve information and telephone security, upgrade the Department's technical and domestic security efforts, and hire an additional 186 diplomatic security employees, including 86 special agents.

Information Technology Investments.—The conference agreement includes a program increase of \$102,746,000 for information technology operations and maintenance, representing a shift of all such costs from the Capital Investment Fund, which will allow the full amount in that account to be available for technology investments.

Overseas Infrastructure.—The conference agreement includes program increases of \$53,807,000 for improvements to the overseas diplomatic support platform provided by the Department. This amount includes \$18,650,000 for the replacement of obsolete equipment, \$5,000,000 for the replacement of unreliable motor vehicles, \$10,000,000 to improve critical operations and maintenance services, \$5,300,000 to improve competitiveness of compensation packages offered to foreign national employees, and \$14,857,000 to support the consolidation of worldwide financial functions.

Further guidance on these and other programs and activities of the Department are offered below.

The conference agreement includes language designating \$270,259,000 for public diplomacy international information programs as proposed in the House bill. The Senate bill did not contain a similar provision. This amount represents the full requested funding level for these program activities. Within the amount provided, the conferees expect that the top priority in resource allocation will be programs related to the effort to combat terrorism. A strong and sustained public diplomacy campaign that successfully communicates objective facts and official messages and policies to target audiences abroad will be critical to the success of this effort. The conferees expect the Department to draw upon the best minds available, inside and outside the Federal government, to develop and convey these messages and policies.

The conference agreement includes language designating \$694,190,000 for information resource management as proposed in the Senate bill. The House bill did not contain a similar provision. This amount represents the full requested funding level for these activities. The conferees note that this amount includes funding for the Diplomatic Telecommunications Service—Program Office

(DTS-PO), formerly included under the Capital Investment Fund. In recognition of continuing management challenges regarding DTS-PO, the conferees direct the Department to submit a fiscal year 2002 DTS-PO spending plan to the Committees through the regular reprogramming process before December 15, 2001.

The conference agreement does not include language proposed in the Senate bill designating \$7,800,000 for language, security, leadership, management and professional training. The House bill did not include a similar provision. The conferees expect that, within the funding available under this account, the Department will allocate a similar total to such training programs.

The conference agreement does not include language proposed in the Senate bill designating \$6,000,000 for transfer to the Department of Justice for conversion of State Department radio systems to narrowband. The House bill did not include a similar provision.

The conference agreement does not include language earmarking \$9,000,000 for the East-West Center, as proposed in the Senate bill. 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 an earmark of \$5,000,000 under this account, as proposed in the Senate bill, for a payment to the State of Hawaii for security costs incurred as host of the May, 2001 Asian Development Bank Meeting. The House bill did not include a provision on this matter.

The conference agreement includes a provision, not in the House bill or the Senate bill, to allow the Department to collect and deposit Machine Readable Visa fees as offsetting collections to this account in fiscal years 2002 and 2003 to recover costs. The conference agreement does not include provisions to limit the use of Machine Readable Visa fees in fiscal year 2002 and to make excess collections available in the subsequent fiscal year, as carried in both the House and Senate bills.

The conference agreement does not include language proposed in the Senate bill regarding the extension of Federal allowances and benefits to an American employee of the World Intellectual Property Organization. The House bill did not include a provision on this matter. The conferees expect the Department to make every effort within existing laws and regulations to ensure that this and similar positions with international organizations carry with them appropriate allowances and benefits as befit their status.

In addition, the conferees are concerned by General Accounting Office findings that the United Nations (U.N.) and affiliated organizations continue to fall short of targets for the number of American employees. The conferees strongly encourage the Department to increase resources to recruit qualified Americans for positions in the U.N. system, and to work to remove pay and benefits disincentives to such employment. The conferees direct the Department to report to the Committees on Appropriations no later than March 15, 2002 on what actions can be taken to address these pay, allowances, and benefits concerns.

The conference agreement does not include language carried in last year's Act 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 Senate bill. The conferees understand that such amounts were credited to this account during fiscal year 2001 and remain available until expended, and that this provision is no longer necessary.

The conference agreement does not include language proposed in the Senate bill designating a total of \$45,419,000 for the implementation of the 1999 Pacific Salmon Treaty Agreement. The conference agreement addresses funding for this treaty under Title II of this Act, as proposed in the House bill.

The conference agreement includes language making \$1,343,000 available from fees collected from other executive agencies for lease or use of facilities at the International Center, as proposed in the House bill. The Senate bill proposed making \$1,252,000 available for such purposes.

The conference agreement includes a citation of authorization legislation carried in previous years. The Senate bill proposed the deletion of this citation.

The conference agreement includes new language designating \$1,800,000 for a grant to conduct an international conference on combating sex trafficking. The conferees expect the Department's newly-established Office to Monitor and Combat Trafficking in Persons to oversee this conference as a public/private partnership, working closely with the War Against Trafficking Alliance, a consortium of non-governmental organizations, including Shared Hope International, the International Justice Mission, and the Salvation Army. In addition, the conferees encourage the Department to assist other international cooperative efforts to fight trafficking in persons, including providing up to \$200,000 for an upcoming conference on human rights challenges associated with trafficking, sponsored by the Globalization Research Center of the University of Hawaii at Manoa.

The conferees direct the Department to allocate \$5,000,000 for overseas continuing language education for employees and dependents as described in the Senate report.

The conferees direct the Department to report to the Committees on Appropriations on the Bureau of Consular Affairs' programs to assist Americans who have been the victims of violent crimes while traveling or studying overseas. The report shall evaluate the current services provided by the Office of Overseas Citizens Affairs and the adequacy of resources available to it for this purpose. This report shall consider whether and what data should be collected on individual incidents and made available to victims. The report shall also consider whether a database containing information about grants available to assist victims with the high costs associated with the prosecution of a perpetrator in foreign countries—particularly remote or judicially unsophisticated foreign countries—is merited. Finally, the report shall determine how best to make this information available to victims. The conferees expect that Internet technology will be utilized to accomplish this.

Within the amount provided under this heading, the conferees direct the Department to make \$500,000 available to the Northern Forum to support efforts to improve international communication, cooperation and opportunities for economic growth in northern re-

gions of countries including the United States, Canada, China, Finland, Sweden, Japan, and Russia. This funding is provided with the expectation of matching funding from other contributions.

The conferees continue to be concerned about the security of classified information at the Department. The conferees understand that Federal requirements for storage of classified information mandate that containers approved by the General Services Administration are secured with locks that meet or exceed Federal specifications. The conferees expect the Department to report to the Committees no later than March 1, 2002, identifying the number of Department-controlled containers that are not in compliance with the Federal specification.

The conferees understand that a community of democracies conference is planned for October, 2002, in Seoul. The conferees encourage the Department to participate in this conference and to further develop the idea of a coalition of nations that could serve to consolidate and expand democracy, and to deepen collaboration among nations to enhance security and prosperity and pursue common interests. The conferees encourage the Department to work with non-governmental organizations with similar aims such as the Council for a Community of Democracies.

The conference agreement includes, by reference, language in the House report on reprogramming of exchange rate savings; reform and restructuring, including the filling of the Deputy Secretary for Management and Resources position; carrying out the recommendations of the Overseas Presence Advisory Panel; implementation of visa laws; the diversity visa program; Sudan; Egypt; Lebanon; overseas schools; the Office of Defense Trade Controls; and the negotiation of extradition treaties.

The conference agreement includes, by reference, language in the Senate report on the Arctic Council, the Bering Straits Commission, the Ambassador's Fund for Cultural Preservation, international conservation of sea turtles, biotechnology, and international trade activities.

The conferees direct the Department to provide \$1,500,000 to continue its educational partnership with Hostos Community College and Columbia University in New York. This model program will support the Department's ongoing efforts to increase minority hiring and diversity by facilitating the preparation of non-traditional and minority students for careers in the Foreign Service and the Department. The conferees also note that the Department has identified additional continuing base funding of at least \$2,000,000 to improve efforts to recruit members of minority groups for careers in the Foreign Service and international affairs. The conference agreement includes resources to continue these efforts, including an additional \$1,000,000 for an ongoing partnership with Howard University.

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.

CAPITAL INVESTMENT FUND

The conference agreement includes \$203,000,000 for the Capital Investment Fund as proposed in the House bill, instead of \$210,000,000 as proposed in the Senate bill. This amount, when combined with estimated expedited passport fees of \$63,000,000, will result in a total availability of \$266,000,000 for priority new technology investments. Costs associated with information technology operations and maintenance, formerly supported by amounts under this heading, are instead included under the Diplomatic and Consular Programs account.

The conferees agree that, from the total available funding under this heading, \$106,600,000 shall be for the replacement of computer and communications equipment that posts use for classified operations, and \$109,631,000 shall be for the expansion of desktop Internet access to all Department employees worldwide. The conference agreement includes, by reference, language in the House report regarding the submission of a performance plan and report for these two major initiatives.

The conference agreement also includes, by reference, language in the House report on efforts to establish a common information technology platform at overseas posts.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes \$29,000,000 for the Office of Inspector General, instead of \$29,264,000 as proposed in the House bill and \$28,427,000 as proposed in the Senate bill. The conference agreement includes, by reference, the guidance included in the House report.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The conference agreement includes \$237,000,000 for Educational and Cultural Exchange Programs as proposed in the House bill, instead of \$242,000,000 as proposed in the Senate bill. The following chart displays the conference agreement on the distribution of funds by program or activity under this account:

	<i>Amount (in thousands)</i>
Academic Programs:	
Fulbright Programs	\$118,000
Foreign Study Grants for U.S. Undergraduates	1,500
Educational Advising and Student Services	3,500
English Language Programs	3,000
Hubert H. Humphrey Fellowships	6,000
Edmund S. Muskie Fellowships	250
American Overseas Research Centers	2,320
South Pacific Exchanges	500
Tibet Exchanges	500
East Timor Exchanges	500
Disability Exchange Clearinghouse	500
Subtotal, Academic Programs	136,570
Professional and Cultural Programs:	
International Visitor Program	49,000
Citizen Exchange Program	16,000
Congress Bundestag Youth Exchange	2,908
Mike Mansfield Fellowship Program	2,200

	<i>Amount</i> <i>(in thousands)</i>
Youth Science Leadership Institute of the Americas	100
Irish Institute	250
Atlantic Corridor	250
Interparliamentary Exchanges with Asia	150
Subtotal, Professional and Cultural Exchanges	70,858
North/South Center	1,000
Exchanges Support	28,572
Total, Appropriation	237,000

Deviations from this distribution of funds will be subject to the normal reprogramming procedures under section 605 of this Act. In addition, the conferees understand that at least \$2,200,000 from carryover and recovered balances will be available for obligation in fiscal year 2002. Of this additional amount, the conferees agree to the following allocations: \$250,000 for the Irish Institute, \$250,000 for the Atlantic Corridor, \$300,000 for the Citizen Exchanges Program, \$200,000 for the North/South Center, \$300,000 for exchanges related to workforce development in Africa as described in both the House and Senate reports, \$400,000 for exchanges to build linkages between American and foreign musicians and musical institutions as described in the House report, and \$500,000 for one-time seed funding for five new exchange activities as listed in the Senate chart. Should additional carryover and recovered balances become available, the conferees encourage the Department to consider a proposal for funding from International Partners in Education. The conferees remind the Department that the use of additional carryover beyond that distributed above is subject to the reprogramming requirements described in section 605 of this Act.

The conference agreement includes language that limits spending from fee collections to \$2,000,000 as proposed in the House bill, instead of \$800,000 as proposed in the Senate bill. The conference agreement also includes language authorizing the crediting of fees from exchange visitor programs to this account as proposed in the House bill.

With respect to exchanges with the successor states of the former Soviet Union, the conferees agree that funding under this heading shall be allocated in recognition of significant amounts available for similar programs via transfer from other funding sources. Accordingly, the Department shall not earmark a percentage allocation of funds provided under this heading to exchanges for that geographic region. Instead, resources under this heading shall be allocated to ensure that the total funding available from all sources for exchange programs does not include geographical inequalities that do not correspond with worldwide policy priorities. The conferees direct the Department to submit a report to the Committees by January 15, 2002, displaying the allocation of total fiscal year 2002 funding from all sources, and total funding under this heading, by geographical region. The report should also include a similar display of fiscal year 2001 actual funding allocations.

The conference agreement includes \$250,000 for the Muskie Fellowships for graduate student exchanges with states of the

former Soviet Union. The conferees expect that approximately \$20,000,000 will be made available from other sources in fiscal year 2002 for such exchanges. Within the total amounts made available for such exchanges the conferees urge the Department to place the highest priority on students conducting research or undertaking language training related to the Kazakhstan, Kyrgyzstan, Turkmenistan, Tajikistan, and Uzbekistan.

The conferees agree that the Department, in cooperation with other relevant Federal agencies, should give higher priority to international education and should coordinate efforts to promote exchange programs and U.S. higher education abroad.

The conference agreement includes, by reference, language in the House report on the Congress-Bundestag Youth Exchange Program, the Working Group on International Exchanges and Training, and increased competition in grant programs. The conference agreement also includes language in the Senate report on overseas educational advising.

The conferees are aware of the economic and cultural exchange program, as well as the proposed "sister state" relationship being developed between the City of Lake Charles, Louisiana and the Tver Region of Russia. The conferees support these efforts and encourage the Department to consider supporting the program.

REPRESENTATION ALLOWANCES

The conference agreement includes \$6,485,000 for Representation Allowances as proposed in the House bill, instead of \$9,000,000 as proposed in the Senate bill.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

The conference agreement includes \$9,400,000 for Protection of Foreign Missions and Officials as proposed in the House bill, instead of \$10,000,000 as proposed in the Senate bill. 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 \$1,273,960,000 for this account, instead of \$1,285,960,000 as proposed in the House bill and \$1,066,951,000 as proposed in the Senate bill.

Worldwide Security Upgrades.—The conference agreement includes \$815,960,000 for the costs of worldwide security upgrades, including \$136,680,000 for continuation of the perimeter security program and \$665,000,000 for capital security projects.

The conferees agree that the amount for capital security projects does not include requirements associated with the construction of U.S. Agency for International Development facilities. Instead, the conferees direct the Department to allocate the entire amount provided for capital security construction to projects at posts that are determined by the Department to be most in need of secure replacement facilities.

The conferees understand that the Department recently realized significant savings as a result of re-evaluating the budget plans for a number of ongoing and planned capital security

projects. The conferees expect that the resulting savings will allow the Department to accomplish results under this program that significantly exceed the level of activity described in the budget request. The conferees commend the Department, and encourage the achievement of additional efficiencies that will reduce the cost and increase the pace of standing up new, secure replacement embassy and consular facilities.

The conferees direct the Department to submit a spending plan for worldwide security upgrades within sixty days of the date of enactment of this Act through the normal reprogramming process. 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.

Other Capital Programs.—The conference agreement includes \$15,000,000 to be allocated for capital projects that are not based primarily on security vulnerability. The conferees agree that this amount shall not be for a specific project designated in the Department's budget request. The conferees are aware of other non-security capital funding needs, including projects that correspond with proposed post openings, that may be priorities for funding under this activity. The conferees expect the Department to include an allocation of this funding in the spending plan described in the previous paragraph.

The conference agreement includes, by reference, language in the House report on immediate notification of security risks, administrative costs, responding to the recommendations of the Overseas Presence Advisory Panel, and assets management.

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 Committees on Appropriations 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 re-baselining of a given project's cost estimate, schedule, or scope of work.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

The conference agreement includes \$6,500,000 for Emergencies in the Diplomatic and Consular Service account, instead of \$10,000,000 as provided in the House bill and \$5,465,000 as provided in the Senate bill. The conferees understand that an additional \$3,500,000 is available from prior year balances, resulting in a total fiscal year 2002 availability of \$10,000,000 under this account. In addition, the conferees understand that at least \$20,750,000 for terrorism rewards and publicity was made available under this account in Public Law 107-38 to respond to the September 11, 2001 terrorist attacks on the United States.

REPATRIATION LOANS PROGRAM ACCOUNT

The conference agreement includes a total appropriation of \$1,219,000 for the Repatriation Loans Program account as provided in both the House and Senate bills.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

The conference agreement includes \$17,044,000 for the Payment to the American Institute in Taiwan account, as provided in both the House and Senate bills. The conference agreement includes, by reference, language in the House bill regarding the submission of a spending plan that includes all funding sources.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The conference agreement includes \$135,629,000 for the Payment to the Foreign Service Retirement and Disability Fund account, as provided in both the House and Senate bills.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The conference agreement includes \$850,000,000 for Contributions to International Organizations to pay the costs assessed to the United States for membership in international organizations as proposed in the House bill, instead of \$1,091,348,000 as proposed in the Senate bill.

The conference agreement includes language requiring that \$100,000,000 may be made available to the U.N. only pursuant to a certification that it has taken no action during calendar year 2001 prior to the enactment of this Act to cause it to exceed the adopted budget for the biennium 2000–2001, as proposed in the House bill. The Senate bill did not include a provision on this matter.

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 \$15,200,000 of the fiscal year 2002 assessment for the U.N. regular budget, using excess fiscal year 2001 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 \$2,400,000, resulting primarily from exchange rate fluctuations. The conference agreement does not include requested funding for Organization for Economic Cooperation and Development headquarters renovation, and anticipates additional savings related to requested activities that are terminating or have yet to be established.

In recognition of the importance of the work of the International Civil Aviation Organization (ICAO), the conference agreement includes full funding for the United States assessment to ICAO. This amount will include support for new and expanded programs in safety and security.

The conference agreement also includes full funding for the United States assessment to the International Atomic Energy

Agency (IAEA). The conferees recognize the importance of the role played by the IAEA in efforts to enact stronger global measures to protect nuclear material and facilities against potential acts of terrorism.

The conference agreement includes, by reference, language in the House report on international war crimes tribunals. The conferees urge the Department to work with the U.N. and the tribunals to establish full-time U.N. Office of Internal Oversight Services positions at each of the international tribunals to improve internal controls and to prevent and detect fraud.

The conference agreement also adopts, by reference, language in the House report concerning withdrawal from certain organizations, international organizations reform, and the Pan American Health Organization (PAHO), and directs the Department to provide PAHO with its full United States assessment level for fiscal year 2002.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The conference agreement provides \$844,139,000 for Contributions for International Peacekeeping Activities as proposed in the House bill, instead of \$773,182,000 as proposed in the Senate bill. The conference agreement does not include a rescission of \$126,600,000 from this account as proposed in title VII of the Senate bill.

The conference agreement provides that of the total funding provided under this heading fifteen percent shall remain available until September 30, 2003, as proposed in the Senate bill. The House bill had no provision on the matter. The conferees expect that before any excess funding is carried over into fiscal year 2003 in this account, the Department shall transfer the maximum allowable amount to the Contributions to International Organizations account to prepay the fiscal year 2003 assessment for the U.N. regular budget.

The conference agreement includes language regarding equal opportunities for American suppliers and a prohibition on funding for court monitoring as proposed in the House bill. The Senate bill did not include provisions on these matters.

The conferees acknowledge the progress made by the UNAMSIL mission in Sierra Leone, but remain concerned about the sincerity of the former combatant groups' commitments to peace and a democratic process. The Committees intend to closely monitor the activities of this mission, and to hold the Department and the U.N. accountable for achieving the goals of the current concept of operation.

The conference agreement includes, by reference, language in the House report on the MINURSO mission in Western Sahara, U.N. peacekeeping reform, and the U.N.'s Office of Internal Oversight Services.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES
AND MEXICO

SALARIES AND EXPENSES

The conference agreement includes \$24,705,000 for Salaries and Expenses of the International Boundary and Water Commission (IBWC) as proposed in the House bill, instead of \$7,452,000 as proposed in the Senate bill. The conference agreement includes \$17,199,000 under this heading for operations and maintenance. These activities were funded last year under the "Construction" account. The conference report does not include language in the House report concerning a certain flood warning system.

CONSTRUCTION

The conference agreement includes \$5,450,000 for the Construction account of the IBWC, instead of \$5,520,000 as proposed in the House bill and \$24,154,000 as proposed in the Senate bill. The conferees urge the IBWC to continue cooperative efforts to seek effective, timely and cost-efficient ways to increase the capacity to process excess sewage flows from Mexico. The conferees note that the IBWC and the Department have not yet entered into the dialogue on this matter with the Republic of Mexico that is described in title VIII of Public Law 106-457. The conferees direct the IBWC to report to the Committees on or before March 1, 2002, on proposed short-term and longer-term measures to advance a resolution of this issue.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The conference agreement includes \$9,911,000 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, instead of \$10,311,000 as proposed in the House bill and \$6,879,000 as proposed in the Senate bill. The conference level includes funding for second year costs of a five-year study of the water regulation plan governing Lake Ontario and the St. Lawrence River.

INTERNATIONAL FISHERIES COMMISSIONS

The conference agreement includes \$20,480,000 for the U.S. share of the expenses of the International Fisheries Commissions and related activities, instead of \$19,780,000 as proposed in the House bill and \$20,780,000 as proposed in the Senate bill. The conference agreement includes the funding distribution requested in the President's budget, plus an additional \$700,000 for the Great Lakes Fisheries Commission, including \$250,000 for treating Lake Champlain with lampricide and lampricide alternatives. The conferees expect that future funding requirements under this account for the Inter-American Tropical Tuna Commission will be less than the \$2,300,000 provided for fiscal year 2002. The conference agreement includes the full requested funding for the Inter-American Sea Turtle Convention Commission.

OTHER

PAYMENT TO THE ASIA FOUNDATION

The conference agreement includes \$9,250,000 for the Payment to the Asia Foundation account as proposed in the House bill, instead of \$8,000,000 as provided in the Senate bill.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

The conference agreement includes language as provided in both the House and Senate bills allowing all interest and earnings accruing to the Trust Fund in fiscal year 2002 to be used for necessary expenses of Eisenhower Exchange Fellowships.

ISRAELI ARAB SCHOLARSHIP PROGRAM

The conference agreement includes language as provided in both the House and Senate bills allowing all interest and earnings accruing to the Scholarship Fund in fiscal year 2002 to be used for necessary expenses of the Israeli Arab Scholarship Program.

EAST-WEST CENTER

The conference agreement includes \$14,000,000 for operations of the East-West Center as proposed in the Senate bill, instead of \$9,400,000 as proposed in the House bill. The conference agreement does not include an additional earmark from the Department of State's Diplomatic and Consular Programs account as proposed in the Senate bill.

NATIONAL ENDOWMENT FOR DEMOCRACY

The conference agreement includes \$33,500,000 for the National Endowment for Democracy as proposed in the House bill, instead of \$31,000,000 as proposed in the Senate bill.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The conference agreement includes \$428,234,000 for International Broadcasting Operations, instead of \$453,106,000 as proposed in the House bill and \$414,752,000 as proposed in the Senate bill. Rather than funding broadcasting to Cuba under this account, as proposed in the House bill, all funding for broadcasting to Cuba is included under a separate account, as proposed in the Senate bill.

The conference agreement includes full requested funding for an initiative to improve and enhance Voice of America (VOA) Arabic broadcasting to the Middle East, as described in the House report. Combined with funding provided under Public Law 107-38, the amount provided under this heading will enable the Broadcasting Board of Governors (BBG) to fully implement this initiative, including broadcasting to Sudan. The BBG shall report to the Committees on Appropriations by March 1, 2002, on proposed performance goals and measures for this new activity.

The conferees expect that the VOA will not air interviews with any official from nations that sponsor terrorism or any representative or member of terrorist organizations, or otherwise afford such individuals opportunities to air inaccurate, propagandistic, or inflammatory messages. The conferees direct the BBG to work closely with the Department of State and the National Security Council and to report to the Committees on Appropriations by December 15, 2001 on the procedures established to ensure this responsibility is upheld.

The conference agreement includes, by reference, language in the House report on reprogramming of savings, and language service review and research. The conference agreement also includes, by reference, language in the Senate report on Radio Free Europe/Radio Liberty broadcasting in Avar, Chechen and Circassian.

The conferees expect the BBG to maintain funding for VOA broadcasting to Africa at least at fiscal year 2001 levels. Should additional resources become available during fiscal year 2002, the conferees encourage the BBG to propose additional funding for VOA broadcasting to Africa through the reprogramming process.

BROADCASTING TO CUBA

The conference agreement includes \$24,872,000, to remain available until expended, for Broadcasting to Cuba under a separate account as proposed in the Senate bill, instead of the same amount within the total for International Broadcasting Operations as proposed in the House bill.

BROADCASTING CAPITAL IMPROVEMENTS

The conference agreement includes \$25,900,000 for the Broadcasting Capital Improvements account as proposed in the House bill, instead of \$16,900,000 as proposed in the Senate bill.

The conference agreement includes, by reference, language in the House report on the allocation of funds to support Arabic broadcasting to the Middle East and to defeat jamming of VOA and Radio Free Asia broadcasting to China, Tibet, Vietnam and North Korea.

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 bill included a similar provision with a minor technical difference.

Sec. 402.—The conference agreement includes section 402, as provided in both the House and Senate bills, dealing with transfer authority.

Sec. 403.—The conference agreement includes section 403, as provided in both the House and Senate bills, 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). Training that supports accurate and responsible broadcasting is not included 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.

Sec. 404.—The conference agreement includes section 404, 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. 405.—The conference agreement includes section 405, not included in either the House or Senate bills, waiving provisions of existing legislation that require authorizations to be in place for the State Department and the BBG prior to the expenditure of any appropriated funds.

Sec. 406.—The conference agreement includes section 406, not included in either the House or Senate bills, regarding administrative costs of international educational and cultural exchange programs.

Sec. 407.—The conference agreement includes section 407, not included in either the House or Senate bills, regarding the Advisory Commission on Public Diplomacy.

Sec. 408.—The conference agreement includes section 408, not included in either the House or Senate bills, regarding inter-parliamentary groups.

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 and Senate bills.

OPERATIONS AND TRAINING

The conference agreement includes \$89,054,000 for the Maritime Administration (MARAD) Operations and Training account as proposed in both the House and Senate bills. The conference agreement includes language designating \$13,000,000 of this amount to remain available until expended for capital improvements at the U.S. Merchant Marine Academy. Within the total amount provided, \$47,822,000 is for the operation and maintenance of the U.S. Merchant Marine Academy, including the \$13,000,000 for capital improvements. The Committee directs MARAD to submit, no later than November 30, 2001, and prior to the expenditure of fiscal year 2002 funds, a spending plan for this initiative, subject to the reprogramming requirements under section 605 of this Act. The Committee reminds MARAD that deviations from approved spending plans are also subject to section 605 reprogramming requirements.

The conference agreement includes \$7,457,000 for the State Maritime Academies. Within the amount for State Maritime Academies, \$1,200,000 is for student incentive payments, \$1,200,000 is

for scholarship payments, and \$5,057,000 is for schoolship maintenance and repair.

The conference agreement also includes, by reference, language in the House report on the State Maritime Academies “level funding initiative”, and on operating programs and general administration budget and full-time equivalent staffing levels. The conference agreement also includes, by reference, language in the Senate report on a review of foreign-owned hopper dredge vessels. The conferees agree that MARAD shall submit a report to the Committees by February 3, 2002, on findings that result from the aforementioned review.

The conference agreement does not include funding in a separate account for disposal of obsolete ships from the National Defense Reserve Fleet as proposed in the House bill. However, the conferees expect MARAD to continue to explore possible alternatives, work with other Federal agencies, and develop plans to reduce the inventory of obsolete vessels on a cost recovery basis. MARAD shall report to the Committees on such plans.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

The conference agreement provides \$33,000,000 in subsidy appropriations for the Maritime Guaranteed Loan Program instead of \$30,000,000 as proposed in the House bill and \$100,000,000 as proposed in the Senate bill. The conference agreement does not include language, as proposed in the House bill, placing a limitation on loan levels. However, the conferees agree that during fiscal year 2002 commitments to subsidize Title XI loans shall not exceed \$1,000,000,000 absent a prior reprogramming notification under section 605 of this Act. The conferees adopt, by reference, language in the Senate report concerning the Administration’s budget request, and language in the House report regarding quarterly reporting requirements. MARAD has indicated to the Committees that approximately \$7,000,000 in prior year funding remains available in this account, which may be used as additional subsidy budget authority in fiscal year 2002.

The conference agreement includes an additional \$3,978,000 for administrative expenses associated with the Maritime Guaranteed Loan Program as proposed in both the House and Senate bills. The amount for administrative expenses may be transferred to and merged with amounts under the MARAD Operations and Training account.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

The conference agreement includes provisions, as proposed in both the House and Senate bills, 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 \$489,000 for the Commission for the Preservation of America's Heritage Abroad, as proposed in both the Senate and House bills. The conference agreement includes by reference Senate report language regarding surveys. The conferees commend the Commission for supporting the Ukrainian Heritage Project outlined in its 2001 Annual Report and for its commitment to assist the Ukrainian Museum-Archives with the implementation of the pilot project.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

The conference agreement includes \$9,096,000 for the salaries and expenses of the Commission on Civil Rights as proposed in both the House and Senate bills.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

The conference agreement includes \$3,000,000 for the Commission on International Religious Freedom as proposed in the House bill. The Senate bill did not include funding for this Commission.

COMMISSION ON OCEAN POLICY

SALARIES AND EXPENSES

The conference agreement includes \$3,000,000 for the Commission on Ocean Policy, instead of \$2,500,000 as proposed in the Senate bill. The House bill did not include funding for this Commission.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

The conference agreement includes \$1,499,000 for the Commission on Security and Cooperation in Europe as proposed in the House bill, instead of \$1,432,000 as proposed in the Senate bill.

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

SALARIES AND EXPENSES

The conference agreement includes \$1,000,000 for the Congressional-Executive Commission on the People's Republic of China, instead of \$500,000 as proposed in both the House and Senate bills.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$310,406,000 for the salaries and expenses of the Equal Employment Opportunity Commission, as proposed in both the House and Senate bills.

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 as proposed in the House bill, instead of \$33,000,000 as proposed in the Senate bill. The conference agreement includes, by reference, language in the House report regarding the reduction of the backlog of private sector charges, alternative dispute resolution, contract mediation, and utilizing the experience the FEPAs have in mediation as the Commission continues its alternative dispute resolution programs.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

The conference agreement includes a total of \$245,071,000 for the salaries and expenses of the Federal Communications Commission (FCC), instead of \$238,597,000 as provided in the House bill, and \$252,545,000 as proposed in the Senate bill. Of the amounts provided, \$218,757,000 is to be derived from offsetting fee collections, as provided in both the House and Senate bills, resulting in a net direct appropriation of \$26,314,000.

The conference agreement does not include Senate report language regarding excellence in engineering. The conferees recommend that the Commission pursue a modified approach to an "Excellence in Engineering" effort. The purpose of this effort would be to reestablish the engineering preeminence of the Commission, which must be more fluent in technology than the entities it regulates. The conferees recommend that the Commission establish a means by which colleges and universities may submit proposals to advance cooperative efforts towards excellence in engineering. Before any actions are taken in this regard, the Commission shall submit a report to the Committees on Appropriations under the provisions of Section 605 of this Act.

The conferees reiterate concerns about the declining standards of broadcast television and the impact of this decline on America's children. The conferees expect the FCC to continue in its efforts to address these concerns.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$16,458,000 for the salaries and expenses of the Federal Maritime Commission, instead of \$15,466,000 as proposed in the House bill and \$17,450,000 as proposed in the Senate bill.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$155,982,000 for the Federal Trade Commission (FTC) as proposed by the House, instead of \$156,270,000 as proposed by the Senate. This amount will be offset with Hart-Scott-Rodino fee collections, regardless of the year of collection, resulting in no direct appropriations. The conference agreement adopts the Senate bill language structure.

The conferees believe that the FTC should continue to expand its efforts in child protection and expect the Commission to engage in the three initiatives described in the Senate report in fiscal year 2002: consumer research and workshops, an underage shopper-retail compliance survey, and marketing and data collection. In addition, the conferees expect the FTC to continue its efforts with monitoring the Children's Online Privacy Protection Act.

The conferees are concerned about children gambling through the Internet. The FTC is directed to monitor online gambling sites to determine if these sites are being marketed to children and if proper procedures are in place to prevent participation in gambling activities by persons too young to gamble. The FTC should prepare materials to educate parents about online gambling and its availability to children, and keep the Committees on Appropriations apprised of its efforts in this area.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

The conference agreement includes \$329,300,000 for the payment to the Legal Services Corporation, as proposed by the House and Senate.

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

The conference agreement includes language to continue the terms and conditions included under this section in previous Appropriations Acts. The conference agreement includes House language regarding a legal correction to the provisions.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$1,957,000 for the salaries and expenses of the Marine Mammal Commission, as proposed in the Senate bill, instead of \$1,732,000 as proposed in the House bill. Senate report language regarding a workshop is included by reference.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

The conference agreement includes \$4,000,000 for the Corporation, as proposed in both the House and Senate bills.

PACIFIC CHARTER COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$1,500,000 for the Pacific Charter Commission, instead of \$2,500,000 as proposed in the House bill. The Senate bill did not include funding for the Commission.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$437,900,000 for the Securities and Exchange Commission (SEC) as proposed in the House bill, instead of \$514,047,000 as proposed in the Senate bill. The conference agreement appropriates \$109,500,000 from fees collected in previous fiscal years, and \$328,400,000 from fees to be collected in fiscal year 2002.

The conference agreement includes language to allow certain offsetting collections to continue to be credited to this account, as proposed in the Senate bill. The conference agreement also includes new language regarding fiscal year 2003 offsetting collections.

Any offsetting fee collections in fiscal year 2002 in excess of \$328,400,000 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 Internet fraud and the Office of Economic Analysis, and language in the House report commending recent SEC actions to increase enforcement of disclosure rules.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides an appropriation of \$308,476,000 for the Small Business Administration (SBA) Salaries and Expenses account, instead of \$310,581,000 as proposed in the House bill and \$333,233,000 as proposed in the Senate bill.

Operating Expenses.—The conference agreement provides a total of \$161,482,000 for SBA's regular operating expenses under this account. In addition, a total of \$138,854,000 may be transferred to and merged with this account for indirect operating costs from the Business Loans and Disaster Loans program accounts. The conferees also agree that the SBA will have an additional \$3,000,000 in fee receipts available for operating expenses. This will result in a total availability of \$303,336,000 for the operating expenses of the SBA, an increase of \$6,800,000 above the comparable fiscal year 2001 amount.

Relationship with Budget Office.—The conferees expect that Committee inquiries and requests for information and assistance will continue to be coordinated primarily through SBA's Office of the Chief Financial Officer, as is consistent with Committee relationships with the various departments and agencies covered under this Act. The workload generated in the budget process is large and growing, and therefore, a positive, responsive relationship, such as

the one that exists between the Committees and the Office of the Chief Financial Officer, is absolutely essential to the appropriations process.

Systems Modernization.—The conference agreement does not include any new funding for systems modernization and workforce transformation. Systems modernization expenditures during fiscal year 2002 from funds provided in previous fiscal years shall be subject to the submission of project spending plans through the re-programming process in accordance with section 605 of this Act. In early 2001, the SBA revised the scope of the loan monitoring system (LMS) project to focus it on lender oversight and risk management. The conferees direct the SBA to develop a project plan that will provide a basis for future funding and oversight of project activities. The project plan should include: a statement of the objectives and scope of the revised LMS project; the relationship of each business process to mission objectives and performance goals; project management organization information; and a schedule of major project activities, each with a description of accountable officials, resource requirements, deliverables, costs to completion, and target completion dates. The project plan should be updated quarterly and made available to the Committees.

The conferees remain skeptical that the SBA can productively use all the funding obligated to FEDSIM for the loan monitoring system in fiscal year 2002. As an alternative, the conferees expect the SBA to use part of the available systems modernization funding to implement phase II of the joint accounting and administrative system project where the spending would bring about meaningful and more immediate efficiencies to the operation of the SBA.

Non-Credit Programs.—The conference agreement includes the following amounts for non-credit programs. No funding shall be allocated for programs not listed:

Small Business Development Centers	\$88,000,000
7(j) Technical Assistance	3,600,000
Microloan Technical Assistance	17,500,000
SCORE	5,000,000
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
US Export Assistance Centers	3,100,000
Advocacy Research	1,100,000
SBIR Federal and State Partnerships	3,000,000
SBIR Technical Assistance	500,000
Drug-free Workplace Grants	3,000,000
PRIME	5,000,000
Veterans Outreach	750,000
BusinessLINC	2,000,000
Regulatory Fairness Boards	500,000
Total	146,994,000

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, as proposed in the Senate bill, making funds for the SBDC program available for two years. The conference agree-

ment does not include language proposed in the Senate bill earmarking funds for a certain grant program.

The conference agreement adopts language included in the House report directing the SBA to fully fund LowDoc Processing Centers, to continue activities assisting small businesses to adapt to a paperless procurement environment, and to improve the credibility of budget requests. The conference agreement also adopts language in the Senate report regarding the submission of a plan for the collocation of SBA assistance centers.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides \$11,464,000 for the SBA Office of Inspector General, instead of \$11,927,000 as proposed in the House bill and \$11,000,000 as proposed in the Senate bill. The conference agreement does not include language in the Senate report on OIG activities.

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.

BUSINESS LOANS PROGRAM ACCOUNT

The conference agreement includes \$208,860,000 under the SBA Business Loans program account, instead of \$217,500,000 as proposed in the House bill and \$224,360,000 as proposed in the Senate-reported amendment.

The conference agreement includes \$1,860,000 for the costs of direct loans as proposed in the Senate bill, instead of \$1,500,000 as proposed in the House bill. This amount will support an estimated fiscal year 2002 program level of over \$27,000,000.

7(a) General Business Loans.—The conference agreement provides \$78,000,000 in subsidy appropriations for the 7(a) general business guaranteed loan program, instead of \$87,000,000 as proposed in the House bill and \$93,500,000 as proposed in the Senate bill. When combined with an estimated \$22,000,000 in available carryover balances and recoveries, this amount will subsidize an estimated fiscal year 2002 program level of up to \$9,435,000,000, assuming a subsidy rate of 1.07%. In addition, the conference agreement includes a provision, as proposed in both the House and Senate bills, 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.

The conference agreement includes required language placing program level limitations on the 504 CDC and the SBIC programs instead of similar language in both the House and Senate reports.

The conferees are concerned that the Administration's prevailing subsidy rate model uses assumptions that do not reflect recent program performance of either the 7(a) program or the 504 program, resulting in the possibility that borrowers and lenders pay higher than necessary fees to participate in the programs. The conferees direct the SBA to work with OMB to develop a new methodology that more accurately calculates the default rates for these programs while efforts are underway to shift to a full econometric analysis model, and to submit a progress report to the Committees

by January 15, 2002. The conferees further expect that the results of this new methodology will be reflected in a reduced appropriations requirement for the 7(a) program in the SBA's fiscal year 2003 budget request.

In addition, the conference agreement includes \$129,000,000 for administrative expenses to carry out the direct and guaranteed loan programs as proposed in both the House and Senate bills, 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 \$209,714,000 for this account, of which \$87,360,000 is for the subsidy costs for disaster loans and \$122,354,000 is for administrative expenses associated with the disaster loans program. The House bill proposed \$84,510,000 for loans and \$120,354,000 for administrative expenses. The Senate bill provided \$79,510,000 for loans and \$125,354,000 for administrative expenses.

For disaster loans, the conference agreement assumes that the \$87,360,000 subsidy appropriation, when combined with \$30,000,000 in carryover balances and recoveries, will provide a total disaster loan program level of \$800,000,000.

The conference agreement includes language, as proposed in both the House and Senate bills, 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 \$112,000,000 for direct administrative expenses, and \$9,854,000 for indirect administrative expenses. The amount provided for direct administrative expenses, when combined with an estimated \$3,000,000 in carryover balances, will provide a total of \$115,000,000 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. 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 both the House and Senate bills.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

The conference agreement provides \$3,000,000 for the State Justice Institute, instead of \$6,835,000 as proposed by the House and \$6,225,000 as proposed by the Senate. These funds are available for fiscal year 2002 only. The conferees do not recommend continued Federal support for the Institute beyond fiscal year 2002. The termination of funding for this program does not necessarily mean the dissolution of the Institute. The conferees encourage the Institute to solicit private donations and resources from State and local agencies.

UNITED STATES—CANADA ALASKA RAIL COMMISSION

SALARIES AND EXPENSES

The conference agreement includes \$2,000,000 for a new commission to explore the feasibility of connecting continental railway systems to the Alaska railway, instead of \$4,000,000 as proposed in the Senate bill. The House bill did not include funding for this commission.

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 and Senate bills, regarding the use of appropriations for publicity or propaganda purposes.

Sec. 602.—The conference agreement includes section 602, identical in both the House and Senate bills, 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 and Senate bills, 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 bill did not include this provision, which has been carried in previous years.

Sec. 605.—The conference agreement includes section 605, identical in both the House and Senate bills, establishing the policy by which funding available to the agencies funded under this Act may be reprogrammed for other purposes.

Sec. 606.—The conference agreement includes section 606, identical to the House bill and section 607 in the Senate bill, 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 bill did not include this provision, which has been carried in previous years.

Sec. 608.—The conference agreement includes section 608, as proposed in the House bill, 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. The Senate bill included a similar provision as section 609 with a minor technical difference.

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 bill included a similar provision as section 610 with a minor technical difference.

Sec. 610.—The conference agreement includes section 610, identical to the House bill and section 611 in the Senate bill, 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 conditions have been met regarding Vietnam's cooperation with the United States on POW/MIA issues.

Sec. 611.—The conference agreement includes section 611, proposed as section 612 in the Senate bill, which permanently prohibits the use of funds appropriated or otherwise made available to provide certain amenities for Federal prisoners. The House bill included a similar provision as section 611, but did not propose to make the prohibition permanent or apply the prohibition to non-appropriated funds.

Sec. 612.—The conference agreement includes section 612, modified from language proposed as section 604 in the Senate bill, regarding a restructuring of the Department of Justice to combat terrorism. The House bill did not include a provision on this matter.

Sec. 613.—The conference agreement includes section 613, identical in both the House and Senate bills, 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, modified from similar language proposed in both the House and Senate bills, which permanently prohibits funds appropriated or otherwise 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.

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 bill 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 bill did not contain a provision on this matter.

Sec. 617.—The conference agreement includes section 617, as proposed in the House bill, 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 removes the name "Claudy Myrthil" from the list of victims, and extends the exemption and reporting requirements from last year's provision. The Senate bill included a similar provision on this matter, but did not remove the name "Claudy Myrthil" from the list of victims.

Sec. 618.—The conference agreement includes section 618, identical in both bills but proposed as section 616 in the Senate bill, 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 in the House bill and as section 617 in the Senate bill, which delays obligation of any receipts deposited or available in the Crime Victims Fund in excess of \$550,000,000 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. The conference agreement waives this limitation with regard to funding made available by Public Law 107-38.

Sec. 620.—The conference agreement includes section 620, as proposed 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 bill did not contain a provision on this matter.

Sec. 621.—The conference agreement includes section 621, modified from language proposed in the House bill and section 618 in the Senate bill, which prohibits the use of funds appropriated or otherwise made available to the Departments of State and Justice 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, identical in both bills but proposed as section 619 in the Senate bill, which prohibits the use of Department of Justice funds to transport a maximum or high security prisoner to any facility other than a facility certified by the Bureau of Prisons as appropriately secure to house such a prisoner.

Sec. 623.—The conference agreement includes section 623, proposed in the Senate bill as section 621, waiving a subsection of the Magnuson-Stevens Fishery Conservation and Management Act as it pertains to funds made available pursuant to that section in the fiscal year 2000 Supplemental Appropriations Act. The House bill did not contain a provision on this matter.

Sec. 624.—The conference agreement includes section 624, proposed in the Senate bill as section 622, that amends existing law to extend the authority of the States of Washington, Oregon, and California to adopt and enforce State laws and regulations governing fishing and processing in the exclusive economic zone adjacent to that State in any Dungeness crab (*Cancer magister*) fishery for which there is no fishery management plan in effect under of the Magnuson-Stevens Fishery Conservation and Management Act. The provision extends the sunset of this authority to September 30, 2006. The provision also requires a biennial report on the health of the fishery from the Pacific State Marine Fisheries Commission. The House bill did not include a provision on this matter.

Sec. 625.—The conference agreement includes section 625, proposed in the Senate bill as section 608, which makes permanent a provision that prohibits the use of funds to increase the salary of a Federal judge or Justice of the Supreme Court, except as may be specifically authorized by Act of Congress. The House bill did not include a provision on this matter.

Sec. 626.—The conference agreement includes section 626, modified from language proposed as section 629 in the Senate bill, addressing the issue of compensation for victims of international terrorism. This provision requires the Administration to fulfill its commitment to the Congress to develop a comprehensive federal response under which individualized awards of compensation would be made available to a U.S. national who is physically injured or killed as a result of an act of international terrorism or to the relatives of deceased United States victims of terrorism. Objections from all quarters have been repeatedly raised against the current ad hoc approach to compensation for victims of international terrorism. Objections and concerns, however, will no longer suffice. It is imperative that the Secretary of State, in coordination with the Departments of Justice and Treasury and other relevant agencies, develop a legislative proposal that will provide fair and prompt compensation to all U.S. victims of international terrorism. A compensation system already is in place for the victims of the September 11 terrorist attacks; a similar system should be available to victims of international terrorism. Any legislative proposal shall provide for compensation for U.S. victims of prior acts of international terrorism, including those with hostage claims against foreign states. Subsection (c) quashes the State Department's motion to vacate the judgment obtained by plaintiffs in Case Number 1:00CV03110(ESG) in the United States District Court for the District of Columbia. Consistent with current law, subsection (c) does not require the United States Government to make any payments to satisfy the judgment. The House bill did not contain a provision on this matter.

Sec. 627.—The conference agreement includes section 627, proposed as section 628 in the Senate bill, prohibiting the use of funds

by Federal prisons for cable television services, videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes. The House bill did not include a provision on this matter.

Sec. 628.—The conference agreement includes section 628, modified from language proposed as section 630 in the Senate bill, amending the Communications Satellite Act. The House bill did not contain a provision on this matter.

Sec. 629.—The conference agreement includes section 629, not included in the House or Senate bills, providing additional amounts for the Small Business Administration, Salaries and Expenses account for a number of small business initiatives.

Sec. 630.—The conference agreement includes section 630, proposed in the Senate bill as section 624, prohibiting the use of funds for cooperation with, or assistance or other support to, the International Criminal Court or the Preparatory Commission. The House bill does not include a provision on this matter.

The conference agreement does not include language proposed in both the House and Senate bills regarding civil actions against Japanese corporations for compensation in which the plaintiff alleges that, as an American prisoner of war during World War II, he or she was used as slave or forced labor. The conferees understand that the Administration strongly opposes this language, and is concerned that the inclusion of such language in the Act would be detrimental to the ongoing effort to enlist multilateral support for the campaign against terrorism. The conferees strongly agree that the extraordinary suffering and injury of our former prisoners of war deserve further recognition, and acknowledge the need for such additional consideration.

The conference agreement includes, by reference, language in the House Report under the heading “Full Compliance with Telework Directive”. The conferees expect the Judiciary, and all departments and agencies funded under this Act, to be in full compliance with the timetable established in Public Law 106–346 for the implementation of telework policies.

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

ASSETS FORFEITURE FUND

(RESCISSION)

The conference agreement includes a rescission of \$40,000,000 from unobligated balances under this heading. No rescission was proposed under this account in the House or the Senate bills.

DEPARTMENT OF COMMERCE

DEPARTMENTAL MANAGEMENT

EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM ACCOUNT

(RESCISSION)

The conference agreement includes a rescission of \$5,200,000 from unobligated balances under this heading, instead of \$115,000,000 as proposed in the House bill. The Senate bill did not include a rescission from this account.

RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

SHIP CONSTRUCTION

(RESCISSION)

The conference agreement includes a rescission of \$4,400,000 from unobligated balances under this heading. No rescission was proposed under this account in the House or Senate bills.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

The conference agreement includes a rescission of \$50,000,000 from unobligated balances under this heading. No rescission was proposed under this account in the House or Senate bills.

SMALL BUSINESS ADMINISTRATION

BUSINESS LOANS PROGRAM ACCOUNT

(RESCISSION)

The conference agreement includes a rescission of \$5,500,000 from unobligated balances under this heading. No rescission was proposed under this account in the House or Senate bills.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2002 recommended by the Committee of Conference, with comparisons to the fiscal year 2001 amount, the 2002 budget estimates, and the House and Senate bills for 2002 follow:

(In thousands of dollars)	
New budget (obligational) authority, fiscal year 2001	\$39,691,832
Budget estimates of new (obligational) authority, fiscal year 2002	40,807,220
House bill, fiscal year 2002	41,456,015
Senate bill, fiscal year 2002	41,528,131
Conference agreement, fiscal year 2002	41,635,178
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2001	+1,943,346

Budget estimates of new (obligational) authority, fiscal year	
2002	+827,958
House bill, fiscal year 2002	+179,163
Senate bill, fiscal year 2002	+107,047

FRANK R. WOLF,
 HAROLD ROGERS,
 JIM KOLBE,
 CHARLES H. TAYLOR,
 RALPH REGULA,
 TOM LATHAM,
 DAN MILLER,
 DAVID VITTER,
 BILL YOUNG,
 JOSE E. SERRANO,
 ALAN B. MOLLOHAN,
 LUCILLE ROYBAL-ALLARD,
 ROBERT E. CRAMER, JR.,
 PATRICK J. KENNEDY,
 DAVID OBEY,

Managers on the Part of the House.

ERNEST HOLLINGS,
 DANIEL K. INOUE,
 BARBARA A. MIKULSKI,
 PATRICK J. LEAHY,
 HERB KOHL,
 PATTY MURRAY,
 JACK REED,
 ROBERT C. BYRD,
 JUDD GREGG,
 TED STEVENS,
 PETE V. DOMENICI,
 MITCH MCCONNELL,
 KAY BAILEY HUTCHISON,
 BEN NIGHORSE CAMPBELL,
 THAD COCHRAN,

Managers on the Part of the Senate.

