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SENATE

{ REPORT
{ 107-42

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE
JUDICIARY, AND RELATED AGENCIES APPROPRIATION
BILL, 2002

JULY 20, 2001.—Ordered to be printed

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

REPORT

[To accompany S. 1215]

The Committee on Appropriations reports the bill (S. 1215) 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, reports favorably thereon and recommends that the bill do pass.

Amount in new budget (obligational) authority

Total bill as reported to Senate	\$41,527,177,000
Amount of appropriations, 2001	39,784,041,000
Amount of budget estimates, 2002, as amended ...	40,807,220,000
The bill as reported to the Senate:	
Above the appropriations for 2001	1,743,136,000
Above the estimates for 2002	719,957

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BACKGROUND

PURPOSE OF THE BILL

This bill makes appropriations for the functions of the Departments of Commerce, Justice, State, the Judiciary and Related Agencies for the period October 1, 2001, through September 30, 2002. Functional areas include the pay, allowances, and support of personnel, operation and maintenance, procurement of equipment and systems, and research.

The bill provides funds for fighting crime, enhancing drug enforcement, responding to the threat of terrorism, addressing the shortcomings of the immigration process, continuing the judicial process, conducting commerce within the United States, improving State Department operations, and fulfilling the needs of various independent agencies.

HEARINGS

The Subcommittee on Commerce, Justice, State, the Judiciary and Related Agencies Appropriations began hearings on the fiscal year 2002 budget request on April 26, 2001, and concluded them on June 28, 2001, after holding 9 separate sessions. The subcommittee heard testimony from representatives of the Departments of Commerce, Justice, State, and various commissions.

SUMMARY OF THE BILL

The budget estimates for the departments and agencies included in the accompanying bill are contained in the budget of the United States for fiscal year 2002 submitted on April 9, 2001 and a budget amendment submitted May 7, 2001.

The total amount of new budget authority recommended by the Committee for fiscal year 2002 is \$41,527,177,000. This amount is an increase of \$1,743,136,000 above appropriations enacted for fiscal year 2001 for these departments and agencies. The Committee recommendation is \$719,957,000 above the budget estimates.

REPROGRAMMINGS, REORGANIZATIONS, AND RELOCATIONS

As in previous years, the Committee is inserting section 605 under title VI of the general provisions of the bill.

The Committee directs that both the House and Senate chairmen of the Subcommittees on the Departments of Commerce, Justice, and State, the judiciary, and related agencies will be notified by letter at least 15 days prior to:

- Reprogramming of funds, whether permanent or temporary, in excess of \$500,000 or 10 percent, whichever is less, between programs or activities. In addition, the Committee desires to be notified of reprogramming actions which are less than these

- amounts if such actions would have the effect of committing the agency to significant funding requirements in future years;
- Increasing funds or personnel by any means for any project or activity for which funds have been denied or restricted;
 - Creation of new programs, offices, agencies, or commissions, or substantial augmentations of existing programs, offices, agencies, or commissions;
 - Relocations of offices or employees;
 - Reorganization of offices, programs, or activities; and
 - Contracts out or privatizes any functions or activities presently performed by Federal employees.

The Committee directs each department or agency to notify the Committee when the number of political appointees rises above 10 percent from either of the previous 2 years or when five or more political appointees are added in a given year. The Committee should be notified 30 days before either of these situations occurs. Similar notification should be provided when the same number of personnel positions is converted from political appointments to civil service positions.

In addition, the Committee directs departments or agencies funded in the accompanying bill that are planning to conduct a reduction in force to notify the Committees by letter 30 days in advance of the date of the proposed personnel action. Also, the Committee directs that any items which are subject to interpretation will be reported.

BUDGETARY IMPACT OF BILL

PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC.
308(a), PUBLIC LAW 93-344, AS AMENDED

[In millions of dollars]

	Budget authority		Outlays	
	Committee allocation	Amount of bill	Committee allocation	Amount of bill
Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts in the First Concurrent Resolution for 2002: Subcommittee on Commerce, Justice, and State, the Judiciary, and Related Agencies:				
General purpose, defense	604	604	NA	NA
General purpose, non-defense	37,772	37,772	NA	NA
General purpose, total	38,376	38,376	39,049	¹ 38,545
Conservation	384	251	202	202
Mandatory	572	627	581	577
Projection of outlays associated with the recommendation:				
2002				² 26,508
2003				7,080
2004				3,972
2005				1,693
2006 and future years				573
Financial assistance to State and local governments for 2002	NA	3,295	NA	467

¹ Includes outlays from prior-year budget authority.

² Excludes outlays from prior-year budget authority.

NA: Not applicable.

TITLE I—DEPARTMENT OF JUSTICE

The Committee has made funding for law enforcement the centerpiece of the fiscal year 2002 appropriations bill. The Committee recommends \$21,532,214,000 in new budget (obligational) authority in the accompanying bill for the Department of Justice with a strong emphasis on law enforcement activities for fiscal year 2002.

The Committee shares the desire of the House to channel most of its inquiries and requests for information and assistance through the budget offices or comptroller organizations, but reserves the right to call upon all organizations throughout the agencies. The Committee continues to stress the natural affinity between these offices and the Appropriations Committee, which makes such a relationship imperative.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

Appropriations, 2001	\$88,518,000
Budget estimate, 2002	93,433,000
Committee recommendation	93,433,000

This account funds the development of policy objectives and the overall management of the Department of Justice. The Committee recommends an appropriation of \$93,433,000. The recommendation is identical to the budget request and provides for all needed adjustments to base.

IDENT/IAFIS.—Shortcomings in the INS' Automated Biometric Identification System ["IDENT"] database were blamed for the release of suspected serial killer Rafael Resendez Ramirez. In the wake of Resendez Ramirez's later surrender, Justice Management Division [JMD] took over development and integration of IDENT and the FBI's Integrated Automated Fingerprint Identification System [IAFIS]. That effort has been expanded to integrate the INS' Enforcement Case Tracking System ["ENFORCE"] with IDENT/IAFIS. The Committee recommendation provides a \$1,000,000 increase over fiscal year 2001 for management of the development and piloting of IDENT/IAFIS. JMD is directed to provide the Committees on Appropriations with progress reports as needed.

International Law Enforcement Training Academy/Mexico.—The Committee believes a law enforcement training academy, similar to the International Law Enforcement Academies (ILEAs) in Budapest and Bangkok, should be established in Southern Mexico. United States law enforcement agency personnel would manage the facility and conduct the courses, and in the process develop personal relationships with Mexican law enforcement personnel that would be invaluable to future liaison and cooperative international law enforcement activities. The Committee directs the Attorney General, in consultation and collaboration with the Secretary of

State, to provide a report to the Committees on Appropriations of the House of Representatives and the Senate no later than May 12, 2002 on the feasibility of establishing ILEA-Mexico. The Committee expects the report to include a timeline, cost analysis, and implementation plan for establishing ILEA-Mexico.

JOINT AUTOMATED BOOKING SYSTEM

Appropriations, 2001	\$15,880,000
Budget estimate, 2002	15,957,000
Committee recommendation	22,500,000

This account centrally funds development, acquisition, and deployment of the joint automated booking system [JABS]. Previously, JABS funding was distributed among various Justice components.

The Committee recommends an appropriation of \$22,500,000. The recommendation is \$6,543,000 above the budget request.

The Committee recommendations, by component, are displayed in the following table:

Joint Automated Booking System

[In thousands of dollars]

	<i>Committee recommendation</i>
Field Acquisition:	
BoP	1,496
DEA	3,337
FBI	442
INS	929
USMS	1,504
JABS Incentive Fund	7,323
Management, Procurement, Deployment, Installation, Training, & Administration	7,469
Total, JABS	22,500

JABS will: (1) standardize booking data, procedures, and equipment throughout Justice; (2) save funds by eliminating repetitive booking of suspects; and (3) improve public safety by identifying repeat offenders and persons with outstanding charges or warrants.

JABS incentive funds are to be distributed to the component or components making the best progress in installing and operating the system.

LEGAL ACTIVITIES OFFICE AUTOMATION

Appropriations, 2001	\$68,877,000
Budget estimate, 2002	18,877,000
Committee recommendation	34,600,000

This account centrally funds acquisition, deployment, and maintenance of legal activities office automation [LAOA] systems, the largest components of which are the justice consolidated network [JCN] and the justice consolidated office network [JCON]. Previously, LAOA funding was included under "General Legal Activities". The adoption of a common standard and uniform equipment across Justice components has improved efficiency and saved money.

The Committee recommends an appropriation of \$34,600,000. The recommendation is \$15,723,000 above the budget request. In

addition, the Committee understands that \$17,200,000 in prior year funds will be available for LAOA.

LAOA is the computer modernization program for the legal divisions, including the Antitrust Division, the U.S. Attorneys, the U.S. Marshals Service, the U.S. Trustees, the Executive Office for Immigration Review, the Community Relations Service, and the offices funded through the "General Administration" and "General Legal Activities" accounts. The JCN will also serve as part of the backbone for the FBI's "Trilogy" program. For years, funding for computer modernization at the Department has been neglected. The Committee has pushed hard in previous years to increase the funds for, and widen the scope of, JCN and JCON to maximize the benefits of a common computer system across components. Most recently, the U.S. Marshals Service has been incorporated into the network. The increase in funding over last year is caused by the initial deployment of equipment to the U.S. Attorneys, by far the largest of the participants, and inclusion of the Marshals, the participating agency with network and office suites most in need of modernization.

NARROWBAND COMMUNICATIONS

Appropriations, 2001	\$204,549,000
Budget estimate, 2002	104,606,000
Committee recommendation	204,549,000

This account centrally funds development, acquisition, deployment, and operation and maintenance of the Justice Department's narrowband wireless communications network. By law, all Justice components operating Land Mobile Radio [LMR] systems in the VHF band must convert by January 1, 2005.

The Committee recommends an appropriation of \$204,549,000. The recommendation is \$99,943,000 above the budget request. Previously, narrowband communications compliance funding was scattered among various Justice components.

Troubles noted below have forced the Wireless Management Office [WMO] to focus current investments on sustaining legacy systems. At the present rate of investment, the Justice Department will not meet the narrowband conversion deadline. In anticipation that problems described below can be resolved by the second quarter of fiscal year 2002, the Committee recommendation provides the funds necessary to jump start procurement of digital radios.

The Committee is aware that progress on converting to narrowband radios has been considerably slowed due to differences among components and the WMO over network requirements. Components are demanding network coverage and capabilities far in excess of current system performance and cost. Though final requirements finally have been established, the Committee is very concerned that the system acceptable to the collective may be completely unaffordable. The WMO is directed to submit 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 not later than December 31, 2001. None of the funds provided for Narrowband Communications for fiscal year 2002 may be made available until the Committees on Appropriations have approved this program plan.

Central management of narrowband radio investments will, when properly enforced: (1) maximize resource sharing; (2) ensure system efficiency and interoperability; and (3) sharply reduce up front and out year costs Department-wide.

PORT SECURITY

Appropriations, 2001	
Budget estimate, 2002	
Committee recommendation	\$39,950,000

This account funds the acquisition, deployment, and maintenance of port security facilities and equipment for federal law enforcement agencies [LEAs]. Previously, such funds as were available for port security activities were embedded in the accounts of participating LEAs.

The Committee recommends an appropriation of \$39,950,000. The recommendation is \$39,950,000 above the budget request. The Committee is alarmed by the lax security at U.S. seaports. Thousands of vessels, and millions of containers, move in and out of ports with almost no inspection of cargo. In terms of both counterterrorism and counter-narcotics, this is an enormous gap in the security net we have drawn around our borders. The Committee directs the Justice Department, specifically the Deputy Attorney General for Combatting Terrorism, to develop a nationwide, multi-agency port security plan for submission to the Committee not later than February 14, 2002.

COUNTERTERRORISM FUND

Appropriations, 2001	\$4,989,000
Budget estimate, 2002	4,989,000
Committee recommendation	0

The Committee does not recommend an appropriation for the "Counterterrorism fund" account. The recommendation is \$4,989,000 below the request and the fiscal year 2001 appropriation. The Committee is aware that there will be carryover balances available in fiscal year 2002 in excess of \$41,077,000.

This fund is under the control and direction of the Deputy Attorney General for Combatting Terrorism to: (1) cover the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of any domestic or international terrorist incident; (2) cover the costs of providing support to counter, investigate, or prosecute domestic or international terrorism, including payment of rewards in connection with these activities; and (3) cover the costs of conducting a terrorism threat assessment of Federal agencies and their facilities.

National Guard.—The Committee's goals include providing States with an improved ability to respond to terrorist threats or events. This includes training and equipping the first responder who will arrive at the scene within 1 hour of an attack. The Committee is also aware of the States' Community Support Teams that are expected to arrive within 6 to 8 hours after an event has occurred. The Committee urges the National Guard Bureau (NGB) to significantly reduce this arrival time.

The Committee is aware of the important work the National Guard is doing in preparing for terrorist attacks. Last year, the Defense Subcommittee provided funding for counterterrorism infrastructure at the NGB. This funding remains available to help support the work of the co-coordinators for combatting domestic terrorism.

DEPUTY ATTORNEY GENERAL FOR COMBATING DOMESTIC TERRORISM

The United States is in the beginning stages of developing an organizational structure for leadership in the area of terrorism preparedness. A National Coordinator for Security, Infrastructure Protection, and Counterterrorism was established 4 years ago within the National Security Council. Under Presidential Decision Directive 62, the National Coordinator was tasked with coordinating interagency terrorism policy issues and reviewing ongoing terrorism-related activities. While the designation of a National Coordinator signaled the previous Administration's recognition of the weight of the problem, it was not a permanent solution. Responsibility for developing national security policy belongs to the President. However, it is the responsibility of the Congress to provide the means to implement a systematic and synchronized policy that will achieve sustainable Federal, State, and local cooperation on domestic terrorism issues. Whomever is responsible for managing this Nation's activities to combat terrorism must be accountable to the American people.

Despite increased attention to this problem over the last 5 years, there remains considerable confusion over jurisdiction at all levels of government. In order to improve coordination and centralize the policy-making structure for domestic terrorism within the Department of Justice, the Committee recommends the creation of a Deputy Attorney General for Combating Domestic Terrorism (DAG-CT). The Committee recommends \$23,000,000 for this purpose. The DAG-CT shall have as its principal duty the overall coordination and implementation of policy aimed at preventing, preparing for, and responding to terrorist attacks within the United States. This person will be directly responsible to the Attorney General. This office will be responsible for domestic terrorism policy development and coordination and will speak for the Department on and coordinate with all of the appropriate agencies for terrorism-related matters.

The DAG-CT will be nominated by the President and confirmed by the Senate. This person will work with localities across the country, all of the States and territories, and all of the Federal agencies and departments with responsibility for combating terrorism. The DAG-CT will not be in any other chain of command within the Department of Justice. The DAG-CT will not be considered as a successor to the Attorney General. This position is recommended only to address terrorism within the United States and should not compete with the present Deputy Attorney General position. It shall be the responsibility of the DAG-CT to select, appoint, employ, and determine the compensation of personnel to carry out the Office's primary purpose, to monitor the implementation of the national strategy and associated classified and unclassified plans,

including conducting program and performance audits and evaluations.

The National Strategy.—The American people, the Congress, the President, the Attorney General, and the Director of FEMA must be able to look to one strategy to keep this country safe from domestic terrorism. In conjunction with the Vice President, the DAG-CT and the Deputy Director of the Federal Emergency Management Agency (FEMA) shall develop and implement a national strategy establishing the policies, objectives, and priorities of the Federal Government for preventing, preparing for, and responding to domestic terrorist attacks. The strategy shall include measurable objectives to be achieved. The national strategy shall include a description of the role each Federal department and agency and State and local government entity performs in combating terrorism, as well as a description of Federal training, equipment, exercise, and grant programs. The strategy shall rest on four pillars: prevention (including detection and deterrence), preparedness, crisis management, and consequence management (including long term response).

A comprehensive national strategy is benign unless its custodian has the tools to implement it. The DAG-CT and Deputy Director of FEMA will thus be responsible for advising the President and Vice-President on ways to ensure that agencies' and departments' programs and policies complement the national strategy. The DAG-CT and Deputy Director of FEMA must be kept apprised of any changes in the organization, management, or budgets of the Federal departments and agencies as they relate to combating domestic terrorism. The Committee therefore directs all agencies and departments involved in combating domestic terrorism to participate in an annual review process that the DAG-CT and Deputy Director of FEMA will coordinate for the President and Vice-President. In conducting their review, the DAG-CT and Deputy Director of FEMA shall consult with the appropriate entities. The purpose of the review is to allow the DAG-CT and Deputy Director of FEMA to better coordinate agencies' policies, programs, and budgets for combating domestic terrorism and monitor their progress in implementing the national strategy.

The DAG-CT and Deputy Director of FEMA shall provide the Committees on Appropriations a plan for implementing the national strategy. The DAG-CT and Deputy Director of FEMA together shall develop a strategy and plan in consultation with the department and agency heads involved in combating domestic terrorism, the Congress, and the State and Local Advisory Group. They shall submit the strategy and plan through the Attorney General and the Director of FEMA to the Congress, President, and Vice-President.

Risk and Threat Assessments.—A rigorous and continuous assessment of risk will help ensure that training, equipment, and other safeguards are justified and targeted. Decisions must be based on a threat, the level of uncertainty regarding that threat, vulnerability to attack, and the criticality of assets. They should not be based solely on the worst-case, but rather on a range of plausible threat scenarios. These scenarios should, to the extent possible, be developed with reference to past incidents, U.S. pro-

gram experience, and current intelligence. Regularly scheduled exercises such as TOPOFF will serve to demonstrate and refine the national strategy. Continually updated intelligence and law enforcement input, therefore, is crucial to the process. A multidisciplinary team of experts selected by the DAG-CT and Deputy Director of FEMA will generate these objectives and a plan for ensuring their currency. This plan should be provided to the Committees on Appropriations no later than May 1 of each year.

Reorganization.—The National Domestic Preparedness Office (NDPO), currently under the FBI, will be transferred to the DAG-CT. The NDPO is directed to provide support to the FEMA, which has been given the responsibility of serving as a single point of contact for State and local governments by the President. The Office of State and Local Domestic Preparedness Support (OSLDPS), formerly under the Office of Justice Programs (OJP), will also be transferred to the DAG-CT. The OJP will continue to administer grants involving counterterrorism equipment, training, and preparedness activities. However the DAG-CT, through OSLDPS, will be responsible for the programmatic development of these grant programs and will have final approval authority. The Committee also believes that certain other national security policy entities within the Department of Justice should report to the DAG-CT, including the Executive Office of National Security. Finally, funding for terrorism-related research, development, test, and evaluate (RDT&E) programs within the Department of Justice will pass through the National Institute of Justice (NIJ) with direction from the DAG-CT as to how funds will be spent.

Budget Approval.—The Committee directs the DAG-CT and Deputy Director of FEMA to develop for each fiscal year a government-wide budget to implement the national strategy. They shall do so in consultation with the Vice-President, the Office of Management and Budget, and the departments and agencies and program managers with responsibility for combating domestic terrorism. The DAG-CT and Deputy Director of FEMA shall advise all such departments and agencies in preparation of their budgets prior to submission. The Attorney General and Director of FEMA shall transmit one consolidated budget proposal with revised requests to the President simultaneous to submission to the OMB. The DAG-CT shall generate reprogrammings within the Department of Justice under section 605 for that funding available for the implementation of the national strategy.

TELECOMMUNICATIONS CARRIER COMPLIANCE FUND

Appropriations, 2001	\$200,976,000
Budget estimate, 2002 .....	.....
Committee recommendation .....	.....

No funds are requested or recommended, because the Committee provided the funds necessary to fully capitalize the fund in fiscal year 2001.

ADMINISTRATIVE REVIEW AND APPEALS

Appropriations, 2001	\$160,708,000
Budget estimate, 2002	178,499,000
Committee recommendation	45,813,000

The Executive Office for Immigration Review [EOIR] includes the Board of Immigration Appeals, immigration judges, and administrative law judges who decide through administrative hearings whether to admit or exclude aliens seeking to enter the country, and whether to deport or adjust the status of aliens whose status has been challenged. This account also funds the Office of the Pardon Attorney which receives, investigates, and considers petitions for all forms of executive clemency.

The Committee recommends an appropriation of \$45,813,000. The recommendation is \$132,686,000 below the budget request. The recommendation assumes that \$127,834,000 in funds from the Immigration and Naturalization Service “immigration examinations fee” account will be made available for EOIR operations, including \$1,200,000 for contract court interpreter services for immigration court proceedings. Exam fees may be used for expenses in providing immigration adjudication.

DETENTION TRUSTEE

Appropriations, 2001	\$998,000
Budget estimate, 2002	1,718,000
Committee recommendation	88,884,000

The Detention Trustee oversees Federal detainees. The Committee recommends an appropriation of \$88,884,000. The recommendation is \$87,166,000 above the budget request.

The Trustee has management responsibility for detention, but funding remains under the control of the various components. Without control of funds, the Trustee is powerless. Noting this weakness last year, the conferees directed that detention funds be consolidated under the Trustee in fiscal year 2002. The Department ignored this direction.

Nevertheless, the Committee is determined to make use of this new position. Therefore, the Committee recommendation centralizes funding for prisoner movements under the Detention Trustee. Management of the Justice Prisoner and Alien Transportation System [JPATS] is precisely the sort of task that should be undertaken by the Detention Trustee. Endless disputes between JPATS “customers” are distracting managers from the complex task of operating an airline in a high security environment. As an impartial arbiter with control of program funding, the Trustee should be able to quickly resolve most of the disagreements affecting JPATS. The Trustee should also be able to rally the necessary support at the Department level to put JPATS on a sound financial footing.

In addition, the Committee directs the Justice Department to centralize detention funding under the Trustee as part of the fiscal year 2003 budget request.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2001	\$41,484,000
Budget estimate, 2002	45,495,000
Committee recommendation	46,006,000

The Committee recommends an appropriation of \$46,006,000. The recommendation is \$511,000 above the budget request.

Base restoration.—The erosion of base funding over time has had a negative effect on Justice Department components. Chronic budg-

et shortfalls have led to “hollow workyears”, “rent holes”, and “run to failure” replacement cycles that have undermined the efficiency and effectiveness of Federal law enforcement. The Committee is intent on putting Justice Department agencies on a sound financial footing. Therefore, the recommendation fully funds the Inspector General’s true base requirements. This adjustment should be treated as a permanent increase to the base.

INS fees.—In keeping with agreements made in previous years, no INS fees shall be available to the IG. The recommendation substitutes direct appropriations for fees to maintain the current level of IG audit activity.

U.S. PAROLE COMMISSION

SALARIES AND EXPENSES

Appropriations, 2001	\$8,836,000
Budget estimate, 2002	10,862,000
Committee recommendation	8,836,000

This Commission is an independent body within the Department of Justice which makes decisions regarding requests for parole and supervision of Federal prisoners.

The Committee recommends an appropriation of \$8,836,000. The recommendation is \$2,026,000 below the budget request.

The Parole Commission is scheduled to be phased out in 2002 as a result of the creation of sentencing guidelines. The Committee recommendation ensures timely close out of the Commission’s operations. In particular, the District of Columbia parole caseload has been returned to the jurisdiction of the District.

Close out process.—The Committee is aware that it will take at least 6 months to shut down operations at the Parole Commission. To minimize the cost and inconvenience of this process, the Commission should begin to wind down operations immediately. In particular, the Commission, in cooperation with the Justice Department, should aggressively pursue outplacing of employees to avoid layoffs when the Commission ceases operation. Also, the Commission, with the help of the General Services Administration, should begin discussions with Federal agencies willing and able to assume the Commission’s lease. Finally, preparation of files for shipment to various archives should be pursued with diligence. Justice should continue to make available as many details as are necessary to support the Commission’s work during this final transition period. Manpower from the legal divisions would be especially valuable in this regard. The Department is directed to report quarterly to the Committee on the resources it has lent to the Commission.

LEGAL ACTIVITIES

GENERAL LEGAL ACTIVITIES

Appropriations, 2001	\$534,592,000
Budget estimate, 2002	566,822,000
Committee recommendation	527,543,000

This appropriation funds the establishment of litigation policy, conduct of litigation, and various other legal responsibilities, through the Office of the Solicitor General, the Tax Division, the

Criminal Division, the Civil Division, the Environmental and Natural Resources Division, the Civil Rights Division, the Office of Legal Counsel, and Interpol.

The Committee recommends an appropriation of \$527,543,000. The recommendation is \$39,279,000 below the budget request. The reduction is due, in part, to the establishment of "Legal Activities Office Automation" as a separate account.

The Committee recommendations, by division or office, are displayed in the following table:

General Legal Activities

[In thousands of dollars]

Office of the Solicitor General	7,093
Tax Division:	
Civil Trial	37,758
Civil Appellate	8,716
Criminal Enforcement	16,337
Management & Administration	8,425
Office of the Assistant Attorney General	919
Office of Review	1,277
Criminal Division:	
Organized Crime and Narcotics:	
Narcotics and Dangerous Drug Section	8,085
Organized Crime and Racketeering Section	5,524
White Collar Crime:	
Child Exploitation and Obscenity Section	4,455
Computer Crime and Intellectual Property Section	7,090
Public Integrity Section	8,297
Fraud Section	12,073
International:	
Terrorism and Violent Crime Section	6,878
Office of International Affairs	11,099
Internal Security Section	2,924
Office of Special Investigations	6,149
Litigation Support:	
Appellate Section	3,953
Asset Forfeiture and Money Laundering Section	6,519
Office of Enforcement Operations	12,949
Office of Policy and Legislation	1,497
Management and Administration:	
Office of Assistant Attorney General	3,996
Office of Administration	10,610
Civil Division:	
Federal Appellate Activity	11,530
Torts Litigation:	
Aviation & Admiralty	10,241
Federal Torts Claims Act	7,970
Environmental Torts	5,715
Constitutional & Specialized Torts	3,744
All Other Torts	1,857
Commercial Litigation	62,102
Federal Programs	19,217
Consumer Litigation	5,796
Immigration Litigation	16,873
Management & Administration	12,172
Environment and Natural Resources Division:	
Appellate & Policy:	
Appellate Section	4,204
Policy, Legislation, & Special Litigation Section	1,631
Environmental Protection:	
Environmental Crimes Section	3,399
Environmental Defense Section	10,033
Environmental Enforcement Section	20,003
Natural Resources:	
General Litigation Section	12,112

General Legal Activities—Continued

Indian Resources Section	2,221
Land Acquisition Section	4,564
Wildlife & Marine Resources Section	2,314
Management & Administration:	
Executive Office	4,773
Office of the Assistant Attorney General	1,346
Office of Legal Counsel	4,971
Civil Rights Division:	
Appellate Section	4,010
Coordination & Review Section	3,525
Civil Rights Prosecution Section	10,909
Disability Rights Section	15,273
Education Opportunities Section	4,298
Employment Litigation Section	7,215
Housing & Civil Enforcement Section	13,163
Office of Special Counsel for Immigration-Related Unfair Employment Practices	6,573
Special Litigation Section	7,420
Voting Section	12,742
Administrative Management Section	10,702
Interpol—USNCB	7,360
Courtroom Technology	2,612
Office of Dispute Resolution	330
Total	527,543

The Committee expects to be consulted prior to any deviation from the above plan for fiscal year 2002. No funds are provided for the Joint Center for Strategic Environmental Enforcement.

Courtroom technology.—Federal attorneys have been experimenting with portable, off-the-shelf video and computer equipment for courtroom proceedings. These attorneys found that the equipment substantially improved the presentation of evidence, as well as rapidly accelerating the pace of trials. Users found that they saved the equivalent of one trial day in every five using video and computer equipment. The Committee recommendation provides \$2,612,000 for courtroom technology to be distributed among the divisions on the basis of need. The Committee expects the legal divisions to report to the Committees on Appropriations on their courtroom technology efforts not later than February 1, 2002.

Drug labs in Federal parklands.—Last year, a record 452 methamphetamine labs or dumps were seized in national forests. The environmental threat posed by these labs and dumps is severe. The by-products of methamphetamine production: anhydrous ammonia, ether, sulfuric acid, and other toxins, are volatile, corrosive, and poisonous. Often, lab operators dump these materials in rivers and streams to eliminate evidence. Within available resources, the Committee recommendation provides \$262,000 for prosecuting the operators of drug labs hidden in national parks and forests, including such sums as are necessary for litigation support.

Poaching on Federal lands.—The theft of plant and animal species from public lands is reaching alarming proportions. Driven by everything from the landscaping needs of a booming housing market to the renewed interest in traditional medicines, poachers are despoiling parks and forests by stealing species such as barrel cactus, black bears, and sea sponges. Ironically, the very protection afforded endangered species on public lands has resulted in bigger, healthier, and more common examples of these species, making

them prime targets for thieves. Within available resources, the Committee recommendation provides \$525,000 for prosecuting traffickers arrested for looting plants and animals from Federal lands, including such sums as are necessary for litigation support.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

Appropriations, 2001	\$4,019,000
Budget estimate, 2002	4,028,000
Committee recommendation	4,028,000

This account covers Justice Department expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986. The Committee recommends a reimbursement of \$4,028,000 for legal costs. The recommendation is identical to the budget request.

ANTITRUST DIVISION

SALARIES AND EXPENSES

Appropriations, 2001	\$120,572,000
Budget estimate, 2002	140,973,000
Committee recommendation (including carryover)	130,791,000

The Antitrust Division investigates potential violations of Federal antitrust laws, represents the interests of the United States in cases brought under these laws, acts on antitrust cases before the Supreme Court, and reviews decisions of regulatory commissions relating to antitrust law.

The Committee recommendation assumes a total of \$130,791,000 in budget (obligational) authority. The recommendation is \$10,182,999 below the budget request. The amount provided fully funds base requirements.

Workload.—The Committee is concerned that the merger frenzy gripping increasingly massive industrial combines threatens to overwhelm the ability of the Antitrust division to keep pace with complex merger proposals. The value of merger activity in the United States jumped from \$959,000,000,000 in fiscal year 1997 to \$1,830,000,000,000 in fiscal year 2000. Furthermore, recent market conditions will likely spark an increase in merger activity. The collapse of high technology stocks, and the resultant downward pressure on all stock prices, has created “fire sale” opportunities for cash-rich corporations to acquire undervalued companies. The Committee recommendation includes an increase of \$3,617,000 over fiscal year 2001 to ensure the timely review of merger filings.

U.S. ATTORNEYS

SALARIES AND EXPENSES

Appropriations, 2001	\$1,247,631,000
Budget estimate, 2002	1,346,289,000
Committee recommendation	1,260,353,000

This account supports the Executive Office for U.S. Attorneys [EOUSA] and the 94 U.S. attorneys offices throughout the United States and its territories. The U.S. attorneys serve as the principal litigators for the U.S. Government for criminal and civil matters.

The Committee recommends an appropriation of \$1,260,353,000. The recommendation is \$85,936,000 below the budget request. The Committee is aware that the U.S. Attorneys will receive \$142,017,000 in reimbursements in fiscal year 2002. As in the past, Committee recommendations focus the efforts of the U.S. Attorneys on those crimes where the unique resources, expertise, or jurisdiction of the Federal Government can, or must, be most effective.

Fundamental reform.—For the past several years, the Committee has attempted to fix the U.S. Attorney’s resource allocation process. That process has resulted in wide disparities in caseload between districts. Assistant U.S. Attorneys [AUSAs] in the busiest districts are responsible for almost 10 times the number of criminal prosecutions and almost 14 times the number of civil prosecutions as AUSAs in the sleepest districts. The Committee has pursued several methods to better match resources to changing patterns of crime. First, the Committee tried to influence the division of spoils process conducted by the EOUSA at the beginning of each year. Next, it suggested using term appointments for new hires to allow attorneys and support staff to be plugged in and pulled out of over- or under-worked districts as needed. Finally, the Committee directed that specific numbers of personnel be transferred to and from specific offices to better align capability with need. Exercising unusual political muscle, presidentially-appointed U.S. Attorneys were successful in defeating all of these initiatives. As a result, the disparities in caseload between districts have grown worse.

The Committee is prepared to give headquarters the tools to reform the U.S. Attorneys. All previous congressional guidance to the U.S. Attorneys regarding initiatives and the designation of funds is waived. The EOUSA is free to distribute manpower and funding among the district offices for the purposes, and to the places, it feels best serve the interests of the American people. The EOUSA may coordinate with the heads of the various investigatory agencies as it sees fit. The EOUSA shall submit a report on its proposed reforms to the Committees on Appropriations not later than March 17, 2002.

Gun Prosecutions.—Within available resources and manpower ceilings, the Committee recommendation includes an additional \$5,000,000 over fiscal year 2001 for the existing gun prosecution initiative in Pennsylvania and \$500,000 over fiscal year 2001 for the existing gun prosecution initiative in Colorado.

Gun Surveillance Technology.—The Committee is aware of commercially off-the-shelf technology consisting of acoustic sensors and telecommunication networks connected to police dispatch centers allowing for the location of a gunshot to be accurately located within seconds. With this technology, dispatchers can direct officers rapidly to the precise gunshot location. The Committee recommends \$6,000,000 for a pilot initiative, “Project CeaseFire”, to deploy a gunshot location system in four cities: Las Vegas, NV; St. Louis, MO; Charleston, SC; and Kansas City, KS.

Courtroom technology.—In a recent report to the Committee, the U.S. Attorneys extolled the virtues of their courtroom technology pilot. Using portable, off-the-shelf video and computer equipment for courtroom proceedings, the Attorneys found that the equipment substantially improved the presentation of evidence and rapidly ac-

celerated the pace of trials. The pilot having validated the concept, the U.S. Attorneys are prepared to expand the courtroom technology program nationwide. The Committee recommendation provides \$5,224,000 for courtroom technology activities, including standardization of hardware and software, training, equipment purchases, and operation of a pilot regional center. The Committee expects the U.S. Attorneys to report to the Committees on Appropriations on the distribution of these resources not later than February 1, 2002.

Computer and Telecommunications Coordinators [CTC].—Over the last 5 years, the Department established a network of prosecutors trained to investigate and prosecute high-technology crimes. Each office appointed a CTC to serve as a resident consultant on high technology issues who coordinates with other offices and is the legal consultant to agents, prosecutors, and the private sector for high technology cases. The Committee provides \$297,000 for equipment (\$180,000) and annual training (\$117,000) for each CTC position.

Cyber Crime and Intellectual Property Enforcement.—The Committee recommends \$10,000,000, 100 positions, and 50 FTE, including 55 attorneys, to augment the investigation and prosecution of intellectual property crimes, including software counterfeiting crimes and crimes identified in the No Electronic Theft (NET) Act. The Committee directs the U.S. Attorneys to vigorously prosecute violations of Federal copyright law. Appropriations that are not used to fund these positions shall be used by the Computer Crimes and Intellectual Property Section to reimburse regional offices for the resources spent by regional office personnel on intellectual property investigations. The U.S. Attorneys shall report to the Committee not later than April 30, 2002 on the number of copyright law prosecutions undertaken in the preceding year, including those under Public Law 105-147, by type and location.

Legal education.—Within available resources and manpower ceilings, the Committee recommendation provides \$17,741,000 for legal education at the National Advocacy Center [NAC] as requested by the Administration. If merited, the NAC may expand cybercrime, cyberpiracy, and counterfeiting classes. In addition, also within available resources, the Committee recommendation provides \$1,000,000 to continue the establishment of a distance learning facility at the NAC. NAC State and local training funds are provided under the Office of Justice Programs.

Violent crime task forces.—Last year, the Conferees provided \$1,000,000 to a violent crime task force to investigate and prosecute perpetrators of Internet sexual exploitation of children as well as to initiate an investigation into the participation of motor cycle gangs in drug running and other criminal activity. The Committee recommends an additional \$1,000,000 within available resources to continue and expand this effort under the auspices of Operation Streetsweeper.

U.S. TRUSTEE SYSTEM FUND

Appropriations, 2001	\$125,720,000
Budget estimate, 2002	154,044,000
Committee recommendation	154,044,000

The U.S. trustee system provides administrative support to expeditiously move bankruptcy cases through the bankruptcy process and ensures accountability of private trustees appointed to administer bankruptcy estates.

The Committee recommends a total of \$154,044,000 in budget authority. The recommendation is identical to the budget request. The Committee notes that workload increases associated with bankruptcy reform have not been factored into the amount requested for, or provided to, the Trustees.

The Committee recommendation includes \$750,000 for the Bankruptcy Training Center at the National Advocacy Center. The Committee supports the Trustees' continuing education program.

FOREIGN CLAIMS SETTLEMENT COMMISSION

Appropriations, 2001	\$1,105,000
Budget estimate, 2002	1,130,000
Committee recommendation	1,130,000

The Committee recommends an appropriation of \$1,130,000. The recommendation is identical to the budget request and fully provides for the adjudication of claims against: Germany relating to World War II; Cuba relating to the Castro regime; and Iraq relating to the U.S.S. *Stark* incident and Desert Shield/Storm.

The Foreign Claims Settlement Commission settles claims of American citizens arising from nationalization, expropriation, or other takings of their properties and interests by foreign governments.

U.S. MARSHALS SERVICE

SALARIES AND EXPENSES

Appropriations, 2001	\$571,435,000
Budget estimate, 2002	619,818,000
Committee recommendation	644,746,000

The U.S. Marshals Service is made up of 94 offices with the responsibility for the apprehension of fugitives, protection of the Federal judiciary, protection of witnesses, execution of warrants and court orders, and the custody and transportation of the accused and unsentenced prisoners.

The Committee recommends an appropriation of \$644,746,000. The recommendation is \$24,928,000 above the budget request.

Base restoration.—The erosion of base funding over time has had a negative effect on Justice Department components. Chronic budget shortfalls have led to “hollow workyears”, “rent holes”, and “run to failure” replacement cycles that have undermined the efficiency and effectiveness of Federal law enforcement. The Committee is intent on putting Justice Department agencies on a sound financial footing. Therefore, the recommendation fully funds the Marshals Service's true mandatory and core base requirements, the latter including \$1,000,000 for Special Operations Group training, equipment, and facilities maintenance.

Also included in the Committee recommendation are \$1,766,000 (excluding a \$230,000 transfer from the Justice Detainee Information System) to improve and maintain the Warrant Information Network and to continue subscriptions to various government and

private networks and on-line services and \$1,400,000 for Electronic Surveillance Unit recurring costs. The recommendation also transfers \$852,000 in base resources from Human Resources to the Central Courthouse Management Group to implement the Marshals' safety and health program.

Courthouse Security Personnel.—The conversion of 1811 slots to detention enforcement officer and 082 slots allows the Marshals to add to its rolls without increasing costs. The additional personnel that result from this restructuring process should cover unmet requirements on the Southwest border and at newly opening courthouses.

Courthouse security equipment.—This account funds security equipment, furnishings, relocations, and telephone systems and cabling. The Committee recommendation provides \$18,145,000 for courthouse security equipment. This equipment will outfit newly opening courthouses in the following locations:

USMS Courthouse Security Equipment

[In thousands of dollars]

	<i>Committee recommendation</i>
Detainee Facilities:	
Fort Smith, AR	200
El Centro, CA	315
San Francisco, CA	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
Brooklyn, NY	1,966
Columbus, OH	300
Muskogee, OK	920
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
Minor Repair	375
Justice Federal Protective Officers	1,617
Engineering Services	643
Security Survey	180
Total, USMS Security Equipment	18,145

The Committee expects to be consulted prior to any deviation from the above plan for fiscal year 2002.

Fugitive apprehensions.—At any given moment, 25,000 to 30,000 fugitives are prowling America's streets. With nothing to lose, these fugitives are particularly prone to violent crime. The Committee is

aware that resources dedicated to fugitive apprehension are often diverted to courthouse security. Therefore, the Committee directs the Marshals to establish task forces in New York City and Los Angeles dedicated full-time to the pursuit of the most dangerous fugitives on the eastern and western seaboard. The task forces shall answer only to the Director or the Associate Director for Operations. Each team shall be made up of not less than a total of 12 supervisors, DUSMs, surveillance specialists, analysts, and support staff. To the degree possible, team members should be drawn from DUSMs serving on the Special Operations Group [SOG] as a collateral duty. The Committee recommendation includes \$5,882,000 for the task forces, of which \$2,497,000 is for the full year costs of 1811s and support staff on the task forces, \$2,177,000 is for outfitting, training, and housing the task forces, \$53,000 is for travel, and \$1,155,000 is for permanent change of station moves (capped at \$55,000 per move). In addition, the Committee recommendation provides an increase of \$4,553,000 over the fiscal year 2002 request for electronic surveillance unit [ESU] personnel, training, and equipment, including funding for surveillance vans and light aircraft, bucket trucks, a central signal collection system, secure communications equipment, various tracking systems, and night vision equipment.

Terrorism.—The World Trade Center bombing trials and a number of other high threat or special assignments have been a continuing, and unfunded, drain on the resources of the Marshals. The Committee recommendation includes an increase of \$2,500,000 over fiscal year 2001 for 24 hour protection of World Trade Center bombing trial judges and for other extraordinary costs associated with these trials. In addition, the recommendation includes an increase of \$3,300,000 over fiscal year 2001 for permanent change of station moves. This will reduce the number of costly temporary duty assignments required to staff high threat and special assignments and will provide the Marshals with the flexibility to transfer deputies between districts as workload dictates. As noted above, both amounts should be treated as permanent increases to the base.

Radios.—The Marshals have dedicated inadequate manpower to the narrowband conversion process. At present, only one person is handling the transition from analog to digital systems. The Marshals are directed to establish a wireless group of not less than 10 communications officers that is dedicated to narrowband conversion full time and that only answers to headquarters. Members of the group shall be culled from the ranks on the basis of their radio expertise. The Committee expects regular updates on the group's progress.

CONSTRUCTION

Appropriations, 2001	\$18,088,000
Budget estimate, 2002	6,621,000
Committee recommendation	25,812,000

This account funds construction, security, and furniture at existing courthouses. The Committee recommends an appropriation of \$25,812,000. The recommendation is \$19,191,000 above the budget request. The request for this account verges on the irresponsible.

The Committee is aware that a recently-conducted national survey of Federal courthouses revealed that 95 percent of prisoner holding and transit facilities have serious security deficiencies. Of 392 courthouses surveyed: 84 percent lack enough courtroom holding cells; 78 percent do not have secure prison elevators; 74 percent do not have enclosed sallyports; 72 percent lack enough interview rooms; 57 percent do not have adequate cellblock space; and 38 percent lack cameras, monitors, and alarms.

Years of neglect have created this deplorable situation, posing risks to the judicial family, the public, and the Marshals themselves. The Committee is intent on remedying courthouse deficiencies before a tragedy occurs. The Committee recommendations, by project, are displayed in the following table:

USMS Construction

[In thousands of dollars]

	<i>Committee recommendation</i>
Detainee Facilities:	
Construction:	
Birmingham, AL	580
Hot Springs, AR	1,328
Prescott, AZ	550
San Diego, CA	1,800
Grand Junction, CO	450
Key West, FL	1,200
Agana, Guam	100
Davenport, IA	856
Sioux City, IA	100
Moscow, ID	200
Rock Island, IL	1,250
Rockford, IL	24
Springfield, IL	85
Fort Wayne, IN	175
Wichita, KS	200
Louisville, KY	749
Bay City, MI	685
Flint, MI	248
Natchez, MS	1,000
Billings, MT	850
Raleigh, NC	2,490
Santa Fe, NM	500
New York, NY (40 Foley)	250
Rochester, NY	150
Akron, OH	800
Columbus, OH	1,000
Dayton, OH	150
Muskogee, OK	280
Tulsa, OK	2,100
Sioux Falls, SD	680
Houston, TX	2,675
Cheyenne, WY	200
Subtotal	<u>23,705</u>
Planning, Design, and Relocation:	
El Dorado, AR	100
Fayetteville, AR	100
El Centro, CA	32
Jacksonville, FL	44
Ocala, FL	475
London, KY	30
Billings, MT	200
Helena, MT	20

	<i>Committee recommendation</i>
Wilmington, NC	125
Cleveland, OH	70
Hato Rey, PR	75
Columbia, SC	46
Casper, WY	100
Subtotal	1,417
Security Specialists/Construction Engineers	690
Total, USMS Construction	25,812

The Committee considers this an important step in reducing the backlog of critical security-related projects. As with courthouse security equipment, the Committee expects to be consulted prior to any deviation from the above plan for fiscal year 2002.

JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM

Appropriations, 2001	\$13,470,000
Budget estimate, 2002	
Committee recommendation	53,050,000

This account funds prisoner air transportation operations and maintenance, aircraft procurement, and facilities.

The Committee recommends an appropriation of \$53,050,000. The recommendation is \$53,050,000 above the budget request. The funds provided will allow the Marshals to procure two modern, fuel efficient, wide body aircraft to replace two first generation airliners that have reached the end of their useful service lives. A similar approach was taken last year to address problems with the Marshals' short haul fleet. The Marshals shall report to the Committees on Appropriations on its procurement strategy not later than November 15, 2001.

Detention Trustee.—The Justice Prisoner and Alien Transportation System [JPATS] is supposed to be funded by a self-financing revolving fund. The self-financing aspects of the revolving fund are at best limited to operations and maintenance. Aircraft procurement, facilities, and prisoner ground transportation require appropriated funds, as evidenced by the direct funding of two aircraft last year. Worst of all, the use of annual reimbursements from “customers” to capitalize the revolving fund has led to endless disputes between agencies over aircraft operations, distracting managers from the complex task of operating an airline in a high security environment. Management of JPATS is precisely the sort of task that should be undertaken by the new Detention Trustee. Therefore, the Committee recommendation centralizes funding for prisoner movements under the Detention Trustee. Base funding for the Marshals Service, the Bureau of Prisons, and the Immigration and Naturalization Service has been adjusted accordingly. The Trustee shall be reimbursed by components for prisoner movements in excess of those programmed in the budget request.

FEDERAL PRISONER DETENTION

Appropriations, 2001	\$596,088,000
Budget estimate, 2002	724,682,000
Committee recommendation	724,682,000

Under this program, the U.S. Marshals contract with State and local jails and private facilities to house unsentenced Federal prisoners for short periods of time. This is usually before and during trial and while awaiting transfer to Federal institutions after conviction.

The Committee recommends an appropriation of \$724,682,000. The recommendation is identical to the budget request. The amount provided will fund approximately 10,603,381 jail days, an 11 percent increase over fiscal year 2001, or an average daily detainee population of 29,050.

FEES AND EXPENSES OF WITNESSES

Appropriations, 2001	\$125,573,000
Budget estimate, 2002	156,145,000
Committee recommendation	156,145,000

This account provides for fees and expenses of witnesses who appear on behalf of the Government in cases in which the United States is a party, including fact and expert witnesses. These funds are also used for mental competency examinations as well as witness and informant protection.

The Committee recommends an appropriation of \$156,145,000. The recommendation is identical to the budget request.

COMMUNITY RELATIONS SERVICE

Appropriations, 2001	\$8,456,000
Budget estimate, 2002	9,269,000
Committee recommendation	9,269,000

The Community Relations Service [CRS] provides assistance to communities and persons in the prevention and resolution of disagreements relating to perceived discriminatory practices.

The Committee recommends an appropriation of \$9,269,000. The recommendation is identical to the budget request.

ASSETS FORFEITURE FUND

Appropriations, 2001	\$22,949,000
Budget estimate, 2002	22,949,000
Committee recommendation	22,949,000

The Committee recommends an appropriation of \$22,949,000. The recommendation is identical to the budget request. This account provides funds to supplement existing resources to cover additional investigative expenses of the FBI, DEA, INS, and U.S. Marshals, such as awards for information, purchase of evidence, equipping of conveyances, and investigative expenses leading to seizure. Funds for these activities are provided from receipts deposited in the assets forfeiture fund resulting from the forfeiture of assets. Expenses related to the management and disposal of assets are also provided from the assets forfeiture fund by a permanent indefinite appropriation.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

Appropriations, 2001	\$1,996,000
Budget estimate, 2002	1,996,000
Committee recommendation	1,996,000

The Committee recommends an appropriation of \$1,996,000. The recommendation is identical to the budget request. This program was established to permit the payment of claims to individuals exposed to radiation as a result of atmospheric nuclear tests and uranium mining in accordance with the Radiation Exposure Compensation Act of 1990.

PAYMENT TO THE RADIATION EXPOSURE COMPENSATION TRUST FUND

Appropriations, 2001	\$10,776,000
Budget estimate, 2002	10,776,000
Committee recommendation	10,776,000

The Committee recommends an appropriation of \$10,776,000. The recommendation is identical to the budget request. This account funds payments to approved claimants under the Radiation Exposure Compensation Act of 1990. The Committee recommendation does not include additional funding to administer or pay claims under the expansion of the Radiation Exposure Compensation Act as provided for by Public Law 106-245. The Committee is concerned that a substantial unfunded requirement and a delay in the payment of claims to those qualified individuals as provided for by the original statute will result.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

Appropriations, 2001	\$325,181,000
Budget estimate, 2002	338,106,000
Committee recommendation	336,966,000

The Interagency Crime and Drug Enforcement Program, through its 9 regional task forces, utilizes the combined resources and expertise of its 11 member Federal agencies, in cooperation with State and local investigators and prosecutors, to target and disband major narcotics trafficking and money laundering organizations.

The Committee recommends an appropriation of \$336,966,000 as distributed in the following table. The recommendation is \$1,140,000 below the budget request.

REIMBURSEMENTS BY AGENCY

[Amounts in dollars]

	FTE	Amount
Drug Enforcement Administration		\$110,909
Federal Bureau of Investigation		115,335
Immigration and Naturalization Service		16,190
U.S. Marshals Service		2,049
U.S. Attorneys		88,552
Criminal Division		1,086
Tax Division		1,120

REIMBURSEMENTS BY AGENCY—Continued

[Amounts in dollars]

	FTE	Amount
Administrative Office		1,725
Total		336,966

The Committee notes that the Immigration and Naturalization Service [INS] has the largest budget of the Justice Department components. Also, the General Accounting Office found that INS agents were not doing task force work but claiming reimbursable funds in Los Angeles from this account. The INS is directed to match at least 25 percent of each reimbursable dollar from their direct appropriation on Organized Crime and Drug Enforcement Task Force cases before they can be reimbursed from this account.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

Appropriations, 2001	\$3,228,482,000
Budget estimate, 2002	3,505,859,000
Committee recommendation	3,425,041,000

The Committee recommends an appropriation of \$3,425,041,000. The recommendation is \$80,818,000 below the budget request. The recommendation fully funds adjustments to base.

Budget structure.—For the past several years, the Committee has remarked on the Justice Department’s inability to respond swiftly to changing patterns of crime. In the case of the FBI, the very structure of its budget hinders the Bureau’s ability to react to emerging criminal trends. Current decision units also do little to protect the Director’s strategic priorities, ease management of high risk programs, or provide the transparency necessary for effective Congressional oversight. Therefore, the Committee recommendation restructures the FBI budget.

The new structure focuses FBI resources on Tier 1 missions by creating three new decision units: “National Security”, “Counterterrorism”, and “Cyber-Investigations and Infrastructure Protection”. These activities will define the FBI in the 21st century. In particular, the proposed “Cyber-Investigations and Infrastructure Protection” decision unit, with base funding of \$101,429,000, consolidates the funding of a number of mutually-supportive initiatives that had been scattered across existing decision units, such as the National Infrastructure Protection Center, including the Special Applications and Technology Unit, computer intrusion squads, Computer Analysis Response Teams, Internet fraud squads, the Internet Fraud Complaint and Intellectual Property Rights Centers, “Innocent Images”, and the new Cyber Technology Section of the Engineering Research Facility.

Conversely, two current decision units, “Training, Recruitment, and Applicant” and “Management and Administration”, have been abolished or severely circumscribed. These decision units cross-cut all others, creating an artificial separation between these functions and the activities of which they were ultimately a part. This un-

duly complicated management's ability to rapidly transfer resources within and between decision units in response to changing circumstances.

Similarly, the current "Organized Criminal Enterprises", "White Collar Crime", and "Violent Crime" decision units have been collapsed into one, "Criminal Enterprises and Federal Crimes", to allow the Bureau to rapidly shift resources between Tier 1, 2, and 3 priorities as circumstances warrant.

Finally, "Law Enforcement Support" has been reorganized into three decision units, "Forensic, Training, and Investigative Assistance", with base funding of \$318,090,000, "Investigative and Information Technology", with base funding of \$247,053,000, and "Criminal Justice Services", with base funding of \$212,366,000, to sharpen mission focus, improve support to the field, and maintain technical superiority.

The Committee believes that the new budget structure will significantly enhance FBI performance.

Re-engineering the workforce.—The FBI is steadily moving from a manpower-intensive to an information-intensive approach to crime fighting, a trend the Committee applauds. This year, for example, the FBI hopes to add 33 specialists to its rolls, including technically-trained agents and support staff and electronics engineers and technicians. Though resource and manpower constraints will force this shift in the skill sets of Bureau employees to move at an evolutionary rather than revolutionary pace, a necessarily measured approach will allow the Committee to provide the training and equipment required to support an increasingly sophisticated workforce. The FBI may convert up to 33 special agent and general support positions into the technical positions described above using attrition to affect the desired change in staff mix. In particular, the Committee recommends culling slots opened by retirements at Resident Agent offices, the least focused of the FBI's operations. The Committee recommendation includes an increase of \$2,000,000 to expand and improve training for Technically Trained Agents and Electronic Technicians. The funds provided include up to 4 training personnel. This amount should be treated as a permanent increase to the base.

Training.—Presently, Computer Analysis Response Team [CART] examiners participate in every aspect of cybercrime investigations, including evidence seizure, imaging and duplication, examination and evidence review. This is a poor use of a precious asset. CART examiners, special skills are best applied to examinations, the probing of hard drives for evidence, and more complex seizures, imaging, and duplication. The Committee is aware of a training initiative that would broaden the skills and responsibilities of FBI technicians and case agents to include computer seizures, imaging and duplication, and evidence review. This training would significantly enhance the efficiency and effectiveness of examiners, technicians, and agents. The training has the added benefit of establishing the outlines of a cybercrime career track for computer proficient agents and technicians. The Committee recommendation includes \$769,000 for this initiative.

Evidence Response Teams.—The Committee is aware that Evidence Response Teams [ERTs] are badly in need of basic evidence

gathering supplies such as “lift kits” for fingerprinting, non-static bags for seized electronics, and special photographic equipment for documenting crime scenes. ERTs also lack the most rudimentary training aids. The Committee recommendation includes a total of \$1,392,000 for ERT evidence collection and training supplies. This amount should be treated as a permanent increase to the base.

Improving intercept capabilities.—The FBI is proposing a multi-pronged approach to improving intercept capabilities. Initiatives include: (1) enhancing the transmission, monitoring, and minimization of intercepted data, (2) developing broadband capabilities, and (3) procuring prototypes capable of intercepting transmissions outside of the FBI’s technical reach. The Committee recommendation includes \$6,800,000 to improve intercept capabilities.

Counter-encryption.—The increasing sophistication and availability of encrypted software is allowing criminals to establish secure communications networks impervious to law enforcement penetration. As with interception capabilities, the FBI is proposing a multi-pronged approach to counter-encryption. Initiatives include: (1) analysis/exploitation of systems to allow access to data pre-encryption, (2) recognition/decryption of data hidden in plain sight, and (3) decryption of encrypted data. The Committee recommendation includes an increase of \$7,000,000 for counter-encryption.

Counterintelligence.—The FBI has been deeply traumatized by Robert Hanssen’s treachery. However, Hanssen’s long success as a spy seems to have had more to do with a peculiar, and hopefully unique, personality and less to do with a lack of diligence on the part of the Bureau in keeping tabs on known or suspected foreign agents. Still, the FBI is seeking to increase counterintelligence staffing by almost 200 personnel in fiscal year 2002. This request may have more to do with the natural desire to appear to be reacting to a disaster than with a sober assessment of the strengths and weaknesses of the current counterintelligence program. While it is not clear what benefits will accrue from a sharp increase in manning, the Committee is prepared, for the moment, to defer to the judgement of the Bureau. Within existing resource and manpower ceilings, the FBI may transfer up to 182 special agents and support staff from “tier 3” duties to counterintelligence operations. As with the shift to technically proficient staff, the Committee recommends culling manpower from Resident Agent offices.

Surveillance.—The FBI uses small planes for the discreet surveillance of individuals or locations of interest. Pilots flying in support of Washington Field Office [WFO] operations are having difficulty deconflicting their flight plans from the increasingly busy air traffic pattern around Washington due to the ceiling limitations of the aircraft currently available to the WFO. A similar problem in New York City was solved by the acquisition of aircraft capable of operating up to 10,000 feet. The Committee recommendation includes \$4,000,000 for an aircraft of the same class as purchased for New York with the appropriate surveillance and communications packages.

Jewelry and gem program.—The Committee is aware of the FBI’s highly successful efforts through the “Criminal Enterprises and Federal Crimes”-run Jewelry and Gem Program to combat robberies of jewelry vendors, committed largely by violent gangs from

South America. Major arrests have been made, several gangs have been interdicted, and the number of these serious crimes has been reduced. The Committee encourages the FBI to continue to devote the necessary resources to disrupting these criminal enterprises.

2002 Winter Olympic Games.—The Committee is aware that the Secret Service has requested the assistance of the FBI in support of the Salt Lake City Olympics. The Committee recommendation includes \$12,302,000 for travel, per diem, overtime, lease of vehicles, telecommunications, and utilities in support of the 2002 Games. The entire amount is to be derived from the Working Capital Fund.

Regional computer forensic labs.—The Committee recommendation includes \$7,202,000 under the Office of Justice Programs to maintain or establish 4 regional computer forensic labs in affiliation with the FBI Laboratory. The labs will analyze the hard drives of seized computers for evidentiary material. Affiliation with the FBI Laboratory ensures that uniform standards and procedures are maintained by all of the participating computer forensic laboratories.

National Infrastructure Protection Center.—The Committee is aware that the FBI is under intense pressure from the business community to police the Internet. Yet, at the same time that businesses are demanding action, they appear to be doing little to protect themselves. The Committee notes that the National Infrastructure Protection Center [NIPC] has issued two public warnings encouraging industry to implement no- or low-cost “patches” to fix long-documented vulnerabilities in popular business software. Failure to take basic steps to ensure their own security resulted in a large number of Web sites being victimized by Russian and Eastern European hackers who stole credit card numbers as part of an extortion scheme. An FBI agent likened the computer attacks to a rash of burglaries in a neighborhood where no one locks their doors. Federal resolve and resources will be difficult to muster and sustain if the simplest precautions are left undone by private industry. The Committee also questions the motives of computer security experts whose complaints about NIPC warnings would turn a virtue into a vice.

Internet fraud/copyright enforcement.—The squads responsible for Internet fraud, copyright enforcement, and other cybercrimes in the former White Collar Crime decision unit have been living on hand me downs since National Infrastructure Protection Center computer intrusion squads were spun off as a separate activity. The financial losses attributable to consumer swindles and the pirating of software are such that the proper funding of Internet fraud and copyright enforcement squads is imperative. The Committee recommendation includes \$4,000,000 for computers and associated equipment for these squads. This increase should be annualized to ensure a technology refreshment cycle in keeping with industry advances.

The Committee is aware that the FBI has launched an initiative to investigate violations of Federal copyright laws protecting certain marketed software applications. The Committee supports FBI efforts to vigorously pursue violations of Federal copyright law. The FBI shall report to the Committee not later than June 30, 2002 on

the number of copyright law investigations that led to prosecutions in the preceding year, including those under Public Law 105–147, by type and location.

Trilogy.—Trilogy is the FBI's current computer modernization program. After two false starts, a new management team was specifically recruited to save the FBI's computer modernization effort from total disaster. The result, Trilogy, appears to address cost and capability concerns raised in the past by the Committee. In particular, the Committee is pleased to note that analytical tools are being provided to agents far earlier than would have been the case in the failed ISI and eFBI proposals. The Committee recommendation includes a total of \$142,390,000 for Trilogy, including \$67,660,000 derived from the Working Capital Fund.

Serial rapists.—The Violent Criminal Apprehension Program [ViCAP] has proven valuable in pursuing serial killers by fusing evidence across cases and jurisdictions. The Committee believes that expanding ViCAP to include sexual assault cases would greatly improve the ability of law enforcement at all levels to identify, capture, and prosecute serial rapists. Therefore, the Committee recommendation includes \$1,005,000 under the Office of Justice Programs to expand ViCAP to include rape cases.

Laboratory activation.—The FBI laboratory will be ready for occupation in June 2002. The new facility will allow the Lab to meet American Society of Crime Laboratory Directors [ASCLD] and International Standards Organization [ISO] 9000 quality control/quality assurance standards. Unfortunately, after investing \$130,000,000 in the new building, the FBI lacks the funds to fully outfit the Lab with essential equipment. The Committee sees little sense in opening an ill-equipped facility. Therefore, the Committee recommendation includes \$50,737,000 for lab activation, including \$24,837,000 for critical equipment, and \$11,765,000 for moving costs, fit out, and building services personnel. The remaining \$14,135,000 is provided to decommission and renovate former Lab space in the Hoover building.

Forensic research.—The Committee is aware that the FBI Laboratory has a long list of unfunded research projects, including proposals for new techniques to detect: (1) date rape drugs or metabolites in the bloodstream, (2) latent fingerprints left by children, and (3) gunshot residues on shooters' hands and other surfaces. The Committee recommendation includes \$12,200,000 to fund the highest priority forensic research proposals submitted to the Committee on April 30, 2001. The FBI shall report back to the Committees on Appropriations on its final spending plan for these resources not later than February 1, 2002.

Forensic audio/video program.—The explosion of digital audio and video recording formats has taxed the FBI's forensic capabilities to the extreme. At the same time, the FBI must maintain its capability to analyze recordings from older analog devices. The Committee recommendation includes an increase of \$608,000 over fiscal year 2001 for forensic audio/video specialists and equipment. The increase should be treated as a permanent increase to the base.

National Instant Criminal Background Check System.—The National Instant Criminal Background Check System [NICS] is the

immediate source of information for Federal firearms licensees seeking to determine whether a given individual's purchase of a firearm would violate Federal or State law. The Committee recommendation provides \$67,735,000, the full amount required for NICS, from within available resources and manpower ceilings.

Mitochondrial DNA.—The Committee recommendation includes \$4,000,000 under the Office of Justice Programs to maintain or establish 4 regional mitochondrial DNA [mtDNA] forensic labs in affiliation with the FBI Laboratory. The labs will analyze mtDNA from human remains or other evidence to assist law enforcement in the identification of missing persons or perpetrators. Affiliation with the FBI Laboratory ensures that uniform standards and procedures are maintained by all of the participating laboratories doing mtDNA analysis. The recommendation also includes \$484,000 in this account for the biologists and other highly specialized personnel required by the lab to oversee regional mtDNA labs.

Crimes against children.—The Committee recommendation includes not less than \$5,204,000 to maintain the FBI's capabilities to combat child abductions and serial killings. Within this amount, at least \$3,439,000 is for: (1) the child abduction and serial killer unit, (2) a police fellows program for training local investigators, and (3) training for State and local law enforcement. Additionally, at least \$1,765,000 is recommended to enhance the staffing of the Violent Criminal Apprehension Program to provide more timely assistance to State and local law enforcement requesting case analysis services.

Jurisdiction.—Statistics collected by Syracuse University indicate that FBI drug convictions climbed sharply—69 percent—between 1992 and 1998. In 1998, FBI drug convictions represented 25.6 percent of total Bureau convictions. Narcotics are a “tier 2” priority in the FBI's strategic plan. Also, drugs are a classic example of overlapping jurisdictions, involving the FBI, the Drug Enforcement Administration [DEA], and State and local police forces. The Committee is concerned that narcotics investigations are draining resources from higher priority counter-espionage and counter-terrorism missions. Therefore, the FBI is directed to report on: (1) its role in the nation's current overall strategy for combating drug trafficking, (2) opportunities for shifting the narcotics burden to the DEA and others, and (3) priority investigative initiatives that would benefit from resources freed up by the diminishment of the Bureau's role in drug cases. The report shall be delivered not later than April 1, 2002.

End strength.—The Committee notes that the fiscal year 2002 budget request imposed on the FBI includes a substantial number of “hollow” work years. The FBI has endured 2 very disruptive years attempting to reconcile its actual budget with artificial manpower levels. The Committee directs the Bureau to strike all of the hollow work years from its books to avoid another year of budget shortfalls. The FBI shall report back to the Committees on Appropriations on its adjusted end strength not later than November 1, 2001.

CONSTRUCTION

Appropriations, 2001	\$16,650,000
Budget estimate, 2002	1,250,000
Committee recommendation	44,074,000

The Committee recommends an appropriation of \$44,074,000. The recommendation is \$42,824,000 above the budget request.

Engineering Research Facility.—Well-heeled criminals, foreign agents, and terrorists have been quick to exploit technological innovations, complicating Bureau investigations. The Engineering Research Facility [ERF] develops and fields cutting edge technology in support of case agents. The rapid pace of progress has necessitated an equally rapid expansion of ERF programs simply to keep current with industry advances. The resultant cramped conditions at the facility have forced employees into leased space and is slowing critical projects due to a lack of room for new equipment. For several years, the FBI has been pursuing funds for the construction of an ERF annex. The annex would: (1) allow the FBI to consolidate far-flung cybercrime assets at the ERF, (2) accommodate planned growth, and (3) improve security by allowing programs of differing sensitivities to be physically separated. Therefore, the Committee recommendation provides \$32,541,000 for planning, site preparation, design, and construction of the ERF annex. The FBI may use prior year recoveries or unobligated balances to pay for short-term leased space in order to alleviate overcrowding at the ERF until the new annex opens. In addition, the recommendation includes \$10,283,000 to refurbish the existing ERF facility.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

Appropriations, 2001	\$1,360,126,000
Budget estimate, 2002	1,480,929,000
Committee recommendation	1,489,779,000

The Committee recommends an appropriation of \$1,489,779,000. The recommendation is \$8,850,000 above the budget request.

The Committee is very concerned that our efforts in the drug war, while producing periodic headlines, are not effectively ebbing the flow of a growing supply of illicit drugs into the United States. The major drug targets the DEA is able to bring to justice in the United States are quickly replaced by others who continue their criminal enterprises using increasingly sophisticated clandestine methods.

There appears to be an inexhaustible number of people who are willing to take the risk of participating in the drug trade because of the enormously high monetary rewards. With that, small victories appear the best we can hope for in this war funded by U.S. taxpayers at a collective cost of over \$40,000,000,000 annually.

While total victory in the drug war is unattainable at this time, the Committee is aware that many DEA programs have been very effective in stopping some of the drug supply. The recommendation attempts to focus resources on activities that have been the most successful and cost effective.

Special Operations Division [SOD]/Communications Intercept.—The SOD's mission is to establish strategies and operations between law enforcement agencies aimed at dismantling national and international drug trafficking organizations by attacking their communications systems. The Committee is pleased that the SOD assigned agents are actively working to coordinate and share information with other Federal law enforcement agencies. The Committee recommends: an additional three positions and \$6,428,000 to fund contract and in-house language translation/transcription services; \$4,382,000 for communications and data intercept equipment, and 46 support positions; and \$3,196,000 associated with SOD and the field. These additional resources will directly benefit investigations targeting organizations bringing drugs into the United States through the Southwest Border from Europe, Asia, Latin America and the Caribbean.

Computer Forensics.—The DEA's computer forensic's capability is wholly inadequate measured against the number of computers seized by agents from criminals involved in drug related crime. The number of computers needing analysis is increasing 30 percent per year and backlogs in this area currently run from 10 to 12 work-years. To address this problem the Committee provides an additional \$1,700,000 (20 FTE's). This funding should be used to hire computer forensic examiners and purchase related equipment for the Office of Investigative Technology.

Computer Training.—The Committee commends the DEA for working cooperatively with other Justice components and providing needed computer and computer forensic training at the DEA Office of Investigative Technology.

Joint Automated Booking System [JABS].—The Committee supports the leadership role DEA has taken with the JABS program. When fully operational the Committee believes that JABS will be a tremendous resource to all Federal law enforcement agencies. The Committee encourages DEA to continue to work with the other Justice and non-justice law enforcement agencies to train individuals on its use and to facilitate its expansion.

Methamphetamine Initiative.—The recommendation includes \$32,854,000, a \$5,395,000 increase over fiscal year 2001, to continue DEA's efforts of targeting and investigating methamphetamine trafficking, production, and abuse across the United States. The funding will allow DEA to continue investigations and stop methamphetamine traffickers; maintain the national clandestine laboratory data base; reduce the availability of precursor chemicals being diverted to clandestine laboratories in the United States and abroad; clean-up the hazardous waste generated by seized clandestine laboratories; and coordinate with the agency's Special Operation's Division. The Committee directs DEA to submit quarterly spending reports on methamphetamine initiatives to the Committees on Appropriations beginning January 1, 2002.

The Committee notes that \$20,000,000 is provided through the COPS Methamphetamine/Drug "Hot Spots" Program to reimburse the DEA for the costs associated with assisting State and local law enforcement remove and dispose of the hazardous materials at clandestine methamphetamine labs.

Heroin Enforcement Operations.—In hearings before the Committee, the DEA Administrator testified in detail about the flood of heroin entering the country as close to the Capitol as the Port of Baltimore. The re-emergence of the use of heroin by teenagers parallels the dramatic increase in the purity of heroin at very low prices. To address this challenge, the Committee encourages DEA to continue its heroin enforcement efforts within available resources and staffing levels.

Oxycontin® and MDMA.—Two drugs that have recently emerged as a growing concern to the Committee are Oxycontin® and 3, 4-Methylenedioxymethamphetamine [MDMA]. Oxycontin®, a legally-prescribed controlled substance, is being diverted from the legal market into illegal use. MDMA, a drug with no legally-authorized use, is fast becoming a drug of choice at rave parties and other youth venues. Both drugs have managed to avoid much of the stigma that they deserve, and too many young people are under the false impression that these drugs may be used without harmful effects. The Committee strongly supports DEA's efforts to control the illegal diversion of Oxycontin®, and to dismantle the organizations that import and distribute MDMA to the nation's young people.

Regional Drug Enforcement Teams [RET].—The Committee recommends a total of \$19,100,000 for DEA RET teams. RET team deployments have proven to be very successful at dismantling drug trafficking organizations in targeted areas at a very low cost per operation. RET teams are currently stationed in selected regions in the United States and have been given the flexibility to deploy agent resources and assets to meet emerging drug trends, specifically in our Nation's smaller cities. The teams direct their efforts toward combating specific drug problems as identified by intelligence sources and leads provided by DEA's Special Operations Division.

Mobile Enforcement Teams [MET].—The Committee recommends \$9,200,000 to continue the DEA MET team program. MET teams operate in communities at the request of local officials and since 1995 have targeted and dismantled drug trafficking organizations across the United States. The Committee believes that the DEA should increasingly focus personnel and resources on operations which target drug related crime and drug trafficking organizations within the United States.

Firebird/Merlin.—An additional \$30,000,000 and three positions is provided for the deployment, network security, and the technology renewal of DEA's Firebird computer system. The recommendation includes a total of \$2,500,000 for Firebird Deployment, and \$1,900,000 for network security. Finally, for technology renewal \$25,600,000 and three positions is provided to modernize and replace systems and system components as they become obsolete. With this funding, Firebird will be fully deployed and Firebird will provide all DEA domestic and international offices with an integrated information sharing and communications computer network.

Laboratory Operations.—Timely and effective laboratory support is critical to law enforcement. DEA's laboratory program is currently suffering from a backlog of evidence where processing time averages almost 50 days, potentially jeopardizing the investigation

and prosecution of critical drug cases. To address this backlog, the Committee recommendation provides an increase of \$13,104,000 over fiscal year 2001 for DEA laboratory operations, to manage the agency's increased laboratory workload, address deficient areas in the agency's laboratory system, and to institute a 5-year laboratory equipment replacement cycle.

Sensitive Investigative Units [SIU].—The Committee recommends a total of \$20,000,000 for the SIU program. The Committee is encouraged by the successes of the SIU program in participating countries. Last year, the Committee noted concerns that the endemic corruption within the Mexican Government would make the implementation of the SIU program there unattainable. The Committee is encouraged by recent changes brought on by Mexico's new President, Vicente Fox, who has pledged to combat drug traffickers and end corruption within the Mexican Government. The Committee therefore recommends DEA deploy its SIU's in Mexico as planned. The DEA is reminded that the Committees on Appropriations are to be notified before this program is expanded to include additional countries.

Helicopters and other equipment.—The committee recommendation includes \$5,250,000 for three single engine light enforcement helicopters to be stationed in Seattle, WA, Chicago, IL, and St. Louis, MO, and \$5,000,000 for one twin engine medium lift helicopter to meet the needs of enforcement efforts in Hawaii. In addition, the DEA shall provide \$500,000 to equip and maintain the Federal gun range in Rocky Flats, Colorado for use by Federal, State, and local law enforcement.

Management and Administration.—The Committee is encouraged by changes made in the personnel and authority of DEA's Financial Management Division. DEA's expertise in financial management has improved drastically, as demonstrated through the quality and timeliness of budget justifications, follow-up information, and the ability of DEA financial managers to provide detailed accounting of reprogramming actions and other basic financial information.

"Drug Diversion Control Fee" Account.—The Committee has provided \$86,021,000 for DEA's Drug Diversion Control Program. This is the full amount requested, and assumes that the level of balances in the Fee Account are sufficient to fully support diversion control programs in fiscal year 2002. As was the case in fiscal year 2001, no funds are provided in the DEA "Salaries and expenses" appropriation for the "Diversion control fee account" in fiscal year 2002.

End strength.—The Committee notes that the fiscal year 2002 budget request includes a substantial number of "hollow" work years. The Committee is disappointed that the DEA forwent two opportunities to correct this problem during the development of the fiscal year 2002 budget submission in the hopes that additional funds might miraculously be made available. No such funds have been, or will be, made available. The Committee directs the DEA to strike all of the hollow work years from its books to avoid another year of budget shortfalls. The DEA shall report back to the Committees on Appropriations on its adjusted work years not later than November 1, 2001.

IMMIGRATION AND NATURALIZATION SERVICE
(INCLUDING OFFSETTING FEE COLLECTIONS)
SALARIES AND EXPENSES

Appropriations, 2001	\$3,118,999,000
Budget estimate, 2002	3,388,001,000
Committee recommendation	3,176,037,000

The Committee recommends an appropriation of \$3,176,037,000. The recommendation is \$211,964,000 below the budget request.

Land border inspectors.—Long lines and the most cursory of inspections describe the current situation at land border ports of entry [POEs]. The reason for this is that for years all available resources have been diverted to the Border Patrol to increase the number of agents deployed. The result is that from fiscal year 1997 to 2001 the number of Border Patrol agents increased 40 percent from 6,828 to 9,545. At the same time, the number of land border inspectors decreased slightly from 1,770 to 1,767. Today, of 104 POEs, 85, or 82 percent, are manned at 50 percent or less of workload requirements. The most understaffed, Beebe Plain, VT, is manned at 10 percent of requirements. The following chart highlights current staff shortfalls:

LAND BORDER PORTS OF ENTRY STAFFING REQUIREMENTS

Location	Workload re- quirement (No. per- sonnel)	Current staff- ing (on-board 12/28/00)	Understaffing (No. per- sonnel)	Staffing as percentage of workload
Beebe Plain, VT, POE	10	1	9	10.0
Raymond, MT POE	8	1	7	12.5
Detroit Bridge/Tunnel, MI POE	174	23	151	13.2
Warroad, MN/Dunseith, ND POEs	7	1	6	14.3
Fortuna, Northgate, and Sherwood, ND POEs	6	1	5	16.7
Alcan and Poker Creek, AK POEs	12	2	10	16.7
Coburn Gore, ME POE	12	2	10	16.7

Trade and tourism are suffering on both borders as a result of inadequate staffing at land POEs. The handful of inspectors the Committee was able to fund last year will have no appreciable effect on current shortfalls. Therefore, the Committee recommendation includes \$25,408,000 for 348 land border inspectors to begin the long process of aligning manning with workload requirements. New inspectors shall be deployed to the most understaffed POEs.

Border control.—As a recent INS report makes clear, overcrowding at Border Patrol facilities on the Southwest border has reached crisis proportions. Of 85 outposts across 9 sectors, 63 are overcrowded. The worst, a station in Mercedes, Texas, was designed for 13 agents but currently houses 142, almost 1,100 percent its rated capacity.

The chart below highlights the current situation:

BORDER PATROL FACILITY REQUIREMENTS

Location	Facility capacity (No. personnel)	Current staffing (on-board 2/10/01)	Overstaffing (No. personnel)	Overstaffing as percentage of capacity
Mercedes, TX STN	13	142	129	1,092
Laredo del Mar, TX STN	36	357	321	992
Kingsville, TX STN	9	97	88	978
Tucson, AZ STN	17	161	144	947
Falfurrias, TX STN	11	92	81	836
Laredo South, TX STN	29	234	205	807
Hebbronville, TX STN	11	86	75	782

This situation will only worsen as new Border Patrol agents funded in fiscal year 2001 arrive at their duty stations on the Southwest border. From San Diego to Brownsville, detention, processing, interview, and evidence and equipment storage space fall far short of requirements. The risks to the safety of agents are stark, and appalling work conditions exacerbate the Border Patrol's soaring attrition rate. The Committee recommendation addresses this problem in the INS "Construction" account.

In addition, the Committee recommendation provides \$75,000,000 for 570 new Border Patrol agents.

Border Patrol equipment.—The effectiveness of the Border Patrol has been threatened by crippling shortfalls in basic equipment inventories. More importantly, agent safety has been at risk. The chart below summarizes the current situation after several years of Committee intervention to ensure that Border Patrol agents are properly equipped:

BORDER PATROL EQUIPMENT REQUIREMENTS

Ratio per agent/sector	Item	Projected total need	Present inventory	Percentage of requirement	Inventory required
1 per Agent	Pocket scopes	9,000	6,138	68	2,862
2 per 3 Agents	Night vision goggles	6,000	4,037	67	1,963
2 per Sector	Fiber optic scopes	350	200	57	150
100 per Sector	Hand-held searchlights	2,100	415	20	1,685
100 per Sector	IR scopes	2,000	755	38	1,245
1 per Agent	GPS	9,000	1,200	13	7,800
1 per 10 Agents	Vehicle IR scopes	900	144	16	756

To preserve the benefits of several years of massive investments to expand the Border Patrol, the Committee recommendation provides a total of \$22,598,000 for high priority equipment, including \$1,020,000 for fiber optic scopes, \$799,000 for hand-held searchlights, \$708,000 for vehicle infrared scopes, \$2,091,000 for Global Positioning Systems, \$9,120,000 for infrared scopes, \$2,606,000 for night vision goggles, and \$6,254,000 for pocket scopes.

Integrated Surveillance Intelligence System [ISIS].—In its haste to deploy ISIS, the INS has failed to develop the body of system engineering documentation associated with the development, procurement, and operation of new equipment. Lacking such documentation, such basic questions as system performance versus re-

quirements and lifecycle costs versus outyear budgets remain unanswered. Prior to further expansion of the program, the Committee directs the INS to ensure that documents addressing customer requirements and system functionality, design, test, performance, and cost are completed and available for review. The Committee recommendation includes \$4,000,000 to fully fund the system engineering process for ISIS.

The Committee recommendation also includes the following:

- \$14,000,000 for Law Enforcement Support Center [LESC]; and
- Full funding for the first year of the INS vehicle replacement master plan.

IDENT/IAFIS.—Shortcomings in the INS' Automated Biometric Identification System ["IDENT"] database were blamed for the release of suspected serial killer Rafael Resendez Ramirez. In the wake of Resendez Ramirez's later surrender, Justice Management Division [JMD] took over development and integration of IDENT and the FBI's Integrated Automated Fingerprint Identification System [IAFIS]. That effort has been expanded to integrate the INS' Enforcement Case Tracking System ["ENFORCE"] with IDENT/IAFIS. Within existing automation base funding, the Committee recommendation includes \$27,000,000 for continued development and piloting of IDENT/IAFIS by Justice Management Division [JMD]. The JMD is directed to provide the Committees on Appropriations with an automation spending plan not later than November 15, 2001.

Pacific Northwest.—There are currently 300 Border Patrol Agents assigned to patrol the entire 4,000 miles of the northern border. In contrast, the Southwest border has nearly 8,000 agents for 2,000 miles. This is four agents for every mile in the south compared to one agent for every 13 miles in the north. Consequently, agents on the northern border are fourteen times more likely to encounter aliens involved with smuggling weapons and nine times more likely to encounter aliens involved with smuggling drugs when compared to agents along the Southwest border. Furthermore, the lack of INS inspectors at the northern border is directly attributable to the greatly increased congestion seen at many border crossings. Therefore, of the 570 additional Border Patrol agents, not less than 25 percent of those new agents shall be deployed to the northern border. Inspection staff at the northern border must also be increased substantially. Selections for the northern tier shall be by the competitive transfer of experienced agents by means of the existing merit promotion and reassignment system.

Quick Response Teams.—The Committee is aware that the initial deployment of Quick Response Teams [QRTs] has taken far longer than anticipated, and that costs have greatly exceeded preliminary estimates. Until the program has stabilized, and its true costs and benefits are known, the Committee will not entertain requests for the expansion of QRTs outside of the initial deployment area.

Legal Orientation Programs.—The Committee recommends \$2,800,000 for non-governmental agencies to provide "live presentations" to persons in INS detention prior to their first hearing before an immigration judge. These presentations will provide immigration detainees with essential information about immigration

court procedures and the availability of legal remedies to assist detainees in distinguishing between meritorious cases and frivolous cases.

Alternatives to Detention.—The Committee recommends \$7,300,000 for community-based organizations to screen asylum seekers and other INS detainees for community ties, provide them with necessary services, and help to assure their appearance at court hearings.

Benefits.—Trend analysis of the most recent benefits processing data from the INS indicates that steady progress continues to be made in eliminating the backlog sparked by the “Citizenship USA” debacle. Since its peak in fiscal year 1998, the backlog of pending naturalization (N-400) applications has dropped 68 percent in the last 2 fiscal years. During the same period, processing times dropped from more than 45 months to just under 7 months. Even greater progress is expected this year. These improvements have not come cheaply, however. During the last 5 years, the Committee has provided \$4,169,400,000 for benefits processing. Manpower increased by 1,196 between fiscal years 1997 and 2000 with more to come in fiscal year 2001. Hopefully, the tide has turned and benefits processing performance measures will return to historical norms, but continued pressure to expand the number of potential beneficiaries and the scope of potential benefits could erase these gains.

Conversely, no area of operations will be more severely disrupted by the imminent reorganization of the INS than benefits processing. Just in the last few months, the INS has had to deal with the revamping of the H-1B program and the continuing extension of Temporary Protected Status to El Salvadorans, Hondurans, and Nicaraguans. This turmoil has typified immigration policy for many years. Now, an organization ruled by a bewildering set of laws, regulations, and decrees and known for poor service and endless backlogs will be spun off and established as a separate agency. The resultant confusion might be more tolerable were it not for the fact that ultimate control of the new immigration benefits service will be retained by Justice, an agency with little experience or expertise in providing benefits. Rather than contribute to the coming chaos by pouring additional new employees into the mix, the Committee recommendation is limited to fully funding current services. The Committee will be closely monitoring monthly benefits processing reports to ensure that current standards are met or exceeded after the reorganization.

Staffing levels.—The INS has failed to provide a required assessment of staffing needs nationwide. The Committee has no recourse but to direct the reallocation of staff to offices where caseload merits personnel increases. The INS is directed to provide an increase of \$118,750 over fiscal year 2001 to the district office in Omaha, NE, to upgrade Nashville, TN, to a full service office, and to upgrade its presence in Las Vegas, NV to a district office not later than June 15, 2002. Finally, of the total amount provided for naturalization and other benefits, such sums as are necessary shall be made available to open a 1-man office in Roanoke, VA.

In addition, the recommendation includes a total of \$4,506,000 for the Debt Management Center [DMC].

End strength.—The Committee notes that the fiscal year 2002 budget request includes a substantial number of “hollow” work years. The INS has endured several very disruptive years attempting to reconcile its actual budget with artificial levels of work years. The Committee directs the INS to strike all of the hollow work years from its books to avoid another year of budget shortfalls. The INS shall report back to the Committees on Appropriations on its adjusted work years not later than November 1, 2001.

Fees.—The recommendation transfers a total of \$147,602,000 in base activities, including data processing, legal proceedings, detention and deportation, and information and records management, from this account to the “User Fee”, “Examinations Fee”, and “Breached Bond/Detention Fund” accounts. This transfer better aligns available resources with actual activities and is allowable under the statutory authorities for each of these accounts.

OFFSETTING FEE COLLECTIONS

Fees are paid by persons who are either traveling internationally or are applying for immigration benefits. The Committee recommends a total spending level of \$2,058,723,000. The recommendation is \$64,782,000 above the budget request. The Committee has included language expanding the inspection fee pilot program at land border ports of entry [POEs]. Proceeds will contribute to buying down the almost \$1,000,000,000 construction backlog at these POEs. The Committee recommendations, by major account, are provided below:

IMMIGRATION USER FEE

The Committee recommends a spending level of \$656,648,000. This is the full amount of receipts estimated to be available and fully funds base requirements. The recommendation is \$64,782,000 above the budget request.

The Committee recommendation provides an increase of \$67,500,000 over fiscal year 2001 for additional inspectors and support staff, including those associated with detention and removals and legal proceedings, and for airline carrier training.

Inspection technology.—The Committee is aware of commercial off-the-shelf technology that could significantly improve the inspection process. Document and biometric scanners linked to computers could sharply reduce both waiting times and fraudulent entries as well as allowing inspectors to focus on problem cases. The recommendation provides a total increase of \$40,500,000 to implement a thorough modernization of inspection technology and to upgrade the National Automated Information Lockout System (\$3,200,000) and to procure additional live scan fingerprint devices (\$425,000).

Inspection processing.—As noted above, the recommendation transfers \$33,273,000 in data processing, legal proceedings, detention, and information and records management base activities from “Salaries and Expenses” to this account. User fees may be used for inspection processing expenses.

IMMIGRATION EXAMINATIONS FEE

The Committee recommends a spending level of \$1,258,088,000. This is the full amount of receipts estimated to be available. The recommendation is identical to the budget request.

Benefits Processing.—As mentioned above, the turmoil engendered by recent legislation and policy decisions threatens the steady progress the INS has been making in reducing the naturalization backlog. The Committee recommendation provides an increase of \$67,095,000 over fiscal year 2001 to accelerate the pace of efforts to reduce the time required to adjudicate immigration benefit applications.

Transfer to Executive Office for Immigration Review [EOIR].—The recommendation assumes that \$127,834,000 from this account will be made available for EOIR operations, including \$1,200,000 for contract court interpreter services for immigration court proceedings. Exam fees may be used for expenses in providing immigration adjudication.

Benefits processing.—As noted above, the recommendation transfers \$74,329,000 in data processing, legal proceedings, and information and records management base activities from “Salaries and Expenses” to this account. Exam fees may be used for immigration adjudication expenses.

BREACHED BOND/DETENTION FUND

The Committee recommends a spending level of \$120,763,000. This is the full amount of receipts estimated to be available to support detention of criminal and illegal aliens. The recommendation is identical to the budget request.

Detention expenses.—As noted above, the recommendation transfers \$40,000,000 in detention and deportation base activities from “Salaries and Expenses” to this account. Breached bond/detention funds may be used for expenses associated with the detention and deportation of illegal aliens.

CONSTRUCTION

Appropriations, 2001	\$133,009,000
Budget estimate, 2002	128,410,000
Committee recommendation	205,015,000

The Committee recommends an appropriation of \$205,015,000. The recommendation is \$76,605,000 above the budget request.

The Committee is concerned by the lack, or condition, of facilities INS-wide, described as the “worst” in the Federal Government in a recent assessment. The backlog of projects has reached unacceptable levels, and is growing larger with each passing year. For the Border Patrol alone, the shortfall in adequate facilities now exceeds 63 percent of requirements. Use of trailers or temporary or makeshift facilities is common, and even these expedients leave many new agents without a place to process arrestees. Not surprisingly, the result is agent attrition rates that are high and climbing. The funding proposed is intended to begin the long process of eliminating construction and maintenance backlogs.

The Committee recommendations, by project, are displayed in the following table:

INS construction

[In thousands of dollars]

*Committee
Recommendation*

Border Patrol:	
New Construction:	
Douglas, AZ—Border Patrol Station	1,993
El Centro, CA—Border Patrol Station	2,000
Falfurrias, TX—Border Patrol Station	2,055
Hebbronville, TX—Border Patrol Station	1,733
Rio Grande City, TX—Border Patrol Station	583
Brownsville, TX—Border Patrol Station	2,104
Sierra Blanca, TX—Border Patrol Station	1,541
Campo, CA—Border Patrol Station	6,800
Del Rio, TX—Checkpoints	7,566
Santa Teresa, TX—Border Patrol Station	1,063
Yuma, AZ—Border Patrol Station	4,000
El Paso, TX—Border Patrol Station	10,893
McAllen, TX—Border Patrol Station	9,664
Tucson, AZ—Sector Headquarters	18,257
Piegan, MT—POE Housing	2,315
San Clemente, CA—Checkpoint	3,400
El Cajon, CA—Border Patrol Station	14,273
Eagle Pass, TX—Border Patrol Station	12,854
Port Isabel, TX—Border Patrol Station	8,468
Subtotal	<u>111,562</u>
Detention:	
New Construction: ¹	
El Centro, CA—Service Processing Center	[3,000]
Florence, AZ—Service Processing Center	[2,800]
El Paso, TX—Service Processing Center	[7,000]
Krome, FL—Service Processing Center	[14,890]
Buffalo, NY—Service Processing Center	[5,900]
Port Isabel, TX—Service Processing Center	[25,910]
San Pedro, CA—Service Processing Center	[3,864]
Stockton, CA—Service Processing Center	[3,160]
Subtotal	<u>[66,524]</u>
Servicewide One-Time Build Out:	
Arlington, VA—District Office	2,783
Atlanta, GA—District Office	3,254
Birmingham, AL—Satellite Office	202
Blaine, WA—Border Patrol Station	1,714
Boston, MA—District Office	61
Buffalo, NY—Border Patrol Station/Sector HQ	32
Burlington, VT—Eastern Regional Office	1,455
Champlain, NY—Port of Entry	489
Cherry Hill, NJ—Satellite Office	461
Chicago, IL—District Office/Port of Entry	5,242
Cleveland, OH—District Office	681
Coos Bay, OR—Port of Entry	33
Crane Lake, MN—Port of Entry	65
Denver, CO—District Office	3,233
Detroit, MI—District Office/BPS/Port of Entry	1,361
Dover, DE—Field Office	143
Dutch Harbor, AK—Port of Entry	2,473
Fargo, ND—Satellite Office	4
Fort Fairfield, ME—Port of Entry	310
Grand Forks, ND—Border Patrol Sector HQ	409
Grand Rapids, MI—Border Patrol Station	11
Harlingen, TX—District Office	199
Hartford, CT—Satellite Office	416
Havre, MT—Border Patrol Sector HQ/BPS	406
Helena, MT—District Office	1,181

	<i>Committee Recommendation</i>
Indianapolis, IN—Satellite Office	244
Idaho Falls, ID—Satellite Office	417
Jackman, ME—Port of Entry	231
Jackson, MS—Field Office	90
Jacksonville, FL—Border Patrol Station	2
Las Vegas, NV—Satellite Office	513
Lewiston, ME—Port of Entry	50
Lincoln, NE—Service Center	7,320
Marathon Key, FL—Border Patrol Station	382
Miami, FL—District Office/BPSH/BPS	545
New Orleans, LA—District Office	2,463
Newark, NJ—District Office	626
Newburgh, NY—Satellite Office	502
Omaha, NE—District Office	1,116
Oroville, WA—Port of Entry	175
Philadelphia, PA—District Office	597
Pittsburgh, PA—Satellite Office	4
Poker Creek, AK—Port of Entry	1,100
Portal, ND—Port of Entry/Border Patrol Station	16
Port Huron, MI—Port of Entry	338
Portland, OR—District Office	2
Raymond, MT—Port of Entry	2
Roosville, MT—Port of Entry	423
Sault Ste. Marie, MI—Port of Entry	474
Seattle, WA—District Office	3,013
St. Paul, MN—District Office	3,841
Sweetgrass, MT—Port of Entry	851
Tampa, FL—Satellite Office	148
Thousand Islands, NY—Port of Entry	51
Twin Falls, ID—Border Patrol Station	11
West Palm Beach, FL—BPS/Inspections	1,175
Yakima, WA—Satellite Office	1,194
Subtotal	<u>54,534</u>
Servicewide Maintenance, Repair, & Alteration:	
Eastern Region	1,132
Central Region	7,112
Western Region	2,113
Minor Projects	19,250
Subtotal	<u>29,627</u>
Construction Vehicles	<u>2,499</u>
OSHA Compliance	<u>3,000</u>
Program Execution	<u>9,292</u>
Total, INS Construction	205,015

¹ Funding provided elsewhere in the bill.

The Committee expects to be consulted prior to any deviation from the above plan for fiscal year 2002.

FEDERAL PRISON SYSTEM

Appropriations, 2001	\$4,300,415,000
Budget estimate, 2002	4,666,139,000
Committee recommendation	4,689,454,000

The Committee recommends total budgetary resources of \$4,689,454,000 for the Federal prison system for fiscal year 2002. The recommendation is \$23,315,000 above the budget request.

SALARIES AND EXPENSES

Appropriations, 2001	\$3,469,172,000
Budget estimate, 2002	3,829,437,000
Committee recommendation	3,786,228,000

The Committee recommends total budgetary resources of \$3,786,228,000 for the salaries and expenses of the Federal prison system for fiscal year 2002. The recommendation is \$43,209,000 below the budget request.

Activation of new prisons.—The Committee recommendation includes funding for activation of two new facilities (2,240 beds): a medium security facility in Petersburg, Virginia and a high security in Lee County, Virginia. The Committee also recommends the purchase of equipment for FCI Glenville, West Virginia and USP Canaan, Pennsylvania which are preparing for activation.

The Committee recommendation includes funding to begin and or complete activation of the following facilities:

Pollack, LA	\$405,000
Atwater, CA	1,554,000
Coleman, FL	22,430,000
Edgefield, SC	396,000
Low Security Capacity Expansions (Ft. Dix, NJ; Elkton, OH; Jesup, GA; Yazoo City, MS; Seagoville, TX and Lumpoc, CA)	10,824,000
Honolulu, HI	3,323,000
Petersburg, VA	36,933,000
Lee, VA	35,819,000
Equipment Funding	9,100,000

The Committee recommendation includes funding for: 1,500 beds for short-term criminal aliens to be housed in contract facilities; and a contract population increase of 1,449 beds.

The Committee supports the base funding adjustment of \$71,991,000 for 6,000 beds for short term criminal aliens.

Justice Prisoner and Alien Transportation System.—The Committee recommends a reduction of \$8,266,000 for centralization of prisoner air movements under the Detention Trustee, in lieu of reimbursement.

Internship Pilot.—The Committee recommendation continues to provide funding of up to \$100,000 for of a pilot program that offers temporary internship positions for college students at the Federal Correctional Institution in Yazoo City, Mississippi, to provide the students work experience in a law enforcement setting and a heightened interest in a career with the Federal Bureau of Prisons.

Female inmates.—Of the amounts provided, up to \$1,000,000 shall be for the National Institute of Corrections to continue to work with correctional systems (State and Federal) to address the issue of staff sexual misconduct involving female inmates in correctional institutions through the provision of technical assistance, education and training, and other monitoring activities pursuant to the recommendations of the General Accounting Office.

Yazoo City, MS.—The Committee directs the Bureau to continue assessing the feasibility and anticipated need for the construction of a high security prison facility in Yazoo City, MS.

Transfer of District of Columbia Sentenced Felons.—The Committee recognizes the herculean efforts of the Bureau of Prisons to meet requirements of the DC Revitalization Act and transfer of DC felons into custody by December 31, 2001. The Bureau of Prisons,

in cooperation with other agencies, has already transferred over half of the population and is currently accepting the remaining medium and high security inmates. To date, the Committee has provided \$850,000,000 for construction of new facilities to absorb this population. One will be fully activated in 2001, one in 2002, and the remaining five facilities in 2003 and 2004. The timely and safe transition of inmates into the Federal system will afford appropriate inmate education and vocational programs, close supervision and closure of the troubled Lorton facilities.

The Committee also recommends bill language, similar to that included in previous Appropriations Acts, which allows: (1) for the purchase of motor vehicles for police-type use and the purchase of uniforms; (2) for the provision of technical advice to foreign governments; (3) for transfer of funds to the Health Resources and Services Administration; (4) for the Director to enter into contracts to furnish health care; (5) up to \$6,000 for reception and representation expenses; (6) up to \$50,000,000 for necessary prison operations to remain available until September 30, 2003; (7) up to \$20,000,000 for contract confinement expenses for the care and security of Cuban and Haitian entrants; and (8) for continuation of the donated greeting card program.

BUILDINGS AND FACILITIES

Appropriations, 2001	\$833,822,000
Budget estimate, 2002	833,273,000
Committee recommendation	899,797,000

The Committee recommends a total of \$899,797,000 for fiscal year 2002 for the construction, modernization, maintenance, and repair of prison and detention facilities housing Federal prisoners. This amount is \$66,524,000 above the budget request.

The Committee continues to strongly support the BOP's construction program, designed to provide sufficient inmate beds to manage overcrowding in facilities and maintain them in a safe and secure manner for staff, inmates and surrounding communities. The Committee understands that the BOP needs the 11 facilities requested in the 2002 budget and even with these facilities, overcrowding is projected to be 32 percent in 2006. Thus, the Committee is providing \$669,972,000 for the new construction program. Further, the Committee directs the BOP to request the funds necessary to complete these facilities in the 2003 budget. The funding provided for facilities includes:

Sentenced Capacity Projects

(In thousands of dollars)

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

Sentenced Capacity Projects—Continued

USP Terre Haute, IN	130,000
Subtotal	630,047
Facilities with no prior funding:	
Secure Female Facility Northern Florida with Work Camp	10,000
Secure Female Facility North Central	10,000
FCI South Central with Work Camp and Protective Custody Unit	9,963
USP Northeast/Northern Mid-Atlantic with Work Camp and Protective Custody Unit	9,962
Subtotal	39,935
INS Detention Facilities	66,524
Total New Construction Program Increases	736,496

The Committee commends the BOP for working diligently to increase inmate housing capacity by expanding existing facilities within available funds. The Committee fully supports these cost effective efforts and expects the BOP to continue its reprogrammings and funds transfer requests in a timely manner to expedite these construction projects.

Inmate Telephone Use.—The Committee notes the Bureau of Prison's recent changes in policy limiting inmate telephone use. The Committee expects that these changes will further reduce potential inmate abuse of telephone privileges while continuing to allow positive contact with family members.

The Committee recommends bill language, similar to that included in previous Appropriation Acts, which allows: (1) for planning of facilities, acquisition of sites, and construction of facilities; (2) for acquisition, remodeling, and equipping facilities by contract or force account; (3) for up to \$14,000,000 to construct inmate work areas; (4) for use of prison labor; and (5) for up to 10 percent of this appropriation to be transferred to the "Salaries and expenses" account in accordance with section 605.

FEDERAL PRISON INDUSTRIES, INC.

(LIMITATION ON ADMINISTRATIVE EXPENSES)

Appropriations, 2001	\$3,421,000
Budget estimate, 2002	3,429,000
Committee recommendation	3,429,000

This Committee recommends a limitation on administrative expenses of \$3,429,000 for the Federal Prison Industries, Inc. This amount is equal to the amount requested.

The Committee continues to strongly support Federal Prison Industries [UNICOR] and recognizes its importance in the efficient and safe management of Federal prisons. UNICOR provides prison inmates with the opportunity to learn important work habits, participate in meaningful employment which keeps them productively occupied during work hours, and develop improved job skills which reduce recidivism. The Committee also recognizes the necessity for UNICOR to grow as the inmate population increases. Finally, UNICOR is a self-supporting revolving fund the resources of which

are derived from sales of its products. In the future, the BOP is directed to submit only UNICOR's appropriations language exhibit.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

Appropriations, 2001	\$417,299,000
Budget estimate, 2002	407,677,000
Committee recommendation	564,738,000

The Committee recommends an appropriation of \$564,738,000. The recommendation is the same as the budget request.

The funding provided for justice assistance includes funds to States for research, evaluation, statistics, information sharing, emergency assistance, missing children assistance, counterterrorism programs, and the management and administration of grants provided through the Office of Justice Programs.

Justice Assistance

	<i>Committee recommendation</i>
National Institute of Justice	\$54,879,000
Defense/law enforcement technology transfer	[12,277,000]
Bureau of Justice Statistics	32,335,000
Missing children	22,997,000
Regional information sharing system	38,500,000
White Collar Crime Center	9,230,000
Total Activities to Combat Terrorism:	
Management and Administration	8,000,000
For Consortium Members	58,000,000
Center for Domestic Preparedness, Fort McClellan, AL	[30,000,000]
National Energetic Materials Research and Testing Center, New Mexico Institute of Mining and Technology	[7,000,000]
National Emergency Response and Rescue Training Center, Texas A&M University	[7,000,000]
National Center for Bio-Med Research and Training, Louisiana State University	[7,000,000]
National Exercise, Test, and Training Center, Nevada Test Site	[7,000,000]
Domestic Preparedness Equipment Grants	175,000,000
Equipment Standards	[17,000,000]
Dartmouth Institute for Security and Technology Studies	18,000,000
Oklahoma City National Memorial Institute for the Prevention of Terrorism	18,000,000
Virtual Medical Campus	2,000,000
Domestic Preparedness Exercise Grants and Exercise Support Funds	20,000,000
TOPOFF II	4,000,000
Annual Exercise Program	5,000,000
Improved Response Program (IRP)	3,000,000
Other Training	35,000,000
Technical Assistance	8,000,000
Prepositioned Equipment	8,000,000
Web Site Pilot	2,000,000
Subtotal	364,000,000
Management and administration	42,797,000
Total justice assistance	564,738,000

National Institute of Justice (NIJ).—The Committee recommends an appropriation of \$54,879,000. The recommendation is equal to the budget request. In addition, \$19,956,000 will be provided to

NIJ in fiscal year 2002, as was provided in fiscal year 2001, from the local law enforcement block grant for assisting local units to identify, select, develop, modernize, and purchase new technologies for use by law enforcement. NIJ is the Nation's primary source of research and development in the field of criminal justice. Within total funding for the NIJ, the Committee directs that increased amounts over fiscal year 2001 be made available for computerized identification systems and the DNA Technology Research and Development Program.

The Committee is very concerned about the administration of some NIJ grants. Grant administrators are to work with grantees in a cooperative but supervisory manner. NIJ is directed to re-familiarize its grant administrators with the requirements of their positions. In addition, NIJ is directed to ensure that grant recipients are in complete compliance with the agreements they sign.

Defense/law enforcement technology transfer.—Within the amounts provided for NIJ, \$12,277,000 is provided for NIJ management and operation of this program to support joint efforts by the Justice Department and the Department of Defense to adapt defense technologies to law enforcement use, to field prototype systems for evaluation, to develop standards and test products, and to develop technologies that will minimize the risk of death or injury to law enforcers, corrections officers, and citizens.

In addition to the above activities, within the amounts provided, NIJ is to provide grants for the following projects:

- \$500,000 for a grant for Lane County, Oregon Breaking the Cycle;

- \$800,000 for the Richmond, Virginia Secures Program;

Drug Detection.—The Committee is pleased with the progress the NIJ has made in the evaluation of a non-toxic and non-carcinogenic reagent-based detection and identification aerosol designed to detect trace amounts of illegal drugs in school environments. Based on this progress the Committee directs that from within the amounts provided to NIJ, \$450,000 shall be made available for an expanded evaluation of the aerosol's application in educational environments, a second independent evaluation assessing the technology, and the exploration of new methods of applying the aerosol detection technology in the criminal justice system.

- \$2,145,000 to the University of Connecticut to fund research on non-traditional DNA typing to improve law enforcement investigation techniques;

- \$3,000,000 to the University of Connecticut to fund the Prison Health Research Project; and

- \$1,500,000 for the Less Than Lethal Technology for Law Enforcement program.

Bureau of Justice Statistics (BJS).—The Committee recommends an appropriation of \$32,335,000. The recommendation is equal to the budget request. The BJS is responsible for the collection, analysis, and publication of statistical information on crime, criminal offenders, victims of crime, and the operations of the Nation's justice systems.

Office of Victims of Crime.—The Committee urges the Office of Victims of Crime (OVC) to continue its Victim Assistance to Indian Country (VAIC), and Children's Justice Act (CJA) programs. The

VAIC and CJA programs have been critical in ensuring that resources are available to help victims of crime in under-served tribal areas and to prosecute offenders in child abuse and neglect cases.

Missing children.—The Committee recommendation provides \$22,997,000 for the Missing Children Program to combat crimes against children, particularly kidnaping and sexual exploitation.

Within the amounts provided the Committee has included:

(1) \$9,277,544 for the Missing Children Program within the Office of Justice Programs, Justice Assistance, including the following: \$5,986,800 for State and local law enforcement to continue specialized cyberunits and for units to investigate and prevent child sexual exploitation which are based on the protocols for conducting investigations involving the Internet and online service providers that have been established by the Department of Justice and the National Center for Missing and Exploited Children.

(2) \$11,450,000 for the National Center for Missing and Exploited Children [NCMEC], of which \$2,245,050 is provided for the operation of the CyberTipline and the Exploited Child Unit. The Committee expects the NCMEC to continue to consult with participating law enforcement agencies to ensure the curriculum, training, and programs provided are consistent with the protocols for conducting investigations involving the Internet and online service providers that have been established by the Department of Justice. The CyberTipline was created by this Committee in the fiscal year 1999 appropriation for the Center. In addition, the Committee recommends that NCMEC consult with I-Safe America to provide Internet Safety Training in grades K–12 nationwide.

(3) \$2,700,000 for the Jimmy Ryce Law Enforcement Training Center for training of State and local law enforcement officials investigating missing and exploited children cases.

Regional Information Sharing System (RISS).—The Committee recommends an appropriation of \$38,500,000. The recommendation is equal to the budget request. The RISS program provides funds to maintain six regionally-based information sharing centers which allow for information and intelligence services to be disseminated nationwide addressing major, multi-jurisdictional crimes.

Domestic Preparedness Assistance to State and Local Jurisdictions.—The Committee supports the work of the Office for State and Local Domestic Preparedness Support (OSLDPS) the mission of which is to enhance the capabilities of State and local jurisdictions to better prepare for and respond to incidents of domestic terrorism involving weapons of mass destruction. OSLDPS' activities include training and educational instruction, specialized equipment grants, technical assistance, and support for situational exercises. OSLDPS provides assistance in these areas to States and localities and their emergency response agencies. OSLDPS' successful stewardship of the critical TOPOFF exercise program last year prompted this Committee, as well as the exercise's participants, to request a second national exercise, TOPOFF II. The Committee commends OSLDPS on its efforts to work with the States and the District of Columbia to develop individual comprehensive plans and strategies that assess the threats and risks they face and identify their requirements in the areas of equipment, training, exercises, and technical assistance. The linkage of equipment grants to States' comple-

tion of their plans has provided States with the incentive to move forward quickly with this important process. These plans will provide critical guidance to Federal agencies and the Congress on States' and localities' resource requirements.

For the continuation of the programs and activities of OSLDPS, a total of \$364,000,000 is recommended, of which \$8,000,000 may be used for associated management and administrative expenses, including support for up to 63 full time equivalent (FTE) positions. This level of support is necessary due to the requirement that OSLDPS work directly with the States and the District of Columbia to respond to the needs identified in the comprehensive plans they are currently developing, and to coordinate a comprehensive exercise program.

National Domestic Preparedness Consortium.—A total of \$58,000,000 is recommended for the continued training efforts under OSLDPS' National Domestic Preparedness Consortium. This funding will enable OSLDPS to address the requirements as determined by the Statewide Domestic Preparedness Strategic Plans. Of the \$58,000,000 recommended, funds shall be allocated among the Consortium's members as follows: (1) \$7,000,000 to the Texas Engineering Extension Service of the Texas A&M University, (2) \$7,000,000 to the Energetic Materials Research and Test Center of the New Mexico Institute of Mining and Technology, (3) \$7,000,000 to the Academy of Counterterrorist Education at the Louisiana State University, (4) \$7,000,000 to the U.S. Department of Energy's National Exercise, Test, and Training Center, Nevada Test Site, and (5) \$30,000,000 for OSLDPS' Center For Domestic Preparedness at Ft. McClellan, AL.

Exercises are a critical element in preparing State and local public safety personnel to respond to incidents of domestic terrorism involving weapons of mass destruction (WMD). The Committee supports the work of the Center for Exercise Excellence at the Department of Energy's Nevada Test Site (NTS). NTS trains jurisdictions in the planning and conduct of exercises, tailored to the unique threats they face as determined by the Statewide Domestic Preparedness Strategic Plans. The Center represents a component of OSLDPS' overall training program by meeting special exercise needs as defined by the States themselves.

Domestic Preparedness Equipment Grants.—A total of \$175,000,000 is provided for equipment block grants to the States and District of Columbia to enable these jurisdictions to purchase specialized equipment required to respond to terrorist incidents involving chemical, biological, radiological, and explosive weapons. The availability of the necessary protective equipment, detection technology, decontamination equipment, and specialized communications equipment for the first response personnel in our cities and towns is a critical priority. Domestic Preparedness Equipment Grants will allow States and localities to acquire state-of-the-art equipment as investments in technology development bring new and improved technologies to the market. With the guidance of OSLDPS, States are expected to plan strategically in order to meet their equipment needs, taking into account the necessity of the equipment but also their ability to maintain and operate it correctly and safely. As in the past, States are required to complete

their Statewide Domestic Preparedness Strategic Plans before they are eligible for these grants. States receiving domestic preparedness equipment grant funds are expected to disperse those funds based on the comprehensive plans currently being developed. OSLDPS is directed to review the States' decisions regarding the disbursement of grant funds to ensure that communities with the greatest need receive priority.

Equipment Standards.—Within funds available for equipment grants, \$17,000,000 is recommended for OSLDPS to oversee the development of standards for equipment for responding to terrorist incidents involving weapons of mass destruction. This effort shall take place under the direction of the DAG-CT and should include equipment testing and certification. In developing these standards, OSLDPS shall work closely with the Dartmouth Institute for Security Technology Studies (ISTS) and the Oklahoma City National Memorial Institute for the Prevention of Terrorism (MIPT). The Committee recognizes the important role that ISTS and MIPT play in this critical area. OSLDPS is also directed to consult with first responders, manufacturers, the Interagency Board (IAB) for Equipment Standardization and Interoperability, the Technical Support Working Group, the National Institute of Justice, the National Institute of Standards and Technology, the Occupational Safety and Health Administration, and the National Institute for Occupational Safety and Health (NIOSH) as necessary.

Of those funds available for Domestic Preparedness Equipment Grants, up to \$5,000,000 shall be made available for the continued support of the Domestic Preparedness Equipment Technical Assistance Program—a partnership between OSLDPS and the Pine Bluff Arsenal. This program provides jurisdictions with training and technical assistance on the use, maintenance, repair, and calibration of equipment acquired under the Equipment Grant Program. Also of the funds available for the Domestic Preparedness Equipment Grants, \$8,000,000 shall be made available to the States, Territories, and the District of Columbia to support their activities related to the implementation of the State Equipment Grants Program and to develop an annual update of the status of the plan implementation.

The Committee believes that it is critical that the medical community be fully engaged in this nation's domestic preparedness efforts. Public health sector professionals do not typically receive training in the medical aspects of disaster management and medical incident command. These are two areas of major importance in dealing with an attack involving weapons of mass destruction, particularly biological. Efforts in this area have, until now, been largely pro-bono. The Committee therefore provides \$2,000,000 for the Virtual Medical Campus which will provide education, training, and certification for medical professionals for disaster-related events and facilitate the coordination of Federal, State, and local planners and decision makers for disaster event management.

State and Local Domestic Preparedness Exercise Grant Program.—Situational exercises play a critical role in our efforts to better prepare State and local jurisdictions and their emergency response agencies to respond to incidents of domestic terrorism. Such exercises provide participants an opportunity to test their training

and response plans, integrate their response constraints, and to extract valuable lessons for future action. A total of \$12,000,000 is provided to enable OSLDPS to provide grants to State and local jurisdictions for the planning and conduct of exercises to enhance their response capabilities and to test their response constructs. Grants will only be provided to States with an approved Statewide Strategic Domestic Preparedness Plan. Priority will be given to those jurisdictions identified by the States' plans as most in need of an exercise. Based on lessons learned from TOPOFF and the development of the Domestic Preparedness Strategic Plans and the integration of the Nunn-Lugar-Domenici Domestic Preparedness Program, OSLDPS requires a more robust exercise program. OSLDPS must be able to plan and conduct a variety of exercise types, from tabletop to full scale exercises, to meet the unique requirements of State and local jurisdictions. As States complete their Domestic Preparedness Strategic Plans, they will expect OSLDPS to assist them in addressing the exercise needs identified by them. The Committee recommends a total of \$8,000,000 for OSLDPS for enhanced exercise support. The purpose of these funds is to support the planning and conduct of exercises at the State and local level.

TOPOFF II.—The Committee looks forward to TOPOFF II, scheduled to take place by July of 2002. The purpose of the exercise is to simulate the high pressure conditions under which top-level government officials would have to make decisions if a terrorist incident occurred on our soil. TOPOFF gives participants at all levels of government the opportunity to identify their weaknesses and demonstrate and refine their strengths. TOPOFF II will be particularly useful to the Co-Coordinator for Combating Domestic Terrorism—the DAG—CT and the Deputy Director of the Federal Emergency Management Agency—in that it will allow them to work through a live-action, national exercise. The Committee recommends \$4,000,000 for TOPOFF II.

Annual Exercise Program.—Based on the highly successful TOPOFF exercises and on input from the State and local emergency response community, the Committee directs OSLDPS to establish an annual exercise program that will provide, in alternating years, a Federal, State and Local (FSL) regional exercise and a national-level TOPOFF exercise. The Committee recommends a total of \$5,000,000 for this purpose. Of these funds, \$2,000,000 is recommended to support the FSL regional exercise program and \$3,000,000 for costs associated with the biennial TOPOFF exercise. The Committee recommends an additional \$3,000,000 for OSLDPS for the continuation of the Improved Response Program (IRP) formerly under the Nunn-Lugar-Domenici program. The IRP provides technical evaluations and exercises focused on meeting high priority responder needs.

International Terrorism Exercise.—The Department of State has unique expertise in the area of combating international terrorism, deriving primarily from its responsibility for the safety of Americans abroad. The Committee directs OSLDPS to work closely with the Department of State to compare contingency plans for terrorist incidents. Further, the Committee directs the Department of Justice and Department of State to conduct a large-scale exercise on

international soil by January of 2004. The Departments of Justice and State shall jointly prepare a plan for this international exercise, to be submitted to the Committees on Appropriations no later than May 1, 2002. This plan should include a list of objectives to be accomplished, a description of potential obstacles, a description of sites under construction, a tentative schedule, and preliminary cost estimates.

Other Training.—The Committee recommends a total of \$35,000,000 for the OSLDPS to meet the ongoing training needs of State and local jurisdictions. Due to the completion of the transition of the Nunn-Lugar-Domenici Domestic Preparedness Program to the Department of Justice, OSLDPS requires enhanced training program capability. In the process of developing their Statewide Domestic Preparedness Strategic Plans, States have identified a number of new requirements and training gaps. Among these are WMD tactical training for State and local response teams, evidence collection and preservation, and advanced training for biological incidents. Funding provided under this heading will allow OSLDPS to develop and deliver these crucial training programs. Within funds available to OSLDPS for training, the Committee recommends \$1,000,000 for the continuation of the State and Local Antiterrorism Training (SLATT) program. The purpose of SLATT is to ensure coordination of activities and to minimize the potential for confusion and conflicting training.

Technical Assistance.—A total of \$8,000,000 is recommended for OSLDPS to provide a continuing program of technical assistance to States, the District of Columbia, and local jurisdictions in order to enhance their capabilities to better plan for and respond to incidents of domestic terrorism. Specific priorities should include technical assistance to the States to refine their Statewide Domestic Preparedness Equipment Strategies and assist State and local jurisdictions in the planning and conduct of tailored local and regional exercises.

Research and development.—The Committee is aware of the great need for sustained, creative, high-risk research, development, testing, and evaluation (RDT&E) for equipment and concepts used in combating terrorism. The Committee directs those Federal entities involved in the RDT&E of combating terrorism technologies to explore telephony technology as a means of providing early warning and facilitating evacuation in the event of a terrorist attack. The Committee directs that RDT&E programs for combating terrorism currently administered by the National Institute for Justice be transferred to the DAG-CT. The Committee directs the DAG-CT to report to the Committees on Appropriations on the status of the Department's efforts to develop a research, development, testing, and evaluation (RDT&E) system similar to the Department of Defense System, as proposed and funded in the fiscal year 2001 Conference Report. In producing this report, the DAG-CT shall consult with the Oklahoma City National Memorial Institute for the Prevention of Terrorism (MIPT), the Dartmouth Institute for Security and Technology Studies (ISTS), the Technical Support Working Group (TSWG), and other entities responsible for research and development of technologies to combat terrorism. This new system will be applicable to all RDT&E for combating terrorism and

will provide consistency and compatibility to the separate RDT&E systems used by the various research bodies. This report should be received by the Committees on Appropriations no later than December 30, 2001.

Prepositioned equipment.—The Committee recognizes that the equipment needs of State and local jurisdiction are considerable, and that these can never be completely addressed. Equipment that is placed in strategic locations throughout the country can help provide coverage to jurisdictions that were not targeted for equipment grants in the States’ comprehensive plans. This prepositioned equipment is standardized and configured into pods that are transportable by the National Guard. The pods are housed in secure National Guard facilities but are for the use of first responders only. The Committee recommends \$8,000,000 for this effort.

Web Site Pilot Project.—The Committee recognizes the enormous potential the world wide web holds for facilitating the domestic preparedness efforts of State and local first responders. The Committee believes the world wide web could be used more effectively for the sharing of information and best practices between the State and local jurisdictions and the Federal agencies that support them, as well as among first responders across the country. Each jurisdiction faces unique challenges and has unique equipment and training needs. The Committee believes that web technology will help OSLDPS tailor its assistance programs to the diverse and changing needs of its clients. The Committee therefore recommends \$2,000,000 for OSLDPS for a pilot project to develop an interactive web site to serve and support this nation’s State and local first responders.

Management and administration.—The Committee recommendation provides \$42,797,000 for the management and administration [M&A] of the Office of Justice Programs. In addition, funding will be provided from transfers from the “Juvenile justice” account and from the “State and Local Assistance” account for the administration of grants under these activities.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

Appropriations, 2001	\$2,842,660,000
Budget estimate, 2002	2,017,726,000
Committee recommendation	2,089,990,000

The Committee recommends an appropriation of \$2,089,990,000. This recommendation is \$169,261,000 below the budget request. These funds provide assistance to State and local governments in their drug control and other law enforcement efforts as follows:

Office of Justice Programs—State and local law enforcement assistance

	<i>Committee recommendation</i>
Local law enforcement block grant	\$400,000,000
Boys and Girls Clubs	(80,000,000)
Law Enforcement Technology	(19,956,000)
Cooperative agreement program	35,000,000
Indian Country Prison Grants	35,191,000
State Criminal Alien Assistance Program (SCAAP)	265,000,000
Indian tribal courts program	7,982,000
Byrne grants:	
Discretionary	78,125,000

Office of Justice Programs—State and local law enforcement assistance—Continued

	<i>Committee recommendation</i>
Formula	500,000,000
Drug courts	50,000,000
Juvenile accountability incentive block grant	249,450,000
Violence Against Women Act programs	390,565,000
Substance abuse treatment for state prisoners	68,000,000
Safe Return Program	898,000
Law enforcement family support programs	1,497,000
Senior citizens against marketing scams	1,995,000
Motor Vehicle Theft Prevention	1,298,000
Alcohol and Crime Prevention in Indian Country	4,989,000
Total, State and local law enforcement assistance	2,089,990,000

Local law enforcement block grant.—The Committee recommendation includes \$400,000,000 to continue the local law enforcement block grant program which provides grants to localities to reduce crime and improve public safety. Of the amounts provided, \$19,956,000 will be provided to NIJ to assist local units to identify, select, develop, modernize, and purchase new technologies for use by law enforcement. The recommendation for funding for the local law enforcement block grant continues the commitment to provide local governments with the resources and flexibility to address specific crime problems in their communities.

Boys and Girls Clubs.—Within the amounts provided for the local law enforcement block grants, the Committee recommends \$80,000,000 for the Boys and Girls Clubs. The Committee commends Boys and Girls Clubs of America for its effort to reach all children who are in need of support and affirmation.

Indian Country Grants.—The recommendation provides \$70,191,000 for Indian Country grants, which is equal to the budget request. Of this amount, \$35,000,000 is for the Cooperative Agreement Program, and \$35,191,000 for Indian Country Prison Construction. Within the amount for prison construction, the Committee directs that grants be provided for the following projects:

- \$4,200,000 for a grant for NANA 28 bed jail for Kotzebue, Alaska;
- \$620,000 for the construction of a detention facility within the Spirit Lake Nation;
- \$4,000,000 for a grant for construction of the Detention Facility for the Lower Brule Sioux Tribe; and
- \$16,300,000 for the construction of the Mississippi Band of Choctaw Indians Detention Facility.

State Criminal Alien Assistance Program.—The recommendation provides \$265,000,000 for the State Criminal Alien Assistance Program [SCAAP] for the reimbursement to States for the costs of incarceration of criminal aliens. The Committee will also entertain a reprogramming request from the Department on this important issue addressing funding or administration requirements.

Indian Tribal Courts Program.—The Committee recommendation provides \$7,982,000 to assist tribal governments in the development, enhancement, and continuing operation of tribal judicial systems by providing resources for the necessary tools to sustain safer and more peaceful communities.

Edward Byrne Grants to States.—The Committee recommendation provides \$578,125,000 for the Edward Byrne Memorial State

and Local Law Enforcement Assistance Program, of which \$78,125,000 is for discretionary grants and is \$500,000,000 for formula grants.

Within the amount provided for formula grants, the Committee expects the Bureau of Justice Assistance [BJA] to provide:

- \$15,000,000 for Project HomeSafe for safety packets which include a gun locking device and information on how to handle and store guns safely. These safety packets are distributed by the foundation at no charge to any municipality that adopts the program. This year the program will supply nearly 500,000 gunlocks to cities and States around the country. The committee recommendation shall be used to supplement current funding and allow the foundation to provide over 8,000,000 gun locks to municipalities in fiscal year 2001. The Committee is very concerned about incidents of children gaining access to a handgun, rifle, or shotgun in the home and either harming themselves or someone else. The Committee is aware that at least 80 percent of new guns sold in the United States are equipped with gunlocks, however, there are millions of guns already on the streets that are not so equipped and a danger to children. The Committee encourages municipalities to take advantage of this initiative.

Within the amount provided for BJA discretionary grants, the Committee expects the Bureau of Justice Assistance to provide:

- \$5,000,000 for the National Crime Prevention Council to continue and expand the National Citizens Crime Prevention Campaign [McGruff];
- \$4,500,000 for the Executive Office of U.S. Attorneys to support the National District Attorneys Association's participation in legal education training at the National Advocacy Center;
- \$2,000,000 for 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;
- \$3,500,000 for the Drug Abuse Resistance Education [DARE AMERICA] program. The Committee is concerned that DARE programs effectiveness has been called into question. The Committee encourages DARE to continue the restructuring effort currently underway and to report to the Committee on its progress;
- \$400,000 for the Indianapolis Comprehensive Domestic Violence Response Program;
- \$200,000 for a grant to the Baker County, Oregon Federal Law Enforcement Training Center;
- \$12,700,000 for the 2002 Winter Olympics Games Public Safety Command;
- \$500,000 for the Solano County and Napa County, CA Regional Law Enforcement authority for equipment;
- \$1,300,000 for the California Rural Crime Prevention and Prosecution;
- \$600,000 for the Atlanta, Georgia Homicide Reduction Initiative;
- \$1,000,000 for Alfred University's Coordinating County Services for Families and Youth;

- \$6,000,000 for a grant to the National Center for Justice and the Rule of Law at the University of Mississippi School of Law;
- \$1,500,000 to the Springfield, Missouri Police and Fire Training Center;
- \$350,000 for Turtle Mountain Community College’s Department of Justice for “Project Peacemaker”;
- \$3,000,000 for a grant to the Clearwater, Idaho EDA for the Lewis and Clark Bicentennial Bi-State Public Safety Project;
- \$550,000 for a grant to the Albuquerque, NM DWI Resource Center to fund drunk driving awareness and prevention programs;
- \$950,000 for the Chicago Project for Violence Prevention;
- \$2,000,000 to fund Kristen’s Act, which seeks to create a national clearinghouse of missing adults;
- \$1,000,000 to the Nevada National Judicial College;
- \$2,000,000 for the Tools for Tolerance Program;
- \$675,000 for a grant to the University of Northern Iowa for the Domestic Violence Services for Women project;
- \$5,000,000 to the Eisenhower Foundation for the Youth Safe Haven program;
- \$500,000 for the Littleton Area Learning Center;
- \$300,000 for a grant to Boyle-Mercer County for a Court Appointed Special Advocate;
- \$250,000 for a grant for the Regional Prevention Center in Maysville, Kentucky;
- \$1,500,000 to the New Hampshire Department of Safety to 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 a grant to the University of Nebraska, Department of Criminal Justice for a police professionalism initiative;
- \$350,000 for a grant to the Southwest Arkansas Domestic Violence Center for domestic violence prevention activities to fund programmatic and equipment costs;
- \$1,000,000 for a grant to the Southwest Texas State University Law Enforcement Training Center for equipment and program support;
- \$500,000 for a grant to the Oklahoma Bureau of Narcotics for the necessary equipment to establish a Mobile Command Post;
- \$1,000,000 for a grant to the Arizona Criminal Justice Commission;
- \$500,000 to the Iowa Department of Public Health to institute a pilot program to rehabilitate nonviolent drug offenders;
- \$560,000 for a grant to the Ninth West Judicial District in Arkansas for video conference equipment for remote witness testimony;
- \$400,000 for a grant to the National Association of Town Watch’s National Night Out crime prevention program;
- \$200,000 for a grant to the Cranston, Rhode Island Police Department’s Community Police Division for community policing initiatives;

- \$1,000,000 for a grant to Ridge House Treatment Facility in Reno, Nevada to house low intensity, non-sex offender, non violent convicts;
- \$110,000 for a grant to fund a State-wide DARE coordinator in Alaska;
- \$500,000 for a grant to the National Center for Rural Law Enforcement in Little Rock, Arkansas;
- \$1,000,000 for a grant for the Alaska Native Justice Center Restorative Justice programs;
- \$1,100,000 for a grant for rural alcohol interdiction, investigations, and prosecutions in the State of Alaska;
- \$250,000 for a grant to the Partners for Downtown Progress program in Alaska;
- \$2,000,000 for a grant to the Achievable Dream program, in Newport News, Virginia;
- \$1,000,000 for a grant to Jefferson County, Alabama for an emergency system;
- \$100,000 for a grant to 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 a grant to fund Project Safe in Crow Creek, South Dakota;
- \$5,000,000 for grants to States, State courts, local courts, units of local governments, and tribal governments to establish a mental health court initiative to address the growing number of mentally ill persons in jails and prisons;
- \$230,000 for the MUSC Innovative Alternatives for Women program; and
- \$500,000 for a grant to Kansas City, Missouri for the continuation of the Community Security Initiative;
- \$500,000 for a grant to STEP II for the Washoe County Rehabilitation Program.

Drug courts.—The Committee recommends \$50,000,000 for drug courts. The Committee notes that localities can also access funding for drug courts from the Local Law Enforcement Block Grant and Juvenile Accountability Block Grant.

Juvenile accountability incentive block grant.—The Committee recommends \$249,450,000 for the Juvenile Accountability Incentive Block Grant Program to address the growing problem of juvenile crime by encouraging accountability-based reforms at the State and local level.

Violence Against Women Act programs.—The Committee recommends \$390,565,000 for grants to support the Violence Against Women Act. Grants provided under this recommendation are for the following programs:

Violence Against Women Act programs

	<i>Committee recommendation</i>
General formula grants	\$184,937,000
National Institute of Justice	(5,200,000)
OJJDP-Safe Start Program	(10,000,000)
BJS Study of domestic violence case processing	(1,000,000)
Grants to encourage arrest policies	64,925,000
Rural domestic violence	39,945,000

Violence Against Women Act programs—Continued

	<i>Committee recommendation</i>
Legal Assistance Program	40,000,000
Campus Violence Program	10,000,000
Elder Abuse, Neglect, and Exploitation	5,000,000
Safe Haven Program	15,000,000
Education and Training to Assist Disabled Female Victims	7,500,000
Stalker Database Expansion	3,000,000
Training programs	4,989,000
Victims of child abuse programs:	
Court appointed special advocates (CASA)	11,975,000
Training for judicial personnel	2,296,000
Grants for televised testimony	998,000
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Total, VAWA programs	390,565,000

The fiscal year 2002 funding will be used to develop and implement effective arrest and prosecution policies to prevent, identify, and respond to violent crimes against women, strengthen programs addressing stalking, and provide much needed victims services. This includes specialized domestic violence court advocates who obtain protection orders. In addition, programs should be strengthened to encourage reporting of domestic violence by providing assurances that law enforcement and attorney support systems would be available. This funding is to be distributed to States to significantly enhance the availability of services, prosecutors, and law-enforcement officials to women and children who are subjected to domestic violence. The Committee notes that Alaska has the highest rate of domestic violence in the nation. As many as 100 percent of Native women in some State prisons and 80 percent Statewide report that they have been raped, beaten, or physically or sexually abused. The Committee directs 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 comprehensive Statewide plan utilizing best practices in combating this epidemic, particularly in rural Native villages. A plan including recommendations for further action among various Federal agencies on an interdisciplinary basis should be submitted to the Committee by May 1, 2002.

Substance abuse treatment for State prisoners.—The Committee recommends \$68,000,000, for the Residential Substance Abuse Treatment Program for State Prisoners [RSAT]. The RSAT Program provides financial and technical assistance to assist State and local governments in developing and implementing residential treatment programs within State and local correctional and detention facilities in which inmates are incarcerated for a period of time sufficient to permit substance abuse treatment. Consistent with the authorizing statute, States must agree to require drug testing of individuals enrolled in the treatment program and give preference to projects that assist in the placement of program participants with community-based aftercare services, such as parole supervision, education and job training, and halfway houses. These aftercare programs cannot be funded with RSAT grant dollars.

Safe Return Program.—The Committee recommends \$898,000 to continue and expand training of law enforcement and other emergency response personnel to locate missing Alzheimer patients.

Law enforcement family support programs.—The Committee recommendation provides \$1,497,000 for this program to assist Federal, State, and local law enforcement agencies in developing and implementing policies and programs to reduce stress and provide appropriate support services for law enforcement officers and their families.

Senior citizens against marketing scams.—The recommendation provides \$1,995,000 for this program to assist law enforcement in preventing and stopping marketing scams against the elderly. The Committee requests that some program sessions be held at the National Advocacy Center. Also, the Committee directs that this effort be coordinated with the Federal Trade Commission.

Alcohol and Crime Prevention in Indian Country.—The recommendation provides \$4,989,000 for demonstration grants to address alcohol and crime prevention in Indian Country.

Motor Vehicle Theft Prevention.—The recommendation provides \$1,298,000 for grants to combat motor vehicle theft.

WEED AND SEED PROGRAM

Appropriations, 2001	\$33,925,000
Budget estimate, 2002	58,925,000
Committee recommendation	58,925,000

The Committee recommends an appropriation of \$58,925,000. The recommendation is identical to the budget request.

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

The Committee's recommendation includes \$3,675,000 for 21 new Weed and Seed sites; \$2,550,000 to support gun law enforcement, including the placement of gun-shot detection devices within Weed and Seed sites; \$1,275,000 for anti-drug activities; \$2,000,000 to enhance data collection and performance assessments; and \$15,500,000 to replace funding received in prior years from the Assets Forfeiture Fund.

COMMUNITY ORIENTED POLICING SERVICES

VIOLENT CRIME REDUCTION PROGRAMS

Appropriations, 2001	\$1,030,054,000
Budget estimate, 2002	855,109,000
Committee recommendation	1,019,874,000

The Committee recommends an appropriation of \$1,019,874,000. The recommendations is \$164,765,000 above the budget request.

The funds provided by the Committee for assistance to State and local law enforcement agencies are as follows:

Police Hiring Initiatives.—The Committee recommends \$447,606,000 for police hiring initiatives as follows: \$180,000,000 for school resource officers; \$190,291,000 from direct appropriations for the COPS hiring program; \$46,000,000 from prior year balances to be used for UHP; and \$31,315,000 for Indian Country.

Safe Schools Initiative (SSI).—The Committee continues to be concerned about the level of violence in our children’s schools. To address this issue, \$234,851,000 is provided for the continuation of the Safe Schools Initiative (SSI), including funds for technology development, prevention, community planning, and school safety officers. Within this total, \$180,000,000 is from the COPS hiring program to provide school resource officers who will work in partnership with schools and other community-based entities to develop programs to improve the safety of elementary and secondary school children and educators in and around schools; \$15,000,000 is from the Juvenile Justice At-Risk Children’s Program and \$22,851,000 is from the COPS program (\$37,500,000 total) for programs aimed at preventing violence in schools through partnerships with schools and community-based organizations; \$17,000,000 is provided from the Crime Identification Technology Program to the NIJ to develop technologies to improve school safety.

Indian Country.—The Committee recommendation includes \$31,315,000 to be used to improve law enforcement capabilities on Indian lands and native villages, both for hiring uniformed officers, including village public safety officers, and for the purchase of equipment and training for new and existing officers.

Management and Administration.—The Committee recommendation includes a provision that provides that not to exceed \$32,812,000 shall be expended for management and administration of the program.

Non-Hiring Initiatives.—The Committee is aware that the COPS program reached its goal of funding 100,000 officers in May of 1999. Having reached its original goal, the Committee wants to ensure there is adequate infrastructure for the new police officers, similar to the focus that has been provided Federal law enforcement. The Committee believes this will enable police officers to work more efficiently, equipped with the protection, tools, and technology they need: to address crime in and around schools, to provide law enforcement technology for local law enforcement, to combat the emergence of methamphetamine in new areas and provide policing of ‘hot spots’ of drug market activity, and to provide bullet proof vests for local law enforcement officers and correctional officers. Specifically, the Committee directs the program to use \$493,643,000 to fund initiatives that will result in more effective policing. The Committee believes that these funds should be used to address these critical law enforcement requirements and directs the program to continue the following non-hiring grant programs:

1. *COPS Technology Program.*—The Committee provides \$155,467,000 to be used for continued development of technologies and automated systems to assist State and local law enforcement agencies in investigating, responding to, and preventing crime. In particular, there is recognition of the importance of the sharing of criminal information and intelligence between State and local law enforcement to address multi-jurisdictional crimes.

The Committee includes the expectation that the COPS office will award grants for the following technology proposals:

—\$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 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;
- \$7,202,000 for not more than 4 regional computer forensic labs;
 - \$350,000 for equipment to connect Interpol to the National Law Enforcement Telecommunications System [NLETS];
 - \$4,000,000 for not more than 4 regional mitochondrial DNA forensic labs;
 - \$250,000 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;
 - \$5,000,000 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;
 - \$1,600,000 for the Montana Highway Patrol for computer upgrades;
 - \$90,000 for the Billings, Montana Police Department for a firearms training system;
 - \$500,000 for the South Bend, Indiana Police Department to fund surveillance equipment in patrol cars;
 - \$500,000 for a grant to Portland, Oregon Police Department for its Square Car Unit Identification [SQUID] program;
 - \$250,000 for technology equipment to create a traffic enforcement unit in the Muncie, Indiana Police Department;
 - \$1,000,000 for the Cache Valley, Utah Multi-jurisdictional 800 Megahertz Project;
 - \$3,000,000 for an Integrated Justice Information System in Ventura County, California;
 - \$3,000,000 for Law Enforcement Online (LEO);
 - \$500,000 for the Louisiana Interstate 10 Technology Support Project;
 - \$1,600,000 for the Montana Highway Patrol Computer Aided Dispatch System;
 - \$3,000,000 for a grant to the State of South Dakota for the development of a statewide communications system;
 - \$1,200,000 for teleconferencing equipment for the Montana Supreme Court;
 - \$950,000 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;
 - \$1,500,000 for the City of Colorado Springs for its CMS and PASS systems;
 - \$2,300,000 for the replacement of the Cowlitz County, Washington Emergency Radio Response System;

- \$3,000,000 for the Washington State Methamphetamine Joint Enforcement Initiative;
- \$7,000,000 for the Missouri State Highway Patrol Integration Technology Program;
- \$7,500,000 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;
- \$975,000 for the Berkeley Township Police Department in New Jersey to upgrade communications technology;
- \$7,200,000 for the Southwest Border Anti-Drug Information System of which \$3,600,000 is to go to the State of Idaho;
- \$750,000 to fund the Bonner Sheriff’s Department’s Emergency Communications Center;
- \$4,700,000 to fund Minnesota’s Criminal Justice Enterprise Architecture;
- \$1,500,000 for the Ohio Computer Crime Unit to upgrade technology;
- \$800,000 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;
- \$1,000,000 for a grant to Montrose Police Department for the purchase of a trunked communications system;
- \$300,000 to Wake County, North Carolina to fund the Wake County Interconnect module; to improve law enforcement and emergency management communications within the county;
- \$3,000,000 to fund the Criminal Justice Information System (CJIS);
- \$350,000 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;
- \$3,300,000 for the South Carolina State Law Enforcement Secure Communications Upgrade;
- \$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;
- \$1,800,000 for a grant to the Massachusetts Facial Recognition Project;
- \$600,000 for a grant to the New Bedford Police Department for communication upgrades to improve the efficiency and effectiveness of local police efforts;
- \$4,375,000 for a grant to Milwaukee, Wisconsin, for communications infrastructure equipment;

- \$1,500,000 for a grant to the Vermont Department of Public Safety for mobile communications technology upgrades;
- \$2,000,000 for a grant to the Wayne County, Michigan, Wayne Area Justice Information System [WAJIS] for integrated communications systems;
- \$161,000 for a grant to the Muncie, Indiana Police Departments to acquire of mobile data terminals for its police vehicles;
- \$2,000,000 for a grant to the City of Baltimore, Maryland to fund enhanced communications technology;
- \$1,000,000 for a grant to the Washington Association of Sheriffs and Police Chiefs to fund the Washington State Booking, Reporting, and Victim Notification System;
- \$3,500,000 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;
- \$1,000,000 for a grant to the Overland Park Police Department in Kansas for technology enhancements;
- \$275,000 for a grant to the Beaver and Butler County Regional Police Network for communications technology enhancements;
- \$1,500,000 for a grant to Pennsylvania's Allegheny County Regional Police Network for communications technology enhancements;
- \$600,000 for a grant to Columbia, Oregon's Emergency Response Communications Systems for technology enhancements;
- \$500,000 for laptop computers for the Madison Police Department;
- \$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;
- \$2,000,000 for a grant to the Maine State Police Communications Systems for technology enhancements to improve its communications infrastructure;
- \$1,600,000 for a grant to the Wasilla Regional Dispatch Center in Alaska for technology and communications upgrades;
- \$2,500,000 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;
- \$5,500,000 for the Consolidated Advanced Technologies for Law Enforcement to improve communications between police cruisers;
- \$5,000,000 for the South Carolina Coastal Plain Police Initiative;
- \$1,000,000 for a grant to the Boston School Safety Initiative to purchase equipment and technology to reduce school violence;
- \$1,500,000 for a grant to Project Hoosier SAFE T;

- \$1,000,000 for a grant to Jefferson County, AL for the acquisition of equipment to improve its communications technology;
- \$3,000,000 for a grant to the Fresno Police Department for technology upgrades;
- \$850,000 for a grant to the South Carolina State Law Enforcement Division for a High Technology Crime Investigative Unit;
- \$130,000 for Red River, New Mexico to improve 911 capabilities;
- \$2,000,000 for a grant to the Virginia State Police in-car video systems and racial profiling training; and
- \$600,000 for a grant to fund the St. Louis Regional Justice Information Service.

2. *Crime Identification Technology Program [CITA].*—The Committee recommends \$150,404,000 for the CITA program, to be used and distributed pursuant to the Crime Identification Technology Act of 1998, Public Law 105–251. Under that Act, eligible uses of the funds are (1) upgrading criminal history and criminal justice record systems; (2) improvement of criminal justice identification, including fingerprint-based systems; (3) promoting compatibility and integration of national, State, and local systems for criminal justice purposes, firearms eligibility determinations, identification of sexual offenders, identification of domestic violence offenders, and background checks for other authorized purposes; (4) capture of information for statistical and research purposes; (5) developing multi-jurisdictional, multi-agency communications systems; and (6) improvement of capabilities of forensic sciences, including DNA. Within the amounts provided, the Office of Justice Programs is directed to provide grants to the following:

- \$4,000,000 to the State Police of NH, for a VHF trunked digital radio system;
- \$4,000,000 for the GCU Coalition Project for criminal justice data gathering and analysis;
- \$3,000,000 for the Juvenile Justice Information System in Missouri;
- \$1,600,000 for the University of Southern Mississippi to fund crime identification technology training;
- \$1,000,000 for the Center for Criminal Justice Technology;
- \$762,000 for a grant to the State of Alaska to complete the final phase of the criminal justice management information system replacement;
- \$2,000,000 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;
- \$2,500,000 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 Check System for technical expertise;

- \$1,100,000 for Critical Incidence Response Technologies in South Carolina;
- \$4,000,000 to fund the Criminal Justice Communications Upgrade in South Carolina;
- \$1,000,000 for a grant to the Miami-Dade County Juvenile Assessment Center Demonstration Project;
- \$300,000 for a grant to the Xenia Police Department to investigate child sexual exploitation on the Internet;
- \$400,000 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; and
- \$3,000,000 for a grant to the Alabama Department of Public Safety to implement its SmartCOP initiative.

Safe Schools Technology.—Within the amounts available for crime identification technology, the Committee recommends \$17,000,000 for Safe Schools technology to continue funding NIJ's development of new, more effective safety technologies such as less obtrusive weapons detection and surveillance equipment and information systems that provide communities quick access to information they need to identify potentially violent youth.

Upgrade Criminal History Records (Brady Act).—Within the amounts available for crime identification technology, the Committee recommends \$35,000,000, for States to upgrade criminal history records so that these records can interface with other data bases holding information on other categories of individuals who are prohibited from purchasing firearms under Federal or State statute. Additionally, the national sexual offender registry [NSOR] component of the Criminal History Records Upgrade Program has two principal objectives. The registry assists States in developing complete and accurate in-State registries. It will also assist States in sharing their registry information with the FBI system which identifies those offenders for whom special law enforcement interest has been noted.

DNA Backlog Grants/Crime Laboratory Improvement Program (CLIP).—Within the amounts available for crime identification technology, the Committee recommendation includes \$70,000,000 for CLIP/DNA Program to support State and local units of government crime laboratories to develop or improve the capability to analyze DNA in a forensic laboratory, as well as other general forensic science capabilities. Eliminating the DNA convicted offender backlog should be the program's first priority. This funding is provided to foster cooperation and mutual assistance among forensic DNA laboratories within States. Funds should be used for efforts between States that are seeking to match and exchange DNA identification records for law enforcement purposes using the FBI's combined DNA index system [CODIS]. Within the amounts provided under CITA, it is expected that the Office of Justice Programs will provide grants to the following programs:

- \$2,500,000 for the Northeast Regional Forensic Institute;
- \$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;
- \$2,000,000 for the National Forensic Science Institute;
- \$1,000,000 for upgrades to the Iowa Forensic Laboratory;
- \$1,000,000 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;
- \$733,000 for a grant to Virginia’s Electronic Fingerprint Archive System;
- \$4,000,000 to the West Virginia University Forensic Identification Program; and
- \$3,000,000 the South Carolina Law Enforcement Division’s Computer Forensic Laboratory.

3. *COPS Methamphetamine/Drug “Hot Spots” Program.*—The Committee directs \$48,393,000 to be used for State and local law enforcement programs to combat methamphetamine production, distribution, and use, and to reimburse the Drug Enforcement Administration for assistance to State and local law enforcement for proper removal and disposal of hazardous materials at clandestine methamphetamine labs. The funding may also be used for policing initiatives in “hot spots” of drug market activity. Within the amounts provided for the Methamphetamine/Drug Hot Spots Program, the Committee expects grants to be made for the following programs:

- \$20,000,000 for the Drug Enforcement Administration to cover the costs associated with the cleanup and disposal of clandestine methamphetamine laboratories;
- \$3,000,000 for the Washington Methamphetamine Joint Initiative for a comprehensive program to address methamphetamine enforcement, treatment, and cleanup efforts;
- \$250,000 for the Jackson County, Mississippi Sheriff’s Department to combat methamphetamines;
- \$1,000,000 for the Mississippi Bureau of Narcotics to combat methamphetamine and to train officers on the proper recognition, collection, removal, and destruction of methamphetamine;
- \$200,000 for the North Dakota Rural Methamphetamine Education Demonstration Project;
- \$750,000 for the Methamphetamine Awareness and Prevention Project of South Dakota to expand prevention efforts to include Native American reservations;
- \$1,000,000 for the Illinois State Police to combat methamphetamine and to train officers in those types of investigations;
- \$200,000 for the Bay County, Florida’s methamphetamine program which funds the hiring of additional officers to combat Bay County’s growing methamphetamine problem;
- \$1,000,000 for the Iowa Methamphetamine Initiative;
- \$250,000 for the Iowa Tanks-A-Lock Project;
- \$1,000,000 for the Arkansas Methamphetamine/Drug Hot Spots Initiative, of which \$155,000 shall be used to retain three chemists at the Arkansas Crime Lab;

- \$1,000,000 for the Oklahoma City Police Department for a Methamphetamine/Drug Hot Spots Initiative;
- \$500,000 for the Wisconsin Ecstasy Awareness Program;
- \$1,000,000 for the Wisconsin Methamphetamine Law Enforcement Initiative;
- \$1,000,000 for the Arizona Methamphetamine Initiative for personnel, training, and equipment;
- \$1,000,000 for the Vermont State Multi Jurisdictional Drug Task Force;
- \$300,000 for methamphetamine training for rural law enforcement officers in Arkansas;
- \$1,000,000 for the Indiana State Police for the continuation of their anti-methamphetamine operations;
- \$3,000,000 for the Methamphetamine Program for Washington State;
- \$385,000 for Marion County, Oregon for the purchase of anti-methamphetamine surveillance equipment for the Methamphetamine Lab Prevention Program;
- \$1,000,000 for the Kansas Bureau of Investigation to combat methamphetamines;
- \$3,000,000 for the Montana Methamphetamine Initiative;
- \$1,000,000 for the Flathead Valley, Montana Methamphetamine Initiative;
- \$1,000,000 for the Indiana State Police to combat methamphetamines;
- \$1,500,000 for the Central Utah Methamphetamine Program;
- \$2,000,000 for the Midwest Methamphetamine Initiative; and
- \$715,000 for the Oklahoma Bureau of Narcotics.

4. *COPS Safe Schools Initiative (SSI)/School Prevention Initiatives.*—The Committee recommends \$22,851,000 be used to provide grants to policing agencies and schools to provide resources for programs aimed at preventing violence in public schools, and to support the assignment of officers to work in collaboration with schools and community-based organizations to address crime and disorder problems, gangs, and drug activities. Within the amounts provided for the Safe Schools Initiative, the Committee expects the COPS office to award grants for the following programs:

- \$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;
- \$1,300,000 for the Promoting Responsible Behavior and Preventing Violence Program in Montana;
- \$2,000,000 for the New Mexico School Security Technology and Resource Center;
- \$300,000 for the Secure School Program in New Mexico;
- \$1,000,000 for the Safe Schools Initiative in Macon, Georgia;
- \$200,000 for the Youth Watch Initiative in Jackson, Mississippi;
- \$250,000 to fund Project Success in Danville, Illinois;
- \$100,000 for a grant to Watch D.O.G.S. Across America in Springdale, Arkansas to enhance school safety;
- \$3,000,000 for the Safe School Education and Community Awareness Program;

- \$1,701,000 for the School Threat Assessment and Response Team;
- \$3,000,000 for the School Violence Resource Center in Little Rock, Arkansas;
- \$500,000 for a grant to fund the Alaska Community in Schools Mentoring program;
- \$5,000,000 for a grant to the Foundation of School Safety in South Dakota to support the implementation of a school safety initiative aimed at reducing school violence; and
- \$1,500,000 for the Youth Advocates Program.

5. *Bullet-proof Vests Grant Program.*—The Committee recommendation includes \$25,444,000 to continue this program for formula grants to States, local governments, and Indian tribes to be used for the purchase of armored vests for law enforcement officers in the jurisdiction of the grantee.

6. *Police Corps.*—The Committee recommendation includes \$30,000,000 to continue advanced police education and training in the Police Corps Program.

Prosecution Assistance Programs.—The Committee recommendation includes \$50,000,000 for the Southwest Border Prosecutors Initiative, as well as \$49,780,000 for the Gun Violence Reduction Program.

Community Crime Prevention Programs.—The Committee recommendation includes \$16,963,000 for the Police Integrity Program, \$14,934,000 for an offender re-entry program, and \$14,967,000 for the Safe Schools Initiative.

Training and Technical Assistance.—The Committee recommendation includes \$20,662,000 for training and technical assistance.

JUVENILE JUSTICE PROGRAMS

Appropriations, 2001	\$298,938,000
Budget estimate, 2002	297,940,000
Committee recommendation	328,507,000

The Committee recommends an appropriation of \$328,507,000. The recommendation is \$25,015,000 above the budget request.

Juvenile justice and delinquency prevention.—The Committee recommendation includes a total of \$320,026,000 for administrative expenses and grants to States and localities for projects in the areas of education, research, prevention, and rehabilitation including:

1. \$6,847,000 for the Office of Juvenile Justice and Delinquency Prevention [OJJDP] (Part A).
2. \$88,804,000 for formula grants for assistance to State and local programs (Part B).
3. \$55,691,000 for discretionary grants for national programs and special emphasis programs (Part C).

Within the amounts provided for Part C discretionary grants and all of the other funds provided under Juvenile Justice programs, the Committee directs OJJDP to provide the following grants:

- \$3,000,000 for Parents Anonymous, Inc., to develop partnerships with local communities to build and support strong, safe families and to help break the cycle of abuse and delinquency;

- \$1,500,000 for the Achievable Dream Program in Newport News, Virginia;
- \$500,000 for the Jefferson County Youth Service System;
- \$850,000 for a grant to Iowa Big Brothers and Big Sisters Rural Youth Mentoring Program;
- \$800,000 for the New Mexico Police Athletic League;
- \$400,000 to fund the Youth Development Program in Chicago;
- \$1,500,000 to the Las Vegas Family Development Foundation;
- \$1,500,000 to fund the University of New Hampshire’s Crimes Against Children Research Center;
- \$3,000,000 for the Partnership for High Risk Youth to improve opportunities for disadvantaged communities and to study social policies and public programs;
- \$1,250,000 for the Teens, Crime, and the Community Program;
- \$1,000,000 for the I Have a Dream Foundation;
- \$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;
- \$1,500,000 for the Girls and Boys Town USA;
- \$1,000,000 for Utah State University Youth and Families With Promise Program;
- \$100,000 to fund the Na Keika Law Center in Hawaii;
- \$200,000 for a teen program in Kuhio Park, Hawaii; and
- \$1,900,000 to fund the National Coordinated Law-Related Educated Program;
- \$130,000 for a grant to the South Dakota Unified Judicial System to better serve Children in Need of Supervision [CHINS];
- \$300,000 for a grant to the Vermont Coalition of Teen Centers;
- \$3,000,000 for a grant to Wayne County, Michigan’s Department of Community Justice’s At-Risk Youth program;
- \$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;
- \$762,000 for a grant to the Northeastern South Dakota Children and Family Initiative in Aberdeen, SD;
- \$750,000 for a grant to establish and enhance after-school programs in Fairbanks, Alaska for at-risk youth through LOVE Social Services;
- \$1,500,000 for a grant to the State of Alaska for a child abuse investigation program;
- 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;
- \$3,000,000 for a grant to the National Fatherhood Initiative;
- \$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;
- \$1,500,000 for a grant to the City of Baltimore, Maryland to assist in operating and expanding the Police Athletic Leagues Program;
- \$1,000,000 for a grant to the Juvenile Intake and Diversion Program in Clackamas County, Oregon;

- \$1,000,000 for a grant to the Johnson County Family Resource Center in Kansas;
 - \$350,000 for a grant to the Rock Creek School of Pennsylvania Ballet to continue and expand its in-school and after-school youth programs;
 - \$1,000,000 for a grant to the University of South Alabama for youth violence research;
 - \$605,000 for a grant to the Oregon Museum of Science and Industry to improve and expand science clubs and camps for at-risk youths;
 - \$3,000,000 for a grant to the National Council for Juvenile Court Judges;
 - \$1,000,000 for a grant to Elwin Project in Pennsylvania to reduce placement in institutions and recidivism of mentally ill youth;
 - \$800,000 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;
 - \$6,000,000 for a grant to Bergen County, New Jersey, to expand its Police Athletic League after-school programs;
 - \$200,000 for a grant to fund Deschutes County, Oregon’s Juvenile Justice Partnership Program;
 - \$1,000,000 for a grant to the South Dakota Internet Child Safety Project;
 - \$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 Behind Bars program;
 - \$300,000 for the Low Country Children’s Center in South Carolina;
 - \$2,460,000 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;
 - \$100,000 for a grant to fund the Adolescent Behavior Control Program in Rhode Island; and
 - \$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.
4. \$11,974,000 for the Youth Gangs (Part D) Program which provides grants to public and private nonprofit organizations to prevent and reduce the participation of at-risk youth in the activities of gangs that commit crimes.
5. \$9,978,000 for discretionary grants for State challenge activities (Part E). This program authorizes the OJJDP Administrator to award grants which could increase the amount of a State’s formula grant by up to 10 percent, if that State agrees to undertake some or all of the 10 challenge activities included in this program. These challenge activities are designed to improve various aspects of a State’s juvenile justice and delinquency prevention program.
6. \$15,965,000 for the Juvenile Mentoring Program [JUMP] (Part G). This program seeks to reduce juvenile delinquency, improve

academic performance, and reduce the dropout rate among at-risk youth through the use of mentors. This program has proven successful in reaching at-risk youth and has significant support at the local level. The program brings together young people in high crime areas with law enforcement officers and other responsible adults who are willing to serve as long-term mentors. The Committee encourages OJP to focus on applications submitted by community based organizations with a proven history of providing effective and efficient one-on-one services. Within the amounts provided, the Committee provides \$5,000,000 for the Big Brothers/Big Sisters program to expand its capacity to serve more at-risk youth.

7. \$130,767,000 for the At Risk Children's Program (Title V). Under Title V of juvenile justice programs, the At Risk Children's Program provides funding to support comprehensive delinquency prevention plans formulated at the community level. The program targets truancy and school violence; gangs, guns, and drugs; and other influences that lead juveniles to delinquency and criminality.

Safe Schools Initiative [SSI].—The Committee includes \$15,000,000 within the Title V grants for the Safe Schools Initiative. This effort may include training and services such as: accountability and responsibility training; violence reduction training, including dispute resolution; juvenile mentoring; training for teachers and families to recognize troubled children; and parent accountability and family strengthening education.

Tribal Youth Program.—The Committee includes \$12,472,000 within Title V grants for programs to reduce, control, and prevent crime both by and against tribal and Native youth; for interventions for court-involved tribal youth; for improvement to tribal and Native juvenile justice systems; and for prevention programs 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. Within this amount, the Committee directs that \$2,000,000 be provided for a grant to fund the Alaska Illegal Drug and Alcohol Use Initiative.

Enforcing the Underage Drinking Laws Program.—The Committee recommends \$25,000,000 within Title V grants to assist States in enforcing underage drinking laws. Each State shall receive \$360,000 and \$6,640,000 shall be available for discretionary grants to States.

Juvenile justice research, evaluation, training, and technical assistance.—The Committee recognizes that high quality research, evaluation, and statistical analysis are critical to understanding and addressing the causes of youth crime, understanding the scope of delinquency and its impact on the juvenile justice system, and identifying effective approaches to delinquency control that can be replicated at the State and local levels. The Committee recommendation allows the Office of Juvenile Justice and Delinquency Prevention Programs [OJJDP] to set aside 2 percent for training and technical assistance and 10 percent for research, evaluation, and statistics activities.

8. *Victims of Child Abuse Act.*—The Committee recommends \$8,481,000 for the various programs authorized under the Victims of Child Abuse Act [VOCA]. Funds, provided to establish regional

and local children's advocacy centers, may not be used to provide legal aid. The recommendation includes \$8,481,000 to improve investigations and prosecutions (subtitle A) as follows:

- \$1,247,250 to establish regional children's advocacy centers, as authorized by section 213 of VOCA;
- \$4,989,000 to establish local children's advocacy centers, as authorized by section 214 of VOCA;
- \$1,496,700 for a continuation grant to the National Center for Prosecution of Child Abuse for specialized technical assistance and training programs to improve the prosecution of child abuse cases, as authorized by section 214a of VOCA; and
- \$748,050 for a continuation grant to the National Network of Child Advocacy Centers for technical assistance and training, as authorized by section 214a of VOCA.

PUBLIC SAFETY OFFICERS BENEFITS

Appropriations, 2001	\$35,619,000
Budget estimate, 2002	35,619,000
Committee recommendation	35,619,000

The Committee recommends an appropriation of \$35,619,000. The recommendation is equal to the budget request and provides all mandatory funding for death benefits under the Public Safety Officers Benefits Program. This program provides a lump-sum death benefit payment to eligible survivors of Federal, State, and local public safety officers whose death was the direct and proximate result of a traumatic injury sustained in the line of duty. In addition, \$2,395,000 is provided to pay for disability benefits to public safety officers who are permanently disabled in the line of duty. Within the available carryover balances, sufficient funding is available for the program which provides payments for education purposes to the dependents of Federal, State, and local public safety officers who are killed or permanently disabled in the line of duty. No additional funding is provided to expand the education benefits program in fiscal year 2001.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The Committee recommends the following general provisions:

Section 101 makes up to \$45,000 of the funds appropriated to the Department of Justice available for reception and representation expenses.

Section 102 eliminates an extraneous provision.

Section 103 allows the Department of Justice to spend up to \$10,000,000 for rewards for information regarding acts of terrorism against U.S. citizens or property at levels not to exceed \$2,000,000 per reward.

Section 104 allows the Department of Justice, subject to the Committee's reprogramming procedures, to transfer up to 5 percent between appropriations, but limits to 10 percent the amount that can be transferred into any one appropriation.

Section 105 expands a land border port of entry pilot program.

Section 106 provides technical assistance funds to improve oversight of certain grant programs.

Section 107 transitions Parole Commission caseload to a successor organization.

Section 108 allows Justice to collect reimbursements from manufacturers for warranty work done in-house.

Section 109 addresses an inequity in the immigration inspection process.

Section 110 improves the efficiency of the immigration adjudication process.

Section 111 allows amounts in the Crime Victims Fund, in any fiscal year, to be used to support the operation and maintenance of the Victim Notification System (VNS). In order to provide victims with information on case events, the Department of Justice has developed an automated victim notification system. Currently, this effort involves coordination among the Federal Bureau of Investigation, the United States Attorneys Offices, the Federal Bureau of Prisons, and the Office of Victims of Crime. The Committee understands that \$1,000,000 remains available from funds transferred to the Crime Victims Fund from the Administrative Office of the United States Courts, National Fine Center in the Department's Fiscal Year 1998 Appropriations Act (Section 109, Public Law 105-119). The use of these funds to support the operation and maintenance of the VNS is consistent with the original intent of the transfer to improve services for the benefit of crime victims in the Federal criminal justice system. The Committee directs that an additional \$4,000,000 be provided from the Fund to support the \$5,000,000 annual estimated cost of the VNS program.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

The Committee recommends a total of \$5,662,719,000 for the U.S. Trade Representative, the International Trade Commission, and the Department of Commerce for fiscal year 2002. This amount is \$491,714,000 above the total request.

TRADE AND INFRASTRUCTURE DEVELOPMENT

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

RELATED AGENCIES

OFFICE OF THE U.S. TRADE REPRESENTATIVE

SALARIES AND EXPENSES

Appropriations, 2001	\$29,452,000
Budget estimate, 2002	30,097,000
Committee recommendation	30,097,000

The Committee recommends an appropriation of \$30,097,000 for the U.S. Trade Representative. The recommendation is identical to the budget request.

The Office of the U.S. Trade Representative is responsible for developing and coordinating U.S. international trade, commodity, and direct investment policy, and leading negotiations with other countries on such matters. The U.S. Trade Representative's areas of responsibility include all matters within the World Trade Organization, including implementation of the Uruguay Round of multilateral trade agreements; trade, commodity, and direct investment matters dealt with by international institutions such as the Organization for Economic Cooperation and Development and the United Nations Conference on Trade Development; industrial, agricultural and services trade policy, and trade-related intellectual property protection and environmental issues.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

Appropriations, 2001	\$47,994,000
Budget estimate, 2002	51,440,000
Committee recommendation	49,386,000

The Committee recommends an appropriation of \$49,386,000. The recommendation is \$2,054,000 below to the budget request.

Within available funds, full funding is provided for the Information Resources Management projects.

The International Trade Commission [ITC] is an independent, quasi-judicial agency responsible for conducting trade-related investigations, providing Congress and the President with independent technical advice relating to U.S. international trade policy, and performing other statutory responsibilities such as quasi-judicial determinations on trade matters filed with the Commission.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

Appropriations, 2001	\$333,702,000
Budget estimate, 2002	329,590,000
Committee recommendation	347,090,000

The Committee recommends an appropriation of \$347,090,000. The recommendation is \$14,500,000 above the budget request. The recommendation includes \$14,900,000 within Market Access and Compliance and the Import Administration for continuation of the trade compliance and monitoring initiatives.

The Committee recommends the Administration's estimate of \$3,000,000 in fees during fiscal year 2002. As in past years, the Committee expects ITA to continue working on efforts to structure its programs to enable the agency to increase fees for the services it provides.

The recommended funding levels are reflected in the following table:

ITA Funding

[In thousands of dollars]

Trade development	66,820,000
Market access and compliance	27,441,000
Import Administration	42,859,000
U.S. and Foreign Commercial Service	193,824,000
Administration/executive direction	13,146,000
Offsetting Fee Collections	3,000,000

ITA total appropriation	347,090,000
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Trade Development.—The Committee recommends an appropriation of \$66,820,000. The recommendation is \$14,500,000 above the budget request. The Committee recommends continued funding for the enhancement of the agency's export data base, funding for the National Textile Center at a level of \$11,000,000 and the Textile/Clothing Technology Center at a level of \$3,500,000.

Market Access and Compliance.—The Committee recommends an appropriation of \$27,441,000. The recommendation is identical to the budget request. Assuring that U.S. companies receive the full benefit of our trade agreements is critically important. In fiscal year 2001, the Committee approved a large increase for compliance and enforcement. The Committee directs the Office of Market Access and Compliance (MAC) to continue with their compliance effort and recommends \$5,700,000 within available funds for this purpose. Part of this effort is to increase the number of staff working on ensuring foreign compliance with trade agreements. The

Committee recommends augmenting Washington-based staffing to focus on markets where U.S. firms face persistent compliance issues and market access barriers, in particular Japan, China, and the European Union. The Committee encourages MAC to evaluate their staffing to assure the success of this important mission.

Many U.S. companies are reluctant to complain about problems they are facing in foreign markets. The Committee recommends \$1,700,000 within available funds for ITA to continue to place and maintain support for compliance officers in China, Japan, and the European Union, and other key markets so that they can detect and swiftly address compliance problems U.S. companies face in these markets. In addition, the Committee directs the ITA to continue with the Washington-based mobile strike force that can nimbly move to address compliance problems U.S. companies face in any market. The Committee directs that these officers be integrated into the U.S. Foreign Commercial Service offices, as U.S. business looks to the commercial officers for support and assistance.

Import Administration.—The Committee recommends an appropriation of \$42,859,000. The recommendation is identical to the budget request. The Committee recommendation includes \$1,500,000 for the Import Administration to continue to place and maintain overseas enforcement officers, including monitoring compliance with the World Trade Organization and other international commitments on antidumping and subsidies. The Committee directed the Import Administration to station a senior official in Geneva to work with the U.S. Trade Representative (USTR) on issues related to antidumping and countervailing duties in fiscal year 2001. The Committee intended that this official would participate in the meetings of the Antidumping and Subsidies Committees, assist the USTR in Dispute Settlement proceedings that are relevant to the Antidumping and Subsidies Agreements, monitor developments in the Working Party on Trade and Competition Policy, and provide policy expertise on matters pertaining to the maintenance of strong antidumping and antisubsidy laws in the United States. As a cost saving measure, the Committee anticipated that the USTR's Geneva office will provide the necessary space within its offices for use by the Import Administration. The Committee directs USTR to respond to the Committee's fiscal year 2001 directive in order to ensure Import Administration's complete participation in World Trade Organization Antidumping and Subsidies proceedings.

The Committee recommendation provides \$3,500,000 for the Import Administration to monitor import data and customs flows for surges in key markets and sectors, such as steel and lumber, and take immediate action when such surges are detected. Such action should include using resources to expedite unfair trade cases so U.S. companies can receive relief at the earliest possible date. In addition, Import Administration must vigorously monitor foreign subsidies so that action can be taken if the subsidies violate trade agreements.

The Committee recommends \$2,500,000 to review and evaluate in-depth China and Japanese compliance with antidumping and countervailing duty commitments. China and Japan represent the majority of unfair trade actions, and the Committee believes there

is an urgent need for greater attention to both Japanese and Chinese trade practices.

U.S. and Foreign Commercial Service [US&FCS].—The Committee recommends an appropriation of \$193,824,000. The recommendation is identical to the request.

The Committee is concerned about the efficiency of the agency's domestic operations. In its' fiscal year 2001 report, the Committee recommended a consolidation of U.S. Export Assistance Centers in metropolitan areas where more than one center was present. In response to the Committee's concerns, the U.S. and Foreign Commercial Service established the Silicon Valley U.S. Export Assistance Center. This resulted in the closure of centers in San Jose and Santa Clara, California. The Committee commends the U.S. and Foreign Commercial Service on this consolidation effort. At the same time, however, new U.S. Export Assistance Centers have opened in Las Vegas, Nevada and Indio, California. The Committee remains concerned about the number of centers in certain metropolitan areas and directs the U.S. Foreign and Commercial Service to provide a report to the Committees on Appropriations on its consolidation efforts by January 15, 2002.

The Committee supports the Commercial Service's work on the Appalachian-Turkish Trade Project, a project to promote opportunities to expand trade, encourage business interests, stimulate foreign studies, and to build a lasting and mutually meaningful relationship between the Appalachian States and the Republic of Turkey, as well as the neighboring regions, such as Greece. The Committee expects the agency to support the project.

Administration and Executive Direction.—The Committee recommends an appropriation of \$13,146,000. The recommendation is identical to the budget request. Bill language is included which prohibits certain offices from taking funds from other accounts. If additional funds are needed, a reprogramming request should be submitted to the Committee for approval.

EXPORT ADMINISTRATION

Appropriations, 2001	\$64,711,000
Budget estimate, 2002	68,893,000
Committee recommendation	68,893,000

The Committee recommends an appropriation of \$68,893,000. The recommendation is identical to the budget request.

The Bureau of Export Administration is the principal agency involved in the development, implementation, and enforcement of export controls for dual-use technologies and weapons of mass destruction. The Export Enforcement Division detects, prevents, investigates, and assists in the sanctioning of illegal dual-use exports. Within available funds, the Committee recommendation provides \$7,250,000 for Chemical Weapons Convention enforcement, \$1,600,000 for replacement of the Export Control Automated Support System and \$496,000 for additional export licensing personnel.

ECONOMIC DEVELOPMENT ADMINISTRATION

Appropriations, 2001	\$438,911,000
Budget estimate, 2002	365,557,000
Committee recommendation	371,557,000

The Economic Development Administration [EDA] provides grants to local governments and nonprofit agencies for public works, planning, and other projects designed to facilitate economic development.

The Committee recommends an appropriation of \$371,557,000. The recommendation is \$6,000,000 above the budget request. Funding amounts for the two appropriations accounts under this heading are displayed below.

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

Appropriations, 2001	\$410,973,000
Budget estimate, 2002	335,000,000
Committee recommendation	341,000,000

The Committee recommends an appropriation of \$341,000,000. The recommendation is \$6,000,000 above the budget request.

The Committee recommendation provides funding of \$250,000,000 for public works grants (title I), \$24,000,000 for planning assistance, \$10,500,000 for trade adjustment assistance, and \$40,900,000 for economic adjustment grants (title IX). The Committee recommendation does not include funding for defense economic adjustment. Public Law 101-50 stipulates that all closure and realignments must be completed no later than 6 years after recommendation for closure or realignment was made. The last round of base closure decisions was made in 1995. The Committee notes that Federal facilities provide a substantial economic benefit to local communities and that when excess infrastructure results in facility closures or realignments, local communities can be adversely impacted. Currently, Federal Departments and Agencies do not integrate or coordinate their facility investments or policies. The Committee recommendation provides \$6,000,000 for the National Infrastructure Institute to establish a center for infrastructure expertise at the former Pease Air Force Base in Portsmouth, New Hampshire to assist Departments and Agencies in the development of facility best business practices and to secure improvements in the efficiency of infrastructure owned or leased by the Federal Government. The Committee expects this pilot project to demonstrate efficiencies in facility management and life cycle infrastructure costs and identify opportunities for Federal Departments and Agencies to partner with each other and with the private sector to better utilize the Federal Government's huge infrastructure investment.

The Committee is aware of several proposals for economic development or adjustment assistance and strongly urges EDA to consider applications for the following proposals within applicable procedures and guidelines and provide a grant, if warranted: (1) Randolph Village School Economic Development Project, Randolph, VT; (2) infrastructure improvement at Discovery Square and Lancaster Square, PA; (3) a proposal for wiring the Southwest border in New Mexico; (4) development of an industrial park at Sawmill Cove, Sitka, AK; and (5) expansion of DePaul University's computer science facilities and programs.

The Committee expects EDA to continue its efforts to assist communities impacted by economic dislocations relating to industry downswings as well as to assist communities impacted by down-

turns due to environmental concerns. This includes the timber and coal industries, United States-Canadian trade-related issues, communities in New England, the mid-Atlantic, Hawaii, and Alaska impacted by fisheries regulations, and communities in the Southeast impacted by downturns due to NAFTA.

SALARIES AND EXPENSES

Appropriations, 2001	\$27,938,000
Budget estimate, 2002	30,557,000
Committee recommendation	30,557,000

The Committee recommends an appropriation of \$30,557,000. The recommendation is identical to the budget request. The recommendation provides \$1,500,000 for the implementation of the Economic Development Communications and Operations Management System.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

Appropriations, 2001	\$27,254,000
Budget estimate, 2002	28,381,000
Committee recommendation	28,381,000

The Committee recommends an appropriation of \$28,381,000. The recommendation is identical to the budget request. Of this amount, \$750,000 is provided for the Phoenix database. The Committee notes that since its inception in 1969, neither the Minority Business Development Agency nor its predecessor, the Office of Minority Business Enterprise, have ever been authorized.

ECONOMIC AND INFORMATION INFRASTRUCTURE

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

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

Appropriations, 2000	\$53,627,000
Budget estimate, 2001	62,515,000
Committee recommendation	62,515,000

The Committee recommends an appropriation of \$62,515,000. The recommendation is identical to the budget request and includes funding to continue the necessary task of updating and improving statistical measurements of the U.S. economy, international transactions, and the effects of e-business. Within available funds, the Committee recommends \$3,500,000 for the gross domestic product initiative and \$3,000,000 for the information technology initiative.

The Economic and Statistics Administration is responsible for the collection, tabulation, and publication of a wide variety of economic, demographic, and social statistics and provides support to

the Secretary of Commerce and other Government officials in interpreting the state of the economy and developing economic policy. The Bureau of Economic Analysis and the Under Secretary for Economic Affairs are funded in this account.

BUREAU OF THE CENSUS

Appropriations, 2001	\$432,679,000
Budget estimate, 2002	543,396,000
Committee recommendation	517,090,000

The Committee recommends an appropriation of \$517,090,000. The recommendation is \$26,306,000 below the budget request. The Committee's recommendations for the Census Bureau accounts are described in more detail below.

SALARIES AND EXPENSES

Appropriations, 2001	\$156,881,000
Budget estimate, 2002	168,561,000
Committee recommendation	168,561,000

The Committee recommends an appropriation of \$168,561,000. The recommendation is identical to the budget request. This account provides for the salaries and expenses associated with the statistical programs of the Bureau of the Census, including measurement of the Nation's economy and the demographic characteristics of the population. These programs are intended to provide a broad base of economic, demographic, and social information used for decision-making by governments, private organizations, and individuals.

The Committee has provided the fiscal year 2002 base funding for the key programs of the Census Bureau. The Committee is particularly concerned that key reports on manufacturing, general economic and foreign trade statistics are maintained and issued on a timely basis.

The Committee requests that the Bureau include in its budget submission in fiscal year 2003 a report on the reimbursements it has received for work requested by other Federal agencies or private organizations.

PERIODIC CENSUSES AND PROGRAMS

Appropriations, 2001	\$275,798,000
Budget estimate, 2002	374,835,000
Committee recommendation	348,529,000

The Committee recommends an appropriation of \$348,529,000. The recommendation is \$26,306,000 below the budget request. This amount, when combined with approximately \$27,000,000 in carry-over, will fully fund periodic censuses and programs.

This account provides for the constitutionally mandated decennial census, quinquennial censuses, and other programs which are cyclical in nature. Additionally, individual surveys are conducted for other Federal agencies on a reimbursable basis. The Committee recommendation includes \$694,000 for the Census Survey of Women Business. In past years, funding for this survey has been provided through the Small Business Administration account and

the Census Bureau was reimbursed for the costs of conducting the survey.

For other programs under this account, the Committee recommends the requested levels of \$51,958,000 for economic censuses; \$5,745,000 for census of governments; \$6,048,000 for intercensal demographic estimates; \$6,254,000 for electronic information collection; \$37,624,000 for geographic support; and \$23,254,000 for data processing systems. The Committee also recommends \$12,397,000 for demographic survey sample redesign and \$26,246,000 for the continuous measurement program.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

Appropriations, 2001	\$100,216,000
Budget estimate, 2002	73,023,000
Committee recommendation	73,023,000

The Committee recommends on appropriation of \$73,023,000. This recommendation is identical to the budget request.

SALARIES AND EXPENSES

Appropriations, 2001	\$11,412,000
Budget estimate, 2002	14,054,000
Committee recommendation	14,054,000

The Committee recommends on appropriation of \$14,054,000. The recommendation is identical to the budget request, and includes \$2,100,000 for the Radio Spectrum Measurement System.

The Committee retains language from previous years allowing the Secretary of Commerce to charge Federal agencies for a portion of the cost of coordination of spectrum management, analysis, and operations.

PUBLIC BROADCASTING FACILITIES, PLANNING, AND CONSTRUCTION

Appropriations, 2001	\$43,404,000
Budget estimate, 2002	43,466,000
Committee recommendation	43,466,000

The Committee recommends an appropriation of \$43,466,000. The recommendation is identical to the budget request. Public broadcasters face a significant challenge in making the transition from analog to digital broadcasting. The public broadcasters, as well as commercial broadcasters, are required to make the change from analog to digital broadcasting by 2005. This is an expensive task, and is going to be particularly challenging for public broadcasters whose networks include numerous translator stations.

These challenges are particularly great for those broadcasters who are located in, or who serve, largely rural areas. As in past years, the Committee continues to urge the agency to place emphasis on the needs of these stations, and to support focusing resources on distance learning initiatives targeting rural areas.

TECHNOLOGY OPPORTUNITIES PROGRAM

Appropriations, 2001	\$45,400,000
Budget estimate, 2002	15,503,000
Committee recommendation	15,503,000

The Committee recommends an appropriation of \$15,503,000. The recommendation is identical to the budget request. The Committee expects NTIA to limit eligibility for this program.

The regional information sharing system [RISS] under the Department of Justice provides funding for law enforcement entities which have traditionally obtained funding from the TOP Program. The Committee recommendation excludes law enforcement entities eligible for the RISS Program from applying for TOP funds. The Committee expects NTIA to give preference to applications from consortia and for purposes such as public safety or other uses for which there is no other funding source available.

The Committee is aware of several proposals for information infrastructure grants and strongly urges NTIA to consider applications for the following proposals within applicable procedures and guidelines and provide a grant, if warranted: (1) an electronic commerce initiative at the University of Missouri-Columbia; (2) a technology training initiative proposal by Morgan State University; (3) Vermont Interactive Television; (4) Shiloh, PA Community Service; and (5) North Dakota State University Technology Park Internships.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

Appropriations, 2001	\$1,037,008,000
Budget estimate, 2002	1,139,001,000
Committee recommendation	1,139,001,000

The Committee recommends total budget resources of \$1,139,001,000. The recommendation is identical to the budget request and is a 9 percent increase over fiscal year 2001.

The Patent and Trademark Office [PTO] is charged with administering the patent and trademark laws of the United States. PTO examines patent applications, grants patent protection for qualified inventions, and disseminates technological information disclosed in patents. PTO also examines trademark applications and provides Federal registration to owners of qualified trademarks. The PTO is subject to the policy direction of the Secretary of Commerce, but the agency has independent control of its budget, expenditures, personnel, procurement and other administrative and management functions.

The PTO has experienced significant growth in recent years due to the increase in applications for patents and trademarks. Trademark applications have substantially increased since the mid-1990s, and the high technology and biotechnology industries have accounted for much of the growth in patent applications.

While the agency has experienced significant growth in recent years as a direct result of workload increases, PTO's corporate plan predicts that patent pendency will rise from 26.2 months to an unacceptable 38.6 months by fiscal year 2006. PTO assumes this would occur even if the agency retains all of its projected fee collections for the next several years. The ability of the administration to formulate an adequate budget for the PTO is complicated by two factors. First, the agency historically has formulated an incremental budget based on the previous year's budget, and does not

provide the Committee with a thorough business plan that demonstrates how resources will be used and what results will obtain. Second, PTO management has not been sufficiently innovative. Although patent filings have increased dramatically over the past decade, PTO management chose to remain wedded to an archaic patent process and attempted to hire its way out of its workload problems. In the April 2001 presentation to their Public Advisory Committees, PTO management proposed hiring an additional 1,100 patent examiners in fiscal year 2003, but proposed making the patent application process fully electronic only in fiscal year 2006. In addition, PTO management has moved at a glacial pace to address the attrition problem among its patent examiners. Further, substantial amounts of funds have been expended on information technology projects over the last decade, but no significant increase in examiner productivity has been noted. Finally, the Committee lacks full confidence in the information provided to it by PTO management regarding its needs and performance.

The Committee is pleased that the Secretary of Commerce has made a commitment to improve PTO operations and initiate an internal review to determine what the agency needs to do its job. Consistent with that approach, the Committee directs the Secretary of Commerce to develop a 5-Year Strategic Plan for the PTO with three core objectives: (1) prepare the agency to handle the workload associated with the 21st century economy, (2) improve patent quality, and (3) reduce patent and trademark pendency. The plan should include recommendations to improve retention and productivity of the examiner workforce, targeted hiring increases to deal with high-growth areas, improved training, and E-Government and other capital improvements designed to improve productivity. The plan should also include benchmarks for measuring progress in achieving each of those objectives. The plan shall be submitted to the Committee for review by no later than January 15, 2002. In an effort to accelerate implementation of time-sensitive elements of the Secretary's 5-year Plan, the Committee would be willing to consider a reprogramming request from unobligated PTO fee balances.

The Committee further directs that the "electronic file wrapper" be fully implemented by the end of fiscal year 2004.

The Committee observes that the PTO received its second consecutive financial audit with no reportable conditions, and expects that the PTO will make every effort to continue this laudable record. However, the Committee observes that PTO administrative expenses may be rising unnecessarily. The Committee notes that the agency's human resources office has 40 GS-13s through GS-15s supervising 60 other personnel, but that office had to acquire contractors simply to file 3 years of personnel actions that the office itself could not. The Committee expects that the PTO will take appropriate steps to ensure its administrative resources are sufficient but not extravagant.

SCIENCE AND TECHNOLOGY

The Committee has included under this section of Title II the Department of Commerce agencies involved in technology research and development, scientific assessment and prediction of environ-

mental phenomena, and the administrative and policy functions providing oversight for these activities.

TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

Appropriations, 2001	\$8,062,000
Budget estimate, 2002	8,238,000
Committee recommendation	8,238,000

The Committee recommends an appropriation of \$8,238,000. The recommendation is identical to the budget request and will fully fund the current operations of the Technology Administration.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Appropriations, 2001	\$597,016,000
Budget estimate, 2002	487,447,000
Committee recommendation	696,526,000

The Committee recommends a total of \$696,526,000 for the three appropriations accounts under the National Institute of Standards and Technology [NIST]. The recommendation is \$209,079,000 above the budget request. A description of each account and the Committee recommendation follows:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

Appropriations, 2001	\$311,929,000
Budget estimate, 2002	347,006,000
Committee recommendation	343,296,000

The Committee recommends an appropriation of \$343,296,000. The recommendation is \$3,992,000 below the budget request.

The Committee recommendations are displayed in the following table:

Electronics and Electrical Engineering	\$41,132,000
Manufacturing Engineering	20,352,000
Chemical Science and Technology	38,712,000
Physics	37,054,000
Material Science and Engineering	62,532,000
Building and Fire Research	19,982,000
Computer Science and Applied Mathematics	56,478,000
Technology Assistance	17,679,000
National Quality Program	5,403,000
Research Support Activities	43,972,000
Total, STRS	343,296,000

Within the amounts provided, the Committee approves the following increases: (1) \$1,000,000 in the Manufacturing Engineering Program for the development of standards pertaining to the exchange of electronic data; (2) \$4,000,000 in the Physics program to provide measurements, standards, and test methods for the development of advanced nanotechnologies; (3) \$4,000,000 in the Computer Science and Applied Mathematics program to develop new measurements, test methods, and guidelines for the protection of the Nation's critical infrastructures; (4) \$2,000,000 in the Chemical Science and Technology Program to further develop measurement standards for in-vitro diagnostics; and (5) \$4,000,000 in the Com-

puter Science and Applied Mathematics Program for quantum computing. The Committee does not recommend funding for the Critical Infrastructure Protection Grants Program. The Advanced Technology Program was developed to evaluate these types of grant applications. No funding is provided for Commerce Department expert review teams. Presidential Decision Directive #63 clearly suggests that every department and agency of the Federal Government shall be responsible for protecting its own critical infrastructure, especially its cyber-based systems. While the program is laudable, it is clearly not the responsibility of the Department of Commerce to provide computer security to other Federal agencies; and, (4) under the Wind Research Program, the Committee recommends \$2,000,000 for wind engineering and \$2,500,000 to continue funding an existing cooperative agreement between NIST and Texas Tech University.

INDUSTRIAL TECHNOLOGY SERVICES

Appropriations, 2001	\$250,285,000
Budget estimate, 2002	119,266,000
Committee recommendation	309,337,000

The Committee recommends an appropriation of \$309,337,000. The recommendation is \$190,071,000 above the budget request.

Manufacturing Extension Partnership Program [MEP].—The Committee recommends an appropriation of \$105,137,000 to fully fund all of the MEP centers. The Committee recommends bill language to authorize the Secretary of Commerce to enter into agreements with nonprofit organizations to carry out collective research and development initiatives through the MEP. In addition, this language authorizes the Secretary to seek and accept contributions from public and private sources to support these efforts.

Advanced Technology Program [ATP].—The Committee recommends an appropriation of \$204,200,000. The recommendation is \$191,208,000 above the budget request. This amount, when combined with approximately \$11,000,000 in carryover, will fully fund ATP awards at current levels. Within the amounts made available, \$45,200,000 shall be used for administrative costs, internal laboratory support, and for Small Business Innovation Research Program [SBIR] requirements.

The Committee notes that the Advanced Technology Program has been extensively reviewed. Since the inception of the ATP, there have been 52 studies conducted on the efficacy and merits of the program. The General Accounting Office has conducted 14 studies; 10 studies have been completed by the Department of Commerce, Office of the Inspector General; former Secretary of Commerce William Daley sponsored a 60-day study, and the National Research Council published, “ATP: Challenges and Opportunities” in 1999, and, “ATP: Assessing Outcomes” in 2001. In addition, 25 studies have been done by ATP’s economic assessment office. These assessments reveal that the ATP does not fund projects that otherwise could have been financed in the private sector. Rather, the ATP facilitates so called “valley of death” projects that private capital markets are unable to fund.

ATP has put a number of safeguards in place to ensure program funding does not replace private, venture capital funding. Since the

1998 competition, the ATP application form has included asking applicants to describe what efforts were made, prior to applying for ATP funding, to secure private capital for the project. In addition, this issue is addressed in oral reviews of project semifinalists.

The Committee maintains that the government should play a role in choosing promising technologies to fund. From the telegraph to the Internet to biomedical research, government investment has spurred the development of new technologies and new fields which have had great impact on and held enormous benefit for the American people. According to the National Academy of Sciences' National Research Council, ATP's approach is funding new technologies that can contribute to important societal goals. For example, ATP supported GE Medical Systems in the development of a new method of producing large-area, flat-panel amorphous silicon detectors for X-rays. The research significantly reduced the number of processing steps required to manufacture the panels and increased the yield. The panels are the heart of a new digital mammography system which was one of the biggest breakthroughs in mammography in 20 years. In the sense that it was possible to manufacture these panels before, the broad research goal was not unique. However, the innovative technology was unique, and its development is making digital mammography more affordable and more widely available to women.

The Committee concurs with the June 2001 National Academy of Sciences assessment; the many well-documented individual case studies; the Secretary's 1997 review; the February 1998 Development, Commercialization, and Diffusion Study; and the March 1999 review of the Performance of Completed Projects, all of which find that the ATP is a valuable and well-managed innovation program.

In the budget request, the administration proposed a gradual phasing out of the Advanced Technology Program. The Committee does not recommend this approach and is concerned that the ATP awarding process could be purposely hindered as a result of this difference of opinion. Therefore, the Committee directs the Department of Commerce to submit a written plan on how it intends on making timely ATP awards in fiscal year 2002. This plan should be submitted to the Appropriations Subcommittees on Commerce, Justice, State and the Judiciary before any funds are obligated for Department of Commerce, Departmental Management.

CONSTRUCTION OF RESEARCH FACILITIES

Appropriations, 2001	\$34,802,000
Budget estimate, 2002	20,893,000
Committee recommendation	43,893,000

The Committee recommends an appropriation of \$43,893,000. The recommendation is \$23,000,000 above the budget request and fully funds the highest priority safety, capacity, maintenance, and repair projects at NIST. Of the amounts provided, \$5,000,000 is provided for wiring improvements at the NIST research facility in Boulder, CO.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(INCLUDING TRANSFERS OF FUNDS)

Appropriations, 2001	\$3,040,789,000
Budget estimate, 2002	3,063,600,000
Committee recommendation	3,349,685,000

The Committee recommends an appropriation of \$3,349,685,000 for National Oceanic and Atmospheric Administration [NOAA], of which \$7,000,000 is mandatory spending. Transfers total \$71,000,000. This amount provided includes \$251,000,000 for programs in the conservation spending category. The recommendation is \$286,085,000 above the budget request. During this time of continued budgetary constraint, the Committee recommendation continues to make funding for ocean, coastal, fisheries, and atmospheric programs a high priority.

As in past years, the Committee expects NOAA and the Department of Commerce to adhere to the direction given in this section of the Committee report and to observe the reprogramming procedures detailed in section 605 in the general provisions of the accompanying bill. Bill language is included that authorizes a NOAA Business Management Fund.

The Committee supports NOAA's efforts to restructure and simplify its budgetary request. The Committee commends the five line offices and NOAA's budget office for their efforts in realigning the various programs funded and for bringing transparency to their budget proposals. As a result of these efforts, the Committee recommendations by program are reflected in a new series of tables. In many cases, these tables replace report language carried in previous Committee Reports regarding programs, projects, and activities. The Committee considers these tables binding. The Committee advises NOAA to seek the Committee's guidance if it is unsure on any matter reflected in the tables. The Committee directs NOAA to continue its restructuring efforts and expects the fiscal year 2003 budget request to reflect the changes contained within these tables. The Committee continues to support NOAA as one integrated agency and in no way intends for this restructuring to create separate appropriations for each of NOAA's line offices.

OPERATIONS RESEARCH, AND FACILITIES

The Committee recommends discretionary appropriations of \$2,267,705,000 for operations, research, and facilities for fiscal year 2002. The recommendation is \$87,396,000 above the budget request. Of this amount, \$33,650,000 is provided for conservation.

Ocean Observing System.—The Committee maintains a strong interest in an integrated interagency ocean observing system. Such a system would bring together Federal, academic, and state institutions, and industry into a coordinated system for monitoring U.S. marine waters. A coordinated national approach, linked effectively with similar programs in other nations, is an essential prerequisite for effective use and management of the oceans. The nation cannot realize the economic, social, and security benefits of the oceans in a responsible, sustainable manner without such a program. A number of agencies including the White House Office of Science and Technology Policy, NOAA, the National Science Foundation, and

the Office of Naval Research have varying interests and responsibilities in this area. The Committee directs the relevant agencies to work through the National Science and Technology Council and the National Oceanographic Partnership Program to develop an interagency plan for an ocean observing system and submit this report to the Committee with the President's fiscal year 2003 budget request.

NOAA Operations, Research, and Facilities Fiscal Year 2002

	<i>Committee Recommendation</i>
National Ocean Service	\$447,240,000
National Marine Fisheries Service	555,775,000
Oceanic and Atmospheric Research	367,630,000
National Weather Service	668,620,000
National Environmental, Satellite and Information Services	150,515,000
Program Support	162,925,000
Total Operations, Research, and Facilities	2,267,705,000

NATIONAL OCEAN SERVICE

[In thousands of dollars]

	<i>Committee recommendation</i>
Navigation Services:	
Mapping & Charting:	
Base	37,015
Electronic Navigational Charts	5,455
Shoreline Mapping	3,000
Coastal Storms	1,000
Joint Hydrographic Center	3,580
N.C. Floodplain Mapping Pilot	5,000
Address Survey Backlog/Contracts	30,000
Subtotal, Mapping & Charting	85,050
Geodesy:	
Base	21,550
National Spatial Reference System	500
Height Modernization Study—NGS Implementation	250
Height Modernization Study—NC	1,000
Height Modernization Study—CA Spatial Reference Center	1,000
S. Carolina Geodetic Survey	500
Subtotal, Geodesy	24,800
Tide & Current Data:	
Base	13,250
PORTS	3,000
Coastal Storms	1,000
Subtotal, Tide & Current Data	17,250
Total, Navigation Services	127,100
Ocean Resources Conservation & Management:	
Estuarine and Coastal Assessment:	
Ocean Assessment Program:	
Base	13,610
American Museum of Natural History Research and Conservation	1,000
Coastal Observation Technology System	12,000
Coastal Storms	1,000
Beaufort/Oxford	4,500

	<i>Committee recommendation</i>
Pfiesteria and HAB Rapid Response	3,925
South Florida Ecosystem	900
Coastal Services Center	18,000
Pacific Coastal Services Center	2,000
Coastal Change Analysis	3,000
Coral Reef Program	20,000
Harmful Algae Blooms	5,000
Harmful Algal Bloom Research—SC Department of Marine Resources	600
CICEET	7,000
National Coral Reef Institute—Hawaii	1,000
National Coral Reef Institute—Florida	1,000
National Fish and Wildlife Foundation	1,000
JASON Foundation	2,500
National Ocean Science Education Program	2,000
Narragansett Explore the Bay Program	2,500
Aquaculture Education Program—Cedar Point, MS	2,000
May River Ecosystem	100
New Bedford Oceanarium Research Program	3,000
Subtotal, Ocean Assessment Program	<u>107,635</u>
Response and Restoration:	
Base	1,710
Estuarine and Coastal Assessment	2,670
Estuary Restoration Program	2,000
Damage Assessment Program	5,200
Oil Pollution Act of 1990	1,000
Coastal Protection and Restoration Project	31,000
Spill Response and Restoration Program	2,000
Oil Skimmer—NH	250
Marsh Restoration—NH	1,000
Coastal Remediation Technology	1,000
Palmyra Atoll Bioremediation	750
Pribilof Island Cleanup	10,200
Subtotal, Response and Restoration	<u>58,780</u>
Ocean and Coastal Research:	
Base	6,000
Fish Forensics/Enforcement	1,300
MEHRL	1,950
Pfiesteria/Toxins Research	1,000
Subtotal, Ocean and Coastal Research	<u>10,250</u>
Subtotal, Estuarine and Coastal Assessment	<u>176,665</u>
Coastal Ocean Program:	
Base	12,890
ECO HAB	4,200
Hypoxia	1,085
Long-Term Estuary Assessment Consortium	1,200
Mississippi River/Gulf of Mexico Nutrient Watershed	2,000
South Carolina Sea Grant	1,200
Subtotal, Coastal Ocean Program	<u>22,575</u>
Total, Ocean Resources Conservation & Assessment	<u>199,240</u>
Ocean and Coastal Management:	
Coastal Management:	
CZM grants	65,500
Program Administration	3,000
National Estuarine Research Reserve System	16,400

	<i>Committee recommendation</i>
Nonpoint Pollution Implementation Grants	2,000
Marine Protected Areas	3,000
Subtotal, Coastal Management	<u>89,900</u>
Marine Sanctuary Program:	
Base	30,000
Northwest Straits Citizens Advisory Commission	1,000
Subtotal, Marine Sanctuary Program	<u>31,000</u>
Total, Ocean and Coastal Management	<u>120,900</u>
Total, National Ocean Service	447,240

Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

The Committee recommends an appropriation of \$447,240,000 for the National Ocean Service [NOS]. The recommendation is \$82,754,000 above the budget request.

The Committee has provided bill language that allows the Secretary to proceed as he deems necessary to have NOAA occupy and operate its research facilities in Lafayette, Louisiana.

Navigation.—The Committee recommends \$5,455,000 for Electronic Navigational Charts. Of this amount, the Committee recommends \$1,900,000 to create a catalog of electronic navigational charts for Alaska. Of the amounts provided for the Joint Hydrographic Center, \$1,000,000 is for a study to analyze the data needs for developing a U.S. claim beyond the 200 nautical mile Exclusive Economic Zone. This report will be submitted to Congress by May 31, 2002, and will identify existing data, data gaps, survey costs, and contracting opportunities to prepare a U.S. claim.

Ocean Resources Conservation and Management.—The Committee directs the National Ocean Service to establish a Coastal Observation Technology System. This program shall provide a national framework, technical assistance, and support for sustained coastal observation systems. Among the entities with which the National Ocean Service is directed to engage are the Alliance for Coastal Technologies, Center for Integrated Marine Technologies, the University of New Hampshire Sea Grant program, and other regional organizations as appropriate. Regarding this activity, the Secretary and the National Ocean Service have the authority to transfer funds and enter into agreements with any entity, including other Federal agencies. The Committee recommendation includes \$12,000,000 for this program, of which \$3,000,000 is for the Alliance for Coastal Technologies; \$3,000,000 is for the Center for Integrated Marine Technologies, and \$3,000,000 is for the University of New Hampshire Sea Grant program. Funding for this activity is from the conservation category.

The Committee recommendation includes an additional \$1,000,000 for the Oxford laboratory to fill three full-time equivalents and purchase new lab equipment. The Committee recommendation includes \$20,000,000 for the Coral Reef Program. Of this amount, the Committee recommendation includes \$6,000,000 to convert a T-AGS vessel to support the research, monitoring, assessment, restoration, and outreach needs of the National Ocean

Service in waters around the Hawaiian Islands and the American Flag Territories, including support for sanctuary activities. Under Response and Restoration, \$1,000,000 is provided for Coastal Remediation Technology to develop a cooperative program with the Cooperative Institute for Coastal and Estuarine Environmental Technology to evaluate innovative environmental technologies for estuary remediation. Of the \$1,950,000 provided for the Marine Environmental Health and Research Laboratory, the Committee recommendation includes \$450,000 for the Murrells Inlet Special Area Management Plan. Under funding for the Coastal Ocean Program, the Committee directs the program to work with and continue its current levels of support for the Baruch Institute's research and monitoring of small, high-salinity estuaries.

Ocean and Coastal Management.—The Committee is concerned that the Federal Coastal Zone Management Program has not adequately identified State practices that may contribute to coastal hazards. The NOAA is to provide a report to the Committees on Appropriations by September 15, 2001, that identifies States with Federally approved Coastal Management Programs with policies that allow for the readjustment of beachfront zoning, building baselines, and setback regulations based upon shoreline accretion and erosional characteristics. This report will specifically identify those States with policies that allow artificial shoreline accretion and beach nourishment to be the basis for modifying placement of beachfront zoning lines, baselines, and construction setback mechanisms.

The Committee recommendation includes \$3,000,000 for marine protected areas. The Committee notes that a national discussion on the potential of marine protected areas to protect the country's marine resources is merited. The Committee is concerned, however, that the nature of this discussion could be limited only to the input of Federal officials and ignore the true stakeholders and users of these resources. The Committee strongly recommends that NOAA seek broad input from commercial and sport fishermen as well as from scientists, fisheries experts, and environmentalists before rendering any decisions or making any recommendations to the Secretary of Commerce or to the Congress on the matter of creating marine protected areas. NOAA will submit a spending plan to the Committees on Appropriations on how it intends to engage the above groups before any of the funds for marine protected areas are obligated. Finally, the Committee notes that NOAA skillfully facilitated a broad discussion regarding the Tortugas Ecological Reserves in Florida and recommends that similar approaches to designating marine protected areas be applied in the future.

The Committee encourages NOAA to continue its work with the Mariner's Museum and the Navy on efforts to recover and preserve the Monitor. The Committee does not recommend funding for the Sustainable Seas Expedition. During this time of budgetary constraint, it is critical that NOAA use limited staff time and days at sea judiciously in order to fulfill its core scientific and research missions. To date, NOAA has requested \$1,500,000 for the Sustainable Seas Expedition and spent over \$10,000,000. It appears that NOAA did not adhere to section 605 of this bill. Furthermore, the Committee expects that no ship time will be allocated to the Sus-

tainable Seas Expedition. The Committee has provided \$14,000,000 in Oceanic and Atmospheric Research for Ocean Exploration. This investment will allow for a cross-agency, multi-institution partnership with a common goal of discovery and exploration of the last major frontier on Earth. This activity should replace the Sustainable Seas Expedition as NOAA's investment in undersea exploration, research, and technology in both the deep ocean and areas of special concern, such as the National Marine Sanctuaries.

NATIONAL MARINE FISHERIES SERVICE

[In thousands of dollars]

	<i>Committee recommendation</i>
Fisheries Research and Management Services:	
Science and Technology:	
Base	64,725
AKFIN	3,500
Alaska Fisheries Development Foundation	1,750
Alaska Groundfish Monitoring—Base	2,090
Alaska Groundfish Monitoring—Bering Sea Fishermen	150
Alaska Groundfish Monitoring—Crab Research	850
Alaska Groundfish Monitoring—Gulf of Alaska Coastal Communities	175
Alaska Groundfish Monitoring—NMFS Field Fishery Monitoring	300
Alaska Groundfish Monitoring—NMFS Rockfish Research	350
Alaska Groundfish Monitoring—Rockfish Research/Crab	240
Alaska Groundfish Monitoring—State of AK Crab, Scallop License Limitation	1,600
Alaska Groundfish Monitoring—Winter Pollock Survey	1,000
Alaska Groundfish Surveys—Base	1,500
Alaska Groundfish Surveys—Calibration Studies	250
American Fisheries Act—Base	3,525
Atlantic Herring and Mackerel	200
Bering Sea Pollock Research	945
Bluefin Tuna Tagging	850
Bluefish/Striped Bass—Base	700
Charleston Bump Billfish Tagging	150
Chinook Salmon Research at Auke Bay	300
Computer Hardware and Software	3,500
Cooperative Research—National Cooperative Research	3,000
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	15,000
Fish Statistics—Atlantic Coastal Cooperative Statistics Program	3,000
Fish Statistics—Base	13,900
Fish Statistics—Economics and Social Sciences Research	3,365
Fish Statistics—National Fisheries Information System	5,000
Fish Statistics—National Standard 8	1,000
Fisheries Development Program—HI Fisheries Development	1,000
Fisheries Development Program—Product Quality and Safety/Seafood Inspection	8,685
Fisheries Oceanography	1,500
GULFFIN Data Collection Effort	3,500
Gulf of Maine Groundfish Survey	570
Gulf of Mexico Consortium	4,000
Hawaii Stock Management Plan	500
Highly Migratory Shark Fishery Research Program	1,950
Impact on Ocean Climate Shifts (OAR)	6,000
Information Analysis & Dissemination	21,890

	<i>Committee recommendation</i>
Joint Institute for Marine and Atmospheric Research (JIMAR) ...	3,000
Lobster Sampling	150
Magnuson-Stevens Implementation AK	4,350
MARFIN—Base	2,500
MARFIN—NE Activities	250
MARFIN—Red Snapper	750
MarMap	850
NE Cooperative Research	5,000
NEC Cooperative Marine Education and Research	200
New England Stock Depletion	1,000
NMFS Cooperative Research Implementation	3,500
NMFS Facilities Maintenance	4,400
Northeast Consortium Cooperative Research	5,000
Observers/Training—Alaska Marine Mammals	100
Observers/Training—Atlantic Coast Observers	3,350
Observers/Training—California Longline	100
Observers/Training—East Coast Observers	350
Observers/Training—Hawaii Longline Observer Program	4,000
Observers/Training—NE Groundfish Trawl	150
Observers/Training—N. Pacific Marine Resources Observers	1,875
Observers/Training—N. Pacific Observer Program	800
Observers/Training—SE Shark	125
Observers/Training—National Special Projects	25
Observers/Training—West Coast Observers	4,875
PACFIN Catch Effort Data	3,000
Pacific Highly Migratory Species Research	1,000
Predator Prey Relationships (NOS)	2,000
Recreational Fishery Harvest Monitoring	3,700
Red Snapper Monitoring and Research	7,500
SEAMAP	1,400
Shrimp Pathogens	300
South Carolina Taxonomic Center	350
Stellar Sea Lion/Pollock Research—N. Pacific Council	2,000
West Coast Groundfish	5,070
Subtotal, Science and Technology	260,930
Conservation and Management:	
Base	7,710
Alaska Near Shore Fisheries	1,250
American Fisheries Act—Base	2,175
American Fisheries Act—N. Pacific Council	500
American Fisheries Act—State of Alaska	500
Anadromous Grants	2,100
Anadromous Fish Commission—North Pacific	1,000
Bering Sea Crab	1,500
Cooper River Corridor Management	250
Fisheries Management Programs	31,255
Habitat Conservation	65
Halibut/Sablefish	1,200
Hawaii 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
Kotzebue Sound Test (King Crab & Sea Snail)	200
Magnuson-Stevens Implementation—AK	2,050
Management of George's Bank	480
National Environmental Policy Act (NEPA)	5,000
National Environmental Policy Act (NEPA)—Hawaiian Sea Turtles	3,000
Oregon Groundfish Outreach Program	2,000
Regional Councils	15,650
Yukon River Chinook Salmon—Base	1,000

	<i>Committee recommendation</i>
Yukon River Drainage Fisheries Association	500
Subtotal, Conservation and Management	90,875
Total, Fisheries Research and Management Services	351,805
Protected Resources Research and Management Services:	
Science and Technology:	
Base	11,985
Antarctic Research	2,000
Atlantic Salmon Research	710
Columbia River—Endangered Species Studies	300
Data Collection—HI Sea Turtle Research	3,000
Dolphin Encirclement	3,300
Dolphin/Yellowfin Tuna Research	250
Endangered Species Act—Atlantic Salmon	3,000
Endangered Species Act—Marine Mammals	4,500
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—Sea Turtles	6,340
Endangered Species Act—Steller Sea Lions	850
Habitat Conservation	4,600
Hawaiian Monk Seals	800
Hawaiian Sea Turtles	300
Marine Mammal Protection—Base	2,640
Marine Mammal Protection—AK Harbor Seal Research	1,000
Marine Mammal Protection—Erysipelas Research	250
Protected Species Management—Base	5,275
Protected Species Management—Bottlenose Dolphin Research	2,000
Rancho Nuevo Sea Turtles	350
Steller Sea Lion Recovery Plan—AK Sea Life Center	8,000
Steller Sea Lion Recovery Plan—Base	12,300
Steller Sea Lion Recovery Plan—N. Pacific University Marine Mammal Consortium	5,000
Steller Sea Lion Recovery Plan—University of AK Gulf Apex Predator	1,000
Steller Sea Lion Recovery Plan—Alaska Fisheries Foundation	500
Subtotal, Science and Technology	86,200
Conservation and Management Services:	
Base	4,985
Atlantic Salmon Recovery Plan	450
Chinook Salmon Management	150
Cook Inlet Beluga	300
Endangered Species Act—Atlantic Salmon	500
Endangered Species Act—Right Whale Activities	2,250
Endangered Species Act—Right Whale Cooperative State Plans	1,500
Habitat Conservation	1,760
Marine Mammal Protection—Base	4,585
Marine Mammal Strandings	4,000
Marine Mammal Strandings—Charleston Tissue Bank	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 Asso	50
Native Marine Mammals—Alaska Native Harbor Seal Commission	150
Protected Species Management—Base	3,235
Protected Species Management—California Sea Lions	750
Protected Species Management—NFWF Species Management	1,000

	<i>Committee recommendation</i>
Protected Species Management—State of Maine Salmon Recovery	5,000
Southeastern Sea Turtles	300
State of Maine Recovery Plan	150
Steller Sea Lion Recovery—State of Alaska Work	2,500
Subtotal, Conservation and Management Services	<u>35,165</u>
Subtotal, Protected Resources Research and Management Services	<u>121,365</u>
Habitat Conservation:	
Sustainable Habitat Management:	
Base	2,000
Blue Crab Research Consortium	2,000
Charleston Bump	300
Chesapeake Bay Multi-Species Management	500
Chesapeake Bay Oyster Research	850
Chesapeake Bay Studies	3,000
Chesapeake Bay Environmental Education Program	1,200
Coral Reef	11,000
Habitat Conservation	2,960
Magnuson-Stevens Implementation—AK	850
Mobile Bay Oyster Recovery	1,000
Subtotal, Sustainable Habitat Management	<u>25,660</u>
Fisheries Habitat Restoration	<u>12,400</u>
Subtotal, Habitat Conservation	<u>38,060</u>
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	5,000
Subtotal, Enforcement	<u>29,295</u>
Cooperative Enforcement Programs:	
Enforcement and Surveillance—Cooperative agreements with States	15,000
NH Fish & Game Enforcement Vessel	250
Subtotal, Cooperative Enforcement Programs	<u>15,250</u>
Subtotal, Enforcement and Surveillance	<u>44,545</u>
Total, National Marine Fisheries Service	555,775

Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

The Committee recommends an appropriation of \$555,775,000 for the National Marine Fisheries Service [NMFS]. The recommendation is \$42,261,000 below the budget request. The Committee has included bill language directing NMFS to obligate \$6,000,000 to the NOAA Office of General Counsel. This will enable the Under Secretary and Associate Offices to remain fully funded. The Committee directs that this realignment will only come from NMFS base funds.

The Committee observes that there are opportunities to significantly improve the regulatory processes of the National Marine Fisheries Service. Currently, NMFS handles each Endangered Species Act or National Environmental Policy Act case on an ad hoc basis, causing unnecessary delays, unpredictable outcomes, and a lack of accountability. The development and application of standardized practices would improve the quality and efficiency of regulatory decisions and raise the likelihood of success in litigation. The Committee instructs NOAA and NMFS to develop and apply throughout NMFS standardized practices for regulatory decisions. Furthermore, the Committee recommends streamlining the process by reducing the layers of review and concentrating the responsibility on qualified decision makers. The Committee expects to receive a plan for accomplishing these objectives by December 15, 2001, followed by quarterly reports of progress against these objectives.

The Committee remains concerned that NMFS has become overburdened by lawsuits regarding a variety of issues related to fisheries and protected species, including the Steller sea lion and the Northern right whale. In order to assist the Committee in assessing this trend, NMFS is directed to provide a quarterly status report on pending litigation.

Cooperative activities by Federal and State agencies are a vital part of conservation programs for many endangered and threatened species under the jurisdiction of the National Marine Fisheries Service. Among other things, state agencies offer knowledge, personnel, expertise, resources, and the legal authority to help carry out urgent research and management tasks. The Committee encourages NOAA to examine the existing and potential role of state agencies in carrying out recovery program tasks for Hawaiian monk seals, right whales, and other endangered or threatened marine species under the jurisdiction of the Secretary of Commerce. Where appropriate and not already in effect, the Committee encourages NOAA to develop cooperative agreements with states under section 6 of the Endangered Species Act to establish or clarify state agency involvement in those recovery programs. The Committee expects NOAA to request appropriations in their fiscal year 2003 budget under section 6 to support cooperative state activities that contribute to the recovery of endangered marine species.

In the past, Congress provided \$7,000,000 under Magnuson-Stevens Act for the Pribilof Islands to address the severe economic impact caused by precipitous decline in crab stocks in the Bering Sea. The Committee is concerned that the economy of the village of St. George was so adversely impacted, it has not been able to provide the required local match and has not been able to access the economic recovery funds. The Committee has included bill language waiving the match consistent with Interjurisdictional Fisheries Act.

Out of base funds budgeted for the Southwest Regional Office [SWR], the Committee provides \$1,000,000 for the Pacific Islands Area Office [PIAO] for administrative costs associated with the transition of the PIAO to the Western Pacific Regional Office. Within 30 days of date of enactment, SWR shall provide a report identifying all funds expended in fiscal years 2000 and 2001 by the SWR to support programs relating to Western Pacific region.

The Committee recommendation includes \$7,000,000 for North Atlantic right whale research and management activities. Of the amount provided, \$1,000,000 is for the Northeast Consortium to complete funding of right whale research grants awarded in fiscal year 2001; and, \$1,500,000 is for Atlantic coastal states to implement cooperative federal-state right whale recovery plans, such as those concluded under section 6 of the Endangered Species Act [ESA]. The Committee strongly encourages NMFS to conclude ESA section 6 agreements with coastal states of concern prior to fiscal year 2003. The remaining \$4,500,000 is for NMFS to expedite right whale recovery in consultation with the Implementation Team and the Take Reduction Team. The NMFS is expected to support priority management, enforcement, and ship strike prevention activities, including expedited development and deployment of innovative fishing gear and whale tracking technologies, improved stranding response and procedures, a whale-sighting advisory system, and a mandatory ship-reporting system. No more than 20 percent of funds provided to NMFS may be used for salaries of existing personnel. The Committee expects NMFS to submit a status report to Congress describing its progress in meeting the priority recovery goals established in the 5-year research and management plan, as was requested in the fiscal year 2001 Conference Report. The Committee notes that this report has not been submitted for review by the Appropriations subcommittee. None of the funds for right whale activities may be obligated until this report has been approved.

The Committee supports NMFS's efforts to address international conservation and recovery of sea turtles through an international bycatch strategy under Magnuson-Stevens Act Section 202(h), which calls for the Secretary of State, in cooperation with the Secretary of Commerce, to seek international agreements to establish standards and measures for bycatch reduction that are comparable to U.S. standards. International action is urgently needed in the international longline fishery, particularly in the Pacific region. In furtherance of this goal, the Committee directs NMFS, in cooperation with the Department of State, to work with other nations and industry, including the Asia-Pacific Economic Cooperation Forum, to develop alternative fishing technologies and practices designed to reduce incidental capture mortality of sea turtles in the international longline fleet. NMFS is urged to convene preparatory meetings on gear development, particularly in the Pacific region, prior to the technical workshop scheduled for 2002 to ensure that agreement on alternative gear research and data sharing, including timetables for specific action, can be concluded at this workshop. The Department of Commerce and Department of State shall report back on the status of these efforts within 90 days of enactment of this Act. The Committee recommendation includes \$500,000 under NOAA "Executive Direction and Administration" for travel expenses associated with this effort.

Fisheries Research and Management.—The Committee recommendation includes \$5,000,000 for the National Fisheries Information System. The NMFS will submit a spending plan on the capabilities and out-year costs of this system before any funds for it may be obligated. The Committee has provided \$3,700,000 for the

recreational fishing information network [RecFIN] program, and expects that the Pacific, Atlantic, and Gulf States shall each receive one-third of these funds with funding for inshore recreational species assessment and tagging efforts in South Carolina. The Committee expects that \$250,000 will be used to continue the effort to enhance the annual collection and analysis of economic data on marine recreational fishing. The Committee recommends that the \$750,000 for the Interstate Fish Commissions be equally divided among the three commissions. As in prior fiscal years, funds appropriated for the Hawaii Fisheries Development and Hawaii Stock Management Plan programs shall be administered by the Oceanic Institute.

Protected Resources Research and Management.—The Committee recommendation provides \$1,000,000 to Marine Mammal Protection—Alaska Harbor Seal Research to be split evenly between the Alaska Sea Life Center and the Alaska Native Harbor Seal Commission.

Habitat Conservation.—The Committee recommendation includes \$3,000,000 for Chesapeake Bay Studies. In addition, the Committee recommends that NOAA initiate a micro-grant program allowing local governments and non-profit organizations to perform fisheries and shellfish restoration on the Chesapeake Bay.

Enforcement and Surveillance.—The Committee recommendation provides \$250,000 for a fisheries enforcement vessel for the New Hampshire Department of Fish and Game. This vessel should be used equally for biological research and fisheries enforcement.

OCEANIC AND ATMOSPHERIC RESEARCH

[In thousands of dollars]

	<i>Committee recommendation</i>
Climate Research:	
Laboratories & Joint Institutes:	
Aeronomy Laboratory (Colorado)	8,090
Atlantic Oceanographic and Meteorological Laboratory (Florida) ..	5,675
Air Resources Laboratory (CO, ID, NC, NV, TN)	3,440
Climate Diagnostic Center (Colorado)	2,550
Climate Monitoring and Diagnostic Laboratory (Colorado)	5,935
Environmental Technology Laboratory (Colorado)	240
Forecast Systems Laboratory (Colorado)	155
Geophysical Fluid Dynamics Laboratory (New Jersey)	14,190
Pacific Marine Environmental Laboratory (Washington)	8,345
Space Environmental Center (Colorado)	235
Subtotal, Laboratories & Joint Institutions	48,855
Climate & Global Change Program:	
Climate and Global Change (Base)	67,855
Variability beyond ENSO	1,000
Climate Forcing Agents	1,000
Accelerating Climate Models—IRI	2,000
Subtotal, Climate & Global Change Program	71,855
Climate Observations & Services:	
Climate Reference Network	3,000
Climate Data & Info and CLASS in PAC	1,000
Baseline Observatories	3,000
Ocean Observations/Ocean Systems	4,350
Argo Floats	7,950

	<i>Committee recommendation</i>
Regional Assessments, Education and Outreach	1,850
Climate Change Assessments	650
Weather-Climate Connection	900
Carbon Cycle	2,300
Subtotal, Climate Observations & Services	25,000
Other Partnership Programs:	
Central California Ozone Study	500
East Tennessee ozone study	300
AIRMAP	4,500
International Pacific Research Center (U of HI)	500
Subtotal, Other Partnership Programs	5,800
Total, Climate Research	151,510
Weather & Air Quality Research:	
Laboratories & Joint Institutes:	
Aeronomy Laboratory (Colorado)	2,050
Atlantic Oceanographic and Meterological Laboratory (Florida) ..	3,910
Air Resources Laboratory (CO, ID, NC, NV, TN)	2,070
Climate Monitoring and Diagnostic Laboratory (Colorado)	165
Environmental Technology Laboratory (Colorado)	6,845
Forecast Systems Laboratory (Colorado)	10,615
Geophysical Fluid Dynamics Laboratory (New Jersey)	3,070
National Severe Storms Laboratory (Oklahoma)	7,530
Pacific Marine Environmental Laboratory (Washington)	260
Space Environmental Center (Colorado)	7,220
Subtotal, Laboratories & Joint Institutes	43,735
U.S. Weather Research Program:	
U.S. Weather Research Program Base (USWRP)	3,730
Space-Based Wind Profile Lidar Technology	1,000
Air Quality Forecasting Pilot Program	4,000
High Resolution Temperature Forecasting Pilot Program	5,000
Subtotal, U.S. Weather Research Program	13,730
Other Partnership Programs:	
New England Air Quality Study	2,000
New England Airshed Pollution Analysis	200
STORM (U. of N. Iowa)	1,000
Subtotal, Other Partnership Programs	3,200
Total, Weather & Air Quality Research	60,665
Ocean, Coastal, and Great Lakes Research:	
Laboratories & Joint Institutes:	
Atlantic Oceanographic and Meterological Laboratory (Florida) ..	2,720
AOML Coral Reef Watch	500
Environmental Technology Laboratory (Colorado)	445
Great Lakes Environmental Research Laboratory (Michigan)	8,700
Pacific Marine Environmental Laboratory (Washington)	7,390
Subtotal, Laboratories & Joint Institutes	19,755
National Sea Grant College Program:	
National Sea Grant College Program Base	56,400
Aquatic Nuisance Species/Zebra Mussel Research	3,000
Gulf of Mexico Oyster Initiative	1,000
Oyster Disease Research	2,000

	<i>Committee recommendation</i>
Sea Grant Fisheries Extension	3,000
Subtotal, National Sea Grant College Program	65,400
National Undersea Research Program (NURP):	
National Undersea Research Program (NURP) Base	13,850
National Institute for Undersea Science and Technology	5,000
Subtotal, National Undersea Research Program	18,850
Ocean Exploration	14,000
Other Partnership Programs:	
Arctic Research	3,650
Cultured Cobia Demonstration (VIMS)	500
Carolina Coastal Ocean Observing and Prediction System	2,800
Gulf of Maine Council	750
Lake Champlain Research Consortium	300
NISA/Ballast Water Demonstrations	850
NISA/Prevent & Control Invasive Species	800
NOAA Marine Aquaculture Program	3,600
Cooperative Institute for New England Mariculture & Fisheries (UNH)	4,000
Pacific Tropical Ornamental Fish	500
Aquaculture Management Plan—RICRMC	1,600
SE Atlantic Marine Monitoring & Pred. Center (UNC)	1,500
Tsunami Hazard Mitigation (incl. TWEAK)	3,800
Subtotal, Other Partnership Programs	24,650
Total, Ocean, Coastal, & Great Lakes Research	142,655
High Performance Computing & Communications (HPCC)	12,800
Total, NOAA Research	367,630

Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

The Committee recommends an appropriation of \$367,630,000 for Oceanic and Atmospheric Research. The recommendation is \$37,442,000 above the budget request.

Climate Observations and Services.—Of the amounts appropriated for Argo, no less than 275 floats shall be deployed. The Committee recommends that with the funds provided for the Carbon Cycle line, at least one sampling site be established in New Hampshire.

Weather and Air Quality Research.—Of the \$3,730,000 provided for the Weather Research Program base, the Committee recommends \$500,000 for continued development of the 3-D ceilometer in Hawaii. In addition, the Committee recommendation includes \$4,000,000 for a pilot air quality forecasting system to increase the operational efficiency of power plants while minimizing their impact on air quality. The Committee recommendation also includes \$5,000,000 to operate a model and deploy meteorological sensors to improve the daily temperature forecasts in a specific region. This will foster greater energy efficiency and more accurate electrical load forecasting.

Ocean, Coastal, and Great Lakes Research.—Within the amount provided for the Great Lakes Environmental Research Lab (GLERL), the Committee recommends that NOAA support research

programs on aquatic invasive species mitigation and reduction in the Lake Champlain Basin. In addition, the Committee recommends \$500,000 for a study on the construction of an inter-agency facility owned by NOAA which would replace a leasing arrangement. The Committee recommends \$13,850,000 for the National Undersea Research Program (NURP). Of the amount provided, \$6,925,000 is for research conducted through the east coast NURP centers and \$6,925,000 is for the west coast NURP centers, including the Hawaiian and Pacific Center and the West Coast and Polar Regions Center. The Committee expects level funding will be available for Aquarius, ALVIN, and program administration.

NATIONAL WEATHER SERVICE

[In thousands of dollars]

	<i>Committee recommendation</i>
Local Warnings and Forecasts:	
Local Warnings and Forecasts Base	480,000
Alaska Data Buoys	1,700
New England Data Buoys	750
Sustain Cooperative Observer Network	2,300
Mt. Washington Observatory	500
Susquehanna River Basin Flood System	1,500
Aviation Forecasts	35,600
Kentucky Mesonet	2,000
Texas Mesonet	2,000
Subtotal, Local Warnings and Forecasts	<u>526,350</u>
Advanced Hydrological Prediction Service	1,500
WFO Maintenance	<u>4,550</u>
Weather Radio Transmitters:	
Weather Radio Transmitters Base	2,320
NOAA Weather Radio Transmitters—ME	350
NOAA Weather Radio Transmitters—NH	230
NOAA Weather Radio Transmitters—SD	400
NOAA Weather Radio Transmitters—WY	500
North Dakota Ag Weather Network	270
Subtotal, Weather Radio Transmitters	<u>4,070</u>
Central Forecast Guidance	<u>43,000</u>
Systems Operation & Maintenance (O&M):	
NEXRAD	40,000
ASOS	12,650
AWIPS	36,500
Total, Systems Operation & Maintenance	<u>89,150</u>
Total, National Weather Service	668,620

Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

The Committee recommends an appropriation of \$668,620,000 for the National Weather Service [NWS] for operations, acquisitions, and research. The recommendation is \$10,164,000 above the request.

Local Warnings and Forecasts.—The “1995 Secretary’s Report to Congress on Adequacy of NEXRAD Coverage and Degradation of

Weather Services” requested further studies of several sites, including Williston, ND and Erie, PA. The Committee provided funds to begin mitigation in fiscal year 1999 at these sites. The Committee has provided \$4,790,000 to continue current operations at these sites. In addition, the Committee directs the NWS to make appropriate arrangements to maintain a local presence for the maintenance of the NOAA weather radio antenna in Erie, PA and develop a strategy to adequately address the prediction of lake-effect snow in the area. The Committee recommendation includes funding for three data buoys off New England in accordance with the National Research Council report of 1998.

Advanced Hydrological Prediction Service.—The Committee recommendation provides \$1,500,000 for the Advanced Hydrological Prediction Service, an increase of \$500,000. The Committee expects that this increase will cover the development of this service for New Hampshire.

Systems Operation and Maintenance.—The Committee notes that Alaska has the highest pilot death rate in the nation. No weather forecasting facilities exist in dozens of remote Native Alaskan villages. Accidents are often caused by rapidly changing weather conditions for which no forecasting information is available. The Committee recommendation provides \$12,650,000 for Automated Surface Observing System [ASOS], of which \$5,000,000 is for the installation of forecasting equipment in remote Alaskan villages.

NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE

[In thousands of dollars]

	<i>Committee recommendation</i>
Environmental Satellite Observing Systems:	
Satellite Command and Control	32,790
	=====
Product Processing and Distribution	28,700
	=====
Product Development, Readiness & Application:	
Product Development, Readiness & Application	22,720
Coral Reef Monitoring	750
Global Wind Demonstration	3,500
	=====
Subtotal, Product Development, Readiness & Application	26,970
	=====
Commercial Remote Sensing Licensing & Enforcement	1,200
	=====
Total, Environmental Satellite Observing Systems	89,660
	=====
NOAA’s Data Centers & Information Services:	
Archive, Access & Assessment:	
Archive, Access & Assessment	32,190
Climate Database Modernization	6,215

	<i>Committee recommendation</i>
GOES Data Archive Project	2,000
Subtotal, Archive, Access & Assessment	40,405
National Coastal Ocean Data Development and Management Center—MS	4,515
Regional Climate Centers	3,600
Environmental Data Systems Modernization	12,335
Total, NOAA's Data Centers & Information Services	58,855
Total, NESDIS	150,515

The Committee recommends an appropriation of \$150,515,000 for the National Environmental Satellite, Data, and Information Service [NESDIS]. The recommendation is \$18,853,000 above the request.

PROGRAM SUPPORT

[In thousands of dollars]

	<i>Committee recommendation</i>
Corporate Services:	
Under Secretary and Associate Offices Base	17,890
Policy Formulation and Direction Base	36,365
Total, Corporate Services	54,255
Office of Marine and Aviation Operations (OMAO):	
Aviation Operations: Aircraft Services	15,185
Subtotal, Aviation Operations	15,185
Marine Operations:	
Marine Services	63,830
Fleet Planning and Maintenance	19,020
Total, Marine Operations	82,850
Total, OMAO	98,035
Facilities:	
NOAA Maintenance, Repairs and Safety	3,635
Environmental Compliance	2,000
Project Planning and Execution: Boulder Facilities Operations	5,000
Total, Facilities	10,635
Total, Program Support	162,925

The Committee recommends an appropriation of \$162,925,000 for the NOAA program support functions. The recommendation is \$1,555,000 below the request.

Corporate Services.—The Committee does not recommend funding for a \$15,000,000 initiative to provide funding to historically black colleges and universities to train scientists. While the Committee believes that more women and minorities should be encour-

aged to seek careers in mathematics and sciences, funding for this purpose should be provided by the Department of Education, the National Academy of Sciences, or the National Science Foundation.

Office of Marine and Aviation Operations.—The Committee recommends that \$62,000,000 for Acquisition of Data be transferred from the National Ocean Service, National Marine Fisheries Service, and Office of Oceanic and Atmospheric Research to NOAA’s Office of Marine and Aviation Operations under the Marine Services line. The Committee recognizes this transfer of funds is necessary to enable further efficiencies in the use of both contracted and NOAA ships. Further, the Committee expects that this transfer of responsibility will result in no fewer days at sea for any NOAA program. Of the \$15,185,000 provided in Aircraft Services, the Committee recommends that an additional \$1,000,000 be used to support the necessary overhaul of the P-3 aircraft. Prior to the obligation of funds, NOAA is directed to provide to the Committees on Appropriations an assessment of the condition of the aircraft, especially as it relates to corrosion, and the anticipated benefits from spending \$1,500,000 as it relates to aircraft performance and service life.

The R/V RONALD H. BROWN, commissioned in 1997, is NOAA’s premier deep ocean research vessel and the largest vessel in the NOAA fleet. Equipped with highly advanced instruments and sensors, the NOAA R/V RONALD H. BROWN is unique in the world research fleet, built to support scientific studies worldwide that will increase our understanding of oceans and climate. The Committee notes that at a time that global warming and study of the role of the oceans in climate change has taken on increasing urgency, a substantial portion of the vessel’s days at sea have been used to deploy and retrieve buoys in the Pacific rather than to support important atmospheric and oceanographic research in the Atlantic and elsewhere. While the Committee acknowledges the importance of maintaining these oceanographic buoys, other NOAA vessels or smaller charter vessels are more suitable to that mission. The Committee directs NOAA to plan for the R/V RONALD H. BROWN to spend no less than 139 days at sea in the Atlantic Ocean during fiscal year 2002 for oceanographic research opportunities lost in prior years.

The Committee recommendation provides \$19,020,000 for Fleet Planning and Maintenance. Of this amount, the Committee recommends \$7,200,000 for equipment to support NOAA’s mapping and charting missions. Funds for this purpose are authorized under the Hydrographic Services Improvement Act of 1998, the National Marine Sanctuaries Amendments of 2000, and the Coral Reef Conservation Act of 2000.

PROCUREMENT, ACQUISITION, AND CONSTRUCTION

[In thousands of dollars]

NOS:		<i>Committee recommendation</i>
Construction and Acquisition:		
Beaufort Laboratory	5,000	
Coastal Service Center (Wing)	4,000	
Coastal and Estuarine Land Conservation Program	60,000	

	<i>Committee recommendation</i>
Florida Keys National Marine Sanctuary	6,500
Humpback Whale National Marine Sanctuary	2,200
Kachemak Bay Service Facility	800
Kasitsna Bay Laboratory	5,500
Marine Environmental Health Research Laboratory Enhance- ment & Equipment	14,000
Monterey Bay National Marine Sanctuary	3,000
NERRS Acquisition	9,910
Stellwagen Bank National Marine Sanctuary	1000
Subtotal, NOS Construction	111,910
Total NOS	111,910
NMFS:	
Construction:	
Alaska Facilities Fisheries Center Juneau	21,100
Honolulu	3,000
Kodiak Pier	4,000
Ketchikan Facilities	1,500
Subtotal, NMFS Construction	29,600
Fleet Replacement:	
Fisheries Research Vessel Replacement	54,000
Subtotal, NMFS Fleet Replacement	54,000
Total, NMFS	83,600
OAR:	
Systems Acquisition:	
Comprehensive Large Array Data Stewardship System	3,600
Research Supercomputing	6,500
Stone Laboratory	1,000
Subtotal, OAR Systems Acquisition	11,100
Construction: Norman Consolidation Project	15,000
Subtotal, OAR Construction	15,000
Total, OAR	26,100
NWS:	
Systems Acquisition:	
ASOS	5,125
AWIPS	16,265
NEXRAD	8,260
NWSTG Backup—CIP	7,000
Radiosonde Network Replacement	5,000
Weather and Climate Supercomputing	15,000
Subtotal, NWS Systems Acquisition	56,650
Construction: WFO Construction	12,000
Subtotal, NWS Construction	12,000
Total, NWS	68,650
NESDIS:	
Systems Acquisition:	
Geostationary Systems	290,000

	<i>Committee recommendation</i>
Polar Orbiting Systems	296,000
Subtotal, NESDIS Systems Acquisition	586,000
Construction: Continuity of Critical Facilities	4,550
Subtotal, NESDIS Construction	4,550
Total, NESDIS	590,550
Program Support:	
CAMS	15,000
OMAO/Fleet Replacement:	
ADVENTUROUS Refurbishment	4,200
ALBATROSS IV Repairs	4,000
FAIRWEATHER Refurbishment	12,500
GORDON GUNTER	1,800
Naval Surplus Vessels for Coastal Research (YTT)	4,500
Small Waterplane Area Twin Hull Vessel	14,000
T-AGS Vessel Conversion	6,000
Subtotal, OMAO	47,000
Total, Program Support	62,000
Total, Procurement, Acquisition, and Construction—Conser- vation	[83,410]
Total, Procurement, Acquisition, and Construction	939,610

The Committee recommendation provides \$939,610,000 for Procurement, Acquisition, and Construction. This amount includes \$3,200,000 in recoveries from prior years. The recommendation is \$174,749,000 above the request. The amount provided includes \$83,410,000 for programs in the conservation spending category.

Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

National Ocean Service.—The Committee recommendation includes \$5,000,000 for the Beaufort Laboratory for necessary repairs to existing facilities and to construct a joint laboratory, dock, and other facilities in collaboration with the Rachel Carson National Estuarine Research Reserve. The Committee recommends \$60,000,000 for the coastal and estuarine land conservation program. This program is funded under the conservation spending category. This new program will provide funds for matching grants to States, communities, and groups engaged in land conservation efforts that benefit coastal and estuarine areas. These funds will be used expressly to acquire lands or interests in lands that include significant conservation, recreation, ecological, historical or aesthetic values to further the goals of a federally approved Coastal Zone Management Program or a National Estuarine Research Reserve. Of the amount provided for this program in fiscal year 2002, the Committee recommends the following projects: \$10,000,000 for ACE Basin; \$6,000,000 for the Great Bay Partnership; \$1,250,000 for Mill River Harbor, CT; \$3,000,000 for Morris Island, SC; \$10,000,000 for Long Island, SC; \$370,000 for Old Woman Creek, OH; \$3,000,000 for Elkhorn Slough, CA; \$325,000 for Taskinas

Creek, VA; \$1,000,000 for Hempstead Harbor, NY; \$1,100,000 for Tilamook Bay, OR; \$800,000 for Kitsap County, WA; \$370,000 for Massachusetts Bay, Manchester, MA; \$875,000 for Lake Ontario, Parma, NY; \$2,000,000 for Maryland Coastal Bays, MD; \$3,000,000 for Hawaii Coastal Conservation; \$3,000,000 for Los Cerritos Wetlands, Long Beach, CA; \$350,000 for Carnes acquisition, Juneau Public Parks, Juneau, AK; and \$4,000,000 for Tongass National Forest coastal land acquisition.

Program Support.—The Committee notes that the NOAA R/V FAIRWEATHER will conduct the vast majority of its research off the coast of Alaska, and has provided bill language to homeport the vessel in Ketchikan, Alaska. The Committee recommendation provides \$14,000,000 for a Small Waterplane Area Twin Hull vessel to be homeported in New Castle, NH. In addition, the Committee recommends \$6,000,000 to convert a T-AGS vessel to be homeported in Charleston, SC.

OTHER

[In thousands of dollars]

	<i>Committee recommendation</i>
Operations, Research, and Facilities:	
Direct Obligations	2,340,255
De-Obligations	- 17,000
	<hr/>
Subtotal, Discretionary ORF Budget Authority	2,323,255
	<hr/>
Transfers:	
Promote & Develop American Fisheries	- 68,000
Coastal Zone Management Fund	- 3,000
	<hr/>
Subtotal, ORF Transfers	- 71,000
	<hr/>
Total, CJS ORF Appropriation	2,252,255
	<hr/>
Procurement, Acquisition, and Construction:	
Direct Obligations	942,810
De-Obligations	- 3,200
	<hr/>
Subtotal, Discretionary PAC Budget Authority	939,610
	<hr/>
Total, CJS PAC Appropriation	939,610
	<hr/>
Other Discretionary Appropriations:	
Coastal Zone Management Fund	3,000
Fishermen's Contingency Fund	952
Foreign Fishing Observer Fund	191
Fisheries Financing Program	287
Pacific Coastal Salmon Recovery:	
Pacific Coastal Salmon Recovery Fund	70,000
Endangered Species Act—Pacific Salmon Recovery	38,000
Columbia River Hatcheries—Operations	11,430
Columbia River Hatcheries—Monitor, Evaluation and Reform	1,700
Columbia River Facilities	3,365
Pacific Salmon Treaty Implementation—Base	5,600
Pacific Salmon Treaty Implementation—Chinook Salmon Agree- ment	1,845

	<i>Committee recommendation</i>
Pacific Salmon Treaty Implementation—Pacific Salmon Commission	2,000
Subtotal, Pacific Coastal Salmon Recovery	133,940
Total, Other Discretionary Appropriations—Conservation	[133,940]
Total, Other Discretionary Appropriations	138,370
NOAA GRAND TOTAL DISCRETIONARY APPROPRIATIONS ...	3,349,685

PACIFIC COASTAL SALMON RECOVERY FUND

Appropriations, 2001	\$73,837,000
Budget estimate, 2002	110,000,000
Committee recommendation	133,940,000

The Committee recommends \$133,940,000 for Pacific Coastal Salmon conservation to be funded under the conservation category. Of this amount, \$70,000,000 is for the Pacific Coastal Salmon Recovery Fund. Of this amount, the Committee recommends \$20,600,000 for the State of Alaska, \$20,150,000 for the State of Washington, \$10,075,000 for the State of Oregon, \$10,075,000 for the State of California, and \$9,100,000 for the Tribes. Of the funds provided for the State of Alaska, \$500,000 is provided to study parasitic infection of chum salmon; \$2,000,000 is provided to restore the Chester Creek salmon run; \$5,000,000 is provided for an interagency, multi-disciplinary research effort to determine the causes of the decline of salmon species in Alaska; \$800,000 is provided for hatchery operations; \$200,000 is provided to restore the King Salmon runs in Craig, Alaska; \$250,000 is provided to enable the State of Alaska to participate in discussions regarding the Columbia River hydrosystem management; and \$750,000 is provided to the Pacific States Marine Fisheries Commission to prevent the escapement of Atlantic salmon from Alaska streams and address other invasive species issues. Of the amounts provided for the State of Washington, \$1,000,000 is for Washington State University and the University of Idaho for the Salmon Restoration Partnership, 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 Forest and Fish Report and consistent with the requirements of the Endangered Species Act and Clean Water Act. Of the amount provided to the State of Oregon, \$1,000,000 is for culvert replacement and rehabilitation in Clakamas County, Oregon to help meet Federal Endangered Species Act mandates, and \$1,000,000 is to address natural threats to the southern Oregon/northern California coho salmon in the Klamath River.

COASTAL ZONE MANAGEMENT FUND

This fund consists of loan repayments arising from the former Coastal Energy Impact Program which are transferred to the “Operations, research, and facilities” account for program grants.

The Committee recommendation includes \$3,000,000 from the coastal zone management [CZM] fund for CZM program management and other purposes authorized by section 308 of the Coastal Zone Management Act.

FISHERMEN'S CONTINGENCY FUND

Appropriations, 2001	\$950,000
Budget estimate, 2002	952,000
Committee recommendation	952,000

The Committee recommends an appropriation of \$952,000 for the fishermen's contingency fund.

The fishermen's contingency fund provides compensation to U.S. fishermen for damage or loss of fishing gear and any resulting loss because of natural or man-made obstructions related to oil and gas exploration, development, and production on the Outer Continental Shelf. The Secretary of Commerce is authorized to establish an area account within the fund for any area within the Outer Continental Shelf. A holder of a lease, permit, easement, or right-of-way in such area is required to pay a fee into the appropriate area account in the fund. Each area account, if depleted, will be replenished by assessment. The authorization stipulates that amounts available in each area account can be disbursed only to the extent provided by appropriations acts. Since receipts collected may not be sufficient for this appropriation, the Committee has included language which provides that the sums necessary to eliminate the insufficiency may be derived from the general fund of the Treasury.

FOREIGN FISHING OBSERVER FUND

Appropriations, 2001	\$191,000
Budget estimate, 2002	191,000
Committee recommendation	191,000

The Committee recommends an appropriation of \$191,000 for the foreign fishing observer fund.

Fees paid into the fund are collected from owners and operators of certain foreign fishing vessels that fish within the U.S. fishery conservation zone. The fund supports salaries of U.S. observers and program support personnel, other administrative costs, and the cost of data management and analysis.

FISHERIES FINANCE PROGRAM ACCOUNT

Appropriations, 2001	\$287,000
Budget estimate, 2002	287,000
Committee recommendation	287,000

The Committee recommends an appropriation of \$287,000 for the fisheries finance program account. Of the funds provided, \$100,000 is for entry level and small vessel individual fishery quota (IFQ) obligation guarantees in the halibut and sablefish fisheries off Alaska pursuant to section 1104A(a)(7) of the Merchant Marine Act of 1936. These funds are provided for IFQ loans in accordance with section 303(d)(4) of the Magnuson-Stevens Act and section 108(g) of the Sustainable Fisheries Act.

DEPARTMENT MANAGEMENT
SALARIES AND EXPENSES

Appropriations, 2001	\$35,841,000
Budget estimate, 2002	37,652,000
Committee recommendation	42,062,000

The Committee recommends an appropriation of \$42,062,000 for Departmental Management. The recommendation is \$4,410,000 above the budget request. The Committee recommendation provides \$750,000 for the National Academy of Sciences to conduct a study on the nature of global intellectual property counterfeiting and piracy. The purpose of the study is to develop effective, long-term strategies for addressing these threats to U.S. economic strength. The Department of Commerce will, in conjunction with the Department of Justice and not later than 1 month after enactment of this Act, grant this award to the National Academy of Sciences. The study will be completed by September 30, 2002. The Department of Commerce, the Department of Justice and other agencies shall fully cooperate with and provide necessary information to assess the current situation related to Intellectual Property theft.

The Committee is concerned by the uncontrolled growth and lack of Congressional oversight of the Working Capital Fund [“the Fund”]. The Committee believes that the Department’s use of bureau program funds which are appropriated for program purposes should be scrutinized through reprogramming procedures. In addition, the Committee is concerned by the Department’s use of appropriated bureau program funds to finance new Departmental initiatives. It is the Committee’s intent that all programs and activities financed through the Fund and all changes and increases to the Fund shall require the advance approval of the Committee under the provisions of Section 605. Consequently the Department will submit a request for reprogramming before any funds may be obligated to or from the Fund.

The Committee has, over the past 6 months, engaged in discussions with Department of Commerce officials regarding the need for Departmental Fund reforms. As an outcome of these discussions and the information provided by the Department of Commerce at the Committee’s request, the Committee has developed directives which should be included in the Department’s request for reprogramming. They are outlined in the following paragraphs.

The Committee has included bill language that caps the Fund at a level of \$117,000,000 and 700 Full-Time Equivalents [FTE]. Included is language capping funding for the Commerce Administrative Management Systems [CAMS] or CAMS-related products at \$40,000,000. No more than \$15,000,000 for CAMS will be assessed to NOAA. Any reductions necessary to be taken to operate the Fund at the fiscal year 2002 authorized level of \$117,000,000 will be based upon the numbers of FTE of the Fund service providers, beginning with those service providers which operate with the largest number of FTEs and funds. At a minimum, reductions will be taken from the three largest Fund accounts and service providers as reported in the fiscal year 2002 Congressional Budget submission for Departmental Management. These service providers are

the Office of Administrative Services, the Office of General Counsel and the Office of Security. The Office of Human Resources Management, Human Resources Services project and or its equivalent(s) will be reduced by at least \$1,386,000.

The Office of Management and Organization Support, Office of Budget Forms and Tracking System, Office of Human Resources Management Payroll Demonstration Project, Office of Human Resources Management Employee Diversity and Classification or their equivalents will be eliminated from the Fund.

The Office of Human Resources Decennial Census and the Office of Civil Rights Census 2000 and or their equivalents will be eliminated from the Fund and may be billed through the Advances and Reimbursements Account ["A and R" account].

Further, the Committee notes that certain A and R projects have become permanent activities carried out by the Office of the Secretary, and, therefore, should be funded through, and subject to the scrutiny of the Appropriations process. As such, External Affairs, White House Liaison, Executive Support, Cultural Awareness, and Commerce, Government Performance and Results Act project, will be eliminated from the A and R account and the activities funded by these projects shall not be charged or billed to the Department's bureaus. The Committee has recommended a total amount of \$3,660,000 in the Departmental Management appropriation to fund these activities. This amount is commensurate with the level of funding planned for payment by the bureaus to these activities.

Electronic Commerce, Regional Economic Growth, Class Action Suit, Diversity Employment Plan, MSI Financial Assistance and Grant Promotion Activities, MSI Conferences, Executive Assistance Management Information Technology Activities, Pioneer Fund, COMMITS, Executive Direction Support, Celebrate Department of Commerce, and Telecommuting will not be funded out of the A and R account.

The USA Trade Center, Ronald Reagan Building and International Trade Center project will be eliminated from the Departmental A and R account and responsibility for administering the project activities shall be transferred to the International Trade Administration.

In future budget submissions, the Department will submit and display the A and R project listing and the Fund project listings and associated dollar and FTE requests as part of the Congressional budget request. The Committee directs that the Department ensure that WCF budget estimates for upcoming fiscal year be provided to bureau clients no later than October 1 each fiscal year.

OFFICE OF THE INSPECTOR GENERAL

Appropriations, 2001	\$19,956,000
Budget estimate, 2002	21,176,000
Committee recommendation	21,176,000

The Committee recommends an appropriation of \$21,176,000 for the Commerce Department's Office of the Inspector General. The recommendation is identical to the budget request.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

The Committee includes the following general provisions for the Department of Commerce that were included in the fiscal year 2001 appropriations act. Sections 201 through 208 are continuations of language included in previous appropriations acts.

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

Section 202 makes appropriations for salaries and expenses available for the hire of passenger motor vehicles, and for services, uniforms, and allowances as authorized by law.

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

Section 204 provides the authority to transfer funds between Department of Commerce accounts. The language provides that no account may be decreased by more than 5 percent or increased by more than 10 percent. The language also makes the transfers subject to the Committee's standard reprogramming procedures.

Section 205 allows the Secretary to award contracts for certain mapping and charting activities in accordance with the Federal Property and Administrative Services Act.

Section 206 allows the Department of Commerce franchise fund to retain a percentage of earnings from services provided for capital investments.

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

Section 208 provides funding for three grants and a cooperative agreement.

Section 209 makes administrative changes to the Department of Commerce, Working Capital Fund and Advances and Reimbursements account.

TITLE III—THE JUDICIARY

The funds provided in title III of the accompanying bill are for the operation and maintenance of the U.S. courts and include the salaries of judges, magistrates, supporting personnel, and other expenses of the Federal judiciary.

The Committee recommends a total appropriation of \$4,491,578,000 for the judiciary. The recommendation is \$381,135,000 below the budget request. The Committee is aware that a total of \$235,365,000 in fees, reimbursables, and carryover is available in various accounts across the title.

Steady growth in costs associated with Defender Services, court security, GSA rental payments, and pay and benefits at a time of declining resources is putting serious pressure on the judiciary budget. The Committee urges the judiciary to make every effort to contain mandatory costs.

SUPREME COURT OF THE UNITED STATES

Appropriations, 2001	\$45,121,000
Budget estimate, 2002	159,856,000
Committee recommendation	47,518,000

The Committee recommends an appropriation of \$47,518,000. The total amount is provided in two separate appropriation accounts as follows:

SALARIES AND EXPENSES

Appropriations, 2001	\$37,512,000
Budget estimate, 2002	42,114,000
Committee recommendation	39,988,000

The Committee recommends an appropriation of \$39,988,000 for the Justices, their supporting personnel, and the costs of operating the Supreme Court, excluding the care of the building and grounds. The recommendation is \$2,126,000 below the budget request and fully funds current services.

Various offices, a theatre, a gift shop, and mail handling have all been built out into the hallways of the Court in direct violation of fire codes. The expected renovation of the Court will only exacerbate space problems for the foreseeable future. Therefore, the Committee recommendation defers staffing increases until it is clear that there is room for additional personnel. To the degree that the positions sought are needed immediately, including the assistant food preparation specialist, forklift operator, warehousemen, and mail services clerks, the Court may, within existing manpower ceilings, use attrition to alter the skill mix of its workforce.

CARE OF THE BUILDING AND GROUNDS

Appropriations, 2001	\$7,513,000
Budget estimate, 2002	117,742,000
Committee recommendation	7,530,000

The Committee recommends an appropriation of \$7,530,000 for personnel and other services relating to the Supreme Court building and grounds, which is supervised by the Architect of the Capitol. The recommendation is \$110,212,000 below the budget request.

Building renovations.—While entirely supportive of the proposal to replace building systems that have been maintained long past the end of their useful service lives, the Committee is very concerned by the linchpin of the Court's construction approach: the digging out of an underground annex as swing space for displaced staff. Better utilization of existing Court space, particularly the conversion of ceremonial or public areas into working offices, presents a far less risky and costly alternative to burrowing under the north wall. Furthermore, space can be made available in the Thurgood Marshall Building. The Committee directs the Architect of the Capitol to develop a plan for installing the necessary building services without recourse to an underground annex. The low-risk, low-cost approach to swing space used for the renovation of the Dirksen Senate Office Building should serve as a model. The plan should be delivered not later than January 1, 2002. The recommendation funds the routine maintenance of existing building systems in anticipation of a construction start in 2003 under the revised plan.

U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

Appropriations, 2001	\$17,895,000
Budget estimate, 2002	20,446,000
Committee recommendation	19,372,000

The Committee recommends an appropriation of \$19,372,000. The recommendation is \$1,094,000 below the budget request. Certain mandatory increases for judicial officers are provided. The recommendation includes requested funding by the Court to renovate and modernize one of the Federal Circuit's courtrooms. To accommodate this request no funding is provided for other requested increases.

U.S. COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

Appropriations, 2001	\$12,432,000
Budget estimate, 2002	13,112,000
Committee recommendation	13,054,000

The Committee recommends an appropriation of \$13,054,000. The recommendation is \$58,000 below the budget request. Certain mandatory increases for judicial officers are provided. The recommendation includes \$75,000 for an architectural analysis requested by the court.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

Appropriations, 2001	\$3,352,879,000
Budget estimate, 2002	3,735,864,000
Committee recommendation	3,559,012,000

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

The Committee recommends a total appropriation of \$3,559,012,000 for salaries and expenses of the Courts of Appeals, District Courts, and Other Judicial Services. The recommendation is \$176,852,000 below the budget request. The recommendation reflects a refinement of anticipated funding requirements which is \$176,852,000 below the budget request. In addition, as noted at the beginning of the title, the Committee understands that up to \$70,000,000 in carryover, reimbursables, and fees will be available to apply to this account, if necessary. Certain mandatory increases for judicial officers are provided.

The Committee recommendations are displayed in the following table:

Courts of appeals, district courts, and other judicial services

[In thousands of dollars]

	<i>Committee recommendation</i>
Appeals court:	
Judicial officers:	
Article III judges:	
Active	24,386
Senior	18,492
Court staff:	
Article III judges' staff	60,458
Circuit executives	26,013
Clerks offices	37,223
Staff and preargument attorneys	42,389
Librarians	17,020
Bankruptcy appellate panels	1,472
Subtotal	227,453
	227,453
District courts:	
Judicial officers:	
Article III judges:	
Active	98,355
Senior	59,260
Magistrate judges	80,965
Court of Federal Claims judges	2,315
Court staff:	
Article III judges' staff	181,652
Magistrate judges' staff	71,262
Federal claims judges' staff	4,356
Clerks offices	407,984
Court reporters	50,210

	<i>Committee recommendation</i>
Court interpreters	6,542
Subtotal	<u>962,901</u>
Bankruptcy courts:	
Judicial officers: Bankruptcy judges	49,941
Court staff:	
Bankruptcy judges' staff	45,601
Clerks	285,498
Bankruptcy administrators	4,167
Subtotal	<u>385,207</u>
Probation/pretrial services:	
Investigations and supervision	654,507
Drug dependent offenders	35,367
Mental health	7,224
Subtotal	<u>697,098</u>
Services, supplies, and equipment	<u>502,111</u>
Rental payment to GSA	<u>784,242</u>
Total, courts	3,559,012

The Committee recommendations are discussed in more detail in the following paragraphs. The Committee notes that in order to accommodate rental payments, the Committee recommendation necessitates a downward adjustment for support staff.

Southwest Border.—In Fiscal Year 2001 the Committee devoted resources to help the hard-hit judicial districts on the Southwest Border. These Federal districts continue to handle over one quarter of all criminal court filings in the United States. While court staffing problems appear to be abating, the number of unfilled judgeships and need for new judgeships remains a persistent concern. To address this issue the Committee has provided \$5,000,000 to hire additional magistrate judges along the Southwest border. The Committee directs that a spending and hiring plan and a list of proposed locations be provided to the Committee by no later than February 1, 2002.

Juries.—The Committee is concerned with increased plea bargaining, limits on jury awards, and new powers of judges to screen evidence presented to jurors. These factors are diminishing the traditional role of the jury. The number of Federal criminal and civil cases ending in jury verdicts has fallen more than 58 and 72 percent respectively over the past few decades. Also disturbing is the number of jury verdicts that Federal appeals courts have overturned since 1987. Some estimates calculate that nearly a 40 percent increase has occurred in this area. This trend promises to undermine individual confidence in the jury system and in the courts themselves. The Committee directs the Administrative Office of the U.S. Courts to report to the Committee by no later than February 1, 2002, with recommendations delineating what reforms the Federal Judiciary can make to ensure that juror and citizen confidence are not eroded.

Relocation report.—Prior to opening new offices, the Justice Department is required to seek permission from Congress. In the last

relocation report, the Marshals Service sought to open a new office in Lander, WY. The request was denied, because the Marshals were, and are, projected to go anti-deficient due to unexpectedly heavy and prolonged costs associated with security for the World Trade Center and East Africa bombing trials in New York City. The Committee has since learned that a magistrate is holding court in Lander, WY, and that the Marshals opened an office there at the insistence of the magistrate. The Committee acknowledges that court may be held in Lander, but, in light of the Committee's decision on the relocation report, the Judiciary must pay for Marshals support if the magistrate's work requires their presence. Therefore, the Committee recommendation transfers \$33,000 from this account to the Marshals to cover their costs in Lander. The Committee understands that similar situations may exist in Minnesota, Wisconsin, and North Carolina. As additional information becomes available, additional costs may be incurred.

Protective details.—The Committee is aware that a judge vacationing in Switzerland with his extended family forced his protective detail to babysit his very young grandchildren on several occasions. When the detail supervisor objected, the judge “punished” the detail in various ways. Judges are reminded that the taxpayer bears a considerable burden providing portal to portal security. The detail has one assignment and one assignment only: protection. Details are not care givers. In the future, the Committee will not ask the taxpayer to shoulder the costs of protective details if those details are found to be acting as servants.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

Appropriations, 2001	\$2,596,000
Budget estimate, 2002	2,692,000
Committee recommendation	2,692,000

The Committee recommends a reimbursement of \$2,692,000 from the special fund to cover expenses of the claims court associated with processing cases under the National Childhood Vaccine Injury Act of 1986. The recommendation is identical to the budget request.

DEFENDER SERVICES

Appropriations, 2001	\$434,043,000
Budget estimate, 2002	521,517,000
Committee recommendation	463,756,000

The Committee recommends an appropriation of \$463,756,000. The recommendation is \$57,761,000 below the budget request. The recommendation reflects a refinement of anticipated funding requirements.

This account funds the operations of the Federal public defender and community defender organizations and the compensation, reimbursement, and expenses of attorneys appointed to represent persons under the Criminal Justice Act, as amended.

The Committee is very concerned with the requested 19.9 percent increase in funding for this account. While every effort has been made to address the needs expressed by the Judicial Conference, growth of this magnitude cannot be funded within existing Committee resources. Funding is provided to maintain current services and additional funding is provided to increase panel attorney rates

of compensation beyond what was provided in fiscal years 2000 and 2001. The new rate is \$90 per hour in and out of court. A modest amount is also provided for heavier panel attorney workload. In addition, as noted at the beginning of the title, the Committee understands that up to \$70,000,000 in carryover, reimbursables, and fees will be available to apply to this account, if necessary.

The impact of multi-defendant litigation needs to be reassessed. The Committee directs the Administrative Office of the U.S. Courts to commence a study to be provided to the Committees on Appropriations by no later than March 1, 2002, examining the feasibility of establishing “firewalls” in existing Federal defender organizations that will allow multi-defendant cases to be handled out of the same office. If these cases can be addressed in this way, concerns about the quality of panel attorney representations should decrease, and substantial savings would assuredly result.

FEEES OF JURORS AND COMMISSIONERS

Appropriations, 2001	\$59,436,000
Budget estimate, 2002	50,131,000
Committee recommendation	50,131,000

The Committee recommends an appropriation of \$50,131,000. The recommendation is identical to the budget request and is a refined estimate of fiscal year 2002 requirements. This account provides for the fees and allowances of grand and petit jurors and for the compensation of land commissioners and jury commissioners.

COURT SECURITY

Appropriations, 2001	\$199,136,000
Budget estimate, 2002	228,433,000
Committee recommendation	209,762,000

The Committee recommends an appropriation of \$209,762,000. The recommendation is \$18,671,000 below the budget request. The recommendation is based on an estimate by the U.S. Marshals Service of court security requirements and funds court security personnel, equipment, and perimeter enhancements. The Committee is unable to fully accommodate the 14.5 percent requested increase for this account. The recommendation includes an additional \$4,000,000 to maintain courthouse security and replace obsolete systems and equipment. In addition, as noted at the beginning of the title, the Committee understands that up to \$70,000,000 in carryover, reimbursables, and fees will be available to apply to this account, if necessary.

Radios.—Last year, the Administrative Office of U.S. Courts [AO] sought to have its radio program included under the narrowband conversion program run by the Justice Department. Like Justice, the Judiciary must convert VHF radios by January 1, 2005. In a letter to Congress, the AO correctly noted the cost and interoperability benefits of bringing court security radio modernization under the Justice program. Left unsaid was the sad fact that radio funds have been used through the years to cover salaries and expenses, a problem that would be alleviated by shifting control of radio investments to the Wireless Management Office within the Department of Justice. The Committee recommendation includes a provision that transfers \$3,580,000 from this account to the

“Narrowband Conversion” account in title I to begin the process of converting court security radios.

ADMINISTRATIVE OFFICE OF THE U.S. COURTS

SALARIES AND EXPENSES

Appropriations, 2001	\$58,212,000
Budget estimate, 2002	63,029,000
Committee recommendation	58,212,000

The Committee recommends an appropriation of \$58,212,000. The recommendation is \$4,817,000 below the budget request.

The Administrative Office of the U.S. Courts [AO] hosts the Judicial Conference, and handles certain administrative tasks for the U.S. courts.

Americans with Disabilities Act.—The Committee supports the efforts of the AO to bring modern technology to the Federal courts. Pursuant to that effort the Committee directs the AO to provide \$3,000,000 to the University of Mississippi to support real time captioning initiatives for the hearing disabled. This funding shall be used both to improve the real-time captioning skills of court reporters and to expand the availability of captioning equipment to all Federal courthouses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

Appropriations, 2001	\$18,736,000
Budget estimate, 2002	20,323,000
Committee recommendation	19,742,000

The Committee recommends an appropriation of \$19,742,000. The recommendation is \$581,000 below the budget request and provides for requested adjustments to base.

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

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

Appropriations, 2001	\$35,700,000
Budget estimate, 2002	37,000,000
Committee recommendation	37,000,000

The Committee recommends an appropriation of \$37,000,000. The recommendation is identical to the budget request.

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

U.S. SENTENCING COMMISSION

SALARIES AND EXPENSES

Appropriations, 2001	\$9,909,000
Budget estimate, 2002	12,400,000
Committee recommendation	11,327,000

The Committee recommends an appropriation of \$11,327,000. The recommendation is \$1,073,000 below the budget request.

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

GENERAL PROVISIONS—THE JUDICIARY

The Committee recommends the following general provisions for the judiciary, all of which were included in previous appropriations acts.

Section 301 allows the Judiciary to expend funds for employment of experts and consultant services.

Section 302 allows the Judiciary, subject to the Committee's reprogramming procedures, to transfer up to 5 percent between appropriations, but limits to 10 percent the amount that can be transferred into any one appropriation.

Section 303 limits official reception and representation expenses incurred by the Judicial Conference of the United States to no more than \$11,000.

Section 304 prospectively addresses Employment Cost Index adjustments for Justices and judges.

Section 305 increases funding for distance learning.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

The Committee recommends an appropriation of \$7,658,282,000. The recommendation is \$318,254,000 below the budget request. Security, technology, and infrastructure accounts have received the maximum funding deemed prudent.

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

Appropriations, 2001	\$3,167,174,000
Budget estimate, 2002	3,705,140,000
Committee recommendation	3,498,353,000

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

The Committee recommends an appropriation of \$3,498,353,000. The recommendation is \$206,787,000 below the budget request. Within the amount provided, the Committee recommendation includes \$175,000 to support the United States' membership in the Arctic Council and \$40,000 for the Bering Straits Commission. The former includes funds for representation expenses and travel for U.S. delegates.

The Committee recommendations, by bureau or operation, are displayed in the following table:

Diplomatic & Consular Programs

[In thousands of dollars]

	<i>Committee recommendation</i>
Overseas Bureaus:	
African Affairs	202,263
Near Eastern Affairs	133,066
South Asian Affairs	50,634
East Asian & Pacific Affairs	227,095
East-West Center	[14,000]
European Affairs	484,503
Western Hemispheric Affairs	234,571
International Organization Affairs	46,956
International Conferences	6,736
FSN Separation Liability Trust Fund	7,898
Subtotal	1,393,722
Functional Bureaus:	
Consular Affairs	42,787
Economic & Business Affairs	26,473

	<i>Committee recommendation</i>
Intelligence & Research	39,191
International Information Programs	40,889
Oceans/Int'l Environmental/Scientific Affs	20,091
Pacific Salmon Treaty	45,419
Political-Military Affairs	22,465
NonProliferation	18,667
Arms Control	17,366
Verification & Compliance	8,905
Diplomatic Security	225,989
Information Resource Management	90,522
Democracy, Human Rights, & Labor	12,145
Population, Refugees, & Migration	688
Legislative Affairs	8,446
Finance Management & Policy	62,580
Bureau of Public Affairs	22,268
Counterterrorism Research & Development	1,800
Office of International Criminal Justice	1,719
Subtotal	<u>708,410</u>
Management Programs	284,848
Diplomatic Telecommunications Service	[47,614]
Continuing Language Training Overseas	[10,000]
Administrative Programs	503,768
Subtotal	<u>788,616</u>
Initiatives:	
Diplomatic Readiness	45,784
Personnel	[37,988]
Training	[7,796]
Service Needs Incentives	11,555
Civil Service Overseas Mobility Initiative	1,000
Leadership Development Competencies	1,500
Overseas Infrastructure	20,800
Paris Rightsizing	14,857
Information Resource Management	102,746
Subtotal	<u>198,242</u>
Worldwide Security Upgrades:	
Domestic/Local Guards	139,101
Physical Security Equipment	18,395
Physical Security Technical Support	69,313
Armored Vehicles	10,320
Personnel/Training	80,901
Radio Replacements	2,240
Information/Systems Security	25,109
Chemical/Biological Program	3,944
Perimeter Security Enhancements	24,000
Global Security and Law Enforcement	36,040
Subtotal	<u>409,363</u>
Total, Diplomatic & Consular Programs	3,498,353

Some of the Committee recommendations displayed in the table are described in more detail in the following paragraphs.

Diplomatic Security.—Explosive growth in Diplomatic Security manning has created an imbalance between seasoned and unseasoned agents that can only be solved with time because the best training available does not compare to the value of experience. In another context, the Attorney General testifies that “it is very risky to allow an agency’s overall ratio of inexperienced to experienced

agents to exceed 30 percent.” Today, the percentage of Diplomatic Security agents having served 4 years or less is over 30 percent. The Attorney General warned that agencies with excessive numbers of rookie agents “will find it difficult to maintain performance, professionalism and integrity.” Therefore, the Committee does not recommend full funding for an additional 186 Diplomatic Security agents.

Diplomatic Readiness.—Full funding is provided for hiring an anticipated 700 replacements for attrition. In addition, full funding is provided for all training needs to ensure that new hires have the appropriate language, security, leadership, management, and professional skills needed to be successful in their new assignments.

Worldwide security upgrades.—The Committee recommendation includes \$459,363,000 for worldwide security upgrades, of which \$50,000,000 has been made available from prior year unobligated funds available in the “Embassy Security, Construction and Maintenance” account. Of the funding provided, \$349,323,000 is for ongoing security activities. In addition, full funding is provided for procedural and technical security enhancements as well as for training, operational support, and infrastructure. None of the funds provided here for security may be obligated until a complete and thorough accounting of prior year security funds has been forwarded to the Committee.

The Committee is aware of a 2-year, two-city “Weapons of Mass Destruction [WMD] Terrorism Threat Information and Training for First Responders” pilot project of the Center for Nonproliferation Studies at the Monterey Institute of International Security to build effective communication and information sharing between Federal and local officials on WMD terrorism issues. The Committee urges the Department of State to support funding for this project.

Radios.—The Department installed an extensive worldwide radio network with funds provided through the Fiscal Year 1999 Emergency Security Supplemental and is now seeking additional funding for replacement of its domestic wireless networks. By law, the existing wireless networks must convert to 12.5 kilohertz channel spacing by 2005. The Committee recommendation provides \$6,000,000 for replacement of the domestic wireless networks in Washington, DC and elsewhere in the United States, used for diplomatic security and law enforcement. Given the Department of Justice Wireless Management Office’s expertise in the area of narrowband conversion for law enforcement and addressing issues such as interoperability, the Committee recommendation includes a provision that transfers \$6,000,000 from this account to the “Narrowband Conversion” account in Title I to begin the conversion of the State Department’s domestic wireless network.

Influence.—The Committee recommendation includes \$1,000,000 out of available funds to continue the Ambassador’s Fund for Cultural Preservation. U.S. Ambassadors from underdeveloped countries may submit competitive proposals for one-time or recurring projects with awards based on the importance of the site, the country’s need, and the ability to make a meaningful contribution to the preservation of a site, object, or form of expression. The Department is directed to submit a report to the Committees on winning projects on an annual basis.

Bureau of Consular Affairs.—The Department is directed to report to the Committee 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 Committee expects that Internet technology will be utilized to accomplish this.

Continuing language education.—Language skills are central to the effectiveness of State Department employees abroad, irrespective of assignment. As important, language skills ensure dependents are not overwhelmed by feelings of isolation and alienation, resulting in lowered post morale. The Committee applauds Department efforts to revive continuing language education programs at posts. Within available funds, the Committee recommendation directs that \$10,000,000 shall be available only for continuing language education programs for both employees and dependents at posts worldwide. Language classes should also be open to non-State Department (Federal) employees on a space available, reimbursable basis.

International conservation of sea turtles.—The Committee is concerned with the increasing threat to sea turtles, particularly those listed under the Convention on International Trade on Endangered Species of Wild Fauna and Flora [CITES], from incidental capture by foreign fleets, particularly in the longline fishery. The Secretary of State shall, on an expedited basis, negotiate strong, enforceable management, reporting, and data collection measures (including economic measures) focused on reducing incidental capture of sea turtles in commercial fisheries under regional management agreements for living marine resources, including the Inter-American Sea Turtle Conservation Treaty, the Inter-American Tropical Tuna Convention, the International Convention for the Conservation of Atlantic Tunas, and the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Multilateral High Level Conference). In addition, the Committee urges the Secretary to develop a trans-Pacific international turtle conservation agreement to include Pacific island and Pacific rim nations. In particular, the Committee urges the Secretary to work with the Secretary of Commerce under Magnuson-Stevens Act Section 202(h), which calls for the Secretary of State, in cooperation with the Secretary of Commerce, to seek international agreements to establish standards and measures for bycatch reduction that are comparable to U.S. standards. In fiscal year 2002 these efforts should focus on longline fishing. In furtherance of this goal, the Secretary of State and Secretary of Commerce, through the National Marine Fisheries Service, shall work with other nations and industry, including the Asia-Pacific Eco-

conomic Cooperation Forum, to develop alternative fishing technologies and practices designed to reduce incidental capture mortality of sea turtles, particularly in the international longline fleet. The Secretaries are urged to convene preparatory meetings on gear development, particularly in the Pacific region, prior to the technical workshop scheduled for 2002 to ensure that agreement on alternative gear research and data sharing, including timetables for specific action, can be concluded at this workshop. The State Department and Commerce Department shall report back on the status of these efforts within 90 days of enactment.

Pacific salmon treaty implementation.—The Committee has provided \$45,419,000 to implement the 1999 Pacific Salmon Treaty Agreement. Of this amount, \$20,000,000 is for further capitalizing the Northern Boundary Fund, \$20,000,000 is for further capitalizing the Southern Boundary Fund, and \$5,419,000 is for the State of Washington for obligations pursuant to the 1999 Agreement.

The Committee is concerned that National Marine Fisheries Service (NMFS) continues to consider further harvest restrictions in Alaska in its efforts to recover some stocks of Pacific salmon. The Committee believes Alaska has made sufficient harvest reductions under the Treaty, and that any further recovery efforts should address other impacts to listed stocks.

Out of funds provided for this purpose, NMFS should continue to work with the State of Alaska in monitoring the effects of the decline of Pacific Northwest-origin salmon on the harvest off Alaska of Alaska-origin salmon.

Biotechnology.—The Office of Agricultural and Textile Trade Affairs [ATTA], Bureau of Economic and Business Affairs, is playing a critical role in promoting abroad an understanding of the benefits and safety of biotechnology. The Committee is aware that the European Union [EU] has launched a misinformation campaign aimed at scaring regulators and policy makers in the developing world into opposing biotechnology. These scare tactics are intended to help protect the EU's increasingly uncompetitive agricultural sector. The Bureau is directed to provide the support to posts necessary to refute the EU's calumnies regarding biotechnology. Furthermore, the Department is directed to increase the manpower of the ATTA to the level needed both to prepare U.S. negotiators on trade related and food safety talks and to thoroughly educate foreign governments on the importance of biotechnology. In support of the latter, the Committee expects the Department to increase funding for the speaker's program promoting plant biotechnology. Program enhancements should be targeted exclusively at Southeast Asia, Latin America, Africa, and India. The Committee directs the Department, in coordination with the Foreign Commercial Service, to submit a comprehensive plan for supporting biotechnology overseas not later than December 31, 2001.

International Trade.—Every year the State Department attempts to pursue international trade activities that are clearly within the traditional domain of the Commerce Department's International Trade Administration, particularly within the area of expertise of the United States and Foreign Commercial Service. This continual push by the State Department to expand its jurisdiction in this area runs counter to the wishes of the Committee which notes the

expansive and intractable foreign policy issues already confronting the Department. No funding is provided for this initiative.

CAPITAL INVESTMENT FUND

Appropriations, 2001	\$96,787,000
Budget estimate, 2002	210,000,000
Committee recommendation	210,000,000

This account provides resources for information and communications systems. The Committee recommends \$210,000,000. The recommendation is identical to the budget request. The Committee recommendations, by initiative, are displayed in the following table:

Capital investment fund

[In thousands of dollars]

	<i>Committee recommendation</i>
Diplomatic Telecommunications Service	38,969
Mainframe computer centers	3,000
Central management functions	139,348
Subtotal, infrastructure systems	181,317
Core foreign affairs systems	4,000
Financial systems	5,000
Administrative systems	13,483
Subtotal, corporate information systems & services	22,483
Office automation	500
Training	5,700
Total, capital investment fund	210,000

Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

Diplomatic Telecommunications Service.—The Diplomatic Telecommunications Service [DTS] was established in 1992 to create a global telecommunications network for all agencies overseas. A single network was intended to reduce duplication in equipment, staffing, training, and operations, as well as achieve cost savings through economies of scale. The Committee recommendation provides the budget request for DTS to maintain program momentum.

Internet Access at Overseas Posts.—The Committee commends the Department on reaching its goal of providing e-mail capability to all of its overseas posts through a global network called OpenNet. In contrast to its progress in delivering e-mail capabilities, the Department has been slow in providing Internet access to Department desktops. The Committee is aware of the Department's plan to build upon OpenNet with a system called OpenNet Plus to provide web browsing capabilities. The world wide web has become essential to the conduct of foreign policy. The Committee supports the Secretary's decision to place Information Technology (IT) among the Department's top priorities. Accordingly, the Department's fiscal year 2002 request is fully funded, with the understanding that the target dates for completion of all IT programs will be significantly expedited. The Committee expects OpenNet

Plus Internet access to be provided to all State Department desktops by January of 2003. The Department is directed to report to the Committees on Appropriations no later than December 1, 2001 on the status of the implementation of its overall IT plan. At that time, the Department should also be prepared to submit a plan for the overhaul of its classified network, to include a time frame and cost estimates.

Common Technology Platform.—Last year, the Committee directed the Department to create a common technology platform whereby all agencies operating overseas may communicate and coordinate their activities. This common platform, called the “Collaboration Zone” was among the recommendations of the Overseas Presence Advisory Panel (OPAP). While important, this is not as high a priority as the delivery of Internet capabilities or the upgrading of the classified network. The Department is directed to report to the Committees on Appropriations on the status of this effort by October 1, 2001, at which time the Committee will consider releasing in full the amount provided for this effort in fiscal year 2001.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2001	\$28,427,000
Budget estimate, 2002	29,264,000
Committee recommendation	28,427,000

The Committee recommends an appropriation of \$28,427,000. The recommendation is \$837,000 below the budget request.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

Appropriations, 2001	\$231,078,000
Budget estimate, 2002	242,000,000
Committee recommendation	242,000,000

The Committee recommends an appropriation of \$242,000,000. The recommendation is identical to the budget request.

The Committee recommendations, by program, are displayed in the following table:

Cultural and Educational Exchanges

[In thousands of dollars]

	<i>Committee recommendation</i>
Academic Programs:	
Fulbright Program:	
Students, Scholars, Teachers	119,495
Hubert H. Humphrey Fellowship Program	6,222
Regional Scholars Program	2,049
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Subtotal	127,766
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Other Academic Programs:	
Educational Advising & Student Services	3,500
English Language Programs	3,000

	<i>Committee recommendation</i>
Edmund S. Muskie Fellowship Program	559
Subtotal	<u>7,059</u>
Other Special Academic Programs: American Overseas Research Centers	2,321
Subtotal, Academic Programs	<u>137,146</u>
Professional & Cultural Programs:	
International Visitors Program	52,000
Citizen Exchange Program	17,861
Cultural Educational, and Workforce Development Exchanges to Af- rica	750
Subtotal	<u>70,611</u>
Other Professional & Cultural Programs:	
Mike Mansfield Fellowships Programs	2,239
Irish Institute	500
Atlantic Corridor USA	500
North/South Center	1,500
Joiner Fellowships in War	100
Padnos International Center	100
UNI-Cedar Falls Russo-American Exchange	100
UNLV Global Business Exchange	100
UNR International Business Exchange	100
Subtotal	<u>5,239</u>
Subtotal, Professional & Cultural	<u>75,850</u>
Exchanges Support:	
Employee Compensation & Benefits	24,971
Program Direction & Administration	4,033
Subtotal	<u>29,004</u>
Total, Cultural & Educational Exchanges	242,000

Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

Overseas educational advising centers.—The Committee strongly supports the essential mission of overseas educational advising centers [OEACs] in recruiting international students to study at U.S. colleges and universities. The Committee notes that modest funding for OEACs helped leverage \$12,000,000,000 in spending by international students and their dependents in communities and higher education institutions throughout the United States in the academic year 1999–2000. In the Committee’s view, OEACs must receive adequate funding to keep pace with increasing competition from other nations to attract foreign students.

Foreign policy priority.—The Committee recognizes that international education—imparting global literacy to students and other citizens as an integral part of their education—is important to ensure our nation’s ability to meet key challenges, including national security and the management of global conflict, competitiveness in the global market, and an increasingly multi-cultural society. The Committee suggests the Department of State, in cooperation with the Department of Education and other agencies with exchange programs, give higher priority to international education and raise

its level of importance on the national agenda. In particular, the Committee urges the Department of State, the Department of Commerce, and the Department of Justice through the Immigration and Naturalization Service to coordinate efforts to promote U.S. exchange programs and U.S. higher education abroad and to remove unnecessary barriers for exchange visitors and students seeking access to the U.S. exchange programs and higher education institutions.

Seed programs.—The Committee has continued a modest program begun in fiscal year 2000 that provides one-time funding to international exchange startups. These new programs are expected, after their first year, to seek funding from outside sources. The Committee will track the survival rate of new starts. The Bureau of Educational and Cultural Exchanges is directed to provide advice and assistance to these new programs and to inform the Committee immediately of any change in their status.

Cultural, Educational, and Technical Exchanges to Africa.—Performances by touring U.S. dance and music troupes have afforded our diplomats unusual access to oft-times elusive senior policymakers in Africa. At the same time, the lure of technological innovation, especially the explosion of the Internet, afford American educators and entrepreneurs a rare opportunity to develop lasting links with African elites. In particular, the potential appears to exist to establish a “virtual university” in Africa that could prove critical to literacy and economic development programs continent-wide. The Committee recommendation provides \$750,000 to revive Federal support for touring companies as a means of expanding and deepening diplomatic contacts throughout Africa, to establish Internet-centric educational and workforce development programs, and to explore the feasibility of establishing a virtual university in Africa.

REPRESENTATION ALLOWANCES

Appropriations, 2001	\$6,485,000
Budget estimate, 2002	9,000,000
Committee recommendation	9,000,000

Representation allowances provide partial reimbursement to Foreign Service officers for expenditures incurred in their official capacities abroad in establishing and maintaining relations with officials of foreign governments and appropriate members of local communities.

The Committee recommends an appropriation of \$9,000,000. The recommendation is identical to the budget request.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

Appropriations, 2001	\$15,433,000
Budget estimate, 2002	10,000,000
Committee recommendation	10,000,000

This account reimburses local governments and communities for the extraordinary costs incurred in providing protection for international organizations, foreign missions and officials, and foreign dignitaries under certain circumstances.

The Committee recommends an appropriation of \$10,000,000. The recommendation is identical to the budget request.

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

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

Appropriations, 2001	\$1,077,600,000
Budget estimate, 2002	1,291,006,000
Committee recommendation	1,066,951,000

This account provides the funding that allows the Department to manage U.S. Government real property in over 200 countries worth an estimated \$12,500,000,000 and to maintain almost 14,000 residential, office, and functional properties, not only for the Department of State, but for all U.S. employees overseas.

The Committee recommends an appropriation of \$1,066,951,000. The recommendation \$224,055,000 below the budget request.

The Committee recommendations by project or program are displayed in the following table:

Security and maintenance of U.S. missions

[In thousands of dollars]

	<i>Committee recommendation</i>
Direct Appropriations:	
Leasehold Program	130,941
Functional Programs:	
Buy-out of Uneconomic Leases	35,000
Physical Security Upgrade	5,920
Safety & Fire Programs	10,000
Post Communications Support	6,100
Maintenance of Buildings	77,400
Facility Rehabilitation	39,700
Moscow, Russia	5,000
Istanbul, Turkey	4,500
Improve Post Housing	6,300
Improve Marine Housing	2,600
Main State & Other Domestic Facilities	24,700
Facility Maintenance Assistance	46,000
Energy Conservation & Investment	3,800
Power Support Program	6,700
Seismic Program	730
Subtotal, Functional Programs	<u>274,450</u>
Subtotal, Non-Security	<u>405,391</u>
Worldwide Security Upgrades:	
Capital Program:	
Housing:	
Acquisition:	
Post Housing—worldwide	21,010
Marine Housing—worldwide	7,450
Facilities:	
Planning/Site Acquisition/Design	43,000

	<i>Committee recommendation</i>	
Annex—Moscow, Russia	[11,400]	
Construction	437,890	
Annex—Moscow, Russia	[84,490]	
Subtotal, Capital Projects	<u>509,350</u>	
Other Security Upgrades/Support Costs	14,280	
Perimeter Security Enhancements	136,680	
Overseas American Schools	1,250	
Subtotal, Other Security Upgrades	<u>152,210</u>	
Subtotal, Security	<u>661,560</u>	
Total, Direct Appropriations	<u>1,066,951</u>	
Unobligated Prior Year Balances:		
Worldwide Security Upgrades:		
Perimeter Security—Transfer to D&CP	50,000	
Program Execution	37,060	
Construction Security	25,590	
Administration	23,396	
Leasehold Program	18,009	
Subtotal, Unobligated Balances	<u>154,055</u>	
Anticipated Savings & Slippages		
Total, Security & Maintenance	<u>1,221,006</u>	

Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

Cost savings.—By scrubbing the costs for a number of pending construction projects, the leadership of the Office of Building Operations [OBO] was able to identify significant savings. The Committee commends the work of the OBO and believes that similar savings can be achieved with projects proposed for fiscal year 2002. The recommendation adjusts the funding levels of certain capital projects in anticipation of an OBO cost review of these projects. The Committee expects OBO to present its results on a project by project basis as part of the reprogramming process.

Unobligated balances.—The Committee is aware that the Office of Overseas Building Operations [OBO] is holding large unobligated balances. The Department's continued resistance to executing certain Congressionally-designated projects, such as those in Jerusalem and Taipei, and Congressional denial of a number of ill-considered projects, affords the Committee the opportunity to apply prior year funds to current year projects, thus saving direct appropriations this year.

Moscow, Russia.—Over 26 agencies currently are using the Old Embassy Building in Moscow, Russia. The Old Embassy Building is rapidly deteriorating and posing life and health concerns for the personnel which are still located in the facility. Additionally, the building is within 15 feet of one of Moscow's busiest thoroughfares and has been frequently and violently attacked during the past 5 years. The United States and Russia share numerous vital interests, including preventing the proliferation of weapons of mass destruction, the long-term integration of a democratic Russia into global economic and financial institutions, and engaging Russia on

a broad range of foreign policy issues, including the United Nations and the Middle East peace process. Given these shared interests, the Committee recommendation provides \$95,890,000 for design, site preparation, and construction of a new Unclassified Annex.

Family security.—As part of the overall response to the worldwide security threat to U.S. personnel abroad, the Committee recommendation includes \$6,250,000 to enhance the security of post housing and overseas American schools. The Committee expects to be consulted prior to the release of these funds.

Buyout of uneconomic leases.—High lease costs deplete Department resources. The Committee supports efforts by the Department to selectively acquire properties in cities with volatile rental markets, thus generating significant out-year savings. The Committee recommendation provides \$35,000,000 for opportunity purchases.

Marine security guards.—The Committee recommendation does not include funding to expand the number of Marine security guards at embassies, since the current state of guard housing is deplorable. Instead, the Committee recommendation provides \$10,050,000 to repair and improve existing Marine houses and posts or acquire new housing.

The Department is directed to submit, and receive approval for, only those projects or subaccounts funded under this account, whether from direct appropriations or proceeds of sales, that deviate from the financial plan outlined above. Any proposed deviations shall include project-level detail, and shall be provided to the Appropriations Committees not later than 60 days after the date of enactment of this Act. Any deviation from the above plan shall be treated as a reprogramming in the case of an addition greater than \$500,000 or as a notification in the case of a deletion, a project cost overrun exceeding 25 percent, or a project schedule delay exceeding 6 months. Notification requirements also extend to the “rebaselining” of a given project’s cost estimate, schedule, or scope of work.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

Appropriations, 2001	\$5,465,000
Budget estimate, 2002	15,500,000
Committee recommendation	5,465,000

This account provides resources for the Department of State to meet emergency requirements while conducting foreign affairs. The Committee recommendation provides funds for: (1) travel and subsistence expenses for relocation of Americans, U.S. Government employees, and their families from troubled areas to the United States and/or safe-haven posts; (2) allowances granted to State Department employees and their dependents evacuated to the United States for the convenience of the Government; (3) payment of rewards for information concerning terrorists and war criminals; and (4) representation expenses for senior Administration officials.

The Committee recommends an appropriation of \$5,465,000. The recommendation is \$10,035,000 below the budget request.

REPATRIATION LOANS PROGRAM ACCOUNT

Appropriations, 2001	\$1,193,000
Budget estimate, 2002	1,219,000
Committee recommendation	1,219,000

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

The Committee recommends an appropriation of \$1,219,000. The recommendation is identical to the budget request.

Less than 20 percent of repatriation loans are ever repaid. The Committee strongly endorses efforts by consular services to limit assistance only to victims of unforeseen circumstances or travelers whose mental instability presents a risk to themselves or others.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

Appropriations, 2001	\$16,309,000
Budget estimate, 2002	17,044,000
Committee recommendation	17,044,000

The Taiwan Relations Act requires that programs concerning Taiwan be carried out by the American Institute in Taiwan [AIT]. The Institute administers programs in the areas of economic and commercial services, cultural affairs, travel services, and logistics. The Department of State contracts with the AIT to carry out these activities.

The Committee recommends an appropriation of \$17,044,000. The recommendation is identical to the budget request.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

Appropriations, 2001	\$131,224,000
Budget estimate, 2002	135,629,000
Committee recommendation	135,629,000

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

The Committee recommends an appropriation of \$135,629,000. The recommendation is identical to the budget request.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

Appropriations, 2001	\$868,917,000
Budget estimate, 2002	878,767,000
Committee recommendation	1,091,348,000

This account funds payment of the obligations of U.S. membership in international organizations as authorized by treaties or specific acts of Congress.

The Committee recommends an appropriation of \$1,091,348,000. The recommendation is \$212,581,000 above the budget request.

The Committee recommendations, by organization, are displayed in the following table:

Contributions to international organizations

[In thousands of dollars]

	<i>Committee recommendation</i>
United Nations and affiliated agencies:	
Food and Agriculture Organization	72,741
International Atomic Energy Agency	49,112
International Civil Aviation Organization	12,011
International Labor Organization	54,873
International Maritime Organization	1,168
International Telecommunications Union	5,871
United Nations—Regular	266,244
United Nations—War Crimes Tribunals	24,000
United Nations—Synchronization of United States and United Nations budget years	266,244
Universal Postal Union	1,312
World Health Organization	108,109
World Intellectual Property Organization	817
World Meteorological Organization	8,259
Subtotal	870,761
Inter-American organizations:	
Inter-American Institute for Cooperation on Agriculture	16,560
Organization of American States	54,196
Pan American Health Organization	52,258
Pan American Institute of Geography and History	324
Subtotal	123,338
Regional organizations:	
Asia-Pacific Economic Cooperation	601
Colombo Plan Council for Technical Cooperation	15
North Atlantic Assembly	596
North Atlantic Treaty Organization	43,975
Organization for Economic Cooperation and Development	52,143
South Pacific Commission	1,104
Subtotal	98,434
Other international organizations:	
Customs Cooperation Council	2,861
Hague Conference on Private International Law	103
International Agency for Research on Cancer	1,670
International Bureau/Permanent Court of Arbitration	19
International Bureau/Publication of Customs Tariffs	89
International Bureau of Weights and Measures	810
International Copper Study Group	55
International Cotton Advisory Committee	222
International Center/Study of Preservation and Restoration of Cultural Property	748
International Hydrographic Organization	82
International Institute/Unification of Private Law	101
International Lead & Zinc Study Group	56
International Office of Epizootics	75
International Organization of Legal Metrology	94
International Rubber Study Group	117
International Seed Testing Association	7
International Tropical Timber Organization	159
International Union/Conservation of Nature and Natural Re- sources	251
International Grains Council	444
International Union/Protection of New Varieties of Plants	163
Organization for the Prevention of Chemical Weapons	12,950

	<i>Committee recommendation</i>
World Trade Organization/General Agreement on Tariffs and Trade	12,739
Subtotal	33,815
Spending reductions:	
Exchange rate savings	(20,100)
U.N. buydown	(14,900)
Administrative overhead	
Subtotal	(35,000)
Total, international organizations	1,091,348

Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

Synchronization of United States and United Nations budget years.—Twenty years ago a decision was made to put the United States and United Nations budget years out of alignment. The budget year of the United Nations begins in January. Prior to this change, Administration requests sought funding for U.N. dues in the fiscal year beginning in the October prior to dues being due. After this change, funding for U.N. dues have been sought in the fiscal year beginning in the October after dues are due. This 9 month delay in annual payment of U.N. regular dues has caused difficulties for 20 years. The United Nations frequently chides the United States for being in “arrears” for the period between the bill for dues being received and being paid. This has had a negative impact on relations between Congress and the United Nations. The Committee is aware that there are reasons enough for discord between Congress and the United Nations without additional book-keeping challenges adding to the list. Therefore, the recommendation provides the funds necessary to synchronize the U.S. payment of U.N. regular dues with the U.N. budget year.

Spending decreases.—The recommendation assumes exchange rate savings due to the continuing strength of the U.S. dollar. The recommendation also anticipates approval of a reprogramming involving \$14,900,000 in fiscal year 2001 “Contribution to International Organizations” [CIO] funds that will be used to partially prepay U.N. regular budget assessments for calendar year 2001 by a like amount.

International Civil Aviation Organization.—The Committee recognizes the need for increased aviation safety and security throughout the world and commends the progress that the International Civil Aviation Organization [ICAO] has made. In view of the importance of ICAO’s work to the United States and the rapid growth of international civil aviation, the Committee recommendation provides the necessary funding for the United States to continue to pay its 25 percent assessment. The Committee recommendation includes the additional budgetary resources necessary for the new and expanded programs in safety and security undertaken by the ICAO.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

Appropriations, 2001	\$844,139,000
Budget estimate, 2002	844,139,000
Committee recommendation	773,182,000

This account funds U.S. payments for contributions for international peacekeeping activities.

The Committee recommends an appropriation of \$773,182,000. The recommendation is \$70,957,000 below the budget request.

Sierra Leone.—The Revolutionary United Front [RUF] has had several opportunities, including three cease fire agreements, to demonstrate its commitment to peace, and each time it has merely used the hiatus in the conflict as an opportunity to regroup and re-deploy its forces. The Committee is concerned that the recent willingness of the RUF to honor the May 2001 ceasefire is nothing more than the continuation of the same old practice and the RUF does not desire peace, but rather fears that the Guinean army poses a serious threat to its survival. The RUF is effectively using the United Nations Peacekeeping mission to Sierra Leone [UNAMSIL] as a shield against the Guinean army. Although the Committee supports the deployment of U.N. peacekeepers to the areas of Sierra Leone most in need, it remains skeptical of the RUF's motives for allowing it to do so. The Committee considers the five principles laid out by the former U.S. Ambassador to the U.N. to the Committee to form the basis of U.S. policy. These five principles are: prevent rebel groups from having a role in government; support the British military presence; give regional and international forces and the Sierra Leonean Army [SLA] the capacity to disrupt RUF control of the diamond-producing areas; assist the government of Sierra Leone with institution-building; and develop a strategy for dealing with the current Liberian government. Therefore, concurrent to the submission of a spend plan under Section 605, the Department of State is directed to provide the Committee written assurance that neither the U.N. nor the Government of Sierra Leone has made a promise of a political role for current or former members of the RUF or of amnesty to the same.

Twenty-Five Percent Cap.—Funding is provided to meet fully U.S. assessments to UN peacekeeping operations at a level that is consistent with the current legislative cap of 25 percent imposed by section 404 of the Foreign Relations Authorization Act, fiscal years 1994 and 1995. When legislation is enacted to lift or modify this restriction, the Committee will consider through the regular reprogramming process a request by the Department to reallocate funding. This reprogramming would permit the United States to meet its full assessment obligations.

East Timor.—The Committee is aware that, in anticipation of the East Timor's independence vote, scheduled for August 2001, the Department has requested to open a U.S. post in Dili, East Timor. While the Committee recognizes the eventual need for a U.S. presence in East Timor, it believes that the process should proceed prudently. The situation in East Timor, despite the relative success of the U.N. Transitional Administration in East Timor [UNTAET], remains highly unstable. East Timor continues to be the third largest peacekeeping initiative funded in the "Contributions for Inter-

national Peacekeeping Activities” account with over 15 percent of the funding in this account directed toward the mission. The uncertainty surrounding East Timor’s path to independence gives this Committee pause about sanctioning American people and assets to East Timor while it is still unclear how they might be received. The Department is therefore directed to report to the Committee on the situation in East Timor by January 1, 2002, at which time the Committee will reconsider the request.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

SALARIES AND EXPENSES

Appropriations, 2001	\$7,126,000
Budget estimate, 2002	7,452,000
Committee recommendation	7,452,000

The Committee recommends an appropriation of \$7,452,000. The recommendation is identical to the budget request.

CONSTRUCTION

Appropriations, 2001	\$22,900,000
Budget estimate, 2002	25,654,000
Committee recommendation	24,154,000

The Committee recommends an appropriation of \$24,154,000. The recommendation is \$1,500,000 below the budget request.

The Committee recommendations, by project, are displayed in the following table:

International Boundary & Water Commission Construction

[In thousands of dollars]

	<i>Committee recommendation</i>
Boundary-wide construction:	
Facilities renovation construction	725
Heavy equipment replacement	500
Land mobile radio systems replacement	750
Hydrological data collection system rehabilitation	750
Construction Administration	382
Subtotal, boundary-wide construction	3,107
Rio Grande construction:	
Rio Grande American Canal extension	250
Rio Grande canalization continuation	800
Rio Grande flood control system rehabilitation	1,150
Safety of dams rehabilitation	754
Subtotal, Rio Grande construction	2,954
Colorado River construction: Colorado River boundary/capacity preservation	340
Subtotal, construction	6,401
Operations & maintenance	17,753
Total	24,154

The Committee expects to be consulted prior to any deviation from the above plan for fiscal year 2002.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

Appropriations, 2001	\$6,726,000
Budget estimate, 2002	10,311,000
Committee recommendation	6,879,000

This account funds the U.S. share of expenses of the International Boundary Commission [IBC], the International Joint Commission [IJC], and the Border Environment Cooperation Commission [BECC].

The Committee recommends an appropriation of \$6,879,000. The recommendation is \$3,432,000 below the budget request.

The Committee recommendations, by commission, are displayed in the following table:

American Sections, International Commissions

[In thousands of dollars]

	<i>Committee recommendation</i>
International Boundary Commission:	
Commission operations	494
Maine-Quebec project	118
Washington-British Columbia	234
Montana-Alberta, British Columbia	143
Subtotal, IBC	989
International Joint Commission:	
United States Section	3,330
U.S. Geological Survey	520
Subtotal, IJC	3,850
Border Environment Cooperation Commission:	
Studies & investigations/solid waste projects	320
All other operations	1,720
Subtotal, BECC	2,040
Total, American sections	6,879

The Committee expects to be consulted prior to any deviation from the above plan for fiscal year 2002.

INTERNATIONAL FISHERIES COMMISSIONS

Appropriations, 2001	\$19,349,000
Budget estimate, 2002	19,780,000
Committee recommendation	20,780,000

This account funds the U.S. share of the expenses of international fisheries commissions; participation in the International Council for the Exploration of the Sea; participation in the North Pacific Marine Sciences Organization; travel expenses of the U.S. commissioners and their advisors; and salaries of non-Government employees of the Pacific Salmon Commission for days actually worked as commissioners and panel members and alternates.

The Committee recommends an appropriation of \$20,780,000. The recommendation is \$1,000,000 above the budget request.

The Committee recommendations, by commission, organization, or council, are displayed in the following table:

International Fisheries Commissions

[In thousands of dollars]

	<i>Committee recommendation</i>
Inter-American Tropical Tuna Commission	2,100
Great Lakes Fishery Commission	13,248
Pacific Salmon Commission	2,193
International Pacific Halibut Commission	2,200
International Whaling Commission	110
North Pacific Anadromous Fish Commission	99
Int'l Commission/Conservation of Atlantic Tunas	151
Northwest Atlantic Fisheries Organization	146
Commission for the Conservation of Antarctic Marine Living Resources	100
North Atlantic Salmon Conservation Organization	27
Int'l Council for the Exploration of the Seas	120
North Pacific Marine Science Organization	66
Inter-American Sea Turtle Convention Commission	120
Expenses of the U.S. Commissioners	100
Total	20,780

The Committee expects to be consulted prior to any deviation from the above plan for fiscal year 2002.

Of the amount provided for the Great Lakes Fishery Commission [GLFC], not less than \$300,000 shall be used to treat Lake Champlain with lampricide and lampricide alternative. The GLFC is directed to give priority to States that have provided matching grants when distributing lampricide funds.

OTHER

PAYMENT TO THE ASIA FOUNDATION

Appropriations, 2001	\$9,230,000
Budget estimate, 2002	9,250,000
Committee recommendation	8,000,000

The Committee recommends an appropriation of \$8,000,000. The recommendation is \$1,250,000 less than the budget request.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

Appropriations, 2001	\$499,000
Budget estimate, 2002	500,000
Committee recommendation	500,000

The Committee recommends an appropriation of \$500,000 for interest and earnings in the Eisenhower Exchange Fellowship Program Trust Fund, authorized by the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101-454). The recommendation is equal to the budget request.

The Eisenhower Exchange Fellowship Act of 1990 authorized a permanent endowment for the Eisenhower Exchange Fellowship Program. The act established the Eisenhower Exchange Fellowship Program Trust Fund in the U.S. Treasury for these purposes. A total of \$7,500,000 has been provided to establish a permanent endowment for the program, from which interest and earnings in the fund are appropriated to Eisenhower Exchange Fellowships, Inc.

ISRAELI-ARAB SCHOLARSHIP PROGRAM

Appropriations, 2001	\$374,000
Budget estimate, 2002	375,000
Committee recommendation	375,000

The Committee recommends an appropriation of interest and earnings for the Israeli-Arab Scholarship Endowment Fund estimated to be \$375,000. The recommendation is equal to the budget request.

A permanent endowment of \$4,978,500 was established in fiscal year 1992 with funds made available under section 556(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, as amended. The income from the endowment is to be used for a program of scholarships for Israeli-Arabs to attend institutions of higher education in the United States.

EAST-WEST CENTER

Appropriations, 2001	\$13,470,000
Budget estimate, 2002	13,500,000
Committee recommendation	14,000,000

The Committee recommends an appropriation of \$14,000,000. The recommendation is \$500,000 above the request.

NATIONAL ENDOWMENT FOR DEMOCRACY

Appropriations, 2001	\$30,931,000
Budget estimate, 2002	31,000,000
Committee recommendation	31,000,000

The Committee recommends an appropriation of \$31,000,000. The recommendation is identical to the budget request.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

Appropriations, 2001	\$398,093,000
Budget estimate, 2002	428,234,000
Committee recommendation	414,752,000

This account funds the operating and engineering costs of Voice of America [VOA], Radio Free Europe/Radio Liberty [RFE/RL], Radio Free Asia [RFA], Worldnet Television, and the Broadcasting Board of Governors [BBG].

The Committee recommends an appropriation of \$414,752,000. The recommendation is \$13,482,000 below the budget request.

The Committee recommendations are displayed in the following table:

[In thousands of dollars]

	<i>Committee recommendation</i>
Broadcasting Board of Governors	13,318
International Broadcasting Bureau:	
Voice of America	110,876
VOA-TV	19,508
Engineering and technical operations	107,617
Program support	20,398

	<i>Committee recommendation</i>
Administrative support	47,015
Subtotal	318,732
Independent grantee organizations:	
Radio Free Europe/Radio Liberty	69,527
Radio Free Asia	26,493
Uyghur	[1,000]
Subtotal	96,020
Total, international broadcasting operations	414,752

Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

Post-Independence Agreement with the Department of State.—The Committee is concerned by the lack of progress towards reaching an agreement between the BBG and Department of State formalizing “post-independence” actions and responsibilities of the BBG toward the Department. The Committee directs that, within 6 months of the date of enactment of this Act, the BBG and Department of State shall have signed a memorandum of understanding that delineates a formal arrangement for providing services to the Department and reimbursement for the cost of such services.

Expansion of Broadcasting Capabilities.—The Committee is aware that the Department of State is looking to enhance its own broadcasting capabilities, a program decision which carries with it the potential for overlap with current BBG services. The Department is directed to report to the Committee on its reasoning for requesting additional transmission and production services.

Shifting requirements.—The Committee believes an opportunity exists to reach important and isolated minorities in the Northern Caucasus. RFE/RL has in the past broadcast in native languages to this region. The Committee believes that doing so today would not be financially prohibitive, and further believes that the Chechen crisis has created a genuine need in this region for objective, uncensored information. The Committee directs RFE/RL to expand broadcasting to the Northern Caucasus and to develop programming in Avar, Chechen, and Circassian. To the degree desirable, RFE/RL should exploit VOA-TV assets. RFE/RL shall report back to the Committee on this effort not later than February 14, 2002.

The Committee recommendation includes a \$1,000,000 increase over the budget request for Radio Free Asia to increase daily Uyghur broadcasts. Radio Free Asia’s Uyghur broadcasts are proving successful in northwest China in spite of top level officials efforts to erect “a steel wall” against “hostile radio stations from abroad.”

Africa Broadcasting.—The Committee is concerned with Voice of America’s proposal to reduce funding for its Africa Division. Given the political instability in numerous countries, and given the impact AIDS is having on the entire continent, funding for Africa Broadcasting should be increasing. Within available funds, the Committee recommendation includes \$10,000,000 for Africa broad-

casting. VOA shall report back to the Committee on its AIDS education related broadcasting activities no later than March 22, 2002.

BROADCASTING TO CUBA

Appropriations, 2001	\$22,046,000
Budget estimate, 2002	24,872,000
Committee recommendation	24,872,000

This account funds the operating and engineering costs of Radio and Television Marti.

The Committee recommends an appropriation of \$24,872,000. The recommendation is identical to the budget request.

BROADCASTING CAPITAL IMPROVEMENTS

Appropriations, 2001	\$20,313,000
Budget estimate, 2002	16,900,000
Committee recommendation	16,900,000

This account funds necessary maintenance, improvements, replacements, and repairs of broadcasting sites; satellite and terrestrial program feeds; and engineering support activities, broadcast facility leases, and land rentals.

The Committee recommends an appropriation of \$16,900,000. The recommendation is identical to the budget request.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCIES

The Committee recommends the following general provisions:

Section 401 permits funds appropriated in this act for the Department of State to be available for allowances and differentials, services, and hire of passenger transportation.

Section 402 permits up to 5 percent of any appropriation made available in the bill for the Department of State and the U.S. Information Agency to be transferred between their respective appropriations. The language also provides that no appropriation shall be decreased by more than 5 percent or increased by more than 10 percent by any such transfer. In addition, the language provides that any transfer pursuant to this subsection shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 403 prohibits the use of Department of State funds to support the Palestinian Broadcasting Corp.

Section 404 limits the fundraising ability of criminal groups trafficking in “conflict” diamonds.

Section 405 prohibits the United Nations, or any of its specialized agencies, from imposing a tax on the Internet or international currency transactions.

Section 406 requires that a consulate or diplomatic facility in Jerusalem be under the supervision of the U.S. Ambassador to Israel.

Section 407 requires government publications to list Jerusalem as the capital of Israel.

Section 408 allows Israel to be recorded as the place of birth on registrations of birth, certifications of nationality, and passport applications for U.S. citizens born in Jerusalem.

TITLE V—RELATED AGENCIES
DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

Appropriations, 2001	\$219,114,000
Budget estimate, 2002	103,032,000
Committee recommendation	291,732,000

The Maritime Administration [MarAd] in the Department of Transportation is responsible for administering several programs for the maritime industry relating to U.S. foreign and domestic commerce and for national defense purposes.

The Committee recommends a total appropriation of \$291,732,000, which is \$188,700,000 above budget request. The Committee's recommendations for specific accounts are described below.

The Committee is concerned about foreign-owned hopper dredge vessels, which were grandfathered by the Oceans Act of 1992 (Public Law 102-587), inappropriately expanding their domestic operations and unfairly disadvantaging the domestic industry. The Committee directs the Administrator to review charters of vessels engaged in dredging in the navigable waters of the United States, in particular charterers who are not citizens of the United States under section 2 of the Shipping Act, 1916, in order to ensure that they are in compliance with current law and the intent of Congress.

MARITIME SECURITY PROGRAM

Appropriations, 2001	\$98,483,000
Budget estimate, 2002	98,700,000
Committee recommendation	98,700,000

The Committee recommends an appropriation of \$98,700,000. The recommendation is \$98,700,000 above the budget request. The Committee notes that the budget request recommended that jurisdiction over the Maritime Security Program be shifted to the Department of the Navy. The Committee does not recommend such a move.

The Maritime Security program maintains a U.S.-flag merchant fleet crewed by U.S. citizens who serve both the commercial and national security needs of the United States. The Committee's recommendation fully funds the 47 ships authorized to participate in this program.

OPERATIONS AND TRAINING

Appropriations, 2001	\$86,719,000
Budget estimate, 2002	89,054,000
Committee recommendation	89,054,000

The Committee recommends an appropriation of \$89,054,000. The recommendation is identical to the budget request.

This account funds operations of the Maritime Administration [MarAd], the U.S. Merchant Marine Academy, and provides grants to State maritime academies.

The recommendation includes \$47,822,000 for the U.S. Merchant Marine Academy and \$7,457,000 for the State maritime schools. Within the amounts provided for the U.S. Merchant Marine Academy, \$3,000,000 is included to reduce the maintenance and repair backlog at the Academy, and to begin to make needed capital improvements. Within the amounts for State maritime schools, \$1,200,000 is for student incentive payments, \$1,200,000 is for direct scholarship payments, and \$5,057,000 is for schoolship maintenance and repair. The Committee notes that MarAd anticipates using \$2,000,000 in Ready Reserve funds to support the schoolship maintenance and repair program.

MARITIME GUARANTEED LOAN PROGRAM

Appropriations, 2001	\$33,912,000
Budget estimate, 2002	3,978,000
Committee recommendation	103,978,000

The Committee recommends an appropriation of \$103,978,000. The recommendation is \$100,000,000 above the budget request and assumes administrative expenses of \$3,978,000.

The Maritime Guaranteed Loan Program (title XI) provides subsidies for guaranteed loans for purchasers of vessels built in U.S. shipyards and includes the guarantee for facilities or equipment pertaining to marine operations related to any of those vessels.

The Committee is concerned that the Administration did not request a title XI subsidy for fiscal year 2002. Projects currently under consideration, and many future maritime projects would be in jeopardy under this proposal. The recommended subsidy amount, when combined with \$5,000,000 in anticipated carryover balances, should provide sufficient funding to cover expected out-year requirements.

SHIP DISPOSAL PROGRAM

Appropriations, 2001	
Budget estimate, 2002	\$10,000,000
Committee recommendation	

The Committee does not recommend an appropriation for the Ship Disposal Program. The recommendation is \$10,000,000 below the budget request.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE
ABROAD

SALARIES AND EXPENSES

Appropriations, 2001	\$489,000
Budget estimate, 2002	489,000
Committee recommendation	489,000

The Committee recommends an appropriation of \$489,000. This amount is equal to the budget request. The recommendation will allow the Commission to fund its administrative expenses through

appropriated funds while relying on privately donated funds for the actual purchase and restoration of property.

The purpose of the Commission is to encourage the preservation of cemeteries, monuments, and historic buildings associated with the foreign heritage of the American people.

Revolutionary War heroes.—In recognition of the 225th anniversary of the signing of the Declaration of Independence, the Commission is directed to develop a plan for the preservation and interpretation of sites associated with the lives and deeds of foreign-born heroes of the American Revolution, including, but not limited to, John Barry, Thaddeus Kosciusko, the Comtes d’Estaing, de Grasse, and de Rochambeau, Baron Johann De Kalb, Count Casimir Pulaski, Friedrich Wilhelm von Steuben, John Paul Jones, and Gilbert du Motier, Marquis de Lafayette. The Commission shall deliver a preliminary survey to the Committees on Appropriations not later than July 4, 2002.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

Appropriations, 2001	\$8,800,000
Budget estimate, 2002	9,096,000
Committee recommendation	9,096,000

The Committee recommends an appropriation of \$9,096,000 for the salaries and expenses of the Commission on Civil Rights. The recommendation is identical to the budget request. The Committee recommendation includes \$100,000 to hold hearings in Alaska on recent incidents of racially motivated violence and to make recommendations to improve interracial relations.

The Committee recommends bill language which provides: (1) \$50,000 to employ consultants; (2) a prohibition against reimbursing commissioners for more than 75 billable days; (3) a prohibition against reimbursing the chairperson for more than 125 billable days; and (4) a limitation of four full-time positions under schedule C of the Excepted Service exclusive of one special assistant for each Commissioner.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Appropriation 2001	
Budget estimate	\$3,000,000
Committee recommendation	

The Committee does not recommend an appropriation. The recommendation is \$3,000,000 below the budget request.

COMMISSION ON OCEAN POLICY

Appropriations, 2001	\$998,000
Budget estimate, 2002	
Committee recommendation	2,500,000

The Committee recommends an appropriation of \$2,500,000 for the Commission on Ocean Policy. Legislation directing the President to establish a Commission on Ocean Policy, as the successor to the objective, science-based 1966 Stratton Commission passed

during the 106th Congress. To date \$4,500,000 has been appropriated for the Commission.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

Appropriations, 2001	\$1,367,000
Budget estimate, 2002	1,499,000
Committee recommendation	1,432,000

The Committee recommends an appropriation of \$1,432,000. The recommendation is \$67,000 below the budget request.

The Commission was established in 1976 to ensure compliance with the final act of the Conference on Security and Cooperation in Europe with particular regard to provisions dealing with humanitarian affairs.

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

SALARIES AND EXPENSES

Appropriations, 2001	\$499,000
Budget estimate, 2002	500,000
Committee recommendation	500,000

The Committee recommends an appropriation of \$500,000. The recommendation is identical to the budget request.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

Appropriations, 2001	\$303,195,000
Budget estimate, 2002	310,406,000
Committee recommendation	310,406,000

The Committee recommends an appropriation of \$310,406,000. The recommendation is identical to the budget request. During the past 4 years, the EEOC has received increases significantly higher than most of the agencies funded under this bill.

The Committee recommendation includes \$33,000,000 to fund fair employment practices agencies. This should permit the EEOC to increase the contract rate for cases closed to \$575. In order to ensure the EEOC understands the importance the Committee places on the work of State and local fair employment practices agencies, bill language is included to direct the agency to increase funding for the charge rate paid to these agencies.

The Committee expects the agency to use its anticipated fiscal year 2001 carryover funds and the remainder not used for the above purposes to modernize its computer systems.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

Appropriations, 2001	\$229,494,000
Budget estimate, 2002	248,545,000
Committee recommendation	252,545,000

The Committee recommends an appropriation of \$252,545,000 for the salaries and expenses of the Federal Communications Commission [FCC], of which \$218,757,000 is to be derived from collection of existing fees. The remaining \$33,788,000 is provided from direct appropriations. The recommendation is \$4,000,000 above the budget request. The Committee recommendation includes \$10,997,000 for the FCC's Information Technology requirements and initiatives. This funding will provide for continued support and critical improvements for existing systems, and will ensure compliance with government-wide standards pertaining to system security, accessibility and financial management. The funding will impact on all five key FCC activities, which includes licensing, competition, enforcement, consumer information, and spectrum management.

The FCC is an independent agency charged with regulating interstate and foreign communications, including radio, television, wire, wireless, cable, and satellite. The FCC's primary mission is to promote competition, innovation, and deregulation in the communications industry. The U.S. communications markets will be characterized predominately by competition and innovation over the next 5 years that will greatly reduce the need for direct regulation and increase the need for the FCC to maintain an independent technical engineering and economic expertise. The advent of Internet-based and other new technology-driven communications services will continue to erode the traditional regulatory distinctions between different sectors of the communications industry.

Enforcement and Consumer Access.—Vigorous enforcement is a fundamental prerequisite for competitive markets and expeditious dispute resolution. Enforcement remains vital but is most effective when fully and fairly implemented. Similarly, effective consumer information programs are essential during this period. Consumers must become familiar with the myriad new communications options and providers available, as well as the new demands which emerge from the advent of increased competition. Where competition does not ensure access for all Americans to communications services, the FCC will continue to promote universal service and other public interest policies to further the goal of ensuring all Americans have access to telecommunications tools.

Excellence in Engineering.—The Committee recommends \$4,000,000 for the Excellence in Engineering program. The purpose of the program is to reestablish the engineering preeminence of the Commission so that it is more fluent in technology than the entities it regulates.

Broadcast television standards.—The Committee is concerned about the declining standards of broadcast television and the impact this decline is having on America's children. An analysis of all prime-time programming has found that overall sexual content, foul language and violence have tripled over the past decade. In December 1999, the FCC issued a notice of inquiry regarding the public interest obligations of broadcasters during and after the transition to digital transmission. The Committee directs the FCC to continue to report to Congress on the issues associated with resurrecting a broadcast industry code of conduct for content of programming that, if adhered to by the broadcast industry, would protect against the further erosion of broadcasting standards.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

Appropriations, 2001	\$15,466,000
Budget estimate, 2002	16,450,000
Committee recommendation	17,450,000

The Committee recommends an appropriation of \$17,450,000. The recommendation is \$1,000,000 above the budget request.

The Federal Maritime Commission is an independent regulatory agency charged with administering several laws relating to the waterborne domestic and foreign offshore commerce of the United States.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

Appropriations, 2001	\$146,830,000
Budget estimate, 2002	156,270,000
Committee recommendation	156,270,000

The Federal Trade Commission [FTC] administers a variety of Federal antitrust and consumer protection laws. Activities in the antitrust area include detection and elimination of illegal collusion, anticompetitive mergers, unlawful single-firm conduct, and injurious vertical agreements. The FTC regulates advertising practices, service industry practices, marketing practices, and credit practices as it addresses fraud and other consumer concerns.

The Committee recommends an appropriation of \$156,270,000. The recommendation is identical to the budget request. The Committee recommendation for fiscal year 2002 provides funding for a total of 1,080 full time equivalents. The requested program level will be fully funded by fees assessed on Hart-Scott-Rodino Act premerger notification filings as authorized by section 605 of Public Law 101-162.

Child Protection.—The FTC released a report last year that was very critical of the entertainment industry and their persistent and calculated marketing of violent games, movies, and music to children. In response to this report the entertainment industry has promised to place tougher regulations on itself and voluntarily comply with the report's recommendations. The Committee believes that the FTC should continue and expand its efforts in this area and directs the Commission to engage in the following three initiatives in fiscal year 2002.

(1) *Consumer Research and Workshops.*—The Committee directs that \$500,000 be provided to conduct focus group and survey research involving parents, retailers, and others involved in children's entertainment activities. From these sessions it is hoped that the FTC will be able to determine how best to deliver messages to consumers through retail outlets in the most efficient way.

(2) *Underage Shopper-Retail Compliance Survey.*—The Committee directs that \$275,000 be provided for the FTC to contract with an outside firm to conduct an additional "mystery shopper" survey. The study should be expanded to include the children's purchase and rental of R-rated movie videos.

(3) *Marketing Data Collection.*—The Committee directs that \$135,000 be provided to ensure that the entertainment industry is living up to its promises. The FTC is directed to contract with a video monitoring, news clipping, and movie trailer service to record television shows, family hour programming, movies, and to clip magazines and newspapers to check for inappropriate ad placements and disclosure of rating information. In addition, actual products should be purchased to ensure that rating, label, and lyric information is properly and adequately disclosed.

Competition.—The FTC’s Maintaining Competition Mission is aimed at fostering and preserving our competitive market. The goal of the competition mission is to prevent anticompetitive business practices in the marketplace. The mission works to accomplish this goal by identifying and stopping anticompetitive mergers, and by preventing consumer injury through education. Mergers that are anticompetitive can drive up consumer prices by millions of dollars every year and can significantly diminish output, product quality, innovation, and consumer choice. To identify anticompetitive mergers, the FTC relies primarily on the premerger notification required by the Hart-Scott-Rodino Act. To distinguish between mergers that threaten free markets and those likely to promote them, the FTC uses sophisticated economic analysis and thorough factual investigation.

Consumer Protection.—The FTC is charged with eliminating unfair or deceptive acts or practices affecting commerce. The goal of the consumer protection mission is to prevent fraud, deception, and unfair business practices in the marketplace. The mission works to accomplish this goal by identifying fraud, deception and unfair practices that cause the greatest consumer injury, by stopping these actions through law enforcement, and by preventing consumer injury through education. Staff in the FTC’s eight regions support the consumer protection mission by bringing a wide variety of consumer protection cases in various programs and acting as contacts for State Attorneys General and other State and local consumer protection officials.

Internet.—The FTC is charged with monitoring compliance with the Children’s Online Privacy Protection Act. The Committee’s recommendation ensures the agency is adequately prepared to meet the challenges of increased fraud on the Internet and the agency’s recognition that Internet fraud is an international phenomenon since the Internet has no borders.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

Appropriations, 2001	\$329,274,000
Budget estimate, 2002	329,300,000
Committee recommendation	329,300,000

The Committee recommends an appropriation of \$329,300,000. This is identical to the budget request. The Committee recommendation includes \$310,000,000 for basic field programs, to be used for competitively awarded grants and contracts, \$12,400,000 for management and administration, \$4,400,000 is for client self-

help and information technology, and \$2,500,000 for the Office of the Inspector General [OIG].

ADMINISTRATIVE PROVISIONS

The Committee recommendation continues the administrative provisions contained in the fiscal year 1998 appropriations act (Public Law 105–119) regarding operation of this program to provide basic legal services to poor individuals and the restrictions on the use of Legal Services Corporation funds.

Grantees must agree not to engage in litigation and related activities with respect to a variety of matters including (1) redistricting; (2) class action suits; (3) representation of illegal aliens; (4) political activities; (5) collection of attorney fees; (6) abortion; (7) prisoner litigation; (8) welfare reform; (9) representation of charged drug dealers during eviction proceedings; and (10) solicitation of clients. The exception to the restrictions in a case where there is imminent threat of physical harm to the client or prospective client remains in place.

The manner in which LSC grantees are audited through contracts with certified public accountants for financial and compliance audits are continued along with the provisions on recompetition and debarment.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

Appropriations, 2001	\$1,696,000
Budget estimate, 2002	1,732,000
Committee recommendation	1,957,000

The recommendation provides \$1,957,000 for the Marine Mammal Commission in fiscal year 2002. The recommendation is \$225,000 above the budget request.

The Committee recommendation provides \$225,000 for the workshop described in a proposal submitted to Congress on April 20, 2001.

NATIONAL VETERANS' BUSINESS DEVELOPMENT CORPORATION

Appropriations, 2001	\$4,000,000
Budget estimate, 2002	4,000,000
Committee recommendation	4,000,000

The Committee recommends an appropriation of \$4,000,000. The recommendation is identical to the budget request. The National Veterans' Business Development Corporation was authorized by Public Law 106–50.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

Appropriations, 2001	\$421,870,000
Budget estimate, 2002	437,900,000
Committee recommendation	514,047,000

The Securities and Exchange Commission [SEC] is an independent agency responsible for administering many of the Nation's laws regulating the areas of securities and finance.

The Committee recommendation provides total budget (obligational) authority of \$514,047,000. The recommended amount of budget authority is \$76,147,000 above the budget request.

The recommendation assumes passage of the fee reduction provisions of S. 143. This legislation will result in significant reductions in SEC transaction, registration, and merger and tender offering fee rates. In fiscal year 2002, the Section 31 transaction fee rate will decline from roughly \$33 per million (1/300th of 1 percent) to \$15 per million, more than a 50 percent reduction. In addition, the Section 6(b) registration fee rate will decline from \$250 per million (1/40th of 1 percent) to \$92 per million, a reduction of nearly 63 percent. The fees associated with merger and tender offerings also will decline to \$92 per million. Fees collected from all three of these sources will be made available to this appropriation as offsetting collections. The Committee's recommendation assumes that \$404,547,300 in fees collected in fiscal year 2001 and \$109,500,000 in fees collected in fiscal year 2002 will be available as offsetting collections.

For fiscal year 2002 the Committee continues to emphasize the importance of the Office of Economic Analysis within the Commission and expects adequate funds be provided in order to carry out these functions. The Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for the rental of space; (2) makes up to \$3,000 available for official reception and representation expenses; (3) makes up to \$10,000 available for a permanent secretariat for the International Organization of Securities Commissions; and (4) makes up to \$100,000 available for governmental and regulatory officials.

Internet Fraud.—The Commission's Internet enforcement program has proven extremely successful. Internet fraud cases represent a growing proportion of the SEC's caseload, increasing from four percent in 1998 to sixteen percent in 2000. There have been 220 cases involving Internet fraud against 760 persons and entities. The Committee encourages the SEC to continue to aggressively carry out the multifaceted program of enforcement actions, Internet surveillance of publicly accessible areas of the Internet only, staff training in Internet investigative techniques, maintenance of the online Enforcement Complaint Center, and joint education and training sessions on Internet investigations for other Federal, State SRO and international regulators. The Committee also encourages the SEC to continue to cooperate with the Federal Trade Commission, the Department of Justice, and other Federal agencies to maximize coordination and the efficiency of all Federal programs targeted at Internet fraud.

SMALL BUSINESS ADMINISTRATION

Appropriations, 2001	\$857,601,000
Budget estimate, 2002	546,000,000
Committee recommendation	773,457,000

The Committee recommends an appropriation of \$773,457,000. The recommendation is \$231,457,000 above the budget request.

The total funding is distributed among the five SBA appropriation accounts as described below.

SALARIES AND EXPENSES

Appropriations, 2001	\$367,824,000
Budget estimate, 2002	321,219,000
Committee recommendation	333,233,000

The Committee recommends a direct appropriation of \$333,233,000 for the salaries and expenses of the Small Business Administration. The recommendation is \$12,014,000 above the budget request. The Committee does not recommend funding for the SBA's systems modernization initiative. The Committee has, in past years, provided \$32,000,000 for this purpose, of which \$8,000,000 remains unobligated. The Committee is aware that SBA has used funding appropriated for the Systems Modernization Initiative for other purposes. Further, the SBA moved funds out of the Systems Modernization Initiative without a reprogramming request as is required under Section 605 of this Act. The SBA has obligated \$8,000,000 from prior year appropriations in the Federal System Integration and Management Center account (FEDSIM) to be held until projects are ready for acquisition. The Committee recommendation reduces the SBA Salaries and Expenses account by \$8,000,000. The Committee recommends that SBA submit a reprogramming request to move funds from the FEDSIM account to the Salaries and Expenses account if it wishes to make up the difference in funding. Also, the Committee does not recommend funding for the workforce transition.

The Committee recommendation includes requested language authorizing \$3,500 for official reception and representation expenses and language authorizing SBA to charge fees to cover the cost of publications and certain loan servicing activities.

NON-CREDIT BUSINESS ASSISTANCE PROGRAMS

For SBA's non-credit business assistance programs, the Committee recommends an appropriation of \$183,914,000. The Committee recommends the following amounts for these programs:

Small Business Development Centers	\$88,000,000
USEAC Program	3,100,000
Business LINC	7,000,000
New Freedom Initiative	5,000,000
Drug-free Workplace Grants	3,500,000
Asset Sales Program Financial Officer	1,500,000
Regulatory Fairness Bonds	500,000
SCORE	5,000,000
BICs	500,000
Women's Business Centers	12,000,000
Women's Council	750,000
Women's Procurement Assistance	500,000
7(j) Technical Assistance	3,600,000
Advocacy Research/Database	1,100,000
Microloan Technical Assistance	20,000,000
Veteran's Business Development Assistance	750,000
PRO-Net	500,000
Ombudsman and Regulatory Fairness Board	500,000
SBIR Technical Assistance	1,500,000
Federal and State Technology Partnership Program	3,500,000
HubZone Program	2,000,000
PRIME Technical Assistance	15,000,000

The Committee believes the Small Business Development Centers (SBDCs) provide useful services to small businesses nationwide. Federal funding of the SBDC program constitutes the seed funding for the program, which is leveraged one or two times by State, local, and private funds. In the fiscal year 2002 budget request, the administration is proposing that the SBDCs be required to collect fees from small business owners and entrepreneurs to reduce the annual appropriation by \$12,207,000. Section 502(d) of the Small Business Reauthorization Act of 1997 prohibits the SBDCs from imposing or collecting fees in connection with the small business counseling services provided by the program. The Committee recommends that this prohibition should not be rescinded or modified, and further recommends that \$88,000,000 be provided for this program.

The Committee has in the past provided funding to the SBA to reimburse the Census Bureau for costs of conducting the regular Census Survey of Women Business. Data from this survey is critical to implementing the set-aside authority through the SBA Office of Federal Contract Assistance for Women. The Committee recommendation provides no funding for this survey through the SBA account, but instead provides the requested level of \$694,000 through the Bureau of Census account. The Committee directs the Census Bureau to provide the SBA with the data that it collects in conducting this survey.

The Committee is aware that there are instances in several cities where Business Information Centers and U.S. Export Assistance Centers are located in separate sites within blocks of each other, rather than in a single location. The Committee recommends that these centers be collocated whenever and wherever possible with the Small Business Development Centers. To this effect, the Committee directs the SBA to provide a plan no later than January 15, 2002 on how it plans collocations.

The Committee notes that information regarding the use, services and merits of One Stop Capital Shops [OSCS] is limited. SBA reports that the OSCS counseled 43,000 people last year and yet this resulted in only 430 loans. One percent is not an impressive return for a program designed to provide access to capital. The Committee observes that the efforts of OSCS are duplicative of other more established SBA programs and recommends no funding for this program for fiscal year 2002.

The Committee recommendation provides funding of \$20,000,000 for the Microloan Technical Assistance Program and \$15,000,000 for the PRIME technical assistance program. The Committee believes the PRIME program has great promise for providing assistance to the entrepreneurs who have no access to capital and has a training component for assisting these small businesses which is missing in some of the other SBA assistance programs.

The Committee recommendation includes \$7,000,000 for BusinessLINC and \$3,500,000 for Drug-Free Workplace Grants.

The Committee recommends \$1,500,000 for Small Business Innovation Research (SBIR) technical assistance and \$3,500,000 for the Federal and State Technology Partnership Program (FAST). The FAST program encourages organizations in States to assist in the development of small high-technology businesses. The Committee

believes that increasing the overall participation in the SBIR program by high-technology small businesses will ultimately lead to an overall increase in the quality of SBIR proposals and completed projects.

The Committee recommends an appropriation of \$4,000,000 for the National Veterans' Business Development Corporation, as authorized by Public Law 106-50. The Committee has, for the first time, recommended this amount as a separate appropriation found elsewhere in the bill. The Committee recommends the request of \$750,000 for Veteran's Business Development Assistance.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2001	\$11,927,000
Budget estimate, 2002	11,927,000
Committee recommendation	11,000,000

The Committee recommends an appropriation of \$11,000,000 for the Office of Inspector General of the Small Business Administration. The recommendation is \$927,000 below the budget request. The Committee directs the Inspector General's office to continue the activities outlined in the fiscal year 2001 Senate report, and expects the office to report on its progress in reviewing and auditing the agency's financial management systems. The bill contains language making \$500,000 available to the Inspector General's office from funds made available to the disaster loan program for its activities.

BUSINESS LOANS PROGRAM ACCOUNT

Appropriations, 2001	\$293,762,000
Budget estimate, 2002	130,500,000
Committee recommendation	224,360,000

The Committee recommends an appropriation of \$224,360,000 for the business loans program account. The recommendation is \$93,860,000 above the budget request. Of the amount provided, \$129,000,000 is for administrative expenses related to this account. The administrative expenses may be transferred to and merged with SBA salaries and expenses to cover the common overhead expenses associated with the business loan programs.

The Committee recommendation includes an appropriation of \$93,500,000 to support a \$10,700,000,000 7(a) loan program. This assumes a subsidy rate of 1.07 percent and a carryover balance of \$21,000,000. The small business community is dependent on the SBA 7(a) program to obtain long-term financing at a competitive interest rate. Each year, 40,000 or more small business concerns, who cannot obtain comparable credit elsewhere, turn to the 7(a) program for critical financing. Currently, both the borrowers and the lenders pay significant fees to the SBA to help offset the credit subsidy cost necessary to underwrite the program. The budget request seeks to increase the fees paid by borrowers and lenders to offset the need for an annual appropriation. The net result of the Administration's budget request would be to drive both the small business borrowers and lenders from the program. Furthermore, the Committee believes the SBA should achieve a goal of a zero subsidy rate for the 7(a) loan program. However, the same result can be achieved by a comprehensive review of subsidy cost esti-

mates for the 7(a) program. Previous reports from the GAO indicate that subsidy costs have been inflated. OMB estimates of the subsidy cost of the 7(a) program consistently show execution rates are inflated. This could lead to the overcharging of small business owners. The Committee believes that the 7(a) program is already operating near a zero subsidy rate and that the budget request should contain a one-time accurate accounting change to reflect that reality. The Committee recommends that this one-time accounting change be reflected in future budget requests. The Senate includes bill language requiring the SBA to submit a reprogramming under section 605 if the agency wishes to exceed a program level of \$10,000,000,000. The recommendation includes \$1,860,000 in subsidy budget authority for the Microloan program, which will support a program level of approximately \$25,500,000 in fiscal year 2002, assuming a subsidy rate of 6.78 percent. The Committee recommendation provides no funding for funds guaranteed by the SBA under the SBIC programs. The SBIC programs are a unique partnership of public and private funds in which SBA-guaranteed funds supplement the capital of private venture capital investment firms. The budget request recommends increasing fees paid by the SBICs to offset the annual appropriation needed to fund the debentures guaranteed under the SBIC Participating Security program. This change would require an increase from 1.0 percent to 1.37 percent to the annual interest surcharge paid by the SBICs to the SBA on their outstanding balances of the SBA-guaranteed investment funds. The Committee concurs with the budget request on this matter. This will allow for a \$3,500,000,000 program level, as authorized.

DISASTER LOANS PROGRAM ACCOUNT

Appropriations, 2001	\$184,088,000
Budget estimate, 2002	78,354,000
Committee recommendation	204,864,000

The Committee recommends an appropriation of \$204,864,000 for the disaster loan program. The recommendation is \$126,510,000 above the budget request. Of the amount provided, \$79,510,000 is for direct loan subsidies. This amount, combined with carryover and recoveries of \$37,850,000 will provide for a program level of \$800,000,000. The remaining \$125,354,000 is made available for administrative expenses for the program, and can be merged with the agency's salaries and expenses account.

ADMINISTRATIVE PROVISIONS

The Committee wishes to underscore the reprogramming requirements outlined in section 605. This recommendation includes an administrative provision in the bill language, as in last year's bill, providing the authority to transfer funds between the Small Business Administration's appropriations accounts. The language provides that no account may be decreased by more than 5 percent or increased by more than 10 percent. The language also makes the transfers subject to the Committee's standard reprogramming procedures under section 605. In addition, a reprogramming notification is required in any proposed organization, whether or not funding transfers will be associated with the proposed reorganization.

STATE JUSTICE INSTITUTE
SALARIES AND EXPENSES

Appropriations, 2001	\$6,835,000
Budget estimate, 2002	15,000,000
Committee recommendation	14,850,000

The Committee recommends an appropriation of \$14,850,000. The recommendation is \$150,000 below the budget request.

The Institute was created in 1984 to further the development and adoption of improved judicial administration in State courts. This goal is reached through grants which (1) create a national program of assistance to assure a fair and effective system of justice, (2) foster coordination with the Federal Judiciary in areas of mutual concern, (3) promote recognition of the separation of powers, or (4) provide education to judges and support personnel through national organizations.

UNITED STATES-CANADA ALASKA RAIL COMMISSION
SALARIES AND EXPENSES

Appropriations, 2001	\$0
Budget estimate, 2002	0
Committee recommendation	4,000,000

The United States-Canada Alaska Rail Commission is chartered to explore the feasibility of connecting continental railway systems to the Alaska railway.

The Committee recommendation provides \$4,000,000. The recommendation is \$4,000,000 above the budget request.

TITLE VI—GENERAL PROVISIONS

The Committee recommends the following general provisions for the departments and agencies funded in the accompanying bill.

Section 601 prohibits any appropriation act from being used for publicity or propaganda purposes not authorized by law.

Section 602 prohibits any appropriation contained in the act from remaining available for obligation beyond the current year unless expressly so provided.

Section 603 provides that the expenditure for any appropriation contained in the act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection except where otherwise provided under existing law or under existing Executive order issued pursuant to existing law.

Section 604 establishes a Deputy Attorney General for combating terrorism.

Section 605 stipulates Committee policy concerning the reprogramming of funds. Section 605(a) prohibits the reprogramming of funds which: (1) create new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates offices or employees; (5) reorganizes offices, programs, or activities; (6) contracts out or privatizes any function or activity presently performed by Federal employees—unless the Appropriations Committees of the House and Senate are notified 15 days in advance.

Section 605(b) prohibits a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is more, that (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings due to a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress unless the Appropriations Committees of the House and Senate are notified 15 days in advance.

Section 606 increase the amount of funds available to improve the immigration inspection process at air ports of entry.

Section 607 prohibits construction, repair, overhaul, conversion, or modernization of NOAA ships outside of the United States.

Section 608 makes permanent Section 140 of Public Law 97–92.

Section 609 prohibits funds in the bill from being used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion similar to proposed guidelines published by the EEOC in October 1993.

Section 610 establishes notification requirements for new peace-keeping missions.

Section 611 limits the use of funds for diplomatic facilities in Vietnam unless certain conditions are met.

Section 612 prohibits the use of funds to provide certain amenities and personal comforts in the Federal prison system.

Section 613 provides that any closing or downsizing costs incurred by a Department or agency funded under this act resulting from funding reductions in the act shall be absorbed within the budgetary resources available to the Department or agency. The language also provides transfer of authority between appropriation accounts to carry out the provision subject to the reprogramming procedures outlined in section 605 of this act.

Section 614 limits the availability of pornography to Federal prisoners.

Section 615 prohibits funds from being used to issue a visa to any alien involved in extrajudicial and political killings in Haiti.

Section 616 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 that does not require and result in the immediate destruction of certain information.

Section 617 delays obligation of some receipts deposited into the Crime Victim Fund.

Section 618 ties visa issuance to cooperation on so-called "non-returnables".

Section 619 limits the placement of maximum or high security prisoners to appropriately secure facilities.

Section 620 redefines the terms of service for certain Government financed attorneys.

Section 621 makes technical corrections to Public Law 106-246.

Section 622 extends current law for an additional 5 years. The Pacific Coast States will be allowed to manage Dungeness crab out to 200 nautical miles until a Fisheries Management Plan is in place.

TITLE VII—RESCISSIONS
DEPARTMENT OF STATE AND RELATED AGENCIES
DEPARTMENT OF STATE
CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES
(RESCISSION)

The Committee recommends a rescission of \$126,620,000 from the unobligated balances available in the “Contributions for International Peacekeeping Activities” account.

COMPLIANCE WITH PARAGRAPH 7, RULE XVI OF THE
STANDING RULES OF THE SENATE

Rule XVI, paragraph 7 requires that every report on a general appropriation bill filed by the Committee must identify items of appropriation not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.

The following appropriations have not been authorized either in whole or in part and fall under this rule:

Title I—Department of Justice: General administration, salaries and expenses; administrative review and appeals, Office of the Inspector General; United States Parole Commission, salaries and expenses; general legal activities, salaries and expenses; National Childhood Vaccine Injury Act; Antitrust Division, salaries and expenses; U.S. attorneys, salaries and expenses; Foreign Claims Settlement Commission; fees and expenses of witnesses; Federal Bureau of Investigation, salaries and expenses; Drug Enforcement Administration, salaries and expenses; Drug Enforcement Administration, construction; Immigration and Naturalization Service, salaries and expenses; Federal Prison System, salaries and expenses; Federal Prison System, building and facilities; Federal Prison Industries, Inc.; limitation on administrative expenses; Federal Prison Industries Inc.; juvenile justice programs; juvenile justice delinquency prevention; State and local law enforcement assistance block grants; Weed and Seed Program; Missing Children's Program; and Victims of Child Abuse Act Program.

Title II—Department of Commerce and related agencies: Office of the U.S. Trade Representative, salaries and expenses; International Trade Commission, salaries and expenses; Export Administration, operations and administration; International Trade Administration, operations and administration; economic development assistance programs; Patent and Trademark Office; National Institute of Standards and Technology, scientific and technical research and services; NIST industrial technology services; NIST construction of research facilities; National Oceanic and Atmospheric Administration operations, research, and facilities; NOAA construction; and Minority Business Development Agency.

Title V—Related agencies: Department of Transportation; Maritime Administration, operations and training; Commission on Civil Rights; Federal Communications Commission (except offsetting fee collections); Legal Services Corporation; and Securities and Exchange Commission.

COMPLIANCE WITH PARAGRAPH 7(C), RULE XXVI OF THE
STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, the Committee ordered reported, en bloc, an original fiscal year 2002 Departments of Com-

merce, Justice, and State, the Judiciary, and related agencies appropriations bill, S. 1215, and an original fiscal year 2002 Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies appropriations bill, S. 1216, each subject to amendment and each subject to its budget allocations, by a recorded vote of 29–0, a quorum being present. The vote was as follows:

Yeas	Nays
Chairman Byrd	
Mr. Inouye	
Mr. Hollings	
Mr. Leahy	
Mr. Harkin	
Ms. Mikulski	
Mr. Reid	
Mr. Kohl	
Mrs. Murray	
Mr. Dorgan	
Mrs. Feinstein	
Mr. Durbin	
Mr. Johnson	
Mrs. Landrieu	
Mr. Reed	
Mr. Stevens	
Mr. Cochran	
Mr. Specter	
Mr. Domenici	
Mr. Bond	
Mr. McConnell	
Mr. Burns	
Mr. Shelby	
Mr. Gregg	
Mr. Bennett	
Mr. Campbell	
Mr. Craig	
Mrs. Hutchison	
Mr. DeWine	

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE STANDING RULES OF THE SENATE

Paragraph 12 of the rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include “(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee.”

In compliance with this rule, the following changes in existing law proposed to be made by this bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is

printed in italic; and existing law in which no change is proposed is shown in roman.

TITLE 5—GOVERNMENT ORGANIZATION AND EMPLOYEES

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PART III—EMPLOYEES

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Subpart B—Employment and Retention

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CHAPTER 31—AUTHORITY FOR EMPLOYMENT

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SUBCHAPTER II—THE SENIOR EXECUTIVE SERVICE

§ 3132. Definitions and exclusions

(a) For the purpose of this subchapter—

(1) * * *

(A) * * *

* * * * *

(C) the Federal Election Commission; **[or]**

(D) the Office of the Comptroller of the Currency, the Office of Thrift Supervision, the Federal Housing Finance Board, the Resolution Trust Corporation, the Farm Credit Administration, the Office of Federal Housing Enterprise Oversight of the Department of Housing and Urban Development, and the National Credit Union Administration; *or*

(E) *the Securities and Exchange Commission.*

* * * * *

Subpart D—Pay and Allowances

* * * * *

CHAPTER 53—PAY RATES AND SYSTEMS

* * * * *

SUBCHAPTER VII—MISCELLANEOUS PROVISIONS

§ 5373. Limitation on pay fixed by administrative action

(a) * * *

* * * * *

(1) * * *

(2) section 831b of title 16; **[or]**

(3) sections 403a–403c, 403e–403h, and 403j of title 50[.];

or

(4) *section 4(b) of the Securities Exchange Act of 1934.*

* * * * *

TITLE 8—ALIENS AND NATIONALITY

* * * * *

CHAPTER 12—IMMIGRATION AND NATIONALITY

* * * * *

SUBCHAPTER II—IMMIGRATION

* * * * *

PART IX—MISCELLANEOUS

Sec. 1356. Disposition of moneys collected under the provisions of this subchapter

(a) * * *

* * * * *

(e) Limitations on fees

[(1) No fee shall be charged under subsection (d) of this section for immigration inspection or preinspection provided in connection with the arrival of any passenger, other than aircraft passengers, whose journey originated in the following:

- [(a) Canada,
- [(b) Mexico,
- [(c) a State, territory or possession of the United States,

or

[(d) any adjacent island (within the meaning of section 1101(b)(5) of this title).]

(1)(A) Except as provided in subparagraph (B), the Attorney General is authorized to charge and collect a fee in the amount of \$3 for each individual with respect to whom immigration inspection services or preinspection services are provided in connection with the arrival in the United States of the individual as a passenger on a commercial vessel, if the passenger's journey originated in any of the following:

- (i) Mexico.
- (ii) Canada.
- (iii) A State, territory, or possession of the United States.
- (iv) Any adjacent island (within the meaning of section 101(b)(5)).

(B) The authority of subparagraph (A) does not apply to immigration inspection services or preinspection services provided at a designated port of entry in connection with the arrival of a passenger by means of a Great Lakes international ferry, or by means of any vessel that transits the Great Lakes or its connecting waterways, if the ferry or other vessel operates on a regular schedule.

* * * * *

TITLE 28—JUDICIARY AND JUDICIAL PROCEDURE

* * * * *

PART II—DEPARTMENT OF JUSTICE

* * * * *

CHAPTER 31—THE ATTORNEY GENERAL

* * * * *

§ 504. Deputy [Attorney] Attorneys

The President may appoint, by and with the advice and consent of the Senate, a Deputy Attorney General *and a Deputy Attorney General for Combating Domestic Terrorism.*

* * * * *

TITLE 42—THE PUBLIC HEALTH AND WELFARE

* * * * *

CHAPTER 112—VICTIM COMPENSATION AND ASSISTANCE

* * * * *

§ 10601. Crime Victims Fund

(a) * * *

* * * * *

(d) * * *

* * * * *

(3) Of the sums remaining in the Fund in any particular fiscal year after compliance with paragraph (2), such sums as may be necessary shall be available for the United States Attorneys Offices and the Federal Bureau of Investigation to improve services for the benefit of crime victims in the Federal criminal justice system[.] , *and for a Victim Notification System.*

* * * * *

IMMIGRATION AND NATIONALITY ACT

SEC. 245. (a) * * *

* * * * *

(i)(1) [Notwithstanding the provisions of subsections (a) and (c) of this section, an alien physically present in the United States—

 [(A) who—

 [(i) entered the United States without inspection; or

 [(ii) is within one of the classes enumerated in subsection (c) of this section; and

 [(B) who is the beneficiary (including a spouse or child of the principal alien, if eligible to receive a visa under section 203(d)) of—

 [(i) a petition for classification under section 204 that was filed with the Attorney General on or before January 14, 1998; or

[(ii) an application for a labor certification under section 212(a)(5)(A) that was filed pursuant to the regulations of the Secretary of Labor on or before such date;

may apply to the Attorney General for the adjustment of his or her status to that of an alien lawfully admitted for permanent residence. The Attorney General may accept such application only if the alien remits with such application a sum equalling \$1,000 as of the date of receipt of the application, but such sum shall not be required from a child under the age of seventeen, or an alien who is the spouse or unmarried child of an individual who obtained temporary or permanent resident status under section 210 or 245A of the Immigration and Nationality Act or section 202 of the Immigration Reform and Control Act of 1986 at any date, who—

[(i) as of May 5, 1988, was the unmarried child or spouse of the individual who obtained temporary or permanent resident status under section 210 or 245A of the Immigration and Nationality Act or section 202 of the Immigration Reform and Control Act of 1986;

[(ii) entered the United States before May 5, 1988, resided in the United States on May 5, 1988, and is not a lawful permanent resident; and

[(iii) applied for benefits under section 301(a) of the Immigration Act of 1990. The sum specified herein shall be in addition to the fee normally required for the processing of an application under this section.]

Notwithstanding the provisions of subsections (a) and (c) of this section, an alien physically present in the United States who—

(A) entered the United States without inspection; or

(B) is within one of the classes enumerated in subsection (c) of this section, may apply to the Attorney General for the adjustment of his or her status to that of an alien lawfully admitted for permanent residence.

(2) Upon receipt of such an application and the sum hereby required, the Attorney General may adjust the status of the alien to that of an alien lawfully admitted for permanent residence if—

(A) the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent residence; and

(B) an immigrant visa is immediately available to the alien at the time the application is filed.

(3)(A) The portion of each application fee (not to exceed \$200) that the Attorney General determines is required to process an application under this section and is remitted to the Attorney General pursuant to paragraphs (1) and (2) of this subsection shall be disposed of by the Attorney General as provided in subsections (m), (n), and (o) of section 286.

[(B) Any remaining portion of such fees remitted under such paragraphs shall be deposited by the Attorney General into the Breached Bond/Detention Fund established under section 286(r).]

(B) One-half of any remaining portion of such fees remitted under such paragraphs shall be deposited by the Attorney General into the Immigration Examination Fee Account established under section 286(m), and one-half of any remaining portion of such fees

shall be deposited by the Attorney General into the Breached Bond / Detention Fund established under section 286(r).

* * * * *

CHAPTER 1—SELECTION SYSTEM

* * * * *

CHAPTER 2—QUALIFICATIONS FOR ADMISSION OF ALIENS; TRAVEL CONTROL OF CITIZENS AND ALIENS

* * * * *

DISPOSITION OF MONEYS COLLECTED UNDER THE PROVISIONS OF THIS TITLE

SEC. 286. (a) * * *

* * * * *

(d) SCHEDULE OF FEES.—In addition to any other fee authorized by law, the Attorney General shall charge and collect **[\$6]** \$7 per individual for the immigration inspection of each passenger arriving at a port of entry in the United States, or for the preinspection of a passenger in a place outside of the United States prior to such arrival, aboard a commercial aircraft or commercial vessel.

* * * * *

(h) DISPOSITION OF RECEIPTS.—(1)(A) * * *

* * * * *

(2)(A) * * *

* * * * *

(B) * * *

* * * * *

(3) *Not less than nine percent of the total amounts deposited under this subsection in a fiscal year shall be available only to automate or otherwise improve the speed, accuracy, or security of the inspection process.*

* * * * *

(q) LAND BORDER INSPECTION FEE ACCOUNT.—(1)(A)(i) Notwithstanding any other provision of law, the Attorney General is authorized to establish, by regulation, not more than **[6]** 96 projects under which a fee may be charged and collected for inspection services provided at one or more land border points of entry. Such projects may include the establishment of commuter lanes to be made available to qualified United States citizens and aliens, as determined by the Attorney General.

* * * * *

SECOND FURTHER CONTINUING APPROPRIATIONS, 1982, PUBLIC LAW 97-92

* * * * *

TITLE IV

THE JUDICIARY

* * * * *

SEC. 140. Notwithstanding any other provision of law or of this joint resolution, none of the funds appropriated by this joint resolution or by any other Act shall be obligated or expended to increase, after the date of enactment of this joint resolution, any salary of any Federal judge or Justice of the Supreme Court, except as may be specifically authorized by Act of Congress hereafter enacted: *Provided*, That nothing in this limitation shall be construed to reduce any salary which may be in effect at the time of enactment of this joint resolution nor shall this limitation be construed in any manner to reduce the salary of any Federal judge or of any Justice of the Supreme Court. *This section shall apply to fiscal year 1981 and each fiscal year thereafter.*

* * * * *

**DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE,
THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996 (PUBLIC LAW 104-134)**

* * * * *

TITLE V—RELATED AGENCIES

* * * * *

LEGAL SERVICES CORPORATION

* * * * *

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

* * * * *

Sec. 504. (a)* * *
(1) * * *

* * * * *

(16) that initiates legal representation or participates in any other way, in litigation, lobbying, or rulemaking, involving an effort to reform a Federal or State welfare system[, except that this paragraph shall not be construed to preclude a recipient from representing an individual eligible client who is seeking specific relief from a welfare agency if such relief does not involve an effort to amend or otherwise challenge existing law in effect on the date of the initiation of the representation];

* * * * *

AN ACT TO APPROVE A GOVERNING INTERNATIONAL FISHERY AGREEMENT BETWEEN THE UNITED STATES AND THE REPUBLIC OF POLAND, AND FOR OTHER PURPOSES

* * * * *

TITLE II—MISCELLANEOUS FISHERIES PROVISIONS

* * * * *

SEC. 203. AUTHORITY OF STATES OF WASHINGTON, OREGON, AND CALIFORNIA TO MANAGE DUNGENESS CRAB FISHERY.

(a) * * *

* * * * *

(i) SUNSET.—This section shall have no force or effect on and after September 30, [2001] 2006.

(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.*

* * * * *

NATIONAL CAPITAL REVITALIZATION AND SELF-GOVERNMENT IMPROVEMENT ACT OF 1977, PUBLIC LAW 105-33

CHAPTER 3—OFFENDER SUPERVISION AND PAROLE

SEC. 11231. PAROLE.

(a) PAROLING JURISDICTION.—

(1) JURISDICTION [OF PAROLE COMMISSION] TO GRANT OR DENY PAROLE AND TO IMPOSE CONDITIONS.—Not later than [one year after date of the enactment of this Act] *September 30, 2002*, the [United States Parole Commission] *agency established under section 11233* shall assume the jurisdiction and authority of the [Board of Parole of the District of Columbia] *United States Parole Commission* to grant and deny parole, and to impose conditions upon an order of parole, in the case of any imprisoned felon who is eligible for parole or reparole under the District of Columbia Code. The [Parole Commission] *agency established under section 11233* shall have [exclusive] authority to amend or supplement any regulation interpreting or implementing the parole laws of the District of Columbia with respect to [felons, provided that the Commission adheres to the rulemaking procedures set forth in section 4218 of title 18, United States Code.] *felons*.

(2) JURISDICTION [OF PAROLE COMMISSION] TO REVOKE PAROLE OR MODIFY CONDITIONS.—[On the date in which the District of Columbia Offender Supervision, Defender, and Courts Services Agency is established under section 11233, the United States Parole Commission shall assume any remaining powers, duties, and jurisdiction of the Board of Parole of the District of Columbia, including jurisdiction to revoke parole and to modify the conditions of parole, with respect to felons.] *Not later than September 30, 2002, the agency established under section 11233 shall assume all powers, duties, and jurisdiction transferred to the United States Parole Commission by this paragraph as in effect on January 1, 2001.*

(3) JURISDICTION OF SUPERIOR COURT.—On the date on which the District of Columbia Offender Supervision, Defender, and Courts Services Agency is established under section 11233, the Superior Court of the District of Columbia shall assume the jurisdiction and authority of the Board of Parole of the District of Columbia to grant, deny, and revoke parole, and to impose and modify conditions of parole, with respect to misdemeanants.

(b) ABOLITION OF THE BOARD OF PAROLE.—On the date on which the District of Columbia Offender Supervision, Defender, and Courts Services Agency is established under section 11233, the Board of Parole established in the District of Columbia Board of Parole Amendment Act of 1987 shall be abolished.

(c) RULEMAKING AND LEGISLATIVE RESPONSIBILITY FOR PAROLE MATTERS.—The [Parole Commission] *agency established under section 11233* shall exercise the authority vested in it by this section pursuant to the parole laws and regulations of the District of [Columbia, except that the Council of the District of Columbia and the Board of Parole of the District of Columbia may not revise any such laws or regulations (as in effect on the date of the enactment of this Act) without the concurrence of the Attorney General.] *Columbia.*

(d) INCREASE IN THE AUTHORIZED NUMBER OF UNITED STATES PAROLE COMMISSIONERS.—Section 2(c) of the Parole Commission Phaseout Act of 1996 (Public Law 104–232) is amended to read as follows:

“(c) The United States Parole Commission shall have no more than five members.”.

* * * * *

OMNIBUS CONSOLIDATED AND EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1999 (PUBLIC LAW 105–277)

* * * * *

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

TITLE I—DEPARTMENT OF JUSTICE

* * * * *

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

* * * * *

【SEC. 124. (a)(1) A nursing facility or home health care agency may submit a request to the Attorney General to conduct a search and exchange of records described in subsection (b) regarding an applicant for employment if the employment position is involved in direct patient care.

【(2) A nursing facility or home health care agency requesting a search and exchange of records under this section shall submit to the Attorney General through the appropriate State agency or agency designated by the Attorney General a copy of an employment applicant’s fingerprints, a statement signed by the applicant

authorizing the nursing facility or home health care agency to request the search and exchange of records, and any other identification information not more than 7 days (excluding Saturdays, Sundays, and legal public holidays under section 6103(a) of title 5, United States Code) after acquiring the fingerprints, signed statement, and information.

[(b) Pursuant to any submission that complies with the requirements of subsection (a), the Attorney General shall search the records of the Criminal Justice Information Services Division of the Federal Bureau of Investigation for any criminal history records corresponding to the fingerprints or other identification information submitted. The Attorney General shall provide any corresponding information resulting from the search to the appropriate State agency or agency designated by the Attorney General to receive such information.

[(c) Information regarding an applicant for employment in a nursing facility or home health care agency obtained pursuant to this section may be used only by the facility or agency requesting the information and only for the purpose of determining the suitability of the applicant for employment by the facility or agency in a position involved in direct patient care.

[(d) The Attorney General may charge a reasonable fee, not to exceed \$50 per request, to any nursing facility or home health care agency requesting a search and exchange of records pursuant to this section.

[(e) Not later than 2 years after the date of enactment of this Act, the Attorney General shall submit a report to Congress on the number of requests for searches and exchanges of records made under this section by nursing facilities and home health care agencies and the disposition of such requests.

[(f) Whoever knowingly uses any information obtained pursuant to this section for a purpose other than as authorized under subsection (c) shall be fined in accordance with title 18, United States Code, imprisoned for not more than 2 years, or both.

[(g) A nursing facility or home health care agency that, in denying employment for an applicant, reasonably relies upon information provided by the Attorney General pursuant to this section shall not be liable in any action brought by the applicant based on the employment determination resulting from the incompleteness or inaccuracy of the information.

[(h) The Attorney General may promulgate such regulations as are necessary to carry out this section, including regulations regarding the security, confidentiality, accuracy, use, destruction, and dissemination of information, audits and recordkeeping, the imposition of fees, and any necessary modifications to the definitions contained in subsection (i).

[(i) In this section:

[(1) The term “home health care agency” means an agency that provides home health care or personal care services on a visiting basis in a place of residence.

[(2) The term “nursing facility” means a facility or institution (or a distinct part of an institution) that is primarily engaged in providing to residents of the facility or institution

nursing care, including skilled nursing care, and related services for individuals who require medical or nursing care.
【(j) This section shall apply without fiscal year limitation.】

* * * * *

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2001 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2002

[In thousands of dollars]

Item	2001 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2001 appropriation	Budget estimate
TITLE I—DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses	88,518	93,433	93,433	+ 4,915	.....
Joint automated booking system	15,880	15,957	22,500	+ 6,620	+ 6,543
Legal activities office automation .....	.....	.....	34,600	+ 34,600	+ 34,600
Narrowband communications	204,549	104,606	204,549	.....	+ 99,943
(By transfer) .....	.....	.....	(9,580)	(+ 9,580)	(+ 9,580)
Deputy Attorney General for Combatting Terrorism .....	.....	.....	23,000	+ 23,000	+ 23,000
Counterterrorism fund	4,989	4,989	.....	- 4,989	- 4,989
Telecommunications carrier compliance fund	100,488	.....	.....	- 100,488	.....
Defense function	100,488	.....	.....	- 100,488	.....
Port Security .....	.....	.....	39,950	+ 39,950	+ 39,950
Administrative review and appeals: Direct appropriation	160,708	178,499	45,813	- 114,895	- 132,686
Detention trustee	998	1,718	88,884	+ 87,886	+ 87,166
Office of Inspector General	41,484	45,495	46,006	+ 4,522	+ 511
Total, General administration	718,102	444,697	598,735	- 119,367	+ 154,038
United States Parole Commission					
Salaries and expenses	8,836	10,862	8,836	- 2,026

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Legal Activities					
General legal activities:					
Direct appropriation	534,592	566,822	527,543	- 7,049	- 39,279
(By transfer)			(350)	(+ 350)	(+ 350)
Vaccine injury compensation trust fund (permanent)	4,019	4,028	4,028	+ 9	
Antitrust Division	120,572	140,973	130,791	+ 10,219	- 10,182
Offsetting fee collections—carryover	- 25,000	- 51,550		+ 25,000	+ 51,550
Offsetting fee collections—current year	- 95,838	- 89,423	- 130,791	- 34,953	- 41,368
Direct appropriation	- 266			+ 266	
United States Attorneys: Direct appropriation	1,247,631	1,346,289	1,260,353	+ 12,722	- 85,936
United States Trustee System Fund	125,720	154,044	154,044	+ 28,324	
Offsetting fee collections	- 119,997	- 147,044	- 147,044	- 27,047	
Interest on U.S. securities	- 6,000	- 7,000	- 7,000	- 1,000	
Direct appropriation	- 277			+ 277	
Foreign Claims Settlement Commission	1,105	1,130	1,130	+ 25	
United States Marshals Service:					
Direct appropriation	571,435	619,818		- 571,435	- 619,818
Salaries and expenses (non-CSE)			644,746	+ 644,746	+ 644,746
Courthouse security equipment			18,145	+ 18,145	+ 18,145
Construction	18,088	6,621	25,812	+ 7,724	+ 19,191
Justice prisoner and alien transportation system fund	13,470		53,050	+ 39,580	+ 53,050
Total, United States Marshals Service	602,993	626,439	741,753	+ 138,760	+ 115,314
Federal prisoner detention	596,088	724,682	724,682	+ 128,594	
Fees and expenses of witnesses	125,573	156,145	156,145	+ 30,572	
Community Relations Service	8,456	9,269	9,269	+ 813	
Assets forfeiture fund	22,949	22,949	22,949		
Total, Legal activities	3,142,863	3,457,753	3,447,852	+ 304,989	- 9,901

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2001 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2002—Continued

[In thousands of dollars]

Item	2001 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2001 appropriation	Budget estimate
Radiation Exposure Compensation					
Administrative expenses	1,996	1,996	1,996	.....	.....
Payment to radiation exposure compensation trust fund	10,776	10,776	10,776	.....	.....
Total, Radiation Exposure Compensation	12,772	12,772	12,772	.....	.....
Interagency Law Enforcement					
Interagency crime and drug enforcement	325,181	338,106	336,966	+ 11,785	- 1,140
Federal Bureau of Investigation					
Salaries and expenses	2,791,795	3,050,472	2,939,763	+ 147,968	- 110,709
(By transfer) .....	.....	.....	(12,557)	(+ 12,557)	(+ 12,557)
Counterintelligence and national security	436,687	455,387	485,278	+ 48,591	+ 29,891
Direct appropriation	3,228,482	3,505,859	3,425,041	+ 196,559	- 80,818
Construction	16,650	1,250	44,074	+ 27,424	+ 42,824
Total, Federal Bureau of Investigation	3,245,132	3,507,109	3,469,115	+ 223,983	- 37,994
Drug Enforcement Administration					
Salaries and expenses	1,443,669	1,547,929	1,556,779	+ 113,110	+ 8,850
Diversion control fund	- 83,543	- 67,000	- 67,000	+ 16,543	.....

Total, Drug Enforcement Administration	1,360,126	1,480,929	1,489,779	+ 129,653	+ 8,850
Immigration and Naturalization Service					
Salaries and expenses	3,118,999	3,388,001	3,176,037	+ 57,038	- 211,964
Enforcement and border affairs	(2,547,057)	(2,737,341)	.....	(- 2,547,057)	(- 2,737,341)
Citizenship and benefits, immigration support and program direction	(578,819)	(650,660)	.....	(- 578,819)	(- 650,660)
Fee accounts:					
Immigration user fee	(494,384)	(591,866)	(656,648)	(+ 162,264)	(+ 64,782)
Land border inspection fund	(1,670)	(1,714)	(1,714)	(+ 44)	.....
Immigration examinations fund	(969,851)	(1,258,088)	(1,258,088)	(+ 288,237)	.....
Breached bond fund	(80,600)	(120,763)	(120,763)	(+ 40,163)	.....
Immigration enforcement fines	(1,850)	(5,510)	(5,510)	(+ 3,660)	.....
H-1b Visa fees	(1,125)	(16,000)	(16,000)	(+ 14,875)	.....
Subtotal, Fee accounts	(1,549,480)	(1,993,941)	(2,058,723)	(+ 509,243)	(+ 64,782)
Construction	133,009	128,410	205,015	+ 72,006	+ 76,605
(By transfer) .....	.....	.....	(66,524)	(+ 66,524)	(+ 66,524)
Total, Immigration and Naturalization Service	(4,801,488)	(5,510,352)	(5,506,299)	(+ 704,811)	(- 4,053)
Appropriations	(3,252,008)	(3,516,411)	(3,381,052)	(+ 129,044)	(- 135,359)
(Fee accounts)	(1,549,480)	(1,993,941)	(2,058,723)	(+ 509,243)	(+ 64,782)
Federal Prison System					
Salaries and expenses	3,500,172	3,829,437	3,786,228	+ 286,056	- 43,209
Prior year carryover	- 31,000	.....	.....	+ 31,000	.....
Direct appropriation	3,469,172	3,829,437	3,786,228	+ 317,056	- 43,209
Buildings and facilities	833,822	833,273	899,797	+ 65,975	+ 66,524
(Transfer out) .....	.....	.....	(- 66,524)	(- 66,524)	(- 66,524)
Federal Prison Industries, Incorporated (limitation on administrative expenses)	3,421	3,429	3,429	+ 8	.....
Total, Federal Prison System	4,306,415	4,666,139	4,689,454	+ 383,039	+ 23,315

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2001 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2002—Continued

[In thousands of dollars]

Item	2001 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2001 appropriation	Budget estimate
Office of Justice Programs					
Justice assistance	417,299	407,677	564,738	+ 147,439	+ 157,061
(By transfer)	(6,985)	(7,000)	(6,647)	(- 338)	(- 353)
State and local law enforcement assistance:					
Direct appropriations:					
Local law enforcement block grant	521,849	400,000	400,000	- 121,849	.....
Boys and Girls clubs (earmark)	(60,000)	.....	(80,000)	(+ 20,000)	(+ 80,000)
Grants, contracts, and other assistance (earmark) .....	.....	(19,956)	(19,956)	(+ 19,956)	.....
State prison grants	684,990	.....	.....	- 684,990	.....
Tribal prison construction .....	.....	35,191	35,191	+ 35,191	.....
State criminal alien assistance program	399,120	265,000	265,000	- 134,120	.....
Cooperative agreement program .....	.....	35,000	35,000	+ 35,000	.....
Indian tribal courts program	7,982	7,982	7,982	.....	.....
Indian grants	4,989	4,989	4,989	.....	.....
Byrne grants (formula)	498,900	500,000	500,000	+ 1,100	.....
Byrne grants (discretionary)	68,898	.....	78,125	+ 9,227	+ 78,125
Juvenile crime block grant	249,450	249,450	249,450	.....	.....
Drug courts	49,890	50,000	50,000	+ 110	.....
Violence Against Women grants	288,044	309,665	310,065	+ 22,021	+ 400
State prison drug treatment	62,861	73,861	68,000	+ 5,139	- 5,861
Stalking and domestic violence grants program .....	.....	3,000	3,000	+ 3,000	.....
Violent Crimes Against Women on Campus .....	.....	10,000	10,000	+ 10,000	.....
Legal assistance for victims	40,000	40,000	+ 40,000
Protection for older and disabled women	5,000	5,000	+ 5,000

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Safe Havens for Children pilot program		15,000	15,000	+ 15,000
Parental kidnapping laws report		200	- 200
Forensic exams of domestic violence study		200	.....	.....	- 200
Education and training to end violence against and abuse of women with disabilities		7,500	7,500	+ 7,500	.....
Other crime control programs	5,687	5,688	5,688	+ 1	.....
Total, State and local law enforcement	2,842,660	2,017,726	2,089,990	- 752,670	+ 72,264
Weed and seed program fund	33,925	58,925	58,925	+ 25,000	.....
Community oriented policing services:					
Direct appropriations:					
Public safety and community policing grants	533,823	271,856	477,712	- 56,111	+ 205,856
Management administration	31,755	32,812	32,812	+ 1,057	.....
Crime identification technology	129,714	255,404	150,962	+ 21,248	- 104,442
Safe schools initiative	(17,500)	.....	(17,000)	(- 500)	(+ 17,000)
Upgrade criminal history records	(35,000)	(35,000)	(35,000)	.....	.....
DNA identification/crime lab	(30,000)	(70,000)	(70,000)	(+ 40,000)	.....
Methamphetamine	48,393	48,393	48,393	.....	.....
Community prosecutors	99,780	99,780	99,780	.....	.....
Crime prevention	46,897	46,864	54,748	+ 7,851	+ 7,884
COPS technology	139,692	100,000	155,467	+ 15,775	+ 55,467
(Transfer out) .....	.....	.....	(- 12,557)	(- 12,557)	(- 12,557)
Total, Community oriented policing services	1,030,054	855,109	1,019,874	- 10,180	+ 164,765
Juvenile justice programs	297,940	297,940	328,507	+ 30,567	+ 30,567
(Transfer out)	(- 7,000)	(- 7,000)	(- 6,647)	(+ 353)	(+ 353)
Public safety officers benefits program:					
Death benefits	33,224	33,224	33,224	.....	.....
Disability benefits	2,395	2,395	2,395	.....	.....
Total, Public safety officers benefits program	35,619	35,619	35,619	.....	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2001 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2002—Continued

[In thousands of dollars]

Item	2001 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2001 appropriation	Budget estimate
Total, Office of Justice Programs	4,657,497	3,672,996	4,097,653	- 559,844	+ 424,657
Total, title I, Department of Justice	21,028,932	21,107,774	21,532,214	+ 503,282	+ 424,440
(Transfer out)	(- 7,000)	(- 7,000)	(- 85,728)	(- 78,728)	(- 78,728)
(By transfer)	(6,985)	(7,000)	(95,658)	(+ 88,673)	(+ 88,658)
TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES					
TRADE AND INFRASTRUCTURE DEVELOPMENT					
Office of the United States Trade Representative					
Salaries and expenses	29,452	30,097	30,097	+ 645	.....
International Trade Commission					
Salaries and expenses	47,994	51,440	49,386	+ 1,392	- 2,054
Total, Related agencies	77,446	81,537	79,483	+ 2,037	- 2,054
DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration	336,702	332,590	347,090	+ 10,388	+ 14,500
Offsetting fee collections	- 3,000	- 3,000	- 3,000	.....	.....
Direct appropriation	333,702	329,590	344,090	+ 10,388	+ 14,500

Export Administration					
Operations and administration	57,477	61,643	61,643	+ 4,166	.....
CWC enforcement	7,234	7,250	7,250	+ 16	.....
Total, Export Administration	64,711	68,893	68,893	+ 4,182	.....
Economic Development Administration					
Economic development assistance programs	410,973	335,000	341,000	- 69,973	+ 6,000
Salaries and expenses	27,938	30,557	30,557	+ 2,619	.....
Total, Economic Development Administration	438,911	365,557	371,557	- 67,354	+ 6,000
Minority Business Development Agency					
Minority business development	27,254	28,381	28,381	+ 1,127	.....
Total, Trade and Infrastructure Development	942,024	873,958	892,404	- 49,620	+ 18,446
ECONOMIC AND INFORMATION INFRASTRUCTURE					
Economic and Statistical Analysis					
Salaries and expenses	53,627	62,515	62,515	+ 8,888	.....
Bureau of the Census					
Salaries and expenses	156,881	168,561	168,561	+ 11,680	.....
Periodic censuses and programs	275,798	374,835	348,529	+ 72,731	- 26,306
Total, Bureau of the Census	432,679	543,396	517,090	+ 84,411	- 26,306
National Telecommunications and Information Administration					
Salaries and expenses	11,412	14,054	14,054	+ 2,642	.....
Public telecommunications facilities, planning and construction	43,404	43,466	43,466	+ 62	.....
Information infrastructure grants	45,400	15,503	15,503	- 29,897	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2001 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2002—Continued

[In thousands of dollars]

Item	2001 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2001 appropriation	Budget estimate
Total, National Telecommunications and Information Administration	100,216	73,023	73,023	- 27,193	.....
United States Patent and Trademark Office					
Current year fee funding	782,119	856,701	856,701	+ 74,582	.....
(Prior year carryover)	(254,889)	(282,300)	(282,300)	(+ 27,411)	.....
Total, Patent and Trademark Office	(1,037,008)	(1,139,001)	(1,139,001)	(+ 101,993)	.....
Offsetting fee collections	- 783,843	- 856,701	- 856,701	- 72,858	.....
Total, Economic and Information Infrastructure	584,798	678,934	652,628	+ 67,830	- 26,306
SCIENCE AND TECHNOLOGY					
Technology Administration					
Under Secretary for Technology/Office of Technology Policy					
Salaries and expenses	8,062	8,238	8,238	+ 176	.....
National Institute of Standards and Technology					
Scientific and technical research and services	311,929	347,288	343,296	+ 31,367	- 3,992
Industrial technology services	250,285	119,266	309,337	+ 59,052	+ 190,071
Construction of research facilities	34,802	20,893	43,893	+ 9,091	+ 23,000
Total, National Institute of Standards and Technology	597,016	487,447	696,526	+ 99,510	+ 209,079

National Oceanic and Atmospheric Administration					
Operations, research, and facilities	1,865,058	2,009,309	2,231,055	+ 365,997	+ 221,746
Conservation		168,000	33,650	+ 33,650	- 134,350
(By transfer from Promote and Develop Fund)	(67,850)	(68,000)	(68,000)	(+ 150)	.....
(By transfer from Coastal zone management)	3,193	3,000	3,000	- 193	.....
Total, Operations, research and facilities	1,868,251	2,180,309	2,267,705	+ 399,454	+ 87,396
Procurement, acquisition and construction	681,397	738,861	856,200	+ 174,803	+ 117,339
Conservation		26,000	83,410	+ 83,410	+ 57,410
Total, Procurement, acquisition and construction	681,397	764,861	939,610	+ 258,213	+ 174,749
Coastal and ocean activities	419,076	.....	.....	- 419,076	.....
Pacific coastal salmon recovery	73,837	20,000	.....	- 73,837	- 20,000
Conservation		90,000	133,940	+ 133,940	+ 43,940
Coastal zone management fund	- 3,200	- 3,000	- 3,000	+ 200	.....
Fishermen's contingency fund	950	952	952	+ 2	.....
Foreign fishing observer fund	191	191	191	.....	.....
Fisheries finance program account	287	287	287	.....	.....
Environmental improvement and restoration fund		10,000	10,000	+ 10,000	.....
Total, National Oceanic and Atmospheric Administration	3,040,789	3,063,600	3,349,685	+ 308,896	+ 286,085
Total, Science and Technology	3,645,867	3,559,285	4,054,449	+ 408,582	+ 495,164
Appropriations	(3,645,867)	(3,275,285)	(3,803,449)	(+ 157,582)	(+ 528,164)
Conservation		(284,000)	(251,000)	(+ 251,000)	(- 33,000)
Departmental Management					
Salaries and expenses	35,841	37,652	42,062	+ 6,221	+ 4,410
Office of Inspector General	19,956	21,176	21,176	+ 1,220	.....
Total, Departmental management	55,797	58,828	63,238	+ 7,441	+ 4,410
Total, Department of Commerce	5,151,040	5,089,468	5,583,236	+ 432,196	+ 493,768

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2001 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2002—Continued

[In thousands of dollars]

Item	2001 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2001 appropriation	Budget estimate
Total, title II, Department of Commerce and related agencies	5,228,486	5,171,005	5,662,719	+ 434,233	+ 491,714
Appropriations	(5,228,486)	(4,887,005)	(5,411,719)	(+ 183,233)	(+ 524,714)
Conservation .....	.....	(284,000)	(251,000)	(+ 251,000)	(- 33,000)
(By transfer)	(67,850)	(68,000)	(68,000)	(+ 150)	.....
TITLE III—THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	1,698	1,698	1,698	.....	.....
Other salaries and expenses	35,814	40,416	38,290	+ 2,476	- 2,126
Total, Salaries and expenses	37,512	42,114	39,988	+ 2,476	- 2,126
Care of the building and grounds	7,513	117,742	7,530	+ 17	- 110,212
Total, Supreme Court of the United States	45,025	159,856	47,518	+ 2,493	- 112,338
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	2,021	2,021	2,021	.....	.....
Other salaries and expenses	15,874	18,425	17,351	+ 1,477	- 1,074
Total, Salaries and expenses	17,895	20,446	19,372	+ 1,477	- 1,074

United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,525	1,525	1,525	.....	.....
Other salaries and expenses	10,907	11,587	11,529	+ 622	- 58
Total, Salaries and expenses	12,432	13,112	13,054	+ 622	- 58
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	248,000	250,000	250,000	+ 2,000	.....
Other salaries and expenses	3,104,879	3,485,774	3,309,012	+ 204,133	- 176,762
Direct appropriation	3,352,879	3,735,774	3,559,012	+ 206,133	- 176,762
Vaccine Injury Compensation Trust Fund	2,596	2,692	2,692	+ 96	.....
Defender services	434,043	521,517	463,756	+ 29,713	- 57,761
Fees of jurors and commissioners	59,436	50,131	50,131	- 9,305	.....
Court security	199,136	228,433	209,762	+ 10,626	- 18,671
(Transfer out) .....	.....	.....	(- 3,580)	(- 3,580)	(- 3,580)
Total, Courts of Appeals, District Courts, and Other Judicial Services	4,048,090	4,538,547	4,285,353	+ 237,263	- 253,194
Administrative Office of the United States Courts					
Salaries and expenses	58,212	63,029	58,212	.....	- 4,817
Federal Judicial Center					
Salaries and expenses	18,736	20,323	19,742	+ 1,006	- 581
Judicial Retirement Funds					
Payment to Judiciary Trust Funds	35,700	37,000	37,000	+ 1,300	.....
United States Sentencing Commission					
Salaries and expenses	9,909	12,400	11,327	+ 1,418	- 1,073

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2001 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2002—Continued

[In thousands of dollars]

Item	2001 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2001 appropriation	Budget estimate
General Provisions					
Judges pay raise (sec. 304)	8,782	8,000	.....	- 8,782	- 8,000
Total, title III, the Judiciary	4,254,781	4,872,713	4,491,578	+ 236,797	- 381,135
TITLE IV—DEPARTMENT OF STATE					
Administration of Foreign Affairs					
Diplomatic and consular programs	2,758,076	3,217,405	3,088,990	+ 330,914	- 128,415
(Transfer out)	(- 1,400)	.....	.....	(+ 1,400)	.....
(Transfer out)	(- 4,000)	(- 4,000)	(- 4,000)	.....	.....
(Transfer out) .....	.....	.....	(- 6,000)	(- 6,000)	(- 6,000)
Worldwide security upgrade	409,098	487,735	409,363	+ 265	- 78,372
Total, Diplomatic and consular programs	3,167,174	3,705,140	3,498,353	+ 331,179	- 206,787
Capital investment fund	96,787	210,000	210,000	+ 113,213	.....
Office of Inspector General	28,427	29,264	28,427	.....	- 837
Educational and cultural exchange programs	231,078	242,000	242,000	+ 10,922	.....
Representation allowances	6,485	9,000	9,000	+ 2,515	.....
Protection of foreign missions and officials	15,433	10,000	10,000	- 5,433	.....
Embassy security, construction and maintenance	416,059	475,046	405,391	- 10,668	- 69,655
Worldwide security upgrade	661,541	815,960	661,560	+ 19	- 154,400
Emergencies in the diplomatic and consular service	5,465	15,500	5,465	.....	- 10,035
(By transfer)	(3,991)	(4,000)	(4,000)	(+ 9)	.....
(Transfer out)	(- 1,000)	(- 1,000)	(- 1,000)	.....	.....

Commission on Holocaust Assets in U.S. (by transfer)	(1,397)			(- 1,397)	
Repatriation Loans Program Account:					
Direct loans subsidy	590	612	612	+ 22	
Administrative expenses	603	607	607	+ 4	
(By transfer)	(998)	(1,000)	(1,000)	(+ 2)	
Total, Repatriation loans program account	1,193	1,219	1,219	+ 26	
Payment to the American Institute in Taiwan	16,309	17,044	17,044	+ 735	
Payment to the Foreign Service Retirement and Disability Fund	131,224	135,629	135,629	+ 4,405	
Total, Administration of Foreign Affairs	4,777,175	5,665,802	5,224,088	+ 446,913	- 441,714
International Organizations and Conferences					
Contributions to international organizations, current year assessment	868,917	878,767	1,091,348	+ 222,431	+ 212,581
Contributions for international peacekeeping activities, current year	844,139	844,139	773,182	- 70,957	- 70,957
Total, International Organizations and Conferences	1,713,056	1,722,906	1,864,530	+ 151,474	+ 141,624
International Commissions					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses	7,126	7,452	7,452	+ 326	
Construction	22,900	25,654	24,154	+ 1,254	- 1,500
American sections, international commissions	6,726	10,311	6,879	+ 153	- 3,432
International fisheries commissions	19,349	19,780	20,780	+ 1,431	+ 1,000
Total, International commissions	56,101	63,197	59,265	+ 3,164	- 3,932
Other					
Payment to the Asia Foundation	9,230	9,250	8,000	- 1,230	- 1,250
Eisenhower Exchange Fellowship program trust fund	499	500	500	+ 1	
Israeli Arab scholarship program	374	375	375	+ 1	
East-West Center	13,470	13,500	14,000	+ 530	+ 500
National Endowment for Democracy	30,931	31,000	31,000	+ 69	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2001 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2002—Continued

[In thousands of dollars]

Item	2001 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2001 appropriation	Budget estimate
Total, Department of State	6,600,836	7,506,530	7,201,758	+ 600,922	- 304,772
RELATED AGENCY					
Broadcasting Board of Governors					
International Broadcasting Operations	398,093	428,234	414,752	+ 16,659	- 13,482
Broadcasting to Cuba	22,046	24,872	24,872	+ 2,826	.....
Broadcasting capital improvements	20,313	16,900	16,900	- 3,413	.....
Total, Broadcasting Board of Governors	440,452	470,006	456,524	+ 16,072	- 13,482
Total, title IV, Department of State	7,041,288	7,976,536	7,658,282	+ 616,994	- 318,254
(Transfer out)	(- 6,400)	(- 5,000)	(- 11,000)	(- 4,600)	(- 6,000)
(By transfer)	(6,386)	(5,000)	(5,000)	(- 1,386)	.....
TITLE V—RELATED AGENCIES					
DEPARTMENT OF TRANSPORTATION					
Maritime Administration					
Maritime security program	98,483	.....	98,700	+ 217	+ 98,700
Operations and training	86,719	89,054	89,054	+ 2,335	.....
Ship disposal .....	.....	10,000	.....	.....	- 10,000
Maritime Guaranteed Loan (Title XI) Program Account:					
Guaranteed loans subsidy	29,934	.....	100,000	+ 70,066	+ 100,000

Administrative expenses	3,978	3,978	3,978	.....	.....
Total, Maritime guaranteed loan program account	33,912	3,978	103,978	+ 70,066	+ 100,000
Total, Maritime Administration	219,114	103,032	291,732	+ 72,618	+ 188,700
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses	489	489	489	.....	.....
Commission on Civil Rights					
Salaries and expenses	8,880	9,096	9,096	+ 216	.....
Commission on International Religious Freedom					
Salaries and expenses .....	.....	3,000	.....	.....	- 3,000
Commission on Ocean Policy					
Salaries and expenses	998	.....	2,500	+ 1,502	+ 2,500
Commission on Security and Cooperation in Europe					
Salaries and expenses	1,367	1,499	1,432	+ 65	- 67
Congressional-Executive Commission on the People's Republic of China					
Salaries and expenses	499	500	500	+ 1	.....
Equal Employment Opportunity Commission					
Salaries and expenses	303,195	310,406	310,406	+ 7,211	.....
Federal Communications Commission					
Salaries and expenses	229,494	248,545	252,545	+ 23,051	+ 4,000
Offsetting fee collections—current year	- 200,146	- 218,757	- 218,757	- 18,611	.....
Direct appropriation	29,348	29,788	33,788	+ 4,440	+ 4,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2001 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2002—Continued

[In thousands of dollars]

Item	2001 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2001 appropriation	Budget estimate
Federal Maritime Commission					
Salaries and expenses	15,466	16,450	17,450	+ 1,984	+ 1,000
Federal Trade Commission					
Salaries and expenses	146,830	156,270	156,270	+ 9,440	.....
Offsetting fee collections—carryover	— 1,900	.....	.....	+ 1,900	.....
Offsetting fee collections—current year	— 145,254	— 156,270	— 156,270	— 11,016	.....
Direct appropriation	— 324	.....	.....	+ 324	.....
Legal Services Corporation					
Payment to the Legal Services Corporation	329,274	329,300	329,300	+ 26	.....
Marine Mammal Commission					
Salaries and expenses	1,696	1,732	1,957	+ 261	+ 225
Pacific Charter Commission					
Salaries and expenses .....	.....	.....	.....	.....	.....
National Veterans Business Development Corporation					
Salaries and expenses .....	.....	4,000	4,000	+ 4,000	.....
Securities and Exchange Commission					
Current year fees	127,519	109,500	109,500	— 18,019	.....

2000 fees	294,351	328,400	404,547	+ 110,196	+ 76,147
Direct appropriation	421,870	437,900	514,047	+ 92,177	+ 76,147
Small Business Administration					
Salaries and expenses	367,824	321,219	333,233	- 34,591	+ 12,014
Office of Inspector General	11,927	11,927	11,000	- 927	- 927
Business Loans Program Account:					
Direct loans subsidy	2,245	1,500	1,860	- 385	+ 360
Guaranteed loans subsidy	162,801	.....	93,500	- 69,301	+ 93,500
Administrative expenses	128,716	129,000	129,000	+ 284	.....
Total, Business loans program account	293,762	130,500	224,360	- 69,402	+ 93,860
Disaster Loans Program Account:					
Direct loans subsidy	75,972	.....	79,510	+ 3,538	+ 79,510
Administrative expenses	108,116	75,354	125,354	+ 17,238	+ 50,000
Gainsharing .....	.....	3,000	.....	.....	- 3,000
Total, Disaster loans program account	184,088	78,354	204,864	+ 20,776	+ 126,510
Total, Small Business Administration	857,601	542,000	773,457	- 84,144	+ 231,457
State Justice Institute					
Salaries and expenses ¹	6,835	15,000	14,850	+ 8,015	- 150
United States-Canada Alaska Rail Commission					
Salaries and expenses .....	.....	.....	4,000	+ 4,000	+ 4,000
Total, title V, Related agencies	2,196,308	1,804,192	2,309,004	+ 112,696	+ 504,812

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2001 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2002—Continued

[In thousands of dollars]

Item	2001 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2001 appropriation	Budget estimate
TITLE VII—RESCISSIONS					
DEPARTMENT OF JUSTICE					
Drug Enforcement Administration					
Drug diversion fund (rescission)	- 8,000	.....	.....	+ 8,000	.....
DEPARTMENT OF COMMERCE					
Departmental Management					
Emergency oil and gas guaranteed loan program account (rescission) .....	.....	- 115,000	.....	.....	+ 115,000
Emergency steel guaranteed loan program account (rescission) .....	.....	- 10,000	.....	.....	+ 10,000
DEPARTMENT OF STATE AND RELATED AGENCIES					
DEPARTMENT OF STATE					
Contributions for International Peacekeeping activities (rescission) .....	.....	.....	- 126,620	- 126,620	- 126,620
RELATED AGENCIES					
DEPARTMENT OF TRANSPORTATION					
Maritime Administration					
Maritime Guaranteed Loan (Title XI) Program Account: Guaranteed loans subsidy (rescission)	- 7,644	.....	.....	+ 7,644	.....
Total, title VII, Rescissions	- 15,644	- 125,000	- 126,620	- 110,976	- 1,620

TITLE IX					
Wildlife conservation and restoration planning	49,890	.....	.....	- 49,890	.....
Grand total:					
New budget (obligational) authority	39,784,041	40,807,220	41,527,177	+ 1,743,136	+ 719,957
Appropriations	(39,799,685)	(40,648,220)	(41,402,797)	(+ 1,603,112)	(+ 754,577)
Conservation		(284,000)	(251,000)	(+ 251,000)	(- 33,000)
Rescissions	(- 15,644)	(- 125,000)	(- 126,620)	(- 110,976)	(- 1,620)
Contingent emergency appropriations					
(Transfer out)	(- 13,400)	(- 12,000)	(- 100,308)	(- 86,908)	(- 88,308)
(By transfer)	(81,221)	(80,000)	(168,658)	(+ 87,437)	(+ 88,658)

¹ The President's budget proposed \$6.85 million for State Justice Institute.

