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105TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 105–207

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, FISCAL YEAR 1998

JULY 25, 1997.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

REPORT

together with

ADDITIONAL VIEWS

[To accompany H.R. 2267]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998.

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SUMMARY OF ESTIMATES AND RECOMMENDATIONS

The budget estimates for the departments and agencies included in the accompanying bill are contained in the Budget of the United States for 1998 submitted on February 6, 1997 (H. Doc. 105–3), budget amendments submitted on March 17, 1997 (H. Doc. 105–56) and April 29, 1997 (H. Doc. 105–78), and in a letter of transmittal from the State Justice Institute (dated February 5, 1997). This organization has the authority to transmit its budget directly to the Congress. In addition, a budget amendment was transmitted on July 17, 1997, and referred to the Committee on Appropriations on July 22, 1997, the day the bill was being considered by the Committee, which was not timely to be incorporated into this report, and will be considered as the bill progresses.

The Committee recommends a total $25,965,357,000 in general purpose discretionary budget authority for the departments and agencies funded in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill for fiscal year 1998, and $5,258,750,000 in discretionary budget authority from the Violent Crime Reduction Trust Fund for the Department of Justice and the Judiciary. The Committee also recommends $504,336,000 for mandatory programs funded within this bill.

For general purpose discretionary programs, the Committee recommendation is $352,427,000 below the President's budget request and $764,457,000 above the amounts enacted for the current fiscal year. The majority of this increase has been provided for law enforcement programs in the Department of Justice and the Judiciary to annualize the increase provided in fiscal year 1997 and to fund key initiatives in drug law enforcement, juvenile crime and control of our borders.

For Violent Crime Reduction Trust Fund programs, the Committee recommendation provides $5,258,750,000, which is $20,750,000 above the budget request and $733,750,000 above the amounts provided in the current fiscal year. The majority of this increase has been provided for assistance to State and local law enforcement agencies to address juvenile crime, domestic violence and local crime fighting needs and for reimbursement to States for the incarceration of criminal aliens.

The Committee was faced with extremely difficult decisions in determining the funding levels for the various programs funded in this bill. In order to annualize and sustain the level of effort provided in fiscal year 1997 for law enforcement and Justice programs required an increase of approximately $1,000,000,000. In order to fund needed initiatives in the areas of law enforcement, drugs, juvenile crime and immigration as well as maintain the ability of our Federal court system to respond to its increasing workload, it has been necessary to scrutinize all other parts of the bill. The Committee bill has prioritized by providing, and even increasing funding, for the highest priority programs involving law enforcement, and reducing and in a number of cases terminating low priority programs.

The following table provides a comparison of the new budget authority and outlays recommended in the accompanying bill with the amounts appropriated for fiscal year 1997, and with the budget request for fiscal year 1998:

[In millions of dollars]

	1997 enacted	1998 request	1998 recommended	1998 recommendation compared with	
				1997 enacted	1998 request
Discretionary	[1] 25,201	26,318	25,965	+764	−353
Violent Crime Reduction Trust Fund	4,525	5,238	5,259	+734	+21
Mandatory	522	502	504	−18	+2
Total	30,248	32,058	31,728	+1,480	−330

[1] Includes emergency appropriations.

HIGHLIGHTS OF THE BILL

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

DEPARTMENT OF JUSTICE

[In millions of dollars]

	1997 enacted	1998 request	1998 recommended	1998 recommendation compared with	
				1997 enacted	1998 request
Title I—Department of Justice:					
Discretionary	[1] 11,796	11,891	12,238	+442	+347
Violent Crime Reduction Trust Fund	4,495	5,179	5,219	+724	+40

[1] Includes emergency appropriations.

—Over $4.8 billion for State and local law enforcement assistance, a $726 million increase, and $738 million more than re-

quested by the Administration, including $538 million for juvenile crime and prevention programs, $523 million for the Local Law Enforcement Block Grant, $1.4 billion for Community Policing, $722.5 million for State Prison Grants, $305.5 million for Violence Against Women Act programs, and $25 million to develop a National Sexual Offender Registry.

—Over $7.3 billion for drug enforcement initiatives, including a $134 million increase for the Drug Enforcement Administration, which is $42 million more than requested by the Administration. This includes a new $34 million initiative targeted at drug trafficking in the Caribbean and a $50 million increase to stop drug trafficking on the Southwest border.

—Over $3.1 billion, a $372 million increase to enforce our immigration laws, including a $257 million increase for the Immigration and Naturalization Service to add 1,000 new border patrol agents, 500 more than the Administration requested, over 2,500 additional detention beds, and $25 million to restore integrity to the naturalization process through fingerprinting and criminal record check initiatives. Also included is $600 million to reimburse States for the incarceration of illegal aliens, a $100 million increase over last year and over the amount requested by the Administration.

DEPARTMENT OF COMMERCE AND RELATED AGENCIES

[In millions of dollars]

	1997 enacted	1998 request	1998 recommended	1998 recommendation compared with	
				1997 enacted	1998 request
Title II—Department of Commerce and Related Agencies:					
Discretionary	[1] 3,863	4,275	4,196	+333	−81

[1] Includes emergency appropriations.

—$4.2 billion for the Department of Commerce and related agencies, a reduction of $81 million below the request and $333 million above the fiscal year 1997 appropriation level, reflecting the cyclical increases necessary to prepare for the 2000 decennial census and to preserve core scientific programs in accordance with the recent budget agreement, while at the same time continuing to refocus the Commerce Department on its basic functions, including trade promotion and public safety.

—Provides $382 million for the decennial census, $298 million above the fiscal year 1997 appropriation, and $27 million above the request, but prohibits the expenditure of $282 million until the Congress authorizes the methods for conducting the 2000 census.

—Provides $693 million to support the scientific research programs of the National Institute of Standards and Technology, the full amount requested, in accordance with the Balanced Budget Agreement.

—Provides $642 million for the National Weather Service, including a $15 million increase over fiscal year 1997 appropriated levels for base operations, and a $17 million increase over fiscal year 1997 appropriated levels for modernization activities.

—Does not include $3.5 billion in advance appropriations for fiscal years 1999 through 2010 as requested in the budget for capital assets acquisition.

THE JUDICIARY

[In millions of dollars]

	1997 enacted	1998 request	1998 recommended	1998 recommendation compared with	
				1997 enacted	1998 request
Title III—The Judiciary:					
Discretionary	[1] 2,971	3,324	3,171	+200	−153
Violent Crime Reduction Trust Fund	30	50	40	+10	−10

[1] Includes emergency appropriations.

—$3.2 billion for the discretionary and Crime Trust Fund programs of the Federal Judiciary, a 7 percent increase above the fiscal year 1997 appropriation level, to allow the Courts to keep with their increasing workload. This increase is consistent with the increases provided for Federal law enforcement agencies funded in this bill, as part of the bill's priority on bringing the full force of the law to bear on crime, drugs, and illegal immigration.

DEPARTMENT OF STATE, USIA AND ARMS CONTROL

[In millions of dollars]

	1997 enacted	1998 request	1998 recommended	1998 recommendation compared with	
				1997 enacted	1998 request
Title IV—Department of State and Related Agencies:					
Discretionary	[1] 4,949	5,241	5,015	+66	−226

[1] Includes emergency appropriations.

—$5.0 billion for the Department of State, United States Information Agency and the Arms Control and Disarmament Agency appropriations, an increase of $66 million above the current fiscal year, and $226 million below the request, conforming international spending to budget realities.

—$40 million to expand broadcasting to China to a 24-hour basis.

—$100 million for international organization arrearages, subject to authorization that contains real and substantial reform requirements.

—Implementation of a new cost-recovery system for overseas missions, known as the International Cooperative Administrative Support System, to assure that all agencies contribute their share of the cost of administrative operations, as a major step forward in rationalizing the way resources are spent for overseas operations.

RELATED AGENCIES

[In millions of dollars]

	1997 enacted	1998 request	1998 recommended	1998 recommendation compared with	
				1997 enacted	1998 request
Title V—Related Agencies:					
Discretionary	1,675	1,619	1,369	−307	−250

—$1.37 billion for the related agencies funded in the bill, a reduction of $250 million from the request, and $307 million below the fiscal year 1997 appropriation, preserving the core agencies and functions while reducing or eliminating low priority agencies to conform spending with fiscal realities.

—Provides $728 million for the Small Business Administration, an increase of $28 million above the request, and $124 million below the fiscal year 1997 appropriation, preserving the core programs to assist small businesses.

REPROGRAMMINGS, REORGANIZATIONS, AND RELOCATIONS

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

The Committee expects each department and agency to follow closely the reprogramming procedures listed below which are the same as provisions that applied in statute during fiscal year 1997. These procedures apply to funds provided under this Act, or provided under previous Appropriations Acts that remain available for obligation or expenditure in fiscal year 1998, or provided through the collection of fees to the agencies funded by this Act.

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

(1) Reprogramming of funds, whether permanent or temporary, in excess of $500,000 or 10 percent, whichever is less, between programs or activities. This provision is also applicable in cases where several activities are involved with each receiving less than $500,000. In addition, the Committee desires to be notified of reprogramming actions which are less than these amounts if such actions would have the effect of committing the agency to significant funding requirements in future years.

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

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

(4) Relocating offices or employees.

(5) Reorganizing offices, programs, or activities.

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

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

The Committee is concerned that in some instances, the department or agencies funded within this Appropriations Act are not adhering to the Committee's reprogramming policy and procedures which are set forth in this report and in section 605 of the accompanying bill. The Committee expects each department and agency funded in the bill to follow these notification policies precisely and not reallocate resources or reorganize activities prior to submitting the required notifications to the Committee. The Committee has provided each of the departments, the Judiciary, and the United States Information Agency with transfer authority, which is the same as the transfer authority provided in the fiscal year 1997 Appropriations Act. The Committee believes such authority, together with the traditional reprogramming policy, gives each department, the Judiciary, and the United States Information Agency the needed discretion to respond to unanticipated circumstances and requirements which may arise throughout the fiscal year.

Relationship With Budget and Comptroller's Offices

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

The Committee appreciates all of the assistance received from each of the departments, agencies, commissions and the Judiciary during this past year. The workload generated in the budget process is large and growing, and therefore, a positive, responsive relationship between the Committee and the budget and/or comptroller offices is absolutely essential to the appropriations process of the United States Government.

Staffing and Operations Outside of the United States

The Committee remains concerned about the lack of systematic control over the size and growth of Federal department and agency presence outside of the United States, raising the likelihood that resources are being misallocated. The Committee, in conjunction with the Administration, has begun a number of initiatives to improve the situation, including the overseas staffing model for the State Department, and the new International Cooperative Support Services system, to better allocate costs of overseas presence to

each agency, in order to make the decision to assign personnel overseas based on true cost. The Committee has addressed other areas of concern in this report.

This concern is due in large part to the cost implications. It costs two to three times as much to maintain an employee outside of the United States as it does within the United States It is clear that rationalizing and systematizing staffing and operations in foreign countries has the potential for large budgetary savings.

The Committee wishes to make it clear that any expansion of staffing or presence overseas is to be brought to the attention of the Committee at the outset of the planning process, well in advance of the proposed use of any funds appropriated in this Act, or any prior or subsequent appropriations Acts, preferably through the annual budget submission, and as a last resort through the reprogramming process. The Committee remains intent upon finding the proper way to assure control of the deployment of personnel and resources outside of the United States.

GOVERNMENT PERFORMANCE AND RESULTS ACT

The Committee considers the full and effective implementation of the Government Performance and Results Act, Public Law 103–62, to be a priority for all agencies of government.

Starting with fiscal year 1999, the Results Act requires each agency to "prepare an annual performance plan covering each program activity set forth in the budget of such agency". Specifically, for each program activity the agency is required to "establish performance goals to define the level of performance to be achieved by a program activity" and "performance indicators to be used in assessing the relevant outputs, service levels, and outcomes of each program activity".

The Committee takes this requirement of the Results Act very seriously and plans to carefully examine agency performance goals and measures during the appropriations process. As a result, starting with the fiscal year 1999 appropriations cycle, the Committee will consider agency progress in articulating clear, definitive, and results-oriented (outcome) goals and measures as it reviews requests for appropriations.

The Committee suggests agencies examine their program activities in light of their strategic goals to determine whether any changes or realignments would facilitate a more accurate and informed presentation of budgetary information. Agencies are encouraged to consult with the Committee as they consider such revisions prior to finalizing any requests pursuant to 31 U.S.C. 1104. The Committee will consider any requests with a view toward ensuring that fiscal year 1999 and subsequent budget emissions display amounts requested against program activity structures for which annual performance goals and measures have been established.

TITLE I—DEPARTMENT OF JUSTICE

The Committee recommends $17,571,841,000 in new budget (obligational) authority in the accompanying bill for the Department of Justice for fiscal year 1998. This amount is $1,146,838,000

more than the appropriation for the current year, and is $386,620,000 above the budget request for fiscal year 1998.

Of the total amount provided $12,237,588,000 is derived from general purpose discretionary funds, which represents an increase of $441,413,000 above the current year. The remaining $5,218,750,000 is derived from the Violent Crime Reduction Trust Fund, which is an increase of $723,750,000 in spending from the Trust Fund over the current year.

The Committee recommendation for the Department of Justice reflects the continuing commitment of the Congress to provide resources for the Nations' top domestic priority—fighting crime. Over the past two years, Congress has increased funding for the Department of Justice by over $4,000,000,000, representing a 34 percent increase, and the results are showing. Crime rates for the most serious crimes are declining, communities are safer, and violent criminals are serving longer sentences and not being released back into the community. The recommendation continues this support for crime fighting efforts and places emphasis on empowering communities to fight crime and drugs. Funding for State and local law enforcement assistance increases by $726,170,000, which is $738,366,000 more than requested by the President and includes a restoration of funding for the Local Law Enforcement Block Grant program at $523,000,000, which the Administration proposed to eliminate. The COPs program will continue on the path of providing 100,000 new police officers and COPs funding will also be allowed for innovative technology and drug initiatives. The recommendation includes new programs to punish and prevent juvenile crime, including a new $300,000,000 new juvenile crime block grant and $237,922,000 for juvenile crime prevention programs. The bill includes significant funding for law enforcement programs to combat drugs. The recommendation includes an increase of $134,250,000 for the Drug Enforcement Administration, $42,438,000 more than requested by the President, targeted at drug trafficking on the Southwest border, the Caribbean, and heroin and methamphetamine traffickers. The recommendation also continues funding to address the problem of illegal immigration, including a $257,357,000 increase for the INS for 1,000 new border patrol agents and increased detention and removal capacity. In addition, $600,000,000 is provided to reimburse States for the incarceration of criminal aliens.

The Congress has done its part to dedicate resources to the Department of Justice during a time of severe fiscal constraint.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends a total of $76,199,000 for General Administration for fiscal year 1998. This amount is $3,174,000 less than the current year appropriation, and is $3,760,000 below the request.

This account funds the development of policy objectives and the overall management of the Department of Justice. The Committee recommendation includes additional funding for adjustments to base and provides $426,000 for additional staffing for the Office of

Professional Responsibility for investigations of allegations of attorney misconduct.

Drug Strategy.—The Committee is concerned about the problem of drugs and crime in America, and has increased the Department's drug enforcement funding 74% over the last 6 years, from $4.2 billion in FY 1992 to $7.3 billion in FY 1998. Department anti-drug activities are diverse, including investigation of drug cartels in source countries, domestic drug abuse prevention programs, and investigation, prosecution and incarceration of drug users and dealers. This massive investment merits a unified, strategic focus, and clearly stated outcome goals with interim benchmarks against which progress can be measured.

The Committee directs the Attorney General to develop a strategic plan for drug enforcement activities in the Department of Justice, with short-term and long-term goals that are specific and measurable, for submission to the Committee no later than March 30, 1998. In addition, the Committee requests that the Attorney General submit bi-annual reports documenting progress toward those goals beginning October 1, 1998. The Committee recognizes that developing such a unified plan for the many existing Department-wide activities (Interagency Crime and Drug Enforcement Task Forces, Southwest Border Initiative, methamphetamine strategy) will be difficult, but references the work to date to develop government-wide anti-drug abuse performance measures under the leadership of the Office of National Drug Control Policy.

Restructuring of the Immigration and Naturalization Service (INS).—The Committee requested that the Commission on Immigration Reform conduct an examination of the organizational structure and roles of the various agencies involved in immigration-related activities, identify strengths and weaknesses, and make recommendations on changes that would improve management of the immigration system. The recommendations of the Commission will be presented in its final report on September 30, 1997. From discussions with the Commission, the Committee understands and agrees with the Commission that major structural change is needed in the management of the immigration system. As described by the Commission, the complicated and conflicting missions of certain agencies, particularly the Immigration and Naturalization Service, impedes effective management. At the same time, the diffusion of responsibility for legal immigration matters across the Departments of Justice, State and Labor undermines efficiency.

Over the past two years the Committee has provided unprecedented funding increases to the INS—over $500,000,000 each year in 1996 and 1997—and the largest increase for any Department of Justice agency. Congress has also provided additional authorities to INS to control illegal immigration. Despite these increases and new authorities, INS is still not handling its responsibilities. The Committee has come to believe that INS is suffering from mission overload, that is, it is trying to manage too many priorities, including conflicting enforcement and customer service roles, that require coordination and cooperation with numerous agencies that are involved in the management of the immigration system. This level of responsibility would be a daunting and probably impossible task

for any one agency, and is even more so for INS, with its history of management problems.

The Committee directs the Attorney General to review the Commission's recommendations for structural changes in the immigration system and in consultation with the Secretary of State and the Secretary of Labor, and the Office of Management and Budget, to develop a restructuring plan for more efficient performance of the four core functions of the immigration system: (1) border and interior enforcement, (2) enforcement of immigration-related employment standards, (3) adjudication of immigration and citizenship benefits, and (4) administrative review of decisions made by frontline agencies. This plan should be submitted to the Committee no later than April 1, 1998 and should include a plan by the Office of Management Budget, for inclusion in the President's budget submission, for a new division of responsibilities for immigration matters. The Committee expects the Department and INS to take seriously the opportunity to develop a plan to transfer some of the responsibilities of the INS to other Departments and agencies in fiscal year 1999, in order to more effectively manage the important responsibility of immigration control. The Committee will no longer look favorably on requests that simply add resources to the current overloaded system, which has proven to be an ineffective way of addressing this responsibility.

Oversight of the Immigration and Naturalization Service (INS) Naturalization Program.—The Committee is aware of the aggressive efforts of the Justice Management Division (JMD), to direct and oversee the audit and review of persons improperly granted citizenship in 1996 as part of Citizenship USA and the development of necessary steps to revoke citizenship in those cases. Further, the Committee understands that JMD will be responsible for oversight of a process to completely redesign the naturalization program to guarantee its integrity and ensure the mistakes of the past are not repeated.

In order to sustain these efforts, the Committee directs the Attorney General to transfer $5,000,000 from the INS Examinations Fee account to the General Administration account, to ensure sufficient funds are available to bring these efforts to completion and restore the integrity and dignity of the naturalization process. The Committee expects the Department to keep it fully informed of (1) all changes being proposed to the naturalization program as a result of the redesign effort; and (2) any new applications of technology to the program that could significantly improve its effectiveness.

Electronic Freedom of Information Act.—The Committee recognizes the significant level of Freedom of Information Act (FOIA) requests received by and pending at the Department of Justice. The Committee understands that in order to implement the Electronic Freedom of Information Act (EFOIA) Amendments of 1996, which include time limits for processing FOIA requests and restrictions on judicial relief for agencies with large backlogs, the Department of Justice has requested through its various components, a total of 397 positions and $31,620,000, including 239 positions and $20,453,000 for the Federal Bureau of Investigation, to meet EFOIA requirements. The Committee believes that the Department of Justice should make it a priority to meet these new require-

ments and significantly reduce its current backlog of FOIA requests. The Committee therefore directs the Department to use unobligated balances deposited in the Working Capital Fund for the Department's unfunded expenses related to EFOIA.

The Committee recommends bill language, similar to language included in fiscal years 1996 and 1997, that specifies the amount of funding provided for Department Leadership and Executive Support programs.

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

COUNTERTERRORISM FUND

The Committee recommends $20,000,000 for the Counterterrorism Fund which was established in the 1995 Supplemental Appropriation after the bombing of the Alfred P. Murrah Federal Building in Oklahoma City. This Fund is under the control and direction of the Attorney General, and is available to reimburse any Department of Justice organization for the cost incurred from the reestablishment of an office or facility damaged or destroyed as a result of a domestic or international terrorist incident, and to cover extraordinary expenses necessary to counter, investigate or prosecute domestic or international terrorism activities.

The amount recommended, when added to the $3,900,000 likely to be available at the end of fiscal year 1997, will provide a balance of $23,900,000 available in this Fund for fiscal year 1998 to cover any expenses that may be necessary as a result of terrorist incidents or to engage in planning, and the execution of plans, related to upcoming significant events which are potential targets of terrorist activity.

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

ADMINISTRATIVE REVIEW AND APPEALS

The Committee recommends $125,700,000 for fiscal year 1998 for Administrative Review and Appeals, of which $59,000,000 is provided from the Violent Crime Reduction Trust Fund. This account funds (1) the Executive Office for Immigration Review (EOIR), which includes the Board of Immigration Appeals, Immigration Judges, and Administrative Law Judges who decide through administrative hearings whether to admit or exclude aliens seeking to enter the country, and whether to deport or adjust the status of aliens whose status has been challenged; and (2) the Office of the Pardon Attorney which receives, investigates and considers petitions for all forms of Executive clemency. Of the total amount provided, the Committee has included $124,143,000 for EOIR and $1,557,000 for the Office of the Pardon Attorney.

Immigration Initiatives.—The Committee recommendation includes an increase of $14,624,000 over the current year appropriation for EOIR, to support additional judges, attorneys and support

for immigration initiatives and provides the following program increases:

+$2,400,000, the full amount requested, for seven additional immigration judges and 3 Board of Immigration Appeal attorneys and related support to address additional caseload related to deportation provisions in the Anti-Terrorism and Effective Death Penalty Act of 1996; and

+$4,148,000 for 11 immigration judges, 4 attorneys and related support for additional removal of criminal and non-criminal aliens resulting from interior enforcement and border control initiatives.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $33,211,000 for the Office of Inspector General for fiscal year 1998, the full amount requested and $1,251,000 above the amount provided in the current year appropriation.

The Committee recommendation assumes that the Inspector General will continue to receive full reimbursement for services provided to the U.S. Trustees for audits of the various non-appropriated accounts administered by the Department. The Committee expects that to the extent audits, inspections and investigations are planned for non-appropriated accounts of the INS, subject to the reprogramming requirements of section 605 of this Act, the Inspector General may be reimbursed from these accounts.

The Committee recommendation also includes language, as requested, that allows the Attorney General to transfer up to one-tenth of one percent of grant funds provided under the Violent Crime Reduction Trust Fund, for the Inspector General to audit and review these grant programs.

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

U.S. PAROLE COMMISSION

SALARIES AND EXPENSES

The Committee recommends $4,799,000 for the Parole Commission for fiscal year 1998, the full amount requested and $46,000 less than the current year appropriation.

This Commission is an independent body within the Department of Justice which makes decisions regarding requests for parole and supervision of Federal prisoners. As a result of legislation that established sentencing guidelines, the Parole Commission is phasing down its operations. Public Law 104–232 extended the termination of the Commission until November 1, 2003.

LEGAL ACTIVITIES

GENERAL LEGAL ACTIVITIES

The Committee recommends a total of $452,969,000 for General Legal Activities for fiscal year 1998, of which $7,969,000 is provided from the Violent Crime Reduction Trust Fund. The total amount recommended is $22,707,000 more than the current year appropriation, and $21,557,000 less than the request.

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

The Committee recommendation provides pay and inflation increases for all divisions and the following program increases:

+$1,877,000 for the Criminal Division to support the Southwest Border Initiative, Federal capital case prosecutions, international extradition, and overseas positions in Manila, Brasilia, and Athens;

+$462,000 for Tax Division prosecutions;

+$5,483,000 for the Civil Division's defense of claims under the Financial Institution Reform, Recovery and Enforcement Act (FIRREA).

In addition, $7,969,000 is recommended from the Violent Crime Reduction Trust Fund to support the full cost of attorneys and support staff for the Civil Division's Office of Immigration Litigation for asylum activities.

The Committee also understands that $33,700,000 will be reimbursed from the Federal Savings and Loan Insurance Corporation (FSLIC) resolution trust fund for FIRREA claims and $5,670,000 will be reimbursed from the Health Care Fraud Abuse Control Account for health care fraud claims.

The Committee also directs the Attorney General to use unobligated balances in the Working Capital Fund to support requested program increases for Electronic Freedom of Information Act requirements for this account and for implementation of the Justice Consolidated Office Network.

In addition, the Committee is concerned about the incidences involving police and minority Americans which have had a tendency to escalate into violence. These occurrences can undermine police-minority relations in communities across the nation. In an effort to ascertain the extent of the problem, the Committee expects the Civil Rights Division to look into the feasibility of collecting information on outstanding and unresolved claims made against police departments by private citizens, as well as the process by which those claims are disposed.

The Committee believes the Department of Justice Office of Special Investigations—responsible for activities involving Nazi criminals—continues to do an excellent job given limited resources, an increasing caseload, and a diminishing amount of time to close out its cases. In recent weeks, OSI has been given 3,000 new names by the German government that must be researched. The Commit-

tee urges the Attorney General to ensure that OSI has adequate resources to accomplish its activities and directs the Attorney General to include, in the annual budget submission, a specific entry for the Office of Special Investigations within the Department of Justice budget.

Bilateral Prisoner Transfer Treaties.—Sections 330 and 331 of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) require the Administration to take specific steps to increase the effectiveness of bi-lateral prisoner transfer treaties as a means of returning aliens convicted of crimes in the United States to their home countries for completion of their prison sentences. Given the high costs of incarcerating alien felons and the need to remove criminal aliens from the U.S. as rapidly as possible, an aggressive stance in seeking the return of alien convicts to their home countries is essential. The Committee urges the Criminal Division of the Department of Justice to work with its counterparts in the Department of State to fulfill the mandates under sections 330 and 331 of the IIRIRA.

The Committee recommends bill language, similar to that included in previous fiscal years, which: (1) allows up to $20,000 for expenses of collecting evidence; (2) makes up to $10,000,000 for litigation support contracts available until expended; (3) makes up to $17,525,000 for office automation systems available until expended; and (4) makes up to $1,000 available to the U.S. National Central Bureau—INTERPOL for reception and representation expenses.

The Committee recommendation does not include language provided in previous fiscal years that would have permitted the acceptance of gifts for hosting the 1998 INTERPOL-United States National Central Bureau (USNCB) regional conference. The Committee notes that Section 116 of the Department of Justice Appropriations Act, 1997, provided the Attorney General with permanent gift authority under which the INTERPOL regional conference would fall. The Committee supports the Department's use of this general gift authority to assist INTERPOL-USNCB in hosting the International Stolen Arts Conference in New York City, New York in September 1998.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

The Committee recommends a reimbursement of $4,028,000 for fiscal year 1998 from the Vaccine Injury Compensation Trust Fund to cover Justice Department expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986. This represents the same level of funding as provided in the current year appropriation.

SALARIES AND EXPENSES, ANTITRUST DIVISION

The Committee recommendation assumes a total of $94,542,000 in budget (obligational) authority for the Antitrust Division for fiscal year 1998, which is $3,000,000 below the amount requested and $2,095,000 above the current year appropriation. Of this amount, $70,000,000 will be derived from anticipated fee collections in fiscal year 1998, and $10,000,000 will be derived from unobligated fiscal year 1997 fee collections, resulting in a net direct appropriation of

$14,542,000. The Committee notes that any use of remaining unobligated fee collections above the $10,000,000 anticipated from the prior year, is subject to the reprogramming requirements outlined in section 605 of this Act.

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

The recommendation includes bill language for the Antitrust Division, similar to that included in previous fiscal years, which: (1) allows $70,000,000 in fees to be credited to this account; (2) reduces appropriated funds as fees are collected; and (3) makes fees in excess of $70,000,000 available until expended in fiscal year 1999.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The Committee recommends a total of $1,035,828,000 for the U.S. Attorneys for fiscal year 1998, of which $62,828,000 is provided from the Violent Crime Reduction Trust Fund. The total amount provided is an increase of $57,712,000 above the current year appropriation and $33,617,000 below the request.

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

The Committee recommendation assumes requested adjustments to base, including a decrease of $3,821,000 for resources provided in fiscal year 1997 for oversight of the Teamsters election, and program increases totaling $30,857,000 for the following activities:

Southwest Border Initiative, Drug Prosecutions and Drug Task Forces.—The recommendation provides an increase of $15,143,000 for 75 attorneys, $4,625,000 more than requested, for drug prosecutions and the Southwest Border Initiative. Additional funding, above the President's request, is provided for U.S. Attorney-led drug task force projects, including support to High Intensity Drug Trafficking Area task forces.

The Committee is concerned that U.S. Attorney workload statistics only reflect a 2.5% increase over the past four years in drug prosecutions, despite a 14% increase in U.S. Attorney resources for drug prosecutions. The Committee understands that the number of prosecutions alone does not represent the progress being made in combating drugs; however, it is an indicator that should be reviewed to determine whether or not there is consistency in Federal application of drug laws across the 94 U.S. Attorney districts and whether or not drug prosecutions, relative to other caseload, is a priority in all districts. The Committee expects that within the report that is to be prepared by the Attorney General on the Department of Justice's drug strategy, the U.S. Attorneys will address the issues of priority and consistency and develop an applicable measurement to address accountability for drug resources that have been provided and to determine the level of progress being made in the drug war.

Organized Crime Prosecutions.—The recommendation includes an increase of $3,779,000 and 27 attorneys, the full amount requested, to prosecute organized crime cases, including support for

the Federal Bureau of Investigation's Operation Heaven's Gate, a strategic initiative to reduce the La Cosa Nostra's influence in a variety of industries.

Child Support Enforcement.—The recommendation includes an increase of $632,000, the full amount requested, for additional paralegal staff to allow the U.S. Attorneys Offices to fully enforce the provisions of the Child Support Recovery Act of 1992.

D.C. Superior Court.—The U.S. Attorneys Office in the District of Columbia serves as the "State" prosecutor for the District of Columbia. In order to address a growing number of cases and to implement strategies to reduce crime and violence in the District, the Committee recommendation includes an increase of $11,678,000, 55 attorneys and 116 support staff to address critical staffing needs for D.C. Superior Court. The recommendation includes the full amount requested for support staff, gang prosecution, unsolved homicide cases, Operation Ceasefire and for community prosecutions. In addition, funding requested for domestic violence cases will be provided through the Violence Against Women Act grant program, and victim and witness assistance will be provided through the Crime Victims Fund.

Victim and Witness Assistance.—The recommendation includes a portion of the funding and staffing requested by the U.S. Attorneys for Federal victim assistance under the Office for Victims of Crime, within the Office of Justice Programs. Pursuant to section 109 of the Act, the Committee intends that resources previously set aside in the Crime Victims Fund for the establishment of the National Fine Center, will be used to support a doubling of the current level of staffing dedicated to victim assistance, the establishment of a National Notification System to keep victims and witnesses apprised of pertinent case developments and the tracking of Federal criminal monetary penalties. The Committee expects that the additional staffing, although funded through the Office of Victims of Crime, will be assigned to U.S. Attorney Offices.

The Committee also recommends bill language, similar to that included in previous fiscal years, which: (1) makes up to $2,500,000 for debt collection purposes available until 1999; (2) makes available up to $8,000 to be used for official reception and representation expenses; (3) makes up to $10,000,000 for automated litigation support contracts available until expended; and (4) specifies the number of positions and workyears provided for the U.S. Attorneys. New bill language is included which makes up to $6,000,000 for office moves, expansions and renovations available until 1999 and makes up to $1,200,000 for implementation of information systems for D.C. Superior Court available until expended.

UNITED STATES TRUSTEE SYSTEM FUND

The Committee recommendation provides a total of $107,950,000 in budget (obligational) authority for the U.S. Trustees for fiscal year 1998, to be entirely funded from offsetting fee collections. The amount recommended is the same level as provided in fiscal year 1997 and $8,771,000 below the request.

The U.S. Trustees System provides administrative support to expeditiously move bankruptcy cases through the bankruptcy process and ensures accountability of private trustees appointed to admin-

ister bankruptcy estates and with regard to debtors. Public Law 99–554, the Bankruptcy Judges, U.S. Trustees, and Family Farmer Bankruptcy Act of 1986, established a U.S. Trustee System Fund in the U.S. Treasury, and provided for the collection of fees into the Fund to finance program operations.

The recommendation also includes bill language which: (1) allows deposits to the U.S. Trustee System Fund to be used to pay refunds due depositors; (2) allows $107,950,000 in offsetting fee collections to be retained and used for necessary expenses in this appropriation; (3) reduces appropriated funds as such fees are collected; and (4) makes offsetting fee collections in excess of $107,950,000 available until expended in fiscal year 1999.

FOREIGN CLAIMS SETTLEMENT COMMISSION

The Committee recommends $1,226,000 for the Foreign Claims Settlement Commission for fiscal year 1998. This amount is an increase of $273,000 over the current year appropriation and the full amount requested. The Commission settles claims of American citizens arising out of nationalization, expropriation, or other takings of their properties and interests by foreign governments.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

The Committee recommends $488,497,000 for the United States Marshals Service for fiscal year 1998, of which $25,553,000 will be provided from the Violent Crime Reduction Trust Fund. This amount represents an increase of $6,002,000 above the current year appropriation, and $12,300,000 below the amount requested.

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

The Committee recommendation assumes requested adjustments to base, including the cost of the 1998 pay raise and program increases for the following activities:

Security at New and Expanded Courthouses.—The Committee recommendation also includes $2,500,000 for security staffing and $2,500,000 for equipment at courthouses anticipated to open in 1998. This amount assumes that a number of the courthouses scheduled to open in September 1997 will not open until later in fiscal year 1998. This assumption is based on the fact that of the 11 courthouses scheduled to open in fiscal year 1997, 6 have extended the opening dates by at least three months.

The Committee recommendation also includes $3,000,000 for fugitive apprehensions and $658,000 for witness security. The Committee also assumes $500,000 will be reimbursed from the Immigration and Naturalization Service to the U.S. Marshals Service to develop a long-term strategy on the requirements of the Justice Prisoner and Alien Transportation System. In addition, the recommendation does not include a requested transfer of $2,300,000 from the Bureau of Prisons to the Marshals Service for construction of prisoner holding facilities. The Committee believes that responsibility for construction of these facilities should remain with the Bureau of Prisons.

The Committee is also aware of the inadequate availability of jail space in Utah to address the growing influx of aliens and illegal drug trafficking. Both INS and the U.S. Marshals contract with facilities in Utah to address the detention needs of aliens and presentenced prisoners. As these populations continue to grow, the jail space problem in Utah magnifies. The Committee requests that the U.S. Marshals evaluate this issue in the context of the Department's Detention Planning Committee and provide to the Committee a recommendation on alleviating jail space problems in Utah.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which (1) allows up to $6,000 to be used for official reception and representation expenses; (2) allows for the acquisition of motor vehicles for police-type use without regard to the general purchase price limitation; (3) makes up to $4,000,000 for development, implementation, maintenance and support, and training for an automated prisoner information system, and up to $2,200,000 for the Justice Prisoner and Alien Transportation System, available until expended. In addition, language is included that makes permanent the provision which allows the U.S. Marshals Service to receive reimbursement for the maintenance and transport of State, local and territorial prisoners by the Justice Prisoner and Alien Transportation System.

Federal Prisoner Detention

The Committee recommendation assumes total budget (obligational) authority of $405,262,000 for the Federal Prisoner Detention account for fiscal year 1998, which is the same level provided in the current year appropriation and $57,569,000 below the request.

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

The Committee understands that in addition to the amounts recommended, approximately $68,000,000 will also be available for this program from unobligated balances that will carry forward from fiscal year 1997, bringing the total availability for this account to $473,262,000.

Fees and Expenses Of Witnesses

The Committee recommends $75,000,000 for Fees and Expenses of Witnesses for fiscal year 1998, the full amount requested, and $25,702,000 less than the current year appropriation. The amount recommended is the full budget estimate for the mandatory portion of this program, which provides for fees and expenses of witnesses who appear on behalf of the Government in cases in which the United States is a party, including fact and expert witnesses, mental competency examinations, and witness/informant protection.

The Committee is concerned that the budget justification for this account does not accurately reflect expenses that are being paid from this program. The Committee understands that funds provided for Private Counsel have been used to pay legal expenses of Federal employees who have appeared before Congressional Com-

mittees for the purpose of Congressional investigations. The budget justification indicates that Private Counsel funds are used for legal expenses in cases where an actual suit has been brought against a Federal employee. The Committee is concerned that there is inconsistent criteria for use of these resources and believes that the budget justification should be updated to reflect the actual purposes for which this funding is used.

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

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

The Committee recommends $5,319,000 for the Community Relations Service for fiscal year 1998. This amount is the same level as the current year appropriation. In addition, the recommendation includes a provision which allows the Attorney General to transfer $2,000,000 from funds made available to the Department of Justice to this account.

The Community Relations Service (CRS) was established by Title X of the Civil Rights Act of 1964 to provide assistance to communities in resolving disagreements arising from discriminatory practices. The function of resettlement of Cuban and Haitian entrants, which was previously performed by CRS was transferred to the Immigration and Naturalization Service in fiscal year 1996. In addition, the transitional care of Mariel Cubans paroled from detention was funded from this account in previous years, but was transferred to the Federal Prison System, Salaries and Expenses appropriation in fiscal year 1995.

The Committee also recommends bill language, identical to that included in fiscal year 1997, which allows the Attorney General to provide additional resources for CRS, through a transfer of funds from other Department of Justice programs under section 605 of this Act, if emergent circumstances exist.

ASSETS FORFEITURE FUND

The Committee recommends $23,000,000 for the Assets Forfeiture Fund for fiscal year 1998, which is the full amount requested and the same level as provided in the current year appropriation.

This account provides funds for additional investigative expenses of the FBI, DEA, INS and U.S. Marshals, such as purchase of evidence, equipping of conveyances and investigative expenses leading to seizure. Funds for these activities are provided from receipts in the Assets Forfeiture Fund resulting from the forfeiture of assets. Expenses related to the management and disposal of assets are also provided from these receipts in the Assets Forfeiture Fund, by a permanent indefinite appropriation.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

The Committee recommends $2,000,000 for fiscal year 1998, the full amount requested and the same level provided in the current year appropriation, for the expenses of the Civil Division necessary to handle claims and litigation arising from the Radiation Exposure Compensation Act. The Committee also recommends an advance appropriation of $2,000,000 for this program for fiscal year 1999.

This program was established to permit the payment of claims to individuals exposed to radiation as a result of atmospheric nuclear tests and uranium mining in accordance with the Radiation Exposure Compensation Act of 1990.

PAYMENT TO THE RADIATION EXPOSURE COMPENSATION FUND

The Committee recommendation includes $4,381,000 for fiscal year 1998 to make payments to approved claimants under the Radiation Exposure Compensation Act of 1990. In addition, the Committee recommends an advance appropriation of $29,000,000 for fiscal year 1999 for these payments.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The Committee recommends $294,967,000 for Interagency Crime and Drug Enforcement for fiscal year 1998, the full amount requested and $64,463,000 below the current year appropriation as a result of funding for Treasury and Transportation programs being requested as part of their respective agencies' budget, instead of under this account, which has provided the funding in the past.

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

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

The recommendation provides funds to the following agencies:

REIMBURSEMENTS BY AGENCY

	FTE	$(000)
DEA	987	96,583
FBI	981	105,703
INS	102	10,350
Marshals	13	1,376
US Attorneys	847	77,452
Criminal Division	6	738
Tax Division	12	1,257

REIMBURSEMENTS BY AGENCY—Continued

	FTE	$(000)
Administrative Ofc.	12	1,508
Total	2,960	294,967

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

The Committee recommends $2,886,065,000 for the Federal Bureau of Investigation (FBI) for fiscal year 1998, which includes $179,121,000 from the Violent Crime Reduction Trust Fund. This amount is $150,094,000 above the appropriation for the current year and $6,804,000 below the request.

The Committee recommendation provides for adjustments to base, including the cost of the 1998 pay raise. Included in this amount is $59,977,000 to annualize and sustain 1,539 positions provided in the 1997 appropriation. The Committee recommendation assumes all of these positions will be on-board, with the exception of 300 support positions, by the end of the current fiscal year. In addition, the recommendation includes $40,000,000 which may be deposited in the Telecommunications Carrier Compliance Fund for the purpose of reimbursing telecommunications carriers pursuant to the Communications Assistance for Law Enforcement Act. The recommendation also provides for the following program increases:

Counterterrorism.—The recommendation includes an increase of $38,803,000 and 167 new agents to continue to build the FBI's capability to counter, investigate and prevent acts of terrorism. Included in this amount is:

+$27,227,000 and 245 positions (including 133 agents) for counterterrorism activities; and

+$11,576,000 and 56 positions (including 34 agents) to establish new Computer Investigative and Infrastructure Threat Assessment (CITAC) Teams, to identify the nature and scope of the computer crime problem and investigate significant intrusions or threats to major information infrastructures or networks and for technical equipment and contractor support for the CITAC Center for processing evidence left by computer attacks on the National Information Infrastructure.

In addition, funding is also continued for the following programs authorized by the Anti-terrorism and Effective Death Penalty Act:

+$9,500,000 for grants to States to establish, develop, update, or upgrade computerized identification systems that are compatible with NCIC, DNA forensic laboratories, and automated fingerprint identification systems that are compatible with IAFIS; and

+$5,500,000 for FBI's Combined DNA Identification System (CODIS), to establish standards to facilitate law enforcement exchange of DNA identification information.

The Committee recommendation does not include additional resources for the FBI to expand its legal attache program. The Committee is currently undertaking an evaluation of the current over-

seas operations of the FBI and is not recommending any increases prior to the completion of this assessment.

Southwest Border Initiative.—The Committee recommendation includes an increase of $19,263,000 and 76 new agents, the full amount requested, to investigate major drug organizations and public corruption on the U.S.-Mexico border. Included are increases for the following activities:

+$16,717,000 and 138 positions (including 70 agents) to support a joint FBI/DEA investigative initiative targeting the four most significant Mexican Drug Trafficking Organizations and to address white-collar crime, public corruption, and violent crime resulting from the drug trade along the border;

+$2,546,000 and 6 agents for FBI participation on DEA Task Forces in Mexico;

Organized Crime/La Cosa Nostra.—The recommendation includes an increase of $5,000,000 and 47 positions (28 agents), the full amount requested, for the Organized Criminal Enterprise Program to enhance investigative resources addressing the La Cosa Nostra.

Infrastructure Requirements.—The Committee recommendation includes an increase of $10,000,000 for the following activities:

+$8,000,000 to conduct five-year security reinvestigations of all FBI employees; and

+$2,000,000 to upgrade and strengthen the capabilities of the National Backstopping Centers, which support undercover agents and operations that are critical to many organized crime, drug trafficking, public corruption and national security investigations.

This year the Committee heard testimony from both the Attorney General and the FBI Director in response to a number of issues regarding the management and execution of FBI responsibilities. Specifically, concerns were expressed over the FBI's transmittal of sensitive background files to the White House, the handling of the Olympic bombing investigation and the false accusation of Richard Jewell, and the critical report by the Department of Justice Inspector General regarding the practices and operations of the FBI crime laboratory. The Committee and the American people expect the FBI to be an organization of independence and the highest level of integrity. The Committee therefore, intends to continue its close oversight of these issues as well as other FBI activities for which the Committee has previously expressed concern, namely the development and completion of IAFIS and NCIC 2000 systems, to ensure the resources provided are being appropriately spent and to ensure that the independence and integrity of the FBI is not compromised.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) for purchase of passenger vehicles without regard to general purchase price limitations, and the acquisition and operation of aircraft; (2) up to $70,000 for unforeseen emergencies; (3) up to $50,000,000 for automated data processing, telecommunications and technical equipment, and up to $1,000,000 for undercover operations to remain available until September 30, 1999; (4) not less than $147,081,000 for counterterrorism investigations, foreign counter-

intelligence, and national security activities; (5) up to $98,400,000 to remain available until expended; (7) up to $10,000,000 to reimburse State and local police for assistance related to violent crime, terrorism and drug investigations; (6) $1,500,000 for an IAFIS program office; and (7) up to $45,000 for official reception and representation expenses.

In addition, bill language which specified the amount for the Fingerprint Identification System is no longer included. However, the Committee expects that of the resources provided, $84,400,000 will be used for expenses related to automation of fingerprint identification services. Any change to this amount requires notification to the Committee pursuant to reprogramming requirements outlined in section 605.

TELECOMMUNICATIONS CARRIER COMPLIANCE FUND

The Committee recommendation includes $50,000,000 for purposes related to national security under the Telecommunications Carrier Compliance program to reimburse equipment manufacturers and telecommunications carriers and providers of telecommunications support services for implementation of the Communications Assistance for Law Enforcement Act of 1994 (CALEA).

The Committee supports the implementation of CALEA which attempts to respond to the need to assure that telecommunications systems are accessible to duly-authorized law enforcement wiretaps. The majority of the wiretaps taking place in the United States today are conducted in drug cases. However, advanced telecommunications technologies are also creating problems for the FBI and national security agencies in their conduct of foreign counterintelligence and terrorism investigations.

CALEA authorizes $500,000,000 to be appropriated for the Attorney General to pay telecommunications carriers for costs directly associated with modifying their equipment, services and facilities to allow law enforcement to perform court-authorized wiretaps. Technical advances in telecommunications systems such as switch-based call forwarding, voice and speed dialing, fiber optic transmission lines and wireless signals, have posed enormous challenges to the ability of Federal and local law enforcement to conduct wiretaps.

In fiscal year 1997, $101,000,000 was deposited in the Fund, including $60,000,000 from direct appropriations and $40,000,000 of unobligated balances from law enforcement agencies. The Committee recommendation provides an additional $50,000,000 in this account and allows the FBI to deposit an additional $40,000,000 into the Fund from its operational resources. The Attorney General is still required to notify the Committee through the reprogramming procedures included in section 605 of this Act, before any expenditure is made from the Fund.

The Committee recognizes that there is still a fundamental disagreement between the telecommunications industry and the Federal Bureau of Investigation over the functionality required by law enforcement to satisfy evidentiary needs dictated by law and by the courts. The Committee believes that a resolution of these issues will be advanced by providing funding to support this project.

The Committee further believes that the establishment of a new working group comprised of the Director of the FBI and representatives from affected sectors of the telecommunications industry will facilitate discussion and resolution on the standards for equipment modification and corresponding cost and implementation issues. The FBI is directed to establish this working group and report to both the Committees on Appropriations and the Judiciary of the House and Senate, any outstanding issues and recommendations for resolution by November 15, 1997.

CONSTRUCTION

The Committee recommendation includes $38,506,000 for FBI construction, which is $10,500,000 below the request and $3,133,000 below the current year appropriation. This funding is provided to complete construction of a new FBI forensic laboratory. In addition, $4,660,000 is provided for renovation and realignment of the Los Angeles Field Office to accommodate the growth in personnel and to provide enhanced security and technical capabilities.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends total budget authority of $1,188,268,000 for the Drug Enforcement Administration (DEA) for fiscal year 1998, of which $58,268,000 is derived from the Diversion Control Fund, $310,037,000 is derived from the Violent Crime Reduction Trust Fund, and $5,500,000 is included under the DEA Construction program. The recommendation provides an overall increase of $134,250,000 over the current year appropriation and $42,438,000 above the President's request.

The Committee continues to be concerned with the alarming increase in drug use by teenagers and the increasing availability of drugs in the United States. Data on supply levels indicate record low prices and record high purities for heroin and cocaine, record emergency room admissions for drug-related incidents, and an increase in juvenile drug use by 150% since 1992. In response, the Committee has included resources above the amount requested, to continue to wage a full-scale counternarcotics attack and focuses these resources on effective cocaine, heroin and methamphetamine strategies, interdiction on the Southwest border and the Caribbean, and investigation of major drug trafficking organizations. Specifically, the recommended level provides for full adjustments to base for pay and inflation and includes the following increases:

Caribbean Anti-Drug Initiative.—The Committee recommendation includes $34,217,000 and 60 new agents for a new initiative, not requested by the Administration, to address the increase in drug trafficking throughout the Caribbean. The Committee understands that during the late 1980's, in response to law enforcement pressure in South Florida and the Eastern Caribbean, Colombian trafficking organizations turned to established Mexican trafficking organizations to facilitate the shipment of cocaine across the Southwest border. The Committee recognizes that, in response, drug interdiction resources in the Caribbean were shifted to points focused on the U.S.-Mexico border and elsewhere. Further, as a re-

sult of enhanced drug enforcement attention to the U.S.-Mexico border, South American drug traffickers have begun to once again use the Caribbean corridor to move cocaine and heroin to the United States. Puerto Rico and the Caribbean islands have again become key staging and transshipment points for drugs. An estimated 40% of all cocaine seized in the United States can be traced to Puerto Rico, up from 25–30% a few years ago.

The Caribbean is difficult for drug enforcement agencies to police due to its 6 million square mile area comprising vast, open waters and 29 separate countries and territories, each with hundreds of miles of rugged coastline. Further, most of the drug-running is conducted by small, high-speed boats that are virtually impossible to see with the naked eye, and the majority of maritime trafficking occurs at night.

In FY 1997, the Committee added 25 DEA agents to the Puerto Rico office, significantly increasing the presence there. The Committee recognizes that more still needs to be done, not only to enhance DEA's investigative and intelligence collection efforts, but also to provide the needed state-of-the-art technical support equipment and aviation resources to provide adequate interdiction coverage for the vast open waters and coastlines of the Caribbean. As such, the Committee's recommendation includes the following enhancements:

+$2,979,000 for 20 additional DEA agents in Puerto Rico, increasing the DEA presence there by 50% over the last two years;

+$5,998,000 for 40 additional DEA agents in the Northern Caribbean and South Florida;

+$11,900,000 for 3 helicopters equipped with surveillance equipment and one fixed wing aircraft to be used for surveillance flights and to transport evidence, of which two helicopters will be used by Puerto Rico State law enforcement agencies in coordinated drug operations with DEA;

+$9,500,000 to purchase five Forward Looking Infrared Systems to be installed on Coast Guard C–130's to provide night vision and wider area coverage during surveillance flights;

+$1,340,000 for surveillance and electronic intercept equipment, such as portable translation and transcription systems, global satellite tracking systems, and fixed and mobile video transmission and surveillance systems for maritime and other vehicles;

+$1,500,000 to construct a satellite lab facility in the region to allow drug evidence to be analyzed and or destroyed without having to be transported to other DEA labs; and

+$1,000,000 for costs associated with field office relocation expenses resulting from the 50% increase in staff over the past two years.

Southwest Border Initiative.—The Committee is aware that illegal drugs are transiting the 2,000 mile Southwest border in record levels and that the U.S.-Mexico border has become a gateway for all four of the major controlled drugs—cocaine, heroin, methamphetamine, and marijuana. The Committee further understands that the majority of cocaine that reaches American cities and suburbs is coming through the Southwest border and that Mexico not

only is a major producer of heroin and marijuana, but has now become the primary producer and supplier of methamphetamine. In fiscal year 1997, the Committee provided a $42,588 increase, 129 new agents and 25 attorneys, to Department of Justice law enforcement agencies, specifically focused on the Southwest border. The Committee recommendation for fiscal year 1998 includes an additional $51,000,000, 172 new agents and 35 attorneys, the full amount requested, across various Department of Justice agencies, to stop drug trafficking and corruption along the Southwest border. Within the amount provided, $29,741,000 is included for the DEA for the following activities:

+$16,241,000 and 96 new agents for additional investigations of Mexican drug trafficking organizations resulting from extensive use of Title III wire intercepts;

+$9,501,000 and 10 equipment technicians to purchase and install the latest intercept technology in key areas along the Southwest border; and

+$3,999,000 and 41 intelligence analysts to bolster the intelligence data gathering effort and conduct analyses.

Methamphetamine Initiative.—The Committee recommendation also includes an increase of $11,046,000 and 54 agents targeted at methamphetamine production and trafficking. The Committee recognizes that methamphetamine is quickly becoming the growth drug of the 1990's. Methamphetamine, known on the street as "crank", "ice" and "speed", is a dangerous stimulant that results in the same addiction cycle and physiological trauma associated with crack cocaine. Congress recognized the urgency of this problem and in fiscal year 1997 provided DEA with an additional 30 positions and $2,394,000 to focus on methamphetamine trafficking on the Southwest border. The recommendation provides a further enhancement, which is almost five times the increase provided last year, for the following activities:

+$7,898,000 and 54 new agents for increased enforcement to target major methamphetamine trafficking organizations;

+$878,000 and 6 new agents to conduct clandestine laboratory training for DEA and State and local law enforcement personnel; and

+$2,270,000 for hazardous waste removal and laboratory service activities.

In addition, the Committee recommendation includes a new grant program under the Community Oriented Policing Services program solely to address State and local law enforcement requirements for methamphetamine enforcement.

Heroin Strategy.—The Committee recommendation includes $5,000,000 and 60 positions, the full amount requested, to intensify enforcement efforts against major heroin traffickers and to reduce the availability and purity of heroin within the United States. The additional resources will allow DEA to establish one additional heroin enforcement group (12 agents) and provide critically needed intelligence and support staff for DEA's 15 existing heroin enforcement groups.

Investigative and Intelligence Requirements.—The Committee recommendation also includes $41,656,000 to address crucial infrastructure needs, including the following:

+$19,425,000 for continued implementation of DEA's FIREBIRD data processing system and MERLIN intelligence system;

+$4,670,000 for ADP maintenance and equipment;

+$7,760,000 for 117 additional intelligence analysts, above the number requested;

+$1,000,000 for DEA support for new High Intensity Drug Trafficking Areas;

+$7,801,000 for relocation of agents; and

+$1,000,000 for aircraft replacement.

Drug Diversion Control Fee Account.—The recommendation includes $58,268,000 for DEA's Drug Diversion Control Program for fiscal year 1998, the full amount requested, and $5,444,000 above the amount provided in 1997. The Drug Diversion Control Program is responsible for control of diversion, distribution, manufacture and abuse of legitimate pharmaceuticals. DEA annually registers in excess of 900,000 drug handlers, of which over 1,670 are manufacturers, distributors, importers, exporters, and others handling large volumes of controlled substances. These registrants pay fees which fully support the cost of this program. The Committee understands there are no plans to raise the registration fees in 1998.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) up to $70,000 for unforeseen emergencies; (2) for expenses for drug education and training programs; (3) purchase of passenger vehicles without regard to general purchase price limitations, and acquisition and operation of aircraft; (4) up to $1,800,000 for research and up to $15,000,000 for transfer to the Drug Diversion Control Fee Account to remain available until expended; (5) up to $4,000,000 for evidence and information, up to $10,000,000 for automated data processing and telecommunications, and up to $2,000,000 for laboratory equipment, $4,000,000 for technical equipment and $2,000,000 for aircraft replacement parts to remain available until September 30, 1999; and (6) up to $50,000 for official reception and representation expenses. New language regarding the purchase of vehicles is not included under the Violent Crime Reduction Trust Fund, because the general authority is already provided.

CONSTRUCTION

The Committee recommendation includes $5,500,000 for DEA construction, the full amount requested for a multi-year project to reconstruct five of DEA's eight laboratory facilities which are severely deteriorating, have severe space shortages and have environmental conditions that pose health risks. The Committee understands that DEA will recur this funding over the next four years in order to reconstruct these facilities.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

The Committee recommends total new budget (obligational) authority of $3,586,548,000 for the Immigration and Naturalization Service for fiscal year 1998. This is an increase of $496,774,000 over the current fiscal year, and $65,627,000 below the budget re-

quest. Of the total amount recommended, $690,957,000 is derived from the Violent Crime Reduction Trust Fund, $1,215,191,000 will be derived from offsetting fee collections and $70,959,000 is included under the INS construction program.

INS Organization and Management.—The Congress has recognized, and has attempted to correct, resource deficiencies in the INS which for years has jeopardized the agency's ability and effectiveness in controlling illegal immigration and providing timely service to those seeking admission under the legal immigration system. Over the past two years alone, INS has grown by 52%, as a result of Congress providing unprecedented increases in resources for INS—over $500 million each year in 1996 and 1997—and the largest growth in any Department of Justice agency during this period.

The Committee believes that a lack of adequate resources is no longer an acceptable response to INS's inability to adequately address its mission responsibilities. Although there has been some level of progress on the border, primarily in California, control along the U.S.-Mexico border is only one facet to the problem of illegal immigration. By recent INS estimates, there are 5 million illegal immigrants now living in the United States—the same peak level of illegal immigrants in the country as 1986, which prompted the passage of the Immigration Reform and Control Act of 1986. And yet, today INS has triple the resources it had in 1986 to do its job.

The Committee has directed the Attorney General to review recommendations for restructuring, organizing, and managing these responsibilities that will be outlined in a report in September by the Commission on Immigration Reform, in response to a request two years ago by this Committee. The Committee expects that any reorganization proposals currently being contemplated by INS, will take into consideration future actions that may transfer some of the responsibilities of the INS to other Departments and agencies in fiscal year 1999.

The Committee continues to be concerned with the lack of accountability for grave management failures that have occurred within the INS and the lack of discipline that appears to exist at all levels of the agency in implementing policies and procedures that are vital to maintaining integrity in the immigration system. The Committee was disturbed to learn that after new policies and procedures were established to provide safeguards in the naturalization process and ensure that persons, including criminals, were not improperly provided citizenship, a follow-up audit revealed that only one of twenty-four field offices reviewed was complying with the new procedures. To this date, not one INS manager has been held accountable for this failure. The Committee has included a provision in the bill that authorizes and directs the Attorney General to impose disciplinary actions, including the termination of employment, under the same policies and procedures applicable to employees of the Federal Bureau of Investigation, for any INS employee who violates Department policies and procedures relative to granting citizenship or who willfully deceives the Congress or Department Leadership on any matter.

The Committee has also included provisions that reduce the level of staffing for the INS Offices of Congressional and Public Affairs. The Committee understands that there are currently 11 people dedicated to casework within the Office of Congressional Affairs and does not intend any of the reduction be applied to this staffing.

In addition, the Committee notes that other major bureaus of the Department of Justice—the FBI, DEA, the Bureau of Prisons, and the U.S. Marshals (with the exception of the 94 Presidential-appointed Marshals)—all perform their law enforcement mission with one non-career employee. The INS on the other hand, currently has eight non-career employees. The Committee questions the need for this level of non-career staffing for a law enforcement agency and has included a provision that reduces in half the number of INS non-career positions.

Naturalization.—The Committee has expressed its disappointment with INS's handling of over 1.8 million applications for citizenship during fiscal year 1996. The Committee provided increases of over $95 million during the last two years for INS to handle an expected surge in naturalization applications. Although INS was fully aware that this workload was increasing, it did not implement critical changes to the applicant process to address integrity deficiencies which were pointed out as far back as 1994 by both the Inspector General and the General Accounting Office. This lack of management attention to this most significant responsibility is a clear example of the agency trying to handle too many priorities at once. The result of this management failure to correct the naturalization process, was not only the granting of citizenship to ineligible applicants, including criminals, but a degradation of this benefit for the many applicants who were deserving of citizenship.

The Committee believes that one of the highest priorities for INS should be to address the need to restore integrity to the naturalization process and has provided a total of $46 million in additional resources from both direct appropriations and offsetting collections to correct deficiencies, in place of some of the other initiatives INS has requested. The Committee recommendation also includes a number of measures to respond to the failings in the naturalization system that occurred last year as well as measures to institute new practices within INS to prevent these failings from occurring again.

Fingerprinting of Applicants and Procedures for Criminal Record Checks.—The Committee has included two provisions that address the INS fingerprinting process for applicant benefits. Bill language is included that requires INS to wait for the FBI to complete a full criminal history check before completing the adjudication of an application. This will ensure that flawed practices, namely waiting 60 days for a response by the FBI on a criminal record check and then proceeding with completion of an application for citizenship even if the FBI check had not been completed, will by law no longer be allowed to occur. In addition, in order to establish integrity in the fingerprint process, bill language is included that prohibits INS from accepting fingerprints for applicant benefits from any outside source other than a law enforcement agency, that is all applicant fingerprinting must be completed at INS offices or a State or local law enforcement agency. In addition, beginning March 1, 1998, INS is required to fingerprint all applicants for benefits under the Im-

migration and Nationality Act which require a criminal record check, who are required to be interviewed at an INS office. Fingerprints can still be prepared by a State and local law enforcement agency in cases where an applicant is not required to be interviewed at an INS office. In order to implement this provision, the Committee recommendation includes $22,300,000 from direct appropriations to support the purchase and installation of live fingerprint scanners in all INS field offices and card scanners at the Service Centers, additional staff to take fingerprints and associated training, additional space and supplies, and staff to conduct audit and oversight activities.

Revocation of Citizenship for Criminals Improperly Naturalized.—As a result of the audit review of criminal records of 81,000 persons naturalized in 1996, the Committee understands that INS plans to initiate proceedings to revoke the citizenship of almost 5,000 persons. While the Committee understands that this is not the entire number of persons who may have been improperly naturalized, this revocation initiative alone will be a significant undertaking for the INS, which in the past four years has only revoked citizenship for a total of 14 persons. The Committee recommendation includes an additional $3,391,000 and 27 positions from direct appropriations, to ensure that there are adequate resources to effect these revocations in a timely manner. The Committee expects the INS to not only revoke citizenship for those ineligible persons but also to follow through with deportation proceedings on any applicant, especially criminals, who are deportable. The Committee expects INS to report on a quarterly basis on the status of the revocation proceedings and any actions that follow for deportation.

Border Control.—While some level of border control is being witnessed on parts of the Southwest border, namely in San Diego, the Committee attributes this to a doubling of border patrol agents and technology in this region, and a targeted and focused plan for deployment of these resources to this location. Over the last two years the Committee has added over 1,800 new agents to the border, despite budget requests totaling 1,400 new agents. In addition, the Committee has provided additional management, technology, infrastructure and training support in order to build the capacity within INS to effectively recruit, hire, train and deploy border patrol agents and provide these agents with the equipment and technology necessary to control the border. The Committee is disappointed that the Administration's 1998 budget falls short once again of the need required to gain control of the border by only including a request for 500 new border patrol agents. The Committee recognizes that a large part of the southwest border is still experiencing large influxes of illegal crossings and requires additional personnel and technology. The Committee recommendation includes an increase of 1,138 positions, 455 FTE and $153,022,000 to enhance border control, including:

+$125,322,000 for 1,000 new border patrol agents and 136 support personnel, instead of 500 new agents as requested by the Administration;

$42,500,000 for border patrol equipment and technology such as infrared scopes, night vision scopes, radios, upgraded sensors, low light television systems, including an increase of

$16,200,000 for continued development and deployment of the Enforcement Case Tracking System and the Biometric Identification System; and

+$11,500,000 for land border automation systems, including installation of automated license plate readers and replacement of Treasury Enforcement Communications Systems primary terminals.

Interior Enforcement/Removal of Deportable Aliens.—The Committee recognizes that addressing illegal border crossings is only one facet of the fight against illegal immigration. The INS Investigations program and Detention and Deportation programs are the primary enforcement programs focused on apprehending and removing illegal aliens residing in the United States. Over the past two years, Congress has provided significant increases to these programs—an additional 662 positions and $94,576,000 or a 56 percent increase in the Investigations program, and an additional 1,086 positions and $360,162,000 or a 134 percent increase in the Detention and Deportation program. The Committee is aware that INS has underutilized these resources. The Committee understands that by the end of the fiscal year, INS will fall short in its hiring of investigators by 111 positions. In addition, more than $120,000,000 in resources available in 1997 for INS detention space will be carried over into fiscal year 1998, even though Congress provided additional detention funding above the Administration's request in order to address INS's concerns regarding mandatory detention provisions in the Anti-Terrorism Act and the Immigration and Responsibility Act of 1996.

The Committee also believes that INS needs to revise its interior enforcement strategy to focus on the end-outcome of deportation, recognizing that deportation is the strongest deterrent to illegal immigration. The Committee understands that there are currently over 200,000 outstanding orders of deportation in which an Immigration Judge has ordered someone deported and INS has not located or removed these people from the United States. INS's worksite enforcement strategy does not focus on the deportation of illegal workers. INS does not track and therefore was unable to provide to the Committee information on the number of deportations resulting from worksite apprehensions.

The Committee is also aware that the cornerstone of INS's strategy to deport criminal aliens—the Institutional Hearing Program (IHP)—only produced 10,323 deportations in 1996—23 percent short of INS's targeted goal, despite increases in resources of 696 positions and $80,495,000 over the past two years specifically for this program. Currently, less than 30 percent of eligible prisoners complete IHP processing before they leave prison, and an even smaller percentage actually are deported. The General Accounting Office estimates that, as a result, the INS still spends tens of millions of dollars annually in preventable costs of detaining criminal aliens after their release.

The Committee recommendation for interior enforcement continues to place emphasis on providing sufficient detention space to increase INS's ability to apprehend, detain and deport aliens both criminals and non-criminals ordered deported by an Immigration

Judge, from the United States. The following increases are provided:

+$48,321,000 and 181 positions to provide 1,864 additional detention bedspaces at INS facilities in Buffalo, New York and Krome, Florida, a contract facility in San Diego and additional contracts with State and local agencies;

+$12,073,000 and 42 positions to locate and remove deportable aliens; and

+$10,000,000 and 45 positions to expand the local jail program to identify deportable aliens who are incarcerated in local jails. The Committee expects that within the total amount provided for the local jail program the INS will continue the successful local jail programs in Anaheim City and Ventura County, California.

In addition, the Committee recommendation includes a reimbursement of $500,000 to the U.S. Marshals for the Justice Alien and Prisoner Transportation System.

The Committee recommendation assumes continuation of $10,000,000 in base funding for verification systems. The Committee expects these resources to be used only for employment eligibility verification pilot programs that comply with program requirements contained in sections 401 through 405, Subtitle A of Title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

The Committee has not included funding from direct appropriations for the Law Enforcement Support Center. Funding for this Center has been provided through enforcement fines collected by INS. The Committee believes that there are adequate resources from enforcement fines to continue funding for this Center from this source and suggests expanding this capability to other locations. In addition, the Committee expects that within the resources provided for detention and removal of aliens, the INS will continue to support the California Criminal Alien Identification and Intervention Program, a successful cooperative effort between INS and California's Department of Justice and Department of Corrections, which allows local law enforcement agencies to quickly identify previously deported criminal aliens and refer them to the INS for Federal prosecution.

The Committee is aware of successful interior enforcement operations at "choke points"(e.g. mountain passes) to halt illegal aliens heading towards the Southeastern states. The Committee believes that INS should deploy personnel to these locations to conduct these operations on a seasonal or year-round basis.

The Committee is also concerned about recent reports that the INS has deported criminal aliens without appropriate escort on commerical passenger aircraft, endangering the safety of both passengers and flight crews. The Committee understands that INS is in the process of revising its criminal alien escort policy and expects the INS to inform the Committee within 90 days of the progress of implementation of this revised policy. In addition, the Committee expects INS to consider alternatives to deporting criminal aliens on commercial aircraft, where practical, including using the National Guard to transport certain criminal aliens, as authorized.

Pilot Project for Reimbursement for Emergency Ambulance Services.—The Committee recognizes that section 563 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) includes authorization for INS to reimburse States and localities for costs incurred for emergency ambulance services provided to an alien who (1) is injured while crossing a land or sea border of the United States without inspection or at any time or place other than as designated by the Attorney General; or (2) is under the custody of a State or locality pursuant to a transfer, request, or other action by a Federal authority.

The Committee directs the INS to establish a pilot project in Nogales, Arizona in fiscal year 1998 in order to implement section 563 if IIRIRA. Under such project, the INS is instructed to cooperate with the city of Nogales to fully reimburse the city for providing Border Patrol-requested ambulance services to respond to immigrants injured while crossing the border illegally. To date, the city of Nogales has unsuccessfully attempted to work with the INS to reach agreement on the amount of reimbursement owed to the city.

The Committee also directs the INS to provide a report by May 1, 1998 which addresses (1) how INS intends to fully implement section 563 of IIRIRA; and (2) concerns and recommended solutions with respect to providing ambulance services even when the injured undocumented immigrant is not formally under the custody of the State or local government.

Deployment of Resources.—The Committee expects that INS will continue to deploy new border patrol agents to the Southwest border and southern coastal states to support the greatest areas of illegal traffic. The Committee expects this personnel to be assigned to the "front-lines" on the immediate border. The Committee also expects INS to review the requirements of States and localities in the central and western region of the country in its allocation of additional personnel to detain and remove illegal aliens, especially criminal aliens involved in drug trafficking and in particular, should add support to Drug Task Forces in the tri-state corner. The Committee directs INS to consult with the Appropriations Committees of both the House and the Senate before a final allocation of new positions is determined.

Offsetting Fee Collections

The Committee recommends a total of $1,215,191,000 in offsetting fee collections, an increase of $239,417,000 over the current year, to support activities related to the legal admission of persons into the United States. These activities are supported primarily by fees paid by persons who are either traveling internationally or are applying for immigration benefits. The following increases are recommended:

Inspections User Fees.—The Committee recommendation includes $419,296,000 of spending from offsetting collections in this account and does not assume the removal of the exemption for cruise ship passengers. The Committee recommendation provides for the following inspections activities:

+$11,752,000 for pay and inflation base adjustments;

+$1,715,000 to staff three new air ports of entry in Medford, Oregon, Palm Springs, California and Halifax, Nova Scotia;

+$2,600,000 to deploy the Enforcement Case Tracking System and Biometric Identification System at air ports of entry;

+$2,400,000 for increased staffing at airports;

+$12,930,000 for departure management automation initiatives to monitor the control of aliens departing the United States and to facilitate the pilot of a system of exit controls.

Automated Arrival/Departure System.—The Committee is aware of efforts of the Department of State and INS to automate processes and electronically share information for the issuance of nonimmigrant and immigrant visas and to automate the I–94 Arrival/Departure Form. The Committee recommendation includes $10,423,000, above the amount requested to advance these initiatives. Section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 requires that an automated I–94 system be in place by October 1, 1998, and that information regarding aliens who overstay their visas and remain illegally be integrated into the appropriate databases of both the INS and the Department of State for use at ports of entry and at consular posts. The Committee believes that it is critical that the new system successfully identify such aliens and efficiently and effectively transmit the appropriate information to databases of both agencies. Without such a system, no effective enforcement strategy to remove illegal aliens who have overstayed their visas will be possible.

Immigration Examinations Fees.—The Committee recommendation includes $667,477,000 of spending from offsetting collections from persons applying for immigration benefits, including the following program increases:

+$11,096,000 to improve records infrastructure for eventual transition to electronic filing and electronic A-files;

+$1,250,000 to enhance INS's centralized computer-based information repository, the Central Index System;

+$1,940,000 for additional FBI fingerprint checks;

+$2,350,000 for Direct Mail initiatives;

+$5,210,000 to modify the CLAIMS system to support naturalization case processing; and

+$1,800,000 for the Cuban Haitian Entrant Program.

In addition, the Committee recommendation assumes a transfer of $57,542,000 of activities currently funded by direct appropriations and the Violent Crime Reduction Trust Fund. Specifically, the Committee recommendation assumes the transfer of $4,177,000 of the Legal Proceedings program that has been identified as supporting Exams-Fee related activities and the transfer of $53,365,000 of information infrastructure and corporate information data systems which are necessary to perform adjudication activities.

Land Border Inspections Fees.—The Committee recommendation includes $8,888,000 in spending from the Land Border Inspection Fund, a decrease of $2,166,000 over the current year, as a result of one-time funding requirements. The current revenues generated in this account are from Dedicated Commuter Lanes in Blaine and Port Roberts, Washington, Detroit Tunnel and Ambassador Bridge, Michigan, and Otay Mesa, California and Automated Permit Ports which provide pre-screened local border residents border crossing privileges by means of automated inspections.

Immigration Breached Bond/Detention Fund.—The recommendation includes $104,471,000 in spending for detention of illegal aliens from the Immigration Breached Bond/Detention Fund in fiscal year 1998, an increase of $97,858,000 over the current year appropriation and the same level as requested. Resources available in this Fund are derived from the recovery of breached cash and surety bonds in excess of $8,000,000 which are deposited in the Fund as offsetting collections. In addition, resources are also available in this account from a portion of fees charged under section 245(i) of the Immigration and Nationality Act. The Committee recommendation does not include an extension of 245(i) beyond September 30, 1997, however carryover balances from fees collected in fiscal year 1997 remain in this account for expenditure in fiscal year 1998. The Committee recommendation assumes the transfer of $40,138,000 for expenses for alien detention costs from the Detention and Deportation Program to this account. The resources remaining in this account after this transfer will provide for 700 additional detention spaces.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) up to $50,000 to meet unforeseen emergencies of a confidential nature; (2) for the purchase of motor vehicles for police-type use and for uniforms, without regard to general purchase price limitations; (3) for the acquisition and operation of aircraft; (4) for research related to enforcement of and up to $400,000 to be available until expended; (5) up to $10,000,000 for basic officer training; (6) up to $5,000,000 for payments to State and local law enforcement agencies engaged in cooperative activities related to immigration; (7) up to $30,000 to be paid to individual employees for overtime; (8) up to $5,000 to be used for official reception and representation expenses; (7) funds in this Act or any other Act may not be used for the continued operation of the San Clemente and Temecula checkpoints unless the checkpoints are open and traffic is being checked on a continuous 24-hour basis; and (8) specifies the level of funding for the Office of Legislative and Public Affairs. In addition, new bill language is included which (1) requires INS to wait for fingerprint checks on all applicants for citizenship; (2) prohibits funds from being used to contract with outside entities other than State and local law enforcement agencies for fingerprinting applicants for citizenship or other benefits and requires that beginning March 1, 1998, INS is required to fingerprint all applicants for benefits under the Immigration and Nationality Act which require a criminal record check, who are required to be interviewed at an INS office; (3) limits the amount of funding available for non-career positions; and (4) directs and authorizes the Attorney General to impose disciplinary actions, including termination of employment, for any INS employee who violates Department policies and procedures relative to granting citizenship or who willfully deceives the Congress or Department Leadership on any matter.

CONSTRUCTION

The Committee recommends $70,959,000 for Construction projects for the Immigration and Naturalization Service for fiscal

year 1998. The recommendation is $62,118,000 above the current year appropriation and $2,872,000 below the request.

Border Control Projects.—Of the amount recommended, $37,676,000 is for construction and engineering of the following border patrol facilities to meet space requirements for the additional agents on the Southwest border:

Full construction and renovation projects—

—Brownfield, CA, utility connection, $700,000

—Tucson, AZ, Border Patrol Station, $3,000,000

—Del Rio, TX, Border Patrol Sector Headquarters, $7,700,000

—Rio Grande, TX, Border Patrol Station, $4,200,000

—Laredo-North, TX, Border Patrol Station, $7,670,000

—Presidio, TX, housing, $1,800,000

—San Diego, CA, completion of the triple fence, $3,400,000

Planning/site acquisition/design projects—

—Yuma, AZ, Border Patrol Sector Headquarters, $922,000

—El Centro, CA, Border Patrol Station, $666,000

—El Centro, CA, Border Patrol Sector Headquarters, $450,000

—Hebbronville, TX, Border Patrol Station, $422,000

—Sierra Blanca, TX, Border Patrol Station, $322,000

—Alpine, TX, Border Patrol Station, $308,000

—Brownsville, TX, Border Patrol Station, $809,000

—Douglas, AZ, Border Patrol Station, $307,000

Military Engineering Support Projects for the Border Patrol—

—San Diego Sector, CA, vehicle barriers, $400,000

—El Centro Sector, CA, fencing and vehicle barriers, $650,000

—Yuma Sector, AZ, vehicle barriers, $400,000

—Tuscon Sector, AZ, fencing and vehicle barriers, $750,000

—El Paso Sector, TX, vehicle barriers, $650,000

—Del Rio Sector, TX, low-light-level television and drag roads, $1,250,000

—Laredo Sector, TX, stadium lights, $400,000; and

—Marfa Sector, TX, border roads, $500,000.

Detention facilities projects.—Of the amount recommended, $14,171,000 is provided for construction of additional detention bedspaces, including the following projects:

New Construction—

—Krome Lockdown facility, Miami, FL, utility connection, $2,000,000

—Port Isabel Service Processing Center, Port Isabel, TX, $10,000,000

Planning/Site/Design Projects—

—Port Isabel, TX, Service Processing Center, Phase III, $1,000,000

—El Centro, CA, Service Processing Center, $486,000

—Florence, AZ, Service Processing Center, $585,000

—Varick Street, NY, Service Processing Center, $100,000

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The Committee recommends $2,895,777,000 for the Salaries and Expenses of the Federal Prison System for fiscal year 1998, including $26,135,000 from the Violent Crime Reduction Trust Fund for Inmate Drug Treatment programs. This amount is $96,000,000 less than the budget request, and is an increase of $102,237,000 over total amounts available in the current year.

The Committee recommendation recognizes the critical importance of providing adequate space for the incarceration of sentenced and unsentenced Federal prisoners, and the need to activate newly constructed prison facilities. The recommendation provides for requested adjustments to base, including $31,697,000 to annualize 593 additional positions provided in 1997 for new prison activations.

Activation of New Prisons.—The Committee understands that due to delays in openings of new facilities anticipated in 1997 and 1998, $95,820,000 of funds required for full staffing to activate these prisons will not be required in fiscal year 1998. The Committee recommendation includes this adjustment in the appropriation required for the Federal Prison System. The Committee further understands that the planned activation in 1998 of the 1,152 bed medium security facility at Beaumont, Texas will not occur until February 1999. As a result, the Committee recommendation does not assume activation of any new facilities in fiscal year 1998. However, the following program increases are included in the recommendation:

+$1,447,000 for intelligence gathering activities to enhance the Bureau of Prison's ability to identify skills, capabilities, and background of inmates entering the Federal Prison System; and

+$1,452,000 for Electronic Freedom of Information Act requirements.

The Committee has become aware of evidence of an extremely high prevalence of hepatitis C among inmates of Federal and State prisons. The Committee is concerned about the health risk this may pose to prison inmates, correctional officers, and the communities to which inmates will return. The Committee is also concerned about the impact of widespread untreated hepatitis C infection on the prison health system in the future. The Committee urges the Federal Bureau of Prisons to incorporate routine screening for heptatis C virus (HCV) as part of any mandatory or voluntary blood testing now undertaken in the system for either inmates or correctional officers. The Committee further urges the Bureau to adopt a policy of providing information on the disease and treatment options to inmates or employees who test positive for HCV.

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

tration; (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 $90,000,000 for activation of prisons to remain available until September 30, 1999; (7) up to $20,000,000 for contract confinement expenses for the care and security of Cuban and Haitian entrants; and (8) the Federal Prison System to enter into contracts and other agreements with private entities for a multi-year period for the confinement of Federal prisoners.

BUILDINGS AND FACILITIES

The Committee recommends a total of $255,133,000 for fiscal year 1998 for the construction, modernization, maintenance and repair of prison and detention facilities housing Federal prisoners. This amount is $140,567,000 below the amount appropriated for the current fiscal year and $2,300,000 above the request.

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

+$120,615,000 for construction of a 960 bed high security facility and a 256 bed minimum security facility at Castle Air Force Base, California; and

+$16,707,000 to convert dormitory style housing into single cells at the U.S. Penitentiaries at Lewisburg, Pennsylvania and Lompoc, California;

In addition, the Committee recommendation assumes that the Bureau of Prisons will continue construction of holding cells for use by the U.S. Marshals Service and therefore does not include a transfer of $2,300,000 from the Buildings and Facilities Account to the U.S. Marshals Service.

The Committee understands that the Bureau of Prisons and the Administration are currently considering options for the transfer of District of Columbia sentenced felons to the Federal Prison System. The Committee expects to be kept fully informed on the options being considered. The Committee also understands that the Bureau of Prisons may be required to construct additional high, medium, and low security prisons to absorb the transfer of D.C. inmates into the Federal system and expects the Bureau of Prisons to evaluate appropriate sites within a 500 mile radius of the Washington Metropolitan area and provide a report to the Committee on site proposals by February 1, 1998.

In addition, the Committee understands that future construction will be needed to accommodate the rising Federal inmate population especially to reduce overcrowding in high security prisons. The Committee understands that the Bureau of Prisons has been reviewing sites in the Northeast region for construction of a new high security prison and also requests a status report and resource plan for this project by February 1, 1998.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) for planning, acquisition of sites, and construction of facilities; (2) for leasing a facility in Oklahoma City; (3) for acquisition, remodeling, and equipping facilities by contract or force account; (4) up to $14,074,000 to construct inmate work areas; (5) for use of prisoner labor; (6) up to 10 percent of this appropriation to be transferred to the Salaries and Expenses account; and (7) for up to $2,300,000

for renovation and construction of Marshals Service prisoner holding facilities.

FEDERAL PRISON INDUSTRIES, INCORPORATED

(LIMITATION ON ADMINISTRATIVE EXPENSES)

The Committee recommends a limitation on administrative expenses of $3,490,000 for the Federal Prison Industries, Incorporated for fiscal year 1998, which is $440,000 below the amount requested, and $448,000 above the current year limitation.

OFFICE OF JUSTICE PROGRAMS

The Committee recommends a total of $3,448,575,000 in new budget (obligational) authority for fiscal year 1998, including $2,437,150,000 from the Violent Crime Reduction Trust Fund, for the various law enforcement assistance programs, juvenile prevention programs, and research and statistics programs of the Office of Justice Programs (OJP). This amount represents an increase of $726,170,000 over the current year appropriation and $863,336,000 above the budget request. Included in these amounts are funds for programs providing assistance to the State and local entities, such as the Local Law Enforcement Block Grant program, the State Prison Grant program, the State Criminal Alien Assistance program, the Violence Against Women Grant program, the Byrne Grant program, the Weed and Seed program, Juvenile Justice and Delinquency Prevention programs, and Victims of Child Abuse programs.

JUSTICE ASSISTANCE

The Committee recommends $162,500,000 in direct appropriations for Justice Assistance for fiscal year 1998, which is $7,165,000 below the amount requested, and $41,071,000 above the amount provided in the current year appropriation. The funding provided for Justice Assistance provides assistance to States and localities in the form of research, evaluation, statistics, information sharing, emergency assistance, missing children assistance and the management and administration of all grants provided through the Office of Justice Programs. An explanation of the recommendation for each program follows:

National Institute of Justice.—The Committee recommendation provides $42,577,000 for the National Institute of Justice (NIJ) for fiscal year 1998, which is $7,522,000 below the request and $11,148,000 above the current year appropriation. In addition, $20,000,000 will be provided to NIJ in fiscal year 1998, as was provided in fiscal years 1996 and 1997, 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. The NIJ is the nation's primary source of research and development in the field of criminal justice. NIJ fosters innovation in law enforcement technologies and practices, investigative causes and patterns of crime, and informs the public of research and development findings. Within the total funding level provided to NIJ

for fiscal year 1998, the Committee has provided resources for the following initiatives:

1. Defense Technology Network.—The Committee is supportive of efforts by the Justice Department, in conjunction with the Department of Defense, to convert non-lethal defense technology to law enforcement use. Within the amount recommended, $7,477,000 is provided to continue the law enforcement technology center network, that will provide States with information on new equipment and technologies, as well as assist law enforcement agencies in locating high cost/low use equipment for use on a temporary or emergency basis and $2,800,000 is provided for the technology commercialization initiative at the National Technology Transfer Center that works with private industry to develop affordable new products for law enforcement. Within the amount provided, funding has been included for NIJ to continue the establishment of a national forensics entity with a focus on the dual issues of arson and explosion technology to enhance the ability of law enforcement to combat terrorism and other threats.

2. Federal Drug Testing Program.—Within the amounts provided to NIJ, the Committee recommendation includes the requested transfer of $4,700,000 from the General Administration account to the National Institute of Justice, for continuation of the Federal Drug Testing Program for criminal defendants in 25 districts. The recommendation does not include an increase of $2,300,000 for this program, as requested, because no additional sites have been identified by the courts for inclusion in this program.

3. Arrestee Drug Abuse Monitoring System (ADAM).—Within the amounts provided to NIJ, the Committee recommendation includes $4,400,000 to expand NIJ's Drug Use Forecasting System from 23 to 35 sites, to provide critical data on changing patterns of drug use, drug markets, and related criminal activity.

The Committee is aware of a number of research and technology initiatives that will enhance law enforcement capabilities. Within the overall amounts recommended for NIJ, the Committee expects the Office of Justice Programs to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committee on its intentions for each proposal:

—$500,000 to support a grant for the continuation of the national study on the health status of soon-to-be-released inmates, which identifies problems areas, particularly as they relate to linkages which exist between correctional institutions and community health resources;

—$4,500,000 for Phase II of the Facial Recognition Technology initiative started last year, for assisting Federal, State and local law enforcement in locating missing persons, and in particular missing and exploited children; and

—an appropriate level of resources to review the feasibility, cost effectiveness and possible law enforcement application of interferometric impulse radar technology for detection of underground objects, such as tunnels, buried-body detection, and post-disaster search and rescue.

The Committee is also aware that there are many automated information and intelligence systems being utilized by Federal, State and local law enforcement agencies and that there is a high prob-

ability of duplication among these systems. For this reason, the Committee supports the Attorney General's recent instructions to the NIJ to develop an inventory of Department of Justice funded law enforcement automated information systems, including the major 25 to 40 systems nationwide, and to the Justice Management Division to study a subset of these systems to examine their interoperability and interconnectivity. The ultimate goal of this review would be to develop a strategy that brings together these different systems to enable them to communicate effectively and efficiently, while guarding against duplication or overlap. The Committee directs the Attorney General to use up to $500,000 of unobligated balances available in the Working Capital Fund for the Justice Management Division study.

Bureau of Justice Statistics.—The Committee recommendation provides $21,529,000 for the Bureau of Justice Statistics (BJS) for fiscal year 1998, which is $150,000 above the amount provided in the current year appropriation. 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.

National Sexual Offender Registry Grant Program.—The Committee recommendation provides $25,000,000 for fiscal year 1998, the full amount requested, for the establishment of a National Sexual Offender Registry Grant program to assist States in developing complete and accurate in-State registries which meet the requirements of the Jacob Wetterling Act, Megan's Law, the Pam Lynchner Sexual Offender Tracking and Identification System and related State standards, and to assist States in sharing their registry information.

Missing Children.—The Committee recommendation provides $8,656,000 for the Missing Children program for fiscal year 1998, which is $2,685,000 above the amount provided in the current year appropriation and the amount requested. This program provides funds to combat crimes against children, particularly kidnapping and sexual exploitation. Within the amounts provided, the Committee recommendation includes $5,000,000 for the National Center for Missing and Exploited Children and $1,185,000 for operations at the Jimmy Ryce Law Enforcement Training Center.

Regional Information Sharing System.—The Committee recommendation provides $14,500,000 for fiscal year 1998 for the Regional Information Sharing System (RISS), which is the same amount provided for the current year appropriation, and the full amount requested. In addition, the Committee has provided additional funding to enhance this program through a technology grant program included under the Community Oriented Policing Services Program. The RISS program provides funds to maintain six regionally-based information sharing centers throughout the United States which are connected electronically to form a nationwide network to allow for the automated exchange of information between law enforcement entities addressing major, multi-jurisdictional crimes.

White Collar Crime Information Center.—The Committee recommends a total of $5,350,000 for the National White Collar Crime Center (NWCCC) for fiscal year 1998, which is $1,500,000 more

than the current year appropriation and the amount requested. This program provides assistance to State and local law enforcement and regulatory agencies in addressing multi-jurisdictional white collar crimes. The additional funding is intended to support the establishment of an Integrated Fraud Complaint Analysis and Referral System, which will create a national capability for collecting, screening, categorizing, and processing complaint and fraud information.

Grants to Firefighters.—The Committee recommendation provides $5,000,000 for local firefighter and emergency service training grants as authorized under section 819 of the Antiterrorism and Effective Death Penalty Act of 1996, the full amount requested and the same level as the current year appropriation. This program provides grants to metropolitan fire and emergency services departments to train personnel and purchase equipment to enhance their ability to respond to terrorist attacks, including nuclear, biological and chemical warfare and other explosive incidents.

Terrorism Training.—The Committee recommendation provides $2,000,000 for State and local law enforcement anti-terrorism training as authorized under section 822 of the Antiterrorism and Effective Death Penalty Act of 1996, the full amount requested and the same level as the current year appropriation. This program provides funding for the development and implementation of anti-terrorism training programs and the procurement of necessary equipment for State and local law enforcement agencies.

Development of Counterterrorism Technologies.—The Committee recommendation provides $10,000,000 for development of counterterrorism technologies to help State and local law enforcement combat terrorism as authorized under section 821 of the Antiterrorism and Effective Death Penalty Act of 1996, the full amount requested and the same level as the current year appropriation. This program provides funding to identify, assess and develop technologies that can assist State and local law enforcement in combatting terrorism, including technologies in the areas of detection of weapons, explosives, chemicals, and persons; tracking and surveillance; vulnerability assessment; and information technologies.

Within the amounts provided for counterterrorism technologies, the Committee expects Office of Justice Programs to examine the feasibility, cost effectiveness and possible law enforcement application of Pulsed Fast Neutron Analysis (PFNA) Cargo Inspection System technology, an automated non-intrusive detection technology that recognizes the presence of hidden explosives, drugs and other contraband material in sealed cargo containers and trucks.

Management and Administration.—The Committee recommendation provides $27,888,000 for the management and administration (M&A) of the Office of Justice Programs, including increased funding to support the Arrestee Drug Abuse Monitoring System. In addition, reimbursable funding will be provided from the Juvenile Justice account, Community Oriented Policing Services and the Violent Crime Reduction programs for the administration of grants under these activities.

The Committee is concerned that the current structure of administration of grants within the Office of Justice Programs (OJP) pro-

duces a fragmented and possibly duplicative approach to disseminating information to State and local agencies on law enforcement programs and developing coordinated law enforcement strategies to address drugs, crime and juvenile violence. Since 1995, funding for grant programs administered by the Office of Justice Programs will have grown by 213%, from $1.1 billion to over $3.4 billion. In order to ensure careful stewardship of these resources, the Committee directs the Assistant Attorney General for the OJP to submit a report to the Committee by January 1, 1998, which outlines the steps OJP has taken and which recommends additional actions, that will ensure coordination and reduce the possibility of duplication and overlap among the various OJP divisions.

State and Local Law Enforcement Assistance

The Committee recommends a total of $2,975,150,000 for fiscal year 1998, of which $2,437,150,000 is provided from the Violent Crime Reduction Trust Fund, for State and Local Law Enforcement Assistance programs. This amount represents an increase of $578,000,000 over fiscal year 1997, and $822,295,000 above the amount requested. These funds will provide assistance to State and local governments in their drug control and crime fighting efforts as follows:

OFFICE OF JUSTICE PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

[In thousands of dollars]

	1997	1998 request	1988 recommendation
Direct Appropriation:			
Byrne Grants (Discretionary)	60,000	.....	46,500
Weed and Seed (earmark)	(28,500)	(28,500)	[1] (40,000)
Byrne Grants (Formula)	301,000	.....	491,500
Subtotal, Direct Appropriation:	361,000	0	538,000
Violent Crime Reduction Trust Fund:			
Byrne Grants	199,000	580,000	13,500
Local Law Enforcement Block Grant	523,000	.....	523,000
Boys and Girls Club earmark	(20,000)	.....	(20,000)
Juvenile Crime Block Grant	.....	.....	300,000
Drug Courts	30,000	75,000	30,000
Upgrade Criminal Records (Brady bill)	50,000	45,000	45,000
State Prison Grants	670,000	710,500	722,500
State Criminal Alien Asst.Program	330,000	350,000	420,000
State Courts Assistance	.....	50,000	.....
Violence Against Women Grants	196,500	248,750	305,500
State Prison Drug Treatment	30,000	63,000	63,000
Other Crime Control Programs:			
Turberculosis in Prisons	.....	1,000	.....
Law Enforcement Family Support	1,000	2,205	1,000
DNA Identification State Grants	3,000	15,000	10,000
State Technology Grants	(9,500)	(9,500)	(9,500)
Motor Vehicle Theft Prevention	750	1,000	750
Senior Citizens/Marketing Scams	2,000	2,000	2,000
Presidential Summit on Crime	.....	500	.....
Assistance for At-Risk Youths	.....	8,000	.....
Missing Alzheimer's Patient Program	900	900	900
Total Crime Trust Fund:	2,036,150	2,152,855	2,437,150

OFFICE OF JUSTICE PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE—Continued

[In thousands of dollars]

	1997	1998 request	1988 recommendation
Total State and Local Assistance	2,397,150	2,152,855	2,975,150

[1] Funding for Weed & Seed is provided from direct appropriations instead of as an earmark from Byrne discretionary grants.

Direct Appropriations

Edward Byrne Grants to States.—The Committee recommendation provides $551,500,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which $46,500,000 is for discretionary grants and $505,000,000 is for formula grants under this program. The recommended level is comparable to the full level requested because the recommendation assumes direct funding for the Weed and Seed program instead of continuing this program as an earmark from Byrne discretionary grants.

Discretionary Grants.—The Committee recommendation provides $46,500,000 for discretionary grants under Chapter A of the Edward Byrne Memorial State and Local Assistance Program to be administered by the Bureau of Justice Assistance (BJA) to public or private agencies and nonprofit organizations, for educational and training programs, technical assistance, improvement of State criminal justice systems, and demonstration projects of a multi-jurisdictional nature. Within the amount provided for discretionary grants, the Committee expects BJA to provide:

—$4,000,000 for the National Crime Prevention Council to continue and expand the National Citizens Crime Prevention Campaign (McGruff);

—$1,750,000 to continue and expand the Drug Abuse Resistance Education (DARE AMERICA) program;

—$2,000,000 for continued funding for the Washington Metropolitan Area Drug Enforcement Task Force;

—$1,000,000 to SEARCH Group, Inc. to continue and expand the National Technical Assistance Program, which provides support to State and local criminal justice agencies to improve their use of computers and information technology;

—$1,000,000 for the National Judicial College to provide drug legal education and training to State and local trial judges;

—$775,000 for Project Return, a correctional options program which has achieved very high rates of employment placement along with few instances of reincarceration for ex-offenders and consideration of additional funds for evaluation; and

—$2,800,000 for the National Motor Vehicle Title Information System, authorized by the Anti-Car Theft Improvement Act, to modify state computer software, assist joint state research and development and establish network infrastructure.

Additionally, the Committee is encouraged by OJP and DARE AMERICA's commitment to take a fresh look at their curriculum through the joint sponsorship of a workshop with the Department of Justice and the Department of Education. The Committee will

be interested in the results of this workshop and the continued efforts of DARE to improve their important program.

In addition, within the amounts appropriated for discretionary grants, the Committee also expects BJA to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committee on its intentions for each proposal:

—a demonstration and evaluation of the Expanded Community Supervision program which combines community-based intermediate sanctions with alcohol and other drug abuse treatment, as an alternative to the traditional incarceration of non-violent felons; and

—a demonstration and evaluation of community-based alternatives to incarceration for non-violent drug offenders through an established program in an urban, low-income setting, such as the Haymarket House.

Formula Grants.—The Committee recommendation provides $505,000,000 for formula grants to States under the Edward Byrne Memorial State and Local Law Enforcement Assistance Program to improve the functioning of the criminal justice system with an emphasis on drugs, violent crime and serious offenders. This represents the full amount requested and an increase of $5,000,000 over the current year appropriation. The Committee recommendation does not include requested language that would make $30,000,000 of this funding available to States exclusively for drug testing programs. However, the Committee recommendation does retain language included in the current year appropriation which makes drug testing programs an allowable use of grants under this program.

Violent Crime Reduction Trust Fund Programs

Local Law Enforcement Block Grant.—The Committee recommendation includes $523,000,000 for the Local Law Enforcement Block Grant program, which is the same level provided in the current year appropriation and $523,000,000 more than requested by the Administration which eliminated this funding for this block grant in its 1998 budget request. This program provides grants to localities to reduce crime and improve public safety. Of the amount included, $20,000,000 will be provided to NIJ for assisting local units to identify, select, develop, modernize, and purchase new technologies for use by law enforcement. The recommendation also includes language that allows up to $20,000,000 of these funds to be used for Boys and Girls Clubs.

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 with their own solutions. The Committee notes the importance of this program through the activities which localities used these resources for in fiscal year 1996:

—$293,600,000, 71%, supported law enforcement hiring, overtime and equipment and technology;

—$33,796,000, supported crime prevention programs;

—$14,455,000, supported additional drug courts;

—$16,969,000, supported the adjudication of violent offenders, including violent juvenile offenders;

—$17,541,000, supported enhanced security measures in and around schools and public locations considered to have a high risk for incidents of crime; and

—$2,210,000, supported multi-jurisdictional task forces.

The Committee is aware of the unique relationship that exists in the State of Louisiana with regard to parish sheriffs and district attorneys and their eligibility for funding under the local law enforcement block grant. The Committee intends that parish sheriffs and district attorneys receive funding under this block grant program and directs OJP to encourage parish officials to support the law enforcement requirements and needs of sheriffs and district attorneys when allocating funds under this program.

Juvenile Crime Block Grant.—The Committee recognizes the importance of supporting efforts that will continue to reduce juvenile crime. The Committee is encouraged by the decline in arrest rates of youths for murder that occurred last year for the first time in a decade. This decline is partly attributable to efforts by States to ensure that the most truly violent youths are treated in a manner in which the punishment fits the crime.

The recommendation includes $300,000,000 for a new juvenile crime block grant, subject to passage of authorization legislation, to address the needs of State and local entities in combating increasing violent crime among juveniles. In order to provide communities with the resources and flexibility to meet their specific needs, the Committee has provided funding for this block grant, instead of including $50,000,000 for a new discretionary grant program for Juvenile Courts and $100,000,000 for a new discretionary grant program for State prosecutors included under the Community Oriented Policing Program, requested by the Administration to address juvenile crime. The following chart provides a comparison of intended uses of funds for the grant program recommended by the Committee and the grant programs requested by the Administration:

Program	Authorized Uses	1998 request	1998 recommendation
Juvenile Crime Block Grant	Formula Grants	0	300,000
	(1) building/operating juvenile detention facilities		
	(2) accountability-based sanctions		
	(3) hiring juvenile judges, probation officers, court-appointed defenders		
	(4) hiring prosecutors for juvenile crimes		
	(5) technology and training to assist prosecutors in juvenile crimes and gangs.		
	(6) initiatives to help prosecutors address gangs, drugs and youth violence		
	(7) juvenile gun courts		
	(8) drug courts for juveniles		
	(9) interagency information sharing programs		
Prosecutorial Initiatives	Discretionary Grants:	100,000	0
	(1) hiring prosecutors for juvenile crimes		
	(2) technology and training to assist prosecutors in juvenile crimes and gangs.		
	(3) initiatives to help prosecutors address gangs, drugs and youth violence		
	(4) staff support for youth gang task forces		
	(5) programs that target repeat offenders		

Program	Authorized Uses	1998 request	1998 recommendation
Violent Youth Courts	Discretionary Grants	50,000	0
	(1) juvenile gun courts		
	(2) drug courts for juveniles		
	(3) courts of specialized jurisdiction		
	(4) programs for improved adjudication of juvenile offenders		
Total Funding		$150,000	$300,000

National Instant Criminal Background Check System.—The recommendation provides $45,000,000 for States to upgrade criminal history records so that these records can interface with other databases holding information on other categories of individuals who are prohibited from purchasing firearms under Federal or State statute. This amount represents the full amount requested for this program.

State Prison Grants.—The recommendation provides $722,500,000 for the State Prison Grant program, of which $180,000,000 is available to States for the incarceration of criminal aliens and $25,000,000 is for the Cooperative Agreement Program. This program provides grants to States to build and expand temporary or permanent correctional facilities, boot camps, and jails to increase the capacity for confinement of violent criminals. The amount available for prison grants is $517,500,000, which is $30,000,000 more than provided in fiscal year 1997, and $8,000,000 less than the request for this program. In addition, the amount available for the Cooperative Agreement Program represents an increase of $12,500,000 for this program over the current year appropriation and $10,000,000 less than the request.

State Criminal Alien Assistance Program.—The recommendation provides $420,000,000 for the State Criminal Alien Assistance Program for the reimbursement to States for the costs of incarceration of criminal aliens. This amount is in addition to $180,000,000 which is included for this purpose under the State Prison Grants program. Thus, the Committee recommends a total of $600,000,000 for reimbursement to States of alien incarceration, which is $100,000,000 more than the amount requested and the current year appropriation.

State Courts Assistance Program.—The recommendation does not include funding for the State Courts Assistance Program, which the Administration intended to be used for Violent Youth Courts. Funding for juvenile courts is an allowable use under the Juvenile Crime Block Grant program included in the recommendation.

Violence Against Women Act.—The Committee recommends $305,500,000 for grants to support the Violence Against Women Act. This amount represents an increase of $109,000,000 over the current year appropriation and $56,750,000 more than the amount requested. Grants provided under this recommendation are for the following programs:

Violence Against Women Act Programs	1997	1998 Request	1998 Recommendation
General Grants	145,000	160,000	160,000
Victims of Child Abuse Programs:			
Court-Appointed Special Advocates	6,000	7,000	7,000
Training for Judicial Personnel	1,000	2,000	2,000
Grants for Televised Testimony	550	1,000	1,000
Grants to Encourage Arrest Policies	33,000	59,000	115,750
Rural Domestic Violence	8,000	15,000	15,000
National Stalker & Domestic Violence	1,750	2,750	2,750
Federal Victims Counselors [1]	(1,000)	(1,012)	(1,012)
Training Program	1,000	2,000	2,000
State Database Study	0	0	0
Study on Campus Sexual Assault	200	0	0
TOTAL—VAWA PROGRAMS	196,500	248,750	305,500

[1] Included under U.S. Attorneys.

Funding included for Violence Against Women Programs will continue to provide resources to expand units of law enforcement officers and prosecutors specifically targeted at crimes against women, 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 including specialized domestic violence court advocates to obtain protection orders.

In addition, the Committee recommendation includes an additional $56,750,000 above the amount requested, for Grants to Encourage Arrest Policies, exclusively for the purpose of augmenting civil and criminal legal assistance programs to address domestic violence.

The recommendation also provides $7,000,000 for research and evaluation of domestic violence programs, and funding to support an enhanced domestic prosecution unit within the District of Columbia. In addition, to encourage efforts to enhance the availability of services to women and children who are subjects of domestic violence, the Committee also encourages the design and evaluation of training and technical assistance programs which result in comprehensive community-based intervention and prevention programs.

Substance Abuse Treatment for State Prisoners.—The Committee recommends $63,000,000 for grants to States and units of local government for development and implementation of residential substance abuse treatment programs within State correctional facilities, and certain local correctional and detention facilities. This amount is the full amount requested and $33,000,000 above the amount provided in the current year appropriation.

Law Enforcement Family Support programs.—The recommendation includes $1,000,000 for programs that provide support services to law enforcement officers and their families, the same level as provided in fiscal year 1997.

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

Tuberculosis in Prisons.—The recommendation does not include additional funds for treatment of tuberculosis is Federal and State

prisons. In fiscal year 1997, no funding was provided for this purpose.

DNA Identification State Grants.—The recommendation includes $10,000,000 for grants to States and units of local government to support programs and projects to develop or improve the capability to analyze DNA in a forensic laboratory. The amount provided is $5,000,000 below the amount requested and $7,000,000 above the amount provided in fiscal year 1997.

Assistance for At-Risk Youth.—The recommendation does not include $8,000,000 for At-RiskYouth programs. Instead, an additional $63,422,000 is provided under the Juvenile Justice and Delinquency Prevention Act, to increase amounts available to States to implement programs targeted at at-risk youth and reducing juvenile crime.

Motor Vehicle Theft Prevention.—The recommendation provides $750,000 for grants to combat motor vehicle theft through cooperative partnerships between car owners and State and local law enforcement to reduce car theft committed by professional auto thieves and to facilitate their recovery. This amount is the same level provided in fiscal year 1997 for this program.

Senior Citizens Against Marketing Scams.—The recommendation includes $2,000,000, the full amount requested, for programs to assist law enforcement in preventing and stopping marketing scams against the elderly. This amount is the same level provided in fiscal year 1997 for this program.

Presidential Summit on Crime.—The recommendation does not provide $500,000, as requested, to conduct a Presidential Summit on Crime.

WEED AND SEED PROGRAM

The Committee recommendation provides $40,000,000 for the Weed and Seed program, $11,500,000 above the request and the current year appropriation. In addition, funding is provided from direct appropriations instead of from an earmark under the discretionary grant program of the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, as provided in fiscal year 1997.

The Committee recognizes that crime disproportionately affects disadvantaged neighborhoods and that 10% of neighborhoods account for 60% of crimes. The Committee also recognizes that the best solutions to crime problems are customized to neighborhood needs. The Weed and Seed program serves as a crime prevention catalyst, coordinating existing anti-crime efforts in high-crime neighborhoods and leveraging other resources for activities such as truancy prevention, conflict resolution, mentoring, gun abatement, justice innovations, jobs for at-risk youth, and anti-gang initiatives. This increase will provide 45 new communities with Weed and Seed funds, along with training from experienced Weed and Seed sites.

The Committee recognizes the urgency of need at potential Weed and Seed sites, and requests that the Executive Office for Weed and Seed obligate all funds for this program by July 1, 1998. In addition, within the amounts provided for this program, the Committee expects OJP to provide $190,000 to the Gospel Rescue Min-

istries of Washington, D.C. for the purpose of completing the renovation of the former Fulton Hotel to a center for drug-addicted women.

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

COMMUNITY ORIENTED POLICING SERVICES

VIOLENT CRIME REDUCTION TRUST FUND PROGRAMS

The Committee recommendation includes $1,420,000,000 for the Community Oriented Policing Services—the COPs Program—for fiscal year 1998, including $20,000,000 for the Police Corps program. This is the same amount as provided in fiscal year 1997 and $145,000,000 below the request. In addition, the Committee recommendation allows $100,000,000 of unobligated balances to be used for innovative community policing programs, as authorized under the COPs program, but for which funding was not provided in fiscal year 1997.

Police Hiring Initiatives.—The Committee has provided funding over the last three years to support grants for the hiring of 64,000 police officers. To date, 61,000 grants have been awarded and approximately 31,000 police officers have actually been hired. The Committee's recommendation for fiscal year 1998 will provide funding for an additional 17,000 officer grants, bringing the total number of new police officer grants under this program to 81,000. The Committee expects that hiring grants will include grants under the Universal Hiring Program and the COPs MORE program in order to accomplish this goal.

Non-Hiring Initiatives.—The Committee is aware that $207,900,000 of funds provided for the COPs program in fiscal year 1996 carried forward into 1997. As a result of this carryover, total funding available for the COPs program in fiscal year 1997 was $1,627,900,000. The Committee understands that as of April 30, 1997, only $511,500,000 of these funds have been obligated and anticipates, that, at a minimum, the COPs program will carryover $200,000,000 into fiscal year 1998 after completion of its hiring grant process for 1997.

The Committee understands that in fiscal year 1998, some local communities that have hired new officers under this program will be required to pay the full cost of these new officers. These communities, as well as others, have expressed the need for funding to support other law enforcement requirements to address specific crime problems and critical needs, rather than just the hiring of police officers. The Committee, therefore believes, that $100,000,000 of unused funds from fiscal year 1997 should be used to address these critical law enforcement requirements and directs the COPs program to establish the following non-hiring grant programs:

1. COPs Technology Program.—The Committee recommendation directs $35,000,000 of unobligated balances 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, the Committee recognizes the importance of sharing of criminal information and intelligence among State and local law enforcement agencies to address multi-jurisdictional crimes.

Within the amounts made available under this program, the Committee expects the COPs office to award grants for the following technology programs:

—$7,500,000 for the Southwest Border States Anti-Drug Information System, which will provide for the purchase and deployment of this technology network between all State and local law enforcement agencies in the four southwest border states—California, Arizona, New Mexico, and Texas—to provide information sharing of drug trafficking along the U.S.-Mexico border, by linking criminal and intelligence databases of these States, the El Paso Intelligence Center, and certain components of the Regional Information Sharing System;

—$7,500,000 for the Law Enforcement On-Line system, to add 15,000 State and local users to a secure national interactive computer communications network currently being developed with the FBI; and

—$7,500,000 to expand the Regional Information Sharing System by providing access to law enforcement member agencies to the RISS Secure Intranet to increase their ability to share and retrieve criminal intelligence information on a real-time basis.

In addition, the Committee is aware of communications and technology needs of various law enforcement agencies. Within the overall amounts recommended for the COPs technology program, the Committee expects the COPs office to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committee on its intentions for each proposal:

—a grant to the Jefferson Parish, Louisiana Sheriffs Department for development of enhanced radio communications;

—a grant for the North Carolina Criminal Justice Information System, to complete development of phase II of a network to integrate data from various criminal justice agencies to meet North Carolina's public safety needs; and

—a grant to the Fairfax County Police Department for the development of a Regional Gang Tracking System.

2. COPs Methamphetamine Program.—The Committee directs $30,000,000 of unobligated balances in the COPs program to be used for State and local law enforcement programs to combat methamphetamine production and distribution. The Committee is aware that the production, trafficking, and usage of methamphetamine, an extremely destructive and addictive synthetic drug, is a growing national problem. Available data has shown that methamphetamine abuse has risen significantly in the West and Southwest, is threatening the Midwest and has begun to spread eastward. Despite some successes in the seizure of clandestine drug laboratories, limited State and local law enforcement resources coupled with the complexity of clandestine laboratory enforcement investigation and cleanup processes have made the fight against illicit methamphetamine manufacturing a difficult one.

Recognizing the specific problem of methamphetamine in California, which has been identified as a "source country" for the rest of the nation for methamphetamine, within the amounts provided for this program, the Committee expects the COPs office to award a grant to for the following program:

—$18,200,000 to the California Bureau of Narcotics Enforcement's Methamphetamine Strategy to support additional law enforcement officers, intelligence gathering and forensic capabilities, training and community outreach programs.

3. COPs Drug "Hot Spots" Initiatives.—The Committee directs $35,000,000 of unobligated balances in the COPs program to be used to provide grants to policing agencies and community-based entities to address drug "hot spots". The Committee recognizes that most research on crime programs concludes that the effective programs seem to share a key characteristic—they target specific types of crimes, convicts, or potential lawbreakers. The Committee believes that directed patrols, proactive arrests and problem solving in drug "hot spots" will show evidence of drug and crime reduction.

The Committee also recommends bill language, similar to that included in previous fiscal years, reflecting the level of funding for management and administration of this program, which provides for full adjustments to base for the current year staffing level.

JUVENILE JUSTICE PROGRAMS

The Committee recommendation provides a total of $237,922,000 for Juvenile Justice Programs for fiscal year 1998, $7,500,000 more than requested by the Administration and $63,422,000 above the amount provided in the current fiscal year.

Juvenile Justice and Delinquency Prevention.—The Committee recognizes the dramatic increase in juvenile delinquency, particularly violent crime committed by juveniles. Approximately 20 percent of the individuals arrested for committing violent crime are less than 18 years of age and weapons offenses and homicides are two of the fastest growing crimes committed by juveniles. The Committee also understands that addressing juvenile violence requires a combination of strategies that involve (1) focusing law enforcement on dangerous, violent youths and making sure the punishment fits the crime; (2) community intervention to help solve the underlying problems of first-time offenders; (3) quality prevention programs that are designed to reduce risks and develop competencies in at-risk juveniles; and (4) programs that hold juveniles accountable for their actions, including systems of graduated sanctions, victim restitution and community service.

The Committee further understands that changes to Juvenile Justice and Delinquency Prevention Programs are being considered in the reauthorization process of the Juvenile Justice and Delinquency Act of 1974. The Committee understands there is bi-partisan and Administration support for H.R. 1818, The Juvenile Crime Control and Delinquency Prevention Act of 1997, which passed the House of Representatives on July 15, 1997 and provides authorizations for juvenile crime prevention funding. As such, the Committee recommendation includes language that provides that

funding for these programs shall be subject to the provisions of authorization legislation that is enacted.

The Committee recommendation includes a total of $225,922,000 for fiscal year 1998, the full amount requested and an increase of $55,922,000 over the current year appropriation, for grants to States and localities and administrative expenses for Juvenile Crime and Delinquency Prevention Programs. The recommendation assumes the authorizations included in H.R. 1818 as a model, and provides funding for the following programs:

1. $4,922,000 for the Office of Juvenile Crime Control and Delinquency Prevention (OJCCDP) (Part A).
2. $80,000,000 for Formula Grants for assistance to State and local programs (Part B).
3. $100,000,000 for a Juvenile Delinquency Block Grant Program (Part C).
4. $20,500,000 for Research, Evaluation, Technical Assistance and Training (Part D)

The Committee understands that the Office of Juvenile Justice and Deliquency Prevention has provided funding for research on children exposed to violence at the scene of a crime and is evaluating the concept of Child Development Community Policing, a model for intervening with these children starting at the crime scene. The Committee notes that complimentary work is currently being conducted at the Centers for Disease Control and Prevention (CDC), examining a medical model for juvenile delinquency, and urges OJCCDP to coordinate its research and violence prevention activities on this topic, including the sharing of findings and recommendations, with CDC and the Department of Education.

5. $20,500,000 for Developing, Testing, and Demonstrating Promising New Initiatives and Programs (Part E).

Within the amounts provided for Parts D and E discretionary grants, the Committee expects the OJCCDP to provide:

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

In addition, the Committee is aware of a number of encouraging programs to develop partnerships with local communities and help prevent the cycle of abuse and delinquency. Within the overall amounts recommended for Part E, the Committee expects the OJCCDP to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committee on its intentions for each proposal:

—A grant to continue funding for the Hamilton Fish Institute for School/Community Violence which provides technical assistance and forms partnerships with rural and urban communities and their local schools to reduce violence in and around elementary and secondary schools; and

—A grant to support Project O.A.S.I.S., a program designed to identify and provide accelerated delinquency intervention services to high risk Middle School and Junior High youths;

—A grant to support the Juvenile Offender Transition Program, a public/private partnership to reduce the rate of recidivism among juvenile offenders by partnering certain offenders

with a local college or university student in a mentoring-protege program;

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

—A grant to Parents Anonymous, which develops partnerships with local communities to build and support strong, safe families and to help break the cycle of abuse and delinquency;

—A grant to continue funding at current levels for law-related education;

—A grant to continue successful programs at the Violence Institute in New Jersey that provide research on basic causes of violence and programs designed to prevent the spread of violent crime;

—A grant to the Suffolk University Center for Juvenile Justice, dedicated to representing children in criminal cases in juvenile court and children and parents in civil matters as well as gang related and abuse cases;

—A grant to expand Women of Vision, an innovative community-based gender specific juvenile justice program designed to divert first time offenders from the court and probation systems;

—A grant to the Culinary Arts Job Training Program for at-risk youths; and

—A grant to the National Training and Information Center to support their communities in action to prevent drug abuse program.

Drug Prevention Program.—The Committee recognizes that while crime is on the decline in certain parts of America, a dangerous precursor to crime, namely teenage drug use, is on the rise and may soon reach a 20-year high. Nearly a quarter of grade school children have been offered drugs, and too many children no longer believe drugs are harmful or dangerous. Teenage use of marijuana, a "gateway" to more serious drugs, has more than doubled since 1992.

The Committee recommendation includes $5,000,000, not requested by the Administration, to develop, demonstrate and test programs to increase the perception among children and youth that drug use is risky, harmful, or unattractive. This initiative should be carried out as part of a coordinated, government-wide strategy against teenage drug abuse that is consistent with existing research findings on effective prevention and treatment methods.

Victims of Child Abuse Act.—The Committee recommends a total of $7,000,000 for the various programs authorized under the Victims of Child Abuse Act (VOCA). In addition, funding of $7,000,000 is provided for Victims of Child Abuse programs under the Violence Against Women Programs funded under State and Local Assistance, Violent Crime Reduction Programs. The total amounts recommended for Victims of Child Abuse Act provide $2,500,000 more than amounts provided in the current fiscal year and amounts re-

quested in the budget. The following programs are included in the recommendation to improve investigations and prosecutions:

—$1,000,000 to establish Regional Children's Advocacy Centers, as authorized by section 213 of VOCA;

—$4,000,000 to establish local Children's Advocacy Centers, as authorized by section 214 of VOCA;

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

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

PUBLIC SAFETY OFFICERS BENEFITS

The Committee recommendation includes the requested language for death benefits under the Public Safety Officers Benefits program for fiscal year 1998, which will fully fund anticipated payments. This program provides a lump sum death benefit payment to eligible survivors of Federal, State and local public safety officers whose death was the direct and proximate result of a traumatic injury sustained in the line of duty.

In addition, the Committee recommendation includes $2,000,000 for the Federal Law Enforcement Assistance Program for fiscal year 1998, the full amount requested. This program provides payments for education purposes to the children and spouses of Federal, civilian law enforcement officers killed or disabled in the line of duty.

The recommendation does not include an additional $2,264,000 for lump sum payments to public safety officers who are permanently disabled in the line of duty, because there is over $4,000,000 currently available for this program from unobligated balances that will carry forward into fiscal year 1998.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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

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

Section 102 provides language, included in previous appropriations acts, which continues certain authorities for the Justice Department in fiscal year 1998 that were contained in the Department of Justice Authorization Act, fiscal year 1980.

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

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

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

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

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

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

Section 108 provides language, included in previous appropriations acts, which allows balances remaining in the Assets Forfeiture Fund after September 30, 1997 to be available to the Attorney General for any authorized purpose of the Department of Justice and includes language making this provision permanent.

Section 109 adds new language as proposed by the Administration with some modification, which authorizes the use of unexpended Crime Victims Fund dollars previously available to the Administrative Office of the U.S. Courts for the National Fine Center, to be used for Federal system improvements to be used to improve services for the benefit of crime victims in the Federal criminal justice system.

The Committee understands that this provision will allow $21,000,000 in unexpended Crime Victims Fund monies to become available to the Director of the Office of Victims of Crime. The Committee directs that funding be available for various activities only after the Attorney General notifies the Committees on Appropriations of the House and Senate in accordance with section 605 of this Act. The Committee expects the uses of funding to include support for the following initiatives:

—74 victim witness coordinators and advocates to be assigned to various U.S. Attorneys Offices, including victims support for D.C. Superior Court;

—establishment of an automated victim information and notification system for Federal cases;

—restitution collection and enforcement; and

—the processing and tracking of Federal criminal monetary penalties and related litigation activities.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

The Committee recommends a total of $4,195,631,000 for the programs of the United States Trade Representative, the International Trade Commission and the Department of Commerce for fiscal year 1998. This amount is $3,565,636,000 below the total request and is $332,411,000 above the total amount appropriated for the Department and related agencies for fiscal year 1997. The funding increases provided for the Department of Commerce in fiscal year 1998 reflect the cyclical increases necessary to prepare for the 2000 decennial census and increases to preserve the core scientific and

technical expertise of the National Institute of Standards and Technology in accordance with the Balanced Budget Agreement.

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

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

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

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

The Committee recommends an appropriation of $21,700,000 for the Office of the United States Trade Representative (USTR) for fiscal year 1998. This amount is $251,000 above the amount appropriated for fiscal year 1997 and $392,000 below the request.

The Committee has maintained funding for the base program in order to allow the USTR to continue to apply its resources toward monitoring and enforcement of over 180 trade agreements which have been negotiated in the last several years. The Committee notes that historically, the USTR has relied on the assistance from numerous other agencies in negotiating and enforcing trade agreements. The Committee recommends that the U.S. Trade Representative seek additional detailees from the Departments of Commerce, State, and Agriculture, as well as the International Trade Commission, if warranted, to assist in these important enforcement efforts. The Committee believes that trade monitoring and enforcement is critical to ensure the success of negotiated free trade agreements. The success of this enforcement policy should be reflected in a decline in the trade deficit, of which there has not yet been any evidence, given the fact that the trade deficit remains at an all time high.

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

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

The Committee recommends an appropriation of $41,400,000 for the International Trade Commission for fiscal year 1998. This amount is $550,000 above the appropriation for the current fiscal year and is $580,000 below the budget request. This amount, when combined with an estimated carryover of approximately $350,000

will allow the Commission to maintain its operations and staffing at the current level of 386 full-time equivalents, as requested.

In recent years, the importance to the U.S. economy and in our trade negotiations of service industries such as information, financial, and intellectual property services, software and telecommunications has increased dramatically, and is expected to continue to increase in the future. Given the importance of these issues to the U.S. economy and in our trade negotiations, the Committee recommends that the ITC place a high priority on its research and analysis functions, particularly its capabilities with respect to the service industries, and should devote the necessary resources to these functions.

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

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The Committee recommends an appropriation of $279,500,000 for the programs of the Commerce Department's International Trade Administration (ITA). The amount provided is an increase of $7,864,000 above the request and an increase of $9,500,000 above the amounts provided for fiscal year 1997. The recommendation assumes an estimated carryover of $5,000,000, resulting in total of $284,500,000 available to ITA in fiscal year 1998.

The recommendation reflects the Committee's continuing support for our nation's core trade promotion, enforcement and related activities. The following table reflects the distribution of the Committee recommendation by subactivity:

[By fiscal year, dollars in thousands]

	1997 enacted	1998 base	1998 request	1998 recommended
Trade Development	$59,400	$50,204	$50,204	$58,900
Market Access and Compliance	17,100	18,395	18,892	18,500
Import Administration	29,500	30,400	30,932	30,900
US&FCS	168,200	171,608	171,608	176,200
Estimated Carryover	(4,200)	0	0	(5,000)
Total, ITA	270,000	270,607	271,636	279,500

U.S. and Foreign Commercial Service.—The Committee continues to believe that the focus of ITA should be to assist small and medium-sized companies who would be unable to successfully export without the assistance of ITA. While the Committee understands the importance of increased trade opportunities for all companies, the Committee is concerned that the increased focus being placed on advocacy efforts on behalf of large companies is detracting from ITA's core mission to assist small and medium-sized companies. The Committee notes that ITA's advocacy efforts have increased over the last three years, while staffing at the overseas and domestic offices for the US & Foreign Commercial Service, the primary mechanism for assisting small and medium-sized businesses, has declined. The Committee is disappointed that the FY 1998 budget proposed additional reductions in staffing for the US & FCS.

Therefore, the Committee has provided an increase above the request for the US & FCS through a combination of fiscal year 1998 appropriations and carryover balances. The recommendation includes language in the bill designating the amount of the fiscal year 1998 appropriation for the US & FCS. In addition, the Committee is aware that the ITA will again have carryover from unexpended balances provided to the US & FCS in previous years. The Committee expects that the direct appropriation, combined with carryover, will be used to increase resources and staffing at US & FCS overseas and domestic field offices.

In addition, the Committee expects ITA to utilize a portion of the increase for the Rural Export Initiative with a focus on assisting small businesses in rural areas with electronic commerce and trade development activities, as well as other activities which utilize electronic commerce to assist small businesses in increasing their export opportunities.

Trade Development.—The recommendation provides funding under Trade Development to continue two export promotion programs related to the textile and apparel industries at the same levels provided in fiscal year 1997. In addition, the Committee expects ITA to continue its current support for activities to assist small businesses to improve their international competitiveness. The Committee expects that any reductions in Trade Development be taken from the Advocacy Center.

Market Access and Compliance.—Within the amounts provided for Market Access and Compliance, the Committee recommendation has set aside $3,500,000 for the Trade Compliance Center (TCC). Further, the Committee directs ITA that in no case should the TCC be taxed for overhead at a rate greater than 10%.

ITA budget execution.—The Committee is concerned about the manner in which overhead is assessed among ITA units and subunits. The Committee expects administrative and other central overhead costs to accurately reflect the units', and subunits', allocable share of the costs, and in no case should such charges exceed 10% in fiscal year 1998. Further, the Committee directs the ITA in its fiscal year 1999 budget to present the total charges for administrative and other assessments for each unit and subunit separately.

The Committee reminds ITA that any changes from the funding distribution provided in this report, including carryover balances,

are subject to the standard reprogramming procedures set forth in section 605 of this Act. In addition, ITA is directed to report to the Committee, not later than November 15, 1997, a spending plan for all ITA units, which incorporates any carryover of funds.

Unfair Trade Practices.—The Committee supports efforts to ensure fair trading practices among all trading partners. The Committee reiterates its concern that the Department not permit circumvention of unfair trade relief. The Committee encourages the Department to utilize specific criteria in considering whether certain imports should be included within the scope of an order because of circumvention, regardless of whether the merchandise was excluded during the original investigation. Moreover, if the Department finds sufficient evidence of circumvention has been presented to warrant the initiation of an investigation, the burden should be on respondents to demonstrate they are not circumventing unfair trade relief.

Trade Missions.—The Committee is supportive of the initiative of the Secretary to establish a transparent trade mission policy, and expects such policy to be vigorously implemented and enforced. As the primary trade agency of the Federal Government, the Committee believes that ITA should be the lead agency in coordinating all trade missions. For years, the Committee has expressed concerns about the fragmentation of trade policy and promotion activities among Federal agencies. In addition, the Committee has become aware that other Commerce Department agencies have, or plan to, sponsor trade missions. The Committee believes that, as the Commerce Department agency responsible for all trade promotion and enforcement, all trade missions should be initiated, coordinated, and executed by ITA. The Committee expects the Department to adopt such a policy, and report back to the Committee on its efforts. Further, as the chair of the Trade Promotion Coordinating Committee, the Committee expects the Secretary of Commerce to work to further consolidate and coordinate trade missions throughout other Federal Government agencies. The Committee expects the Department to report, not later that February 2, 1998, the status of efforts to increase coordination among trade missions sponsored by the Federal Government.

Security Upgrades.—In fiscal year 1997, in response to heightened concerns over acts of terrorism, $9,400,000 was provided to upgrade security at ITA facilities overseas. The Committee requests that ITA submit a report to the Committee, not later than February 2, 1998, on its expenditures to date, as well as its current spending plans for the balances of these funds.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The Committee recommends an appropriation of $41,000,000 for the Operations and Administration appropriation of the Bureau of Export Administration. The amount provided is an increase of $1,100,000 above the amount appropriated for fiscal year 1997 and $2,126,000 below the amount requested.

The Committee has provided an increase above fiscal year 1997 to enable the BXA to continue the counterterrorism activities pro-

vided for through emergency appropriations in fiscal year 1997, as well as for increased export control responsibilities transferred from the Department of State in fiscal year 1997. In addition, the Committee expects that a portion of the increase will be used by the Bureau to begin activities related to its responsibilities under the Chemical Weapons Convention (CWC) Treaty. The Committee notes that while the CWC Treaty has been ratified by the Senate, the Congress has not yet enacted the necessary implementation legislation for this treaty. Therefore, the Committee has not provided the full $2,330,000 requested for CWC implementation. However, the Committee expects that a portion of the increase will be made available to continue on-going planning activities related to the CWC. Further, should implementation legislation be enacted, the Committee is willing to entertain a reprogramming of funds for this purpose.

ECONOMIC DEVELOPMENT ADMINISTRATION

The accompanying bill provides a total of $361,000,000 for the programs and administrative expenses of the Economic Development Administration (EDA) for fiscal year 1998, as described below:

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

A total of $340,000,000 is recommended for fiscal year 1998 for Economic Development Assistance Programs. This amount is a $63,700,000 decrease from the total amounts available in fiscal year 1997 and $21,000,000 above the request.

The recommendation reflects the Committee's continued support for the programs of the Economic Development Administration, and the continuing need for EDA assistance in communities struggling to adapt to sudden and severe economic dislocation, as well as long-term economic dislocation.

Of the amounts provided, $178,000,000 is for the Title I Public Works program, $29,900,000 is for Title IX Economic Adjustment Assistance, $89,000,000 is for Defense Conversion, $24,000,000 is for planning, $9,100,000 is for technical assistance, including university centers, $9,500,000 is for trade adjustment assistance, and $500,000 is for research. The Committee expects EDA to continue its efforts to assist communities impacted by economic dislocations related to coal industry downswings, as well as to assist additional communities impacted by timber industry downturns due to environmental concerns.

The Committee commends EDA for its efforts to follow the Committee's directive to reform its programs to ensure that funds provided under this account be targeted to the most severely distressed areas, which, absent the assistance provided by the EDA, would have little or no access to resources for critical infrastructure development and capacity building. However, such actions by EDA do not diminish the Committee's support for enactment of reauthorization legislation, such as those currently being considered by the authorization committees, to reform EDA programs and provide for the continuation of the basic program to provide infrastructure investments, revolving loan funds, and technical assistance to eco-

nomically distressed areas, particularly rural areas. The Committee believes such a program provides the "seed capital" to distressed areas to allow local communities to increase their ability to create new economic opportunities and jobs in accordance with local priorities.

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

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

SALARIES AND EXPENSES

The Committee recommends $21,000,000 for the salaries and expenses of the Economic Development Administration. The amount provided is $3,028,000 below the request and $964,000 above the amounts provided in fiscal year 1997 level. The Committee notes that funding for this account has decreased by almost 35% since fiscal year 1995, resulting in staffing decreases for the agency of approximately 30%. The Committee understands that reduced funding has required the agency to streamline, downsize, and increase its efficiency. The Committee will continue to work with EDA to support its streamlining efforts, while ensuring appropriate levels of service are maintained.

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

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The Committee recommends $25,000,000 for the Minority Business Development Agency (MBDA) for fiscal year 1997. This amount is $2,811,000 below the budget request and is $3,000,000 less than the amount available for fiscal year 1998.

The recommendation reflects the Committee's continued concern that many of MBDA's programs and activities are duplicative of, or similar to, programs of the Small Business Administration (SBA). In response to these concerns, in fiscal year 1997, the Committee provided $2,000,000 in funding under this account, and an additional $1,000,000 in funding under the SBA Salaries and Expenses account, for projects jointly developed, implemented and administered by the two agencies. The Committee is disappointed that the MBDA and the Small Business Administration have not made sufficient progress to work to eliminate duplication and increase coordination among their programs, and therefore does not recommend continued funding for this initiative in fiscal year 1998.

The Committee recommendation assumes that the Entrepreneurial Technology Apprenticeship Program (ETAP) will continue to be supported at its current level.

ECONOMIC AND INFORMATION INFRASTRUCTURE

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

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

The bill provides $47,000,000 for the economic and statistical analysis programs of the Department of Commerce, including the Bureau of Economic Analysis, for fiscal year 1998. This amount is $5,196,000 less than the budget request and $1,100,000 above the amount appropriated for fiscal year 1997.

The Committee is concerned that the current national economic statistical accounts are out-dated, particularly in the areas of foreign trade and fast-growing economic sectors. The Committee applauds the BEA for its efforts to prioritize its programs and privatize or eliminate lower priority activities. The Committee believes highest priority should be given to improvement of the national economic statistical accounts, and has provided an increase above the current year's funding to enable the BEA to continue these activities. In addition, the Committee intends that none of the funds provided under this appropriation, or under the Bureau of Census appropriation accounts, be used to carry out the Integrated Environmental-Economic Accounting or "Green GDP" initiative.

The Economic and Statistics Administration (ESA) is responsible for the collection, tabulation and publication of a wide variety of economic, demographic and social statistics and provides support to the Secretary of Commerce and other Government officials in interpreting the state of the economy and developing economic policy. The Bureau of Economic Analysis and Under Secretary for Economic Affairs are funded in this account.

ECONOMICS AND STATISTICS ADMINISTRATION REVOLVING FUND

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

The Economic and Statistics Administration operates a revolving fund for the payment of expenses incurred in the electronic dissemination of data, including the acquisition and public sale of domestic, federally-funded and foreign business, trade and economic information.

BUREAU OF THE CENSUS

The Committee recommends a total of $686,625,000 for the Bureau of the Census for fiscal year 1998. This amount is an increase of $25,443,000 above the budget request, and an increase of $341,125,000 above the amount provided for the current fiscal year.

SALARIES AND EXPENSES

The bill provides $136,499,000 for the Salaries and Expenses of the Bureau of the Census for fiscal year 1998. This amount is $1,557,000 less than the budget request, and $1,499,000 above the amount provided for fiscal year 1997. It is the Committee's intention that the increase provided above the current year be applied to programs for the core current economic statistics as part of the Bureau's effort to provide improved data related to the national economic accounts. In addition, the Committee continues to believe that the Bureau must undertake additional efforts to streamline and prioritize its programs funded under this account to ensure that the highest priority activities are supported. Further, the Committee expects the Bureau to be fully reimbursed for any survey requested by any other Federal agency or private organization.

This appropriation provides for the current statistical programs of the Bureau of the Census, which include the measurement of the Nation's economy and the demographic characteristics of the population. These programs are intended to provide a broad base of economic, demographic, and social information used for decision making by governments, private organizations and individuals.

PERIODIC CENSUSES AND PROGRAMS

The Committee recommends a total of $550,126,000 for all periodic censuses and related programs funded under this heading in fiscal year 1998, an increase of $339,626,000 above the current fiscal year, and $27,000,000 above the request.

The Committee recommendation provides two separate appropriations under this account for decennial census programs and for other non-decennial periodic censuses and programs as follows:

Decennial Census.—The recommendation includes $381,800,000 as a separate appropriation under this account for fiscal year 1998 for decennial census programs, an increase of $27,000,000 above the budget request and $297,690,000 above the amount provided for fiscal year 1997. The recommendation provides the full amount necessary in fiscal year 1998 to prepare for the taking of the 2000 decennial census.

The Committee is aware that the Administration has proposed the unprecedented use of a series of complex and controversial statistical sampling procedures as an alternative to traditional methods that rely primarily upon the physical counting of persons. This proposed methodology has never before been used to determine the official population count for the purposes of apportionment, and represents a dramatic departure from the manner in which all other previous censuses have been conducted. As a result, significant concerns and questions have been raised regarding the reliability, legality and constitutionality of the proposed methodology. In order to protect both the integrity of the decennial census and the multi-billion dollar investment necessary to conduct the census, the Committee believes these serious questions and concerns must be resolved by the Congress and the Executive Branch prior to the expenditure of significant additional resources. However, the Committee also believes that the most critical activities necessary in fiscal year 1998 should continue, while these questions are re-

solved. Therefore the Committee has provided funds for the decennial census above the amount requested, but restricted their use as follows:

—$100,000,000 is designated in the bill to enable the Bureau to continue on-going activities related to the decennial census, an increase of $15,900,000 above the current level. Language is included in the bill prohibiting any of these funds from being used for activities related to the design, planning, testing or implementation of the use of sampling or any other statistical procedure, including statistical adjustment, in determining the population for the purposes of apportionment. The Committee has provided funding above the Bureau's current operating level to allow for increased address list development activities, which are the fundamental cornerstone of the decennial census, regardless of the manner in which the census is conducted.

—$281,800,000 is designated in the bill to implement activities once agreement is reached on the methods to be used to conduct the 2000 decennial census. Bill language is included making these funds available only upon the enactment of a subsequent Act authorizing the methods for conducting the decennial census for the purposes of apportionment.

The Committee expects the Administration to utilize all tools at its disposal to increase its ability to hire enumerators from within the local community, particularly in hard-to-count areas, as such actions will help improve the accuracy of the census. For the 1990 census, the Committee is aware that administrative actions were taken to encourage individuals to become temporary census enumerators. Therefore, the Committee directs the Department, the Bureau, and the Office of Management and Budget to report back to the Committee not later than February 2, 1998 on the administrative actions it has taken, or intends to take, to recruit and retain qualified enumerators for the 2000 census.

Other Periodic Censuses and Programs.—The Committee recommends $168,326,000 for other periodic census and programs, an increase of $39,536,000 above the amounts provided in fiscal year 1997, and an amount equal to the request. This increase is being provided to enable the Bureau to conduct the seven core quinquennial economic censuses, the census of governments, and other related programs. The following table represents the distribution of funds provided for other non-decennial periodic censuses and related programs:

Economic Censuses	$63,700,000
Census of Governments	2,836,000
Intercensal Demographic Estimates	5,200,000
Continuous Measurement	19,000,000
Sample Redesign	3,800,000
CASIC	6,000,000
Geographic Support	43,000,000
Data Processing Systems	24,790,000
Total	168,326,000

Continuous Measurement.—While the recommendation provides the amount requested for this activity, which is intended to replace the decennial census long form in the year 2010, the Committee be-

lieves significant policy and budgetary ramifications have yet to be fully considered by the Congress regarding this program. For example, the Bureau intends to collect the same amount of data through continuous measurement that is currently collected on the long form. For years, the Committee has admonished the Bureau to work with the Office of Management and Budget to reduce the burden of data collection and pursue cost recovery from other Federal agencies for these activities. Despite these admonitions, the Bureau has been unable to make significant progress on either of these issues. Further, the Committee is aware that concerns have been raised regarding a potential bias in data among urban and rural areas. Therefore, the Committee expects the Bureau to work with the Committee to address these policy and budget issues prior to full scale implementation of this program.

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

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

The Committee recommends a total of $55,340,000 for the National Telecommunications and Information Administration (NTIA) for fiscal year 1998. This amount is an increase of $3,600,000 above the amount provided in fiscal year 1997, and $1,266,000 above the budget request.

SALARIES AND EXPENSES

The Committee recommends $17,100,000 for the Salaries and Expenses appropriation of the National Telecommunications and Information Administration. This amount is a reduction of $974,000 from the budget request, and an increase of $2,100,000 above the amount appropriated for fiscal year 1997. The Committee recommendation assumes an additional $7,500,000 will be available to the NTIA through reimbursements from other agencies for the costs of providing spectrum management, analysis and research services to those agencies. The Committee notes that the actual cost to NTIA for providing spectrum-related services to its customers is in excess of $12,000,000. While the Committee understands that certain overall policy-related activities are most appropriately funded through NTIA's direct appropriation, the Committee expects NTIA to work with the Office of Management and Budget and its Federal customers to achieve increased reimbursement of not less than 80% of total spectrum management, analysis and research services, and expects the fiscal 1999 budget to reflect this level of reimbursement. Bill language is included, as carried in fiscal year 1997, requiring reimbursement for these services.

PUBLIC BROADCASTING FACILITIES, PLANNING AND CONSTRUCTION

The Committee recommends $16,750,000 for planning and construction grants for public television, radio and non-broadcast facilities. The Committee recommendation is $1,500,000 above the amount appropriated for this program in fiscal year 1997, and an

increase of $16,750,000 above the budget request. This amount will provide for the continuation of the existing equipment and facilities replacement program.

The Committee has included language in the bill which permits not to exceed $1,500,000 to be available for program administration as authorized by law, as well as language carried in the appropriations bill for many years which permits prior year unobligated balances to be available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

The Committee recommends $21,490,000 for the Information Infrastructure Grant program under NTIA for demonstrations of new telecommunications technology applications. The recommendation is equal to the amount appropriated in fiscal year 1997, and is $14,510,000 below the budget request.

The Committee continues to believe the National Information Infrastructure program is an important component to the development of the national information superhighway, and continues to believe the information superhighway will be of particular value to underserved and rural areas by allowing more remote areas to gain access to enhanced education, health care, and social services, as well as provide enhanced economic opportunities.

However, the Committee is also aware that the universal service requirements of the Telecommunications Act of 1996 (Public Law 104-104) will provide significant new opportunities for bringing the information superhighway to schools and libraries, which were not previously envisioned when this program was created. It is the Committee's expectation that this action will reduce the burden on the NII program. The Committee expects NTIA to give particular consideration to applications which would lead to increased telecommunications access in areas where such service is not readily available, and for those activities for which assistance is not available through other mechanisms.

The Committee has also included bill language making $3,000,000 of the funds provided under this heading available for program administration and related program support activities. The bill also includes recommended bill language which will allow up to five percent of this appropriation to be available for telecommunications research activities directly related to the development of a national information infrastructure (NII).

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

The bill provides $27,000,000 for the Salaries and Expenses direct appropriation of the Patent and Trademark Office (PTO), an amount equal to the request, and $34,252,000 below the direct appropriation provided from the Fund in fiscal year 1997. The amount provided is to be appropriated from amounts paid into the Patent Fee Surcharge Fund. The direct appropriation, when combined with anticipated offsetting fee collections of $664,000,000, as estimated by the Congressional Budget Office, and carryover of $18,000,000, as estimated by the Department of Commerce, will re-

sult in a total availability of $709,000,000 for fiscal year 1998 to the PTO, a five percent increase over the estimated operating budget of $675,000,000 for the current fiscal year, and an 8% increase over the budget request.

The Committee recognizes the critical role the PTO plays in spurring technological development and U.S. competitiveness. However, as has been the practice in previous years, the Committee has not provided the total amount available in the Patent Fee Surcharge Fund for fiscal year 1998. The Committee is scored against its overall funding allocation for appropriating fees from this Special Fund and must give this account the same consideration as other funding requests when determining appropriate funding levels. The Committee notes that this situation was created under the Omnibus Budget Reconciliation Act of 1990, under which the increase in patent fees was diverted to offset the Federal deficit. However, legislation is pending in Congress to establish the PTO as an independent Government entity, which would make discretionary appropriations from the General Fund for this account unnecessary by returning patent fees to the PTO, rather than to the Treasury for deficit reduction, beginning in fiscal year 1999. In light of the continuing budgetary constraints impacting overall discretionary spending, the Committee hopes that progress is made on this legislation.

The Committee acknowledges that adequate training is a critical component to ensuring the highest quality workforce for the PTO. The Committee is aware of concerns regarding training provided for patent examiners, and notes that the original fiscal year 1998 budget submission assumed reductions in this area. In light of the increase in the expected operating level for the PTO in fiscal year 1998, the Committee expects the PTO to provide appropriate training opportunities to further the development and retention of qualified patent examiners, and to report back to the Committee by February 2, 1998, on its training plans for fiscal year 1998.

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

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

OFFICE OF THE UNDER SECRETARY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

The Committee recommends $8,500,000 for the Technology Administration's Office of the Under Secretary/Office of Technology Policy. This amount is a reduction of $730,000 from the budget request, and $1,000,000 below the amount appropriated for the current fiscal year.

The Committee recommendation provides $1,600,000 in fiscal year 1998 for the Experimental Program to Stimulate Competitive Technology (EPSCoT) program, and $6,900,000 for the base pro-

gram of the Technology Administration (TA). The Committee is aware that TA is continuing a series of on-going discussions and workshops regarding implementation of this new initiative. The Committee expects TA to work with existing planning entities to carry out this new initiative, and to report back to the Committee with its plans for implementing this program prior to the expenditure of funds provided in fiscal year 1998, in accordance with section 605 of this Act. Bill language is included allowing $1,600,000 to remain available until September 30, 1999.

The Committee recommendation does not provide an increase of $350,000 requested to support the Administration's foreign policy initiatives. In addition, the Committee has reduced TA's base operating budget to reflect the elimination of TA's support for this initiative. The Committee notes that the TA is the coordinator of domestic civilian technology initiatives and believes it inappropriate for TA to be using its resources to support foreign policy programs, and intends that no funds provided to TA be used for this purpose. However the Committee would be willing to permit the TA to provide technical assistance to other agencies, more appropriately involved in foreign assistance programs should these activities be provided on a reimbursable basis using funds from other Federal sources outside of the Department of Commerce's budget.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The Committee recommends a total of $692,544,000 for the appropriations accounts under the National Institute of Standards and Technology (NIST) for fiscal year 1998. The recommendation is equal to the budget request, and is an increase of $111,544,000 above the amount appropriated for fiscal year 1997. The Committee recommendation reflects the priority accorded to NIST programs in the Balanced Budget Agreement. A description of each account and the Committee recommendation follows:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The Committee has provided $282,852,000 for the Scientific and Technical Research and Services (core programs) appropriation of the National Institute of Standards and Technology. This amount is an increase of $6,000,000 above the budget request, and $14,852,000 above the amount appropriated for fiscal year 1997. The amounts provided for this account reflect the Committee's continuing commitment to funding basic research programs that benefit the nation's industries.

The following is a breakdown of the amounts provided under this account by activity, reflecting the priorities included in the National Institute of Standards and Technology Authorization Act of 1997 (H.R.1274), which passed the House of Representatives by voice vote on April 24, 1997:

Electronics and Electrical Engineering	$38,104,000
Manufacturing Engineering	18,925,000
Chemical Science and Technology	31,791,000
Physics	30,372,000
Material Sciences and Engineering	50,914,000
Building and Fire Research	13,404,000
Computer Science & Applied Mathematics	47,227,000
Technology Assistance	19,376,000

Baldridge Quality Awards	4,135,000
Research Support	28,604,000
Total, STRS	282,852,000

Computer Security.—The Committee has included a $4,000,000 increase in the Computer Science and Applied Mathematics program to augment the National Institute of Standards and Technology's (NIST) work in the field of computer security. The Committee recognizes the need to improve computer security throughout Federal civilian agencies. As in the private sector, the Federal Government is increasingly relying on electronic information technologies to store and transmit sensitive data. Ensuring this data is protected from theft and corruption is a difficult but essential task. The General Accounting Office identified Federal efforts to secure electronic information as a "high risk" activity in its 1997 High Risk Series. Under the Computer Security Act of 1987 (P.L.100-235), NIST has the primary responsibility for developing security standards and technical guidelines for civilian government agencies' computer security. The additional resources should assist NIST in its task.

International Standards.—The Committee remains concerned about the rapid growth of overseas personnel from agencies other than the Department of State. The Committee continues its directive included in last year's report disapproving the placement of any additional NIST personnel overseas, or NIST support for foreign service nationals overseas.

Quality Program.—The Committee has provided $4,135,000 for the NIST Quality Program, which includes the Malcolm Baldridge National Quality Award. While an increase has been provided in fiscal year 1998 to expand this program to health care and education, the Committee continues to believe that these activities are most appropriately funded through the Department of Health and Human Services and the Department of Education. The Committee expects NIST to work with these agencies to achieve full reimbursement for NIST's participation in these two programs in fiscal year 1999.

Language is included in the bill allowing funds to be transferred to the NIST Working Capital Fund.

INDUSTRIAL TECHNOLOGY SERVICES

The Committee recommends $298,600,000 for the Industrial Technology Services appropriation of the National Institute of Standards and Technology. This amount is $14,400,000 below the current appropriation available for fiscal year 1997, and is $100,400,000 below the budget request.

Advanced Technology Program.—The Committee provides $185,100,000 for the Advanced Technology Program (ATP), the same level approved in the House-passed reauthorization bill for this program (H.R.1274). The recommendation reflects changes to the program agreed to in the fiscal year 1997 supplemental Appropriations Act, enacted subsequent to the fiscal year 1998 budget submission. The Committee's recommendation will provide $74,100,000 in new awards in fiscal year 1998, $2,000,000 more

than originally requested in the budget for fiscal year 1998, and $39,100,000 more than was provided for in fiscal year 1997.

The Committee recommendation provides the following distribution for fiscal year 1998 funds: (1) $68,000,000 for continuation of prior year awards made using funds provided in fiscal years 1996 and 1997; (2) $74,100,000 for new awards in fiscal year 1998; and (3) $43,000,000 for administration, internal lab support and Small Business Innovation Research requirements. In addition, language is included in the bill designating the amounts available for new ATP awards, pursuant to the agreement reached in fiscal year 1997. The Committee reminds NIST that changes to this funding distribution, including changes resulting from carryover, recoveries and project cancellations, are subject to the reprogramming requirements set forth in section 605 of this Act.

The Committee notes that the recently passed House authorization made several important changes to the program, including increasing the matching requirement to 60% for ATP grants for certain grant recipients and ensuring that Federal funds do not supplant private sector capital. In addition, on July 11, 1997, the Secretary of Commerce submitted to the Congress a series of recommendations and changes to the program. The Committee encourages the Department and the authorization committees to work to implement the appropriate changes to this program. The Committee believes that such changes will enable NIST to further leverage the appropriation provided for this program.

Manufacturing Extension Partnership Program.—The Committee has included $113,500,000 for the Manufacturing Extension Partnership (MEP) Program, an increase of $18,500,000 above the amounts provided in fiscal year 1997. The recommendation provides the following:

Regional Programs	$105,000,000
Administration	8,500,000
Total, MEP	113,500,000

The recommendation provides the full amount requested for continuation of all existing centers, including the rollover costs of the remaining Centers originally funded under the Technology Reinvestment Program under the Defense Department, as well as those centers which have reached their statutory six-year time limit. However, the bill does not include proposed statutory language to lift the statutory six-year time limitation. As stated in the conference report on the fiscal year 1997 bill, the Committee believes such change is more appropriately addressed through the authorization process. The Committee notes that the House of Representatives recently passed a reauthorization for the MEP program which addresses this matter, and encourages NIST and the Department to work with the authorization committees on the enactment of such legislation.

The Committee recommendation does not include funding requested for special projects related to supply chain optimization, information technology, and technology infusion. While these projects are worthwhile, the Committee is concerned that these programs are not required to meet the same requirements as the Regional Centers program, including cost share requirements. Given that

many of these projects are targeted to selected industry sectors and problems, the Committee expects that MEP centers should be able to obtain the funds for these purposes from local, State, or private-sector sources.

Language is included in the bill allowing funds provided for ATP and MEP to be transferred to the NIST Working Capital Fund.

CONSTRUCTION OF RESEARCH FACILITIES

The Committee recommendation includes $111,092,000 for construction, renovation, and maintenance of NIST facilities. This amount is an increase of $94,400,000 above the budget request, and $111,092,000 above the amount provided for in fiscal year 1997.

In accordance with the direction provided last year by the Committee, NIST is in the process of completing a long-term master plan to address its facilities maintenance, rehabilitation and construction requirements to support its mission.

Therefore, the Committee has included funding above the request to address NIST's facilities requirements identified in this plan, but has included language in the bill providing for the release of the $94,400,000 increase only upon submission of a spending plan in accordance with section 605 of this Act. This spending plan should reflect the priorities identified in a long-term facilities master plan. Such master plan should include both a five-year and a ten-year facilities improvement plan that contains the following: (1) a detailed analysis of NIST office and laboratory space requirements, including an assessment of any unused space in existing facilities (owned or leased), and a detailed description of all assumptions on which the analysis is based; (2) a prioritized list of maintenance projects; (3) a prioritized list of new construction projects; (4) a prioritized list of renovation projects; and (5) an annualized breakdown of the costs associated with each proposed construction, renovation, and maintenance project.

The recommendation reflects the Committee's belief that the technical obsolescence of NIST facilities must be addressed to enable NIST to fulfill its mission, and must therefore be reflected in the overall budgetary priorities of NIST. This program supports all NIST activities by providing the facilities necessary to carry out the NIST mission in compliance with more stringent science and engineering program requirements.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The Committee recommends a total of $1,865,392,000 in new budget (obligational) authority for the five appropriation items of the National Oceanic and Atmospheric Administration (NOAA), transfers totaling $62,381,000 and fees totaling $3,000,000. This amount is a decrease of $3,598,214,000 below the budget request for these items and a decrease of $53,571,000 below the regular amounts appropriated under these accounts for fiscal year 1997.

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

The bill includes $1,406,400,000 in new budget (obligational) authority for the fisheries, marine, weather, environmental, satellite, and other programs funded in this appropriation. This amount is a reduction of $69,845,000 from the budget request.

The Committee's recommendation reflects significant changes in the account structure for NOAA, as requested in the budget, through the creation of a new separate account for capital assets acquisition activities. Capital assets acquisition activities, including systems acquisition and new construction, which previously had been funded within the NOAA Operations, Research, and Facilities (ORF) account are now provided for in a new account under the heading "Capital Assets Acquisition." In addition, non-capital acquisition activities previously provided for in the NOAA "Construction" and "Fleet Modernization, Shipbuilding, and Conversion" accounts have been provided for within the ORF account, as proposed. Language is included in the bill, as requested, to make the necessary technical changes to reflect the establishment of this account.

In addition to the new budget authority provided for the NOAA ORF account, the Committee recommends a transfer of $62,381,000 from balances in the account entitled, "Promote and Develop Fishery Products and Research Pertaining to American Fisheries." This amount is equal to the budget request, and will support a $4,000,000 Saltonstall-Kennedy grant program, in addition to any carryover realized in the Fund from fiscal year 1997. The total amount provided also includes a transfer of $5,200,000 from the Damage Assessment Revolving Fund, as included in the budget request. In addition, the recommendation expects NOAA to use $1,700,000 from the Federal Ship Financing Fund to cover administrative expenses related to that account, and reflects prior year deobligations and carryover funding totaling $24,000,000.

Language is included in the bill which allows NOAA to collect additional fees to recover some of the costs of administering the aeronautical charting program. The language allows these fees to be credited to this appropriation as offsetting collections, and will result in a final General Fund appropriation of $1,403,400,000. The bill also includes language allowing NOAA to retain gifts and contributions made under the Marine Sanctuary Program. The Committee expects NOAA to fully utilize the authorities provided for both of these programs.

Language is also included in the bill specifying the total amount of direct obligations available for each of the six NOAA line offices and other related activities funded through this account. The Committee has taken this action to provide greater clarity and accountability in budgeting and management for the diverse activities funded in this account.

The Committee repeats its concern regarding the failure of NOAA to respond to its requests for cooperation in certain matters, and failure to follow up on information requests made by the Committee. In addition, the Committee reminds NOAA that it expects NOAA to follow the direction given in this section of the report as

well as the sections addressing the Committee's reprogramming requirements.

NOAA Budgetary and Financial Management.—The Committee is concerned about NOAA's lack of progress in addressing the serious budgetary and financial management problems which have been highlighted by this Committee for the last two years. The Committee remains frustrated by NOAA's inability to project its funding requirements for any given fiscal year. Further, the Committee was disturbed to learn of actions by some NOAA line offices which appeared to be deliberate attempts to provide misleading information to the Committee regarding funding requirements. Based on audits conducted by the Inspector General and by the General Accounting Office (GAO), the Committee was made aware that the National Marine Fisheries Service inappropriately obligated approximately $10,000,000 in funds in excess of its current fiscal year requirements in order to reduce the carryover balances reported to the Committee. In addition, the Inspector General found that the National Environmental Data and Information Service (NESDIS) transferred $101.3 million to NASA in excess of its program requirements, including the inappropriate transfer to NASA of $28.1 million totally unrelated to the NASA satellites program, also in an attempt to reduce the amount of unobligated balances reported to the Committee.

In addition, the Committee is concerned that NOAA failed to respond to the direction included in both the fiscal year 1996 and 1997 House Reports and Statement of Managers of the conference reports accompanying the fiscal years 1996 and 1997 appropriations Acts, for the Department of Commerce and NOAA to develop a revised budget structure that displays the amounts requested under a true program office and activity structure. This budget structure should identify and segregate amounts requested for headquarters and field office components of various activities as well as indicate the amounts intended for external grants and contracts. The Committee reiterates its directive regarding this matter and expects NOAA's fiscal year 1999 budget submission to reflect such a revised budget structure, developed in consultation with the Committee and the appropriate authorization committees.

Further, the Committee notes that the fiscal year 1996 independent audit of NOAA's consolidated financial statements found significant material weakness resulting in the auditors being unable to express an opinion on NOAA's financial statements. In addition, NOAA continues to refuse to follow the recommendation of both its independent auditors and the Inspector General that its financial information be presented under a true program office and activity structure to allow for better oversight and management of its resources.

Therefore, the Committee directs NOAA, through the Department of Commerce, to take the following actions to improve its budgetary and financial management practices: (1) submit to the Committee, not later than December 1, 1997, an operating plan for expenditure of funds available to NOAA in fiscal year 1998 based on the Committee's distribution shown in the accompanying table, and report to the Committee on a quarterly basis the status of obligations against the Committee's distribution; (2) provide a report

to the Committee, not later than September 1, 1997, as to the progress of development of a revised budget structure; and (3) provide to the Committee a plan for implementing the independent auditor's recommendations regarding the presentation of its financial information.

NOAA Corps.—On January 25, 1996, in response to the Vice-President's reinventing government initiative, the Administrator of NOAA announced the elimination of the NOAA Commissioned Corps by October 1, 1997. Despite this stated policy, the Administration failed to transmit to the Congress the necessary legislation and plans to implement this initiative. The President's fiscal year 1998 budget now assumes elimination of the NOAA Corps by October 1, 1998. Unfortunately, the Administration again failed to transmit the necessary legislation in a timely manner for consideration by the Congress prior to development of the fiscal year 1998 appropriations bill. The Committee encourages the Administration and the appropriate authorization committees to continue to work to resolve this issue.

In light of the uncertainty surrounding the future of the NOAA Corps, the Committee believes it is inappropriate for NOAA to increase the size of the Corps, or bring new officers into the Corps. Therefore, the Committee recommendation includes language in the accompanying bill, similar to that carried in previous years, placing a ceiling of not to exceed 270 commissioned officers as of September 30, 1998. The Committee notes that there are currently 287 commissioned officers on-board as of June 1997, of which 115 are currently eligible for retirement if the agency makes use of all retirement authorities statutorily provided. Therefore, the Committee recommendation assumes the Corps will be able to meet the ceiling included in the recommendation through the normal retirement process.

The following table compares the Committee recommendation to the 1997 enacted appropriation and the fiscal year 1998 budget request for the activities, sub-activities, and projects funded in this appropriation.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FISCAL YEAR 1998 BUDGET

[In thousands of dollars]

	Fiscal years—		
	1997 appropriation	1998 request	1998 recommended
NATIONAL OCEAN SERVICE			
Navigation Services:			
Mapping and Charting	32,000	30,100	30,100
Address Survey Backlog/Contracts	6,000	6,000	13,900
Subtotal	38,000	36,100	44,000
Geodesy	20,167	19,159	21,100
Tide and Current Data	12,500	11,000	11,350
Total, Navigation Services	70,667	66,259	76,450
Ocean Resources Conservation and Assessment:			
Estuarine and Coastal Assessment	2,674	2,674	2,674
Ocean assessment program	27,300	28,425	27,600
Damage assessment	2,200	3,000	3,000

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FISCAL YEAR 1998 BUDGET—Continued

[In thousands of dollars]

	Fiscal years—		
	1997 appropriation	1998 request	1998 recommended
Transfer from Damage Assessment Fund	5,276	6,700	6,700
Oil Pollution Act of 1990	1,000	1,000	1,000
Ocean Services	2,500	2,800	2,500
Subtotal	40,950	44,599	43,474
Coastal Ocean Science, Coastal ocean program	15,200	15,200	15,200
Subtotal	15,200	15,200	15,200
Total, Ocean Resources Conserv. & Assess	56,150	59,799	58,674
Ocean and Coastal Management:			
Coastal Management:			
CZM grants	46,200	65,732	55,000
Estuarine research reserve system	1,300	4,300	1,000
Nonpoint pollution control	.....	1,000	.....
Subtotal	47,500	71,032	56,000
Ocean Management, Marine sanctuary program	11,685	13,200	14,000
Subtotal	11,685	13,200	14,000
Total, Ocean and Coastal Management	59,185	84,232	70,000
Acquisition of Data	18,200	14,546	14,500
Total, NOS	204,202	224,836	219,624
NATIONAL MARINE FISHERIES SERVICE			
Information Collection & Analyses:			
Resource Information	91,330	92,992	88,344
Antarctic research	1,200	1,200	1,200
Chesapeake Bay Studies	1,890	1,500	1,890
Right whale research	250	200	250
MARFIN	3,000	3,000	3,000
SEAMAP	1,200	1,200	1,200
Alaskan goundfish surveys	661	661	661
Bering Sea pollock research	945	945	945
West Coast groundfish	780	780	780
New England stock depletion	1,000	1,000	1,000
Hawaii stock management plan	500	.....	500
Yukon River chinook salmon	700	700	700
Atlantic salmon research	710	710	710
Gulf of Maine groundfish survey	567	567	565
Dolphin/Yellowfin Tuna Research	250	250	250
Habitat research/evaluation	450	450	450
Pacific salmon treaty program	5,587	5,587	5,587
Fisheries Cooperative Inst	410	410	410
Hawaiian monk seals	500	500	500
Stellar sea lion recovery plan	1,770	1,440	1,440
Hawaiian sea turtles	248	248	243
Bluefish/Striped Bass	785	.....	800
Halibut/Sablefish	1,200	1,200	1,200
Gulf of Mexico Mariculture	300	.....	.....
Subtotal	116,233	115,540	112,625

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FISCAL YEAR 1998 BUDGET—Continued

[In thousands of dollars]

	Fiscal years—		
	1997 appropriation	1998 request	1998 recommended
Fishery Industry Information:			
Fish statistics	13,000	13,400	13,000
Alaska groundfish monitoring	5,200	5,200	5,200
PACFIN/catch effort data	3,000	3,000	4,700
Rec. fishery harvest monitoring	3,400	3,100	3,900
Subtotal	24,600	24,700	26,800
Information Analyses & Dissemination	20,900	21,200	20,900
Computer hardware and software	4,000	4,000	4,000
Subtotal	24,900	25,200	24,900
Total, Info., Collection, & Analyses	165,733	165,440	164,325
Conservation and Management Operations:			
Fisheries Management Programs	22,000	29,300	24,500
Columbia River hatcheries	10,955	10,300	10,300
Columbia River end. species studies	288	288	288
Regional councils	10,200	11,700	11,700
International fisheries commissions	950	400	400
Management of George's Bank	478	478	461
Beluga whale committee	200	200	200
Pacific tuna management	1,900	1,500	1,000
Subtotal	46,971	54,166	48,849
Protected Species Management	5,700	6,750	5,700
Driftnet Act implementation	3,278	3,278	3,278
Marine Mammal Protection Act	9,125	9,500	9,500
Endangered Species Act recovery plan	13,500	20,200	15,500
Fishery observer training	417	.....	417
East Coast observers	350	350	350
Subtotal	32,370	40,078	34,745
Habitat Conservation	8,000	9,800	8,000
Enforcement & Surveillance	16,500	18,200	17,000
Total, Conservation and Mgmt. Opns	103,841	122,244	108,594
State and Industry Assistance Programs:			
Interjurisdictional fisheries grants	2,600	2,600	2,600
Anadromous grants	2,108	2,108	2,100
Anadromous fishery project	.....	250	.....
Interstate fish commissions	5,000	4,000	6,000
Subtotal	9,708	8,958	10,700
Fisheries Development Program:			
Product quality and safety/Seafood Inspection	14,624	14,624	14,624
Hawaiian Fisheries Development	750	.....	.....
Marine Biotechnology	1,900	1,900	1,900
Subtotal	17,274	16,524	16,524
Total, State & Industry Assist. Progs	26,982	25,482	27,224
Acquisition of Data	26,840	25,098	26,800

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FISCAL YEAR 1998 BUDGET—Continued

[In thousands of dollars]

	Fiscal years—		
	1997 appropriation	1998 request	1998 recommended
Total, NMFS	323,396	338,264	326,943
OCEANIC AND ATMOSPHERIC RESEARCH			
Climate and Air Quality Research:			
Interannual & Seasonal/Climate & Global	68,000	74,900	70,000
GLOBE	6,000	7,000	.....
Subtotal	74,000	81,900	70,000
Long-Term Climate & Air Quality Research	28,372	29,402	28,300
High Performance Computing	7,500	7,500	6,500
Subtotal	35,872	36,902	34,800
Total, Climate and Air Quality	109,872	118,802	104,800
Atmospheric Programs:			
Weather Research	33,613	33,613	33,613
Wind profiler	4,350	4,350	4,350
Subtotal	37,963	37,963	37,963
Solar/Geomagnetic Research	5,493	5,493	5,700
Total, Atmospheric Programs	43,456	43,456	43,663
Ocean and Great Lakes Programs:			
Marine Prediction Research	15,651	12,126	14,000
GLERL	5,200	5,200	5,200
Subtotal	20,851	17,326	19,200
Sea Grant:			
Sea grant college program	54,300	50,182	55,300
Subtotal	54,300	50,182	55,300
National Undersea Research Program	12,000	5,400	—
Subtotal	12,000	5,400	—
Total, Ocean & Great Lakes Programs	87,151	72,908	74,500
Acquisition of Data	12,690	12,884	14,500
Total, OAR	253,169	248,050	237,463
NATIONAL WEATHER SERVICE			
Operations and Research:			
Local Warnings and Forecasts	298,538	308,000	313,800
MARDI	91,462	73,674	73,674
Radiosonde replacement	1,500	910	—
Susquehanna River Basin Flood Sys	1,000	619	1,120
Aviation forecasts	35,596	35,596	35,596
Regional climate centers	2,000	—	2,000
Subtotal	430,096	418,799	426,190
Central Forecast Guidance	28,700	29,543	29,543
Atmospheric and Hydrological Research	2,000	2,489	2,489

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FISCAL YEAR 1998 BUDGET—Continued

[In thousands of dollars]

	Fiscal years—		
	1997 appropriation	1998 request	1998 recommended
Total, Operations and Research	460,796	450,831	458,222
Systems Operations:			
Public Warning and Forecast Systems:			
NEXRAD	53,145	39,591	39,591
ASOS	10,056	5,341	5,341
AWIPS/NOAAPort	100,000	.....	.....
Computer Facility Upgrades	14,000	8,000	8,000
Total, Systems Operations [1]	177,201	52,932	52,932
Total, NWS	637,997	503,763	511,154
NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE			
Satellite Observing Systems:			
Polar spacecraft launching	147,300	.....	.....
Polar convergence/IPO	29,000	51,503	25,000
Geostationary spacecraft and launching	171,480	.....	.....
Ocean remote sensing	4,000	3,800	1,000
Environmental observing services	51,000	50,347	50,000
Total, Satellite Observing Systems [1]	402,780	105,650	76,000
Environmental Data Management Systems	30,002	27,500	27,500
Data and Information Services	14,800	16,335	16,335
Total, EDMS	44,802	43,835	43,835
Total, NESDIS	447,582	149,485	119,835
PROGRAM SUPPORT			
Administration and Services:			
Executive direction and administration	19,200	19,911	19,200
Systems Program Office (SPO)	1,497	1,497	1,418
Subtotal	20,697	21,408	20,618
Central Administrative Support	33,000	31,850	31,850
Retired Pay Commissioned Officers	8,000	14,000	9,000
Total, Administration and Services	61,697	67,258	61,468
Aircraft Services	10,000	9,900	9,900
Total, Aircraft Services	10,000	9,900	9,900
Rent Savings	.....	(4,656)	(4,656)
Total, PS	71,697	72,502	66,712
Fleet Maintenance & Planning [2]	.....	11,823	5,000
FACILITIES			
NOAA Facilities Maintenance	.....	4,488	2,000
Sandy Hook Lease	.....	2,000	2,000
Environmental Compliance	.....	3,700	2,000
WFO Maintenance	.....	2,950	2,950

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FISCAL YEAR 1998 BUDGET—Continued

[In thousands of dollars]

	Fiscal years—		
	1997 appropriation	1998 request	1998 recommended
Columbia River Facilities	.....	4,465	3,000
Total, Facilities [3]	.....	17,603	11,950
Direct Obligations	1,938,043	1,566,326	1,498,681
Reimbursable Obligations	313,515	317,015	317,015
New offsetting collections (data sales)	1,200	2,400	2,400
Anticipated Collections	3,000	3,000	3,000
Subtotal—Reimbursables	317,715	322,415	322,415
Total Obligations	2,255,758	1,888,741	1,821,096
FINANCING			
Deobligations	(14,000)	(24,000)	(24,000)
Unobligated balance transferred, net	.....	(1,500)	(2,000)
Federal Ship Financing Fund expenses	(1,700)	.....	(1,700)
New offsetting collections (data sales)	(1,200)	(2,400)	(2,400)
Anticipated offsetting collections	(3,000)	(3,000)	(3,000)
Federal funds	(282,500)	(172,000)	(172,000)
Non-federal funds	(31,015)	(145,015)	(145,015)
Subtotal—Financing	(333,415)	(347,915)	(350,115)
Budget Authority	1,922,343	1,540,826	1,470,981
FINANCING FROM			
Promote and develop American fisheries	(66,000)	(62,381)	(62,381)
Damage assessment & restoration revolving fund	(5,276)	(5,200)	(5,200)
Appropriation, ORF	1,851,067	1,473,245	1,403,400

[1] Funding for the systems acquisition items within this activity is addressed in the Capital Assets Acquisition account.
[2] Funding for this activity was previously provided in a separate account.
[3] Funding for this activity was previously provided in a separate account.

National Ocean Service

The Committee has included a total of $219,624,000 for activities of the National Ocean Service (NOS) for fiscal year 1998, instead of $204,202,000 provided for fiscal year 1997 and $224,836,000 as requested.

Navigation Services.—The Committee has included $76,450,000 for NOAA's navigation services programs. This amount represents a $5,783,000 increase over the current fiscal year, and $10,191,000 above the request for these activities and programs. The Committee recommendation reflects a base transfer of $14,481,000 and 129 full time equivalents (FTE) to the Federal Aviation Administration for the aeronautical charting program, as requested after a review by the Inspectors General of the Departments of Commerce and Transportation. The budget assumes a two year transfer period for this program, with NOAA continuing to operate the program in fiscal year 1998 on a reimbursable basis, but in fiscal year 1999 NOAA's responsibility for this program will end and the FTE will be transferred to the FAA. The Committee expects NOAA to work

with the FAA to ensure an orderly transition of this program, and directs NOAA to report on the progress of this transition as part of the fiscal year 1999 budget submission. In addition, the recommendation includes $12,581,000 and 68 FTE to replace funds formerly received from the National Imaging and Mapping Agency, as requested.

Mapping and Charting.—The recommendation includes $44,000,000 for mapping and charting activities, an increase of $7,900,000 above the request and $6,000,000 above the amounts provided in fiscal year 1997. The recommendation reflects the Committee's continued commitment to the navigation safety programs of NOS, and its concerns for ability of the NOS to continue to meet its mission requirements over the long term.

However, the Committee remains concerned that the NOAA and NOS have not taken sufficient steps to plan for its long term mission requirements, given that overall fiscal constraints will preclude major investments to replace NOAA vessels. It is clear that the future of NOAA's hydrographic program lies in increased outsourcing to meet its nautical charting needs. While the Committee understands the need for NOAA to ensure the quality, standards and specifications for nautical charts, the Committee is concerned that NOAA has not taken vigorous steps to make this transition to outsourcing as an alternative method of meeting its needs.

Therefore, the Committee has provided $13,900,000 under the line item Address Survey Backlog/Contracts exclusively for contracting out with the private sector for data acquisition needs. Further, additional funding has not been provided in fiscal year 1998 under Fleet Maintenance for the procurement of additional equipment to modernize its in-house capabilities. However, the Committee would be willing to entertain a reprogramming of prior year carryover for this purpose after the submission of a satisfactory long-term plan to the Committee to meet the Nation's nautical charting needs. Such plan should include, at a minimum, the following: (1) NOAA's short and long-term plans for utilization of its existing hydrographic fleet, including the timeline for decommissioning these vessels; (2) mechanisms and alternatives for NOAA to maintain a core set of capabilities for appropriate oversight, technical guidance, standards development and specifications for ensuring data quality; and (3) a plan to acquire not less than 50% of its hydrographic data through private contract or long-term leases by fiscal year 1999. The Committee expects NOAA to work with all interested parties in developing this plan.

Geodesy.—The Committee has included $21,100,000 for NOAA's geodesy programs. Of the amount provided, $1,000,000 is for the National Geodetic Survey (NGS) to conduct a National Height Modernization Study to demonstrate the effectiveness of this work in California and in western North Carolina. The Committee expects the NGS to conduct this study in consultation with state and local governments and the private sector, and provide the results of this study to the Committee not later than April 1, 1998.

Tide and Current Data.—The recommendation provides $11,350,000 for this line item, $350,000 above the request. The Committee expects NOS to provide $350,000 of this amount to Galveston-Houston for the initial operation of the physical oceano-

graphic real time system (PORTS) through January 1, 1999. The Committee does not anticipate and will not consider future requests for operational assistance for this system.

Clean Water Initiative/Coastal Zone Managment.—The Committee recommendation provides a total of $8,000,000 under the National Ocean Service for the Clean Water Initiative. Of this amount, $2,000,000 is provided under the NOS Ocean Assessment Program for the Community Right to Know Initiative which is intended to provide the public with comprehensive information on the health of U.S. coastal and Great Lakes waters by providing electronically-based national coastal water quality reporting services and other types of "one-stop" access to information on pollutants and water quality in coastal waters. In addition, the Committee has provided a total of $55,000,000 for section 306 and 306(A) grants under the Coastal Zone Management program, an increase of $8,800,000 above fiscal year 1997. Of this amount, $2,800,000 is for an increase to accommodate new states coming into the CZM program in fiscal year 1998, and $6,000,000 is for grants to States to implement plans associated with the Clean Water Initiative. The Committee has not provided the additional $12,000,000 requested for new activities under Section 310 of the Coastal Zone Management Act for which there is no authorization for these specific purposes.

Ocean Assessment Program.—The Committee recommendation provides $27,600,000 for this line item. The amount provided includes $12,000,000 for the NOAA Coastal Services Center, $2,000,000 for the Community Right to Know Initiative as part of the Clean Water Initiative, and $13,600,000 for the base program. Further, the Committee directs NOAA to develop a study plan describing a collaborative research effort between NOAA and the U.S. Geological Survey on the risks and costs associated with coastal hazards, particularly from extreme storms, and report the findings to the Committee by February 1, 1998.

Damage Assessment Restoration Program.—The Committee has included a $1,424,000 increase over appropriated amounts for the Damage Assessment program in fiscal year 1998, the full amount requested, to offset the reductions in funds available for transfer from the Damage Assessment Restoration Revolving Fund.

Coastal Ocean Program.—The recommendation includes $15,200,000 for this program, an amount equal to the request. Within the funds provided, the Committee expects the Coastal Ocean managers to give maximum priority to responding to the 10 year old problem of algae bloom in the Peconic, Moriches and adjacent Long Island bays and waterways that devastated the area's recreational and commercial fishing industry through continued efforts to understand the physiology of the brown tide organism, identify continued contaminants and other conditions that could promote the growth of the algae and determine a solution to this problem. In addition, the Committee urges the COP to continue its efforts to establish a National Harmful Algal Bloom program that will expand the current geographic scope of studies on the ecology and oceanography of harmful algal blooms (ECOHAB) to additional geographic areas and conduct research on the means to prevent, control, and mitigate blooms and their effects. This program will

provide a comprehensive multi-agency national capability for understanding and controlling bloom events in coastal waters. The Committee understands that the COP efforts are cooperative with other Federal agencies and requests a report outlining these interagency efforts and progress no later than February 1, 1998. In addition, the Committee recommendation assumes $1,300,000 will be utilized for restoration of the South Florida Ecosystems, and expects that any program be conducted utilizing the expertise of university partners in the area.

Marine Sanctuary Program.—The Committee has included $14,000,000 for the National Marine Sanctuary Program, an increase of $800,000 above the request. The Committee intends that a portion of the funds provided above the request be provided to the National Academy of Sciences to conduct a study on the role of marine sanctuaries in marine resource conservation. Further, the Committee continues to believe that NOAA should redouble its efforts to pursue revenue enhancement initiatives to explore other voluntary, innovative means to identify partners and raise additional resources for the sanctuaries. In addition, the bill includes language, carried in previous years, allowing the collection of user fees for the sanctuaries. The Committee believes that, given these tools, and with continued diligence, additional resources could be made available to provide support to the sanctuaries program.

National Estuarine Research Reserve.—In addition, the Committee has provided $1,000,000 for the National Estuarine Research Reserve program under this account, and an additional $3,300,000 under the separate appropriation from the Coastal Zone Management Fund, resulting in a total program level of $4,300,000, the same amount provided in the current fiscal year.

NATIONAL MARINE FISHERIES SERVICE

The Committee has provided a total of $326,943,000 for the programs of the National Marine Fisheries Service (NMFS), as compared to $323,396,000 provided in fiscal year 1997.

The recommendation reflects the Committee's commitment to building sustainable fisheries by providing increases for programs and activities which will enable NMFS and its resource management partners to have access to the necessary information to make fishery management decisions, and implement these decisions.

Resource Information.—The Committee recommendation includes $88,344,000 for this item, of which $900,000 is for a one-time study of potential new fisheries in the Bering Sea, and $2,000,000 is for the Gulf and Atlantic Fisheries Development Foundation to establish and administer a comprehensive program for data collection and analyses for the recreational finfish fishing effort, red snapper stock assessment, red drum stock assessment, and shrimp fishing effort. Such efforts by the Foundation should be in consultation with the Gulf States Marine Fisheries Commission, the Gulf of Mexico Fishery Management Council, and commercial and recreational fishing industry representatives. It is the Committee's intention that these data collections efforts not be duplicated within NMFS or the Council. NMFS is directed to submit to the Committee a plan for the implementation of this effort, and recommenda-

tions and alternative methods for data collection for all remaining Gulf of Mexico fisheries programs, by November 15, 1997.

Sea Turtle Protection.—The Committee expects NMFS to continue to improve its activities in the area of protecting, recovering and improving beach monitoring of the Kemps Ridley and other sea turtles. The Committee directs NMFS to provide not less than $250,000, within the amounts provided for conservation and management activities, to continue ongoing efforts at Rancho Nuevo to protect and enhance sea turtle recovery efforts, and $100,000 for loggerhead nesting and research programs in Florida and Georgia. Despite the Committee's direction for the last two years, NMFS has yet to establish a standardized statistical Sea Turtle Stranding Network. The Committee is adamant and directs NMFS to immediately implement the Committee's direction using available funds and in direct consultation with the commercial fishing industry and conservation groups, and report back to the Committee no later than November 15, 1997 of its progress in meeting this directive.

The Committee has twice before directed that NMFS establish an independent panel to review the November 14, 1994 Biological Opinion regarding shrimp fishing and turtle interaction. NMFS has ignored the Committee direction on this matter. The Committee has expressed reservations about the scientific data collection and analyses on which NOAA and NMFS base their regulatory decisions, as well as concerns that such collection and analyses involve all impacted and interested parties. The Committee is aware of NOAA and U.S. Fish and Wildlife Service policy stated in the Federal Register, July 1, 1994, that allows the use of outside expertise and the best scientific and commercial data available to issue biological opinions. Therefore, the Committee directs the Secretary of Commerce not to develop or implement any new or revised biological opinions regarding shrimp fishing and turtle interaction until the Secretary establishes a shrimp-turtle panel to directly assist in developing such biological opinions. This panel shall consist of academic, conservation, shrimp fishing industry and departmental representatives with equal representation being provided to the shrimp fishing industry. The panel shall first review, and provide analyses to the Secretary and the Committee, the November 14, 1994 and June 11, 1996 biological opinions regarding shrimp fishing and turtle interactions. The Secretary is directed, not later than October 31, 1997, to submit an implementation plan to the Committee regarding this direction. Further, the Secretary shall consult with the Committee on the establishment and composition of this panel prior to its establishment and prior to the submission of the implementation plan.

Bycatch Reduction.—The Committee is concerned about the possible implementation of the Gulf of Mexico Fishery Management Council's Amendment 9 to the fishery management plan for the shrimp fishery requiring the use of fish excluder or bycatch reduction devices in shrimp nets. Since the Gulf of Mexico Council's approval of this amendment in November, 1996, significant scientific and commercial data has become available and the Council subsequently adopted a measure in March, 1997 recommending a one year delay in the use of bycatch reduction devices to allow the industry and NMFS to test and approve bycatch reduction devices

and to conduct technology transfer and education programs. Therefore, the Committee directs the Secretary of Commerce to immediately conduct testing, technology transfer and education activities regarding bycatch reduction or fish excluder devices, and immediately implement an independent working group as recommended March 27, 1997 by industry representatives to NMFS to recommend changes to the current methods of red snapper bycatch analyses. The Secretary of Commerce is directed to report back to the Committee, no later than September 5, 1997, as to the status of implementing the Committee's direction.

Atlantic Bluefish/Striped Bass.—The Committee recommendation includes $800,000 in funding under Resource Information, instead of $250,000 as proposed in the budget under State and Industry Assistance Programs, to study the decline of nearshore Atlantic bluefish stocks, including an examination of the relationship between bluefish and striped bass populations, changes in bluefish food stocks, and whether the stocks have declined or merely moved offshore, and other relevant factors.

PACFIN/catch effort data.—The Committee has provided $4,700,000 for this activity, an increase of $1,700,000 above the request, to fund the Alaska Fisheries Information Network.

RECFIN.—The Committee has provided $3,900,000 for the RECFIN program, an increase of $800,000 above the request, and $500,000 above the fiscal year 1997 level. The Committee expects that the programs for the West Coast, Atlantic States, and Gulf States shall each receive one-third of these funds. Funding for any supplemental region-specific projects is to be derived from the overall "Fish Statistics" line item.

Interstate Fish Commissions.—The recommendation includes $6,000,000 for interstate fish commissions, an increase of $2,000,000 above the request, and $1,000,000 above the amount provided in fiscal year 1997. The Committee directs that $750,000 be provided to the three interstate commissions, with the remaining funds to be provided for implementation of the Atlantic Coastal Fisheries Cooperative Management Act.

Conservation Management and Operations.—The Committee recommendation includes $108,594,000 for the programs funded under this activity, an increase of $4,753,000 above the fiscal year 1997 level. Increases have been provided for Fisheries Management Programs, Regional Councils, and Protected Species Management to enable NMFS and its management partners to begin to address requirements related to the recent passage of the Magnuson-Stevens Fishery Conservation Management Act, as well as for other related activities. Within the amounts provided under Protected Species Management, the Committee expects the NMFS to work with the States and other interested parties to complete an investigation into the impacts of California sea lions and harbor seals on salmonids and the West Coast ecosystem, as well as assist in efforts related to Atlantic salmon conservation. In addition, the Committee expects NMFS to study the feasibility of establishing a permanent marine research and stranding center on the East Coast of the United States.

Further, within the amounts provided for Fisheries Management Programs, the Committee expects NMFS to continue to provide

support for the Alaska Native comanagement activities, including the Alaska Native Harbor Seal Commission.

Acquisition of Data.—The Committee recommendation includes $26,800,000, instead of $25,098,000 as requested. Of the amounts available to NMFS for acquisition of data, not less than $4,100,000 shall be used to contract with the private sector for data collection activities.

The Committee expects NOAA to include as a priority under the Saltonstall-Kennedy grant program, proposals for research and education efforts directed at the protection of high-risk consumers from naturally occurring bacteria associated with raw molluscan shellfish. Specifically, the Committee expects $250,000 in S–K funds to be provided to support ongoing efforts by the Interstate Shellfish Sanitation Conference (ISSC) in addressing concerns associated with *Vibrio vulnificus.*

OCEANIC AND ATMOSPHERIC RESEARCH

The Committee has provided a total of $237,463,000 for the Oceanic and Atmospheric Research Programs of NOAA, instead of $248,050,000 as requested.

The Committee recommendations includes the following amounts for basic laboratory research and support under Oceanic and Atmospheric Research: $8,000,000 for the base Interannual and Seasonal Climate research program (exclusive of climate and global change funding); $34,800,000 for Long-term Climate and Air Quality Research; $33,613,000 for Weather research; and $9,626,000 for the base Marine Prediction research program. In addition, the Committee recommendation provides $5,700,000, an increase over the request, for solar/geomagnetic research.

The Committee has provided $70,000,000 for Interannual and Seasonal Climate research. This amount includes funding for the Climate and Global Change program. Again this year, the Committee has merged these activities to ensure that climate change research is focused on near- to mid-term climatic events such as the El Nino phenomenon. The Committee believes this research provides the most immediate return on the investment, particularly in its value to the U.S. agricultural community. The Committee intends that the increase provided above the fiscal year 1997 level be used for the Health of the Atmosphere program and to continue to implement the International Research Institute program and related regional application centers.

The Committee has provided no funding for the undersea research program and no funding for the Global Learning Observations to Benefit the Environment (GLOBE) program.

The Committee recommendation also includes $55,300,000 for the Sea Grant program, an increase of $5,118,000 above the budget request, and $1,000,000 above the current year's funding. The Committee expects NOAA to continue to fund oyster disease research and zebra mussel research at not less than the levels provided in fiscal year 1995, and has provided an additional $1,000,000 above fiscal year 1997 funding for the Gulf of Mexico Oyster Initiative.

In addition, the Committee recommendation includes funds under Marine Prediction Research to continue the Arctic Research

initiative at a level of $1,500,000, and to provide $1,000,000 to undertake the highest priority research and technology demonstration activities related to aquatic nuisances in accordance with the National Invasive Species Act.

Acquisition of Data.—The Committee recommends $14,500,000 under this item for data collection and research activities. Of this amount, not less than $2,600,000 shall be used only to contract with the University-National Oceanographic Laboratory System (UNOLS) fleet to meet NOAA's oceanographic ship requirements.

NATIONAL WEATHER SERVICE

The Committee recommendation includes a total of $511,154,000 under this heading for the operational programs of the National Weather Service (NWS) for fiscal year 1998, an increase of $7,391,000 above the budget request. Further, an additional $130,781,000 has been provided within a separate new Capital Assets Acquisition account for NWS systems acquisition and related activities which were previously funded under this heading in this account. Moreover, the Committee has also provided $16,773,000 elsewhere in this account and in the Capital Assets Acquisition account for NWS construction and facilities maintenance.

Local Warnings and Forecasts/Base Operations.—The Committee recommendation provides $313,800,000 for the base operations of the National Weather Service, an increase of $15,262,000 above the amounts provided in fiscal year 1997, and $5,800,000 above the request. The recommendation includes $10,800,000, as requested, for mandatory inflationary cost increases, additional training, spare parts procurement, and systems maintenance. The Committee is aware that the Secretary of Commerce has recently ordered a sixty day review of the National Weather Service operational and budgetary requirements to ensure that the core missions of the NWS are provided for. The Committee intends to work closely with the Department, NOAA, and NWS as this review is completed to ensure that a modernized weather service is fully supported. In the interim, the Committee has provided an additional $5,800,000 above the request to reflect the fact that the bill does not include language, requested in the budget, to change the statutory certification requirements for office closures, and to ensure adequate resources are available during the transition to a modernized system. Of the amounts available, $300,000 is provided to carry out the recommendations pursuant to direction in the fiscal year 1997 Statement of Managers relating to NOAA Weather Radio coverage in the eastern U.S. The recommendation, combined with a $5,400,000 reprogramming provided in fiscal year 1997, should provide the necessary resources to meet NWS requirements.

Further, while the NWS no longer provides specialized forecasts for agriculture, the Committee expects the National Weather Service to make available its existing basic data and information to the agricultural community for their use.

The Committee is aware that concerns have been expressed regarding weather data buoys due to the elimination of funding for buoys previously supported by agencies other than the NWS. The Committee understands that a review is currently on-going to determine the appropriate composition and location of a national sys-

tem of weather data buoys necessary to support the critical coastal and marine weather warning functions of the NWS. The Committee expects NWS to report to back to the Committee upon completion of this review. Until completion of this study, the Committee expects the NWS to continue operating and maintaining all data buoys and coastal marine automated network stations currently funded by the NWS in fiscal year 1997.

Modernization and Associated Restructuring Demonstration (MARDI) Program.—The Committee recommendation provides $73,674,000, the full amount requested, and a decrease of $17,788,000 below the amount provided in fiscal year 1997. Reductions from the current year reflect the non-recurrence of one-time contract costs associated with the NOAA Weather Radio Console Replacement system, as well as consolidation of field offices in accordance with the modernization plans. Within the amounts provided for this activity, funding has been provided, as requested, to fully fund the operational costs associated with mitigation activities recommended in the Secretary's report to Congress on areas of concern under the NWS modernization program.

The Committee reminds NOAA that all office closures, including the closure of weather service offices under the modernization plan, are subject to the Committee's standard reprogramming procedures included in section 605 of the bill. NOAA is expected to submit an independent analysis of the adequacy of coverage with the required reprogramming notification.

The recommendation does not provide funding for the NOAA radiosonde network replacement program. While the Committee recognizes the need to modernize this network, the Committee notes that current legislative proposals regarding spectrum auctions will require the consolidation and reallocation of spectrum among Federal users, which may have a significant impact on the NWS radiosonde program. Therefore, the Committee believes that it prudent to withhold additional investments in the radiosonde modernization program until such time as the issues regarding the future availability of spectrum for this program are resolved.

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE

The Committee has included $119,835,000 for the operational and research and development programs of the National Environmental Satellite, Data, and Information Service (NESDIS), a decrease of $29,650,000 below the budget request. In addition, $298,896,000 is provided in a new "Capital Assets Acquisition" account for satellite systems acquisition and related activities previously provided for under this heading within the Operations, Research, and Facilities account.

Polar Convergence.—The recommendation includes $25,000,000 for the research and development activities related to the Polar Convergence program/Interagency Program Office, a $4,000,000 decrease below the current fiscal year and $26,503,000 below the request. The Committee believes the recommendation of $25,000,000 provides the necessary funding to ensure the timely progression of the Polar convergence program.

The Committee is concerned that the current program plan may not allow the original cost savings from convergence of $1,300,000,000 to be achieved. The Committee remains fully supportive of the polar convergence program (NPOESS), but is concerned about the implications of proposed significant upgrades for instrumentation, proposed early availability of satellites, and disproportional funding requests in the Departments of Commerce and Defense as included in the fiscal year 1998 budget submission. The Committee believes that it is imperative that both Departments carefully review and prioritize NPOESS requirements, and encourages strong departmental oversight, to ensure that all expected benefits from convergence are realized. The Committee expects the Secretary of Commerce, not later than February 2, 1998, to submit a report on the current program plan and funding profile which details the operational benefits and cost savings to be achieved from convergence.

Environmental Data Management Systems.—The Committee has provided a total of $43,835,000 for this account, the same amount requested, and $967,000 below the current level.

PROGRAM SUPPORT

The Committee has included $66,712,000 for Program Support. This amount is a decrease of $5,790,000 from the request, and $4,985,000 below the current year. This reduction reflects $4,656,000 in rent savings attributable from reduced space requirements and consolidations in the Washington, D.C. area.

FLEET MAINTENANCE AND PLANNING

The Committee has included $5,000,000 for this activity in the Operations, Research, and Facilities account, instead of $11,823,000 included in the budget request, and $8,000,000 provided in fiscal year 1997. Funding for this activity was previously provided in a separate Fleet Modernization, Shipbuilding, and Conversion account. The recommendation provides sufficient funding to provide routine maintenance of the existing NOAA fleet. No funds are provided to modernize the existing fleet, initiate major repairs to extend the life of vessels, or to purchase new equipment to upgrade an existing vessel. The Committee has addressed the issue of equipment upgrades elsewhere in this account under the National Ocean Service.

In addition, the Committee has taken action, reflected elsewhere in the bill to begin the transition from a NOAA-owned and operated research fleet. The Committee wishes to advise NOAA that insufficient funding will be available to provide for a major investment in new vessels. The Committee urges NOAA to take action now to find creative alternatives to a NOAA-owned and operated fleet, including, but not limited to, increased cooperation and coordination with the existing University-National Oceanographic Laboratory System (UNOLS) vessels, and greater reliance on outsourcing to the private sector.

FACILITIES

The Committee recommendation includes $11,950,000 for facilities maintenance, lease costs, and environmental compliance. Of the amounts provided: $2,000,000 is for NOAA facilities maintenance, $2,000,000 is for the lease costs of the Sandy Hook facility, $2,000,000 is for environmental compliance activities, $2,950,000 is for Weather Forecast Office maintenance, and $3,000,000 is for Columbia River facilities maintenance. The Committee notes that $10,800,000 was recently provided in the fiscal year 1997 Supplemental Appropriations Act for Columbia River facilities requirements, and has therefore slightly reduced the fiscal year 1998 funding for this activity.

CAPITAL ASSETS ACQUISITION

(INCLUDING TRANSFER OF FUNDS)

The recommendation includes $460,600,000 in fiscal year 1998 for a new Capital Assets Acquisition account, as requested. The recommendation does not include an advance appropriation of $3,485,517,000 for fiscal years 1999–2010, requested in the budget. This new account funds capital assets acquisition activities, including systems acquisition and new construction, previously funded within the NOAA Operations, Research and Facilities account and the Construction account. Language is included in the bill to make the necessary technical changes to reflect the establishment of this account. The following distribution reflects the activities funded within this account:

AWIPS	$116,910,000
ASOS	4,494,000
NEXRAD	4,377,000
Computer Facilities Upgrades	5,000,000
Polar Spacecraft and Launching	82,905,000
Geostationary Spacecraft and Launching	215,991,000
Boulder Lab Above Standard Costs	1,900,000
WFO Construction	13,823,000
Santa Cruz Fisheries Lab	15,200,000
Total, Capital Assets Acquisition	460,600,000

Advanced Weather Interactive Processing System (AWIPS).—The Committee has included $116,910,000, the full amount requested, for AWIPS acquisition. The recommendation also includes language in the bill designating amounts available under this account for AWIPS, and making the availability of these funds contingent upon the certification by the Secretary of Commerce that overall program costs will not exceed the $550,000,000 cost cap agreed to in January, 1997. The Committee notes that the AWIPS program has been plagued by cost growth, scheduling delays, management changes and slow technical progress. The Committee reminds NOAA that the original plans for AWIPS estimated the total cost at $350,000,000 with a completion date of 1995; the current cost estimate is $547,635,000 with a delivery date of 1999. The Committee supports the successful completion of this system, and understands AWIPS is a critical component to the modernization effort and expects the system to be completed within the agreed upon cost cap. Further, the Committee reminds NOAA that the Commit-

tee expects to be fully consulted prior to any decision to procure and deploy additional AWIPS systems beyond the initial 25 agreed to as part of the limited deployment decision in January, 1997.

Next-Generation Radar (NEXRAD).—The Committee recommendation includes $4,377,000 for continued acquisition activities associated with three additional NEXRAD systems for installation in areas recommended by the Secretary of Commerce as a result of the National Research Council's study regarding NEXRAD coverage and possible degradation of service. The recommendation provides the full amount requested for these activities.

In addition, the Committee understands that the NWS is in the process of completing follow-on studies as recommended in the Secretary's October 12, 1995 Report to Congress regarding the adequacy of NEXRAD coverage in certain areas. The Committee urges the Department, NOAA and NWS to expeditiously complete these assessments so that the Congress can provide the necessary resources for mitigation activities, if warranted. Therefore, the Committee expects the Department to report to the Committee no later than September 5, 1997 on the timeline for completion of these studies and transmittal of final recommendations to the Congress. Further, the Committee notes that should additional mitigation activities be required in fiscal year 1998, the Committee would be willing to entertain a reprogramming of funds in accordance with section 605 of this Act to address this matter.

The Committee has not included $7,000,000 for the planned product improvement initiative. While the Committee appreciates the need to ensure adequate upgrade and improvement of the modernized weather system, the first priority must be to provide the resources and attention necessary to first complete the original modernization as planned.

Santa Cruz Fisheries Laboratory.—The Committee has included $15,200,000 for relocation of the Tiburon, CA laboratory to a new facility to be constructed at Santa Cruz. As presented in the President's budget, the total cost for all activities necessary to complete this project, including relocation and equipment expenses totals $19,400,000. The Committee expects the total cost to relocate the Tiburon lab to a new facility at Santa Cruz will not exceed the amount included in the budget request, and expects NOAA to provide a plan prior to the expenditure of these funds, in accordance with section 605 of this Act, for completing the relocation within the amounts requested.

Goddard Facility.—The recommendation does not include $12,572,000 requested to begin planning and design work for the construction of a new headquarters building, which is estimated to cost $101,609,000. The Committee is concerned that NOAA has not sufficiently pursued lower cost options for meeting its space requirements, and expects NOAA to work with GSA to develop other alternatives.

COASTAL ZONE MANAGEMENT FUND

The Committee has included language in the bill which makes available $7,800,000 in the Coastal Zone Management (CZM) Fund for administration of the CZM program, and for State Development Grants in accordance with the authorization set forth in Section

308(b)(2)(A) and 308(b)(2)(B)(v) of the Coastal Zone Management Act, and the National Estuarine Reserve program set forth in Section 315(e) of the Coastal Zone Management Act. The amount provided is equal to the budget request and the current funding level. The budget requested funds to be provided only for CZM program management and other purposes authorized by section 308 of the CZMA.

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

FISHING VESSEL AND GEAR DAMAGE COMPENSATION FUND

The Committee recommends no funding for the Fishing Vessel and Gear Damage Compensation Fund, and requested, and is a decrease of $200,000 below the amount available for fiscal year 1997.

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

No foreign fishing vessel permit surcharges have been collected since 1984, thus the fund has operated on existing balances and interest on investments. However, in fiscal year 1997, the fund will be totally depleted and the program will cease to operate. The budget did not request to borrow funds from the General Treasury to continue operating the fund, and the Committee has accepted this proposal.

FISHERMEN'S CONTINGENCY FUND

The Committee recommends $953,000 for the Fishermen's Contingency Fund, which is $47,000 below the amount provided for the current year, and equal to the budget request.

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

the extent provided by appropriations Acts. Since receipts collected may not be sufficient for this appropriation, the Committee has included language which provides that the sums necessary to eliminate the insufficiency may be derived from the General Fund of the Treasury.

FOREIGN FISHING OBSERVER FUND

The Committee recommends $189,000 for the Foreign Fishing Observer Fund for fiscal year 1998. This amount is equal to the request, and is $7,000 below the amount appropriated for the current fiscal year.

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

FISHERIES FINANCE PROGRAM ACCOUNT

The Committee recommends $250,000 in subsidy amounts for the Fisheries Finance Program account, previously the Fishing Vessel Obligation Guarantees account. This amount is an increase of $12,000 above the budget request, and the same amount appropriated in fiscal year 1997 for the activities funded under this account. The Magnuson-Stevens Fishery Conservation and Management Act, converted this program from a guaranteed loan program to a direct loan program. The recommendation reflects these changes. In addition, language is continued, which was carried in previous years, prohibiting loans under this account from being made to purchase any new vessel that would increase the harvesting capacity of any U.S. fishery, as requested.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends $28,490,000 for the Commerce Department's Salaries and Expenses appropriation for fiscal year 1998. This amount is a decrease of $1,595,000 below the budget request, and is equal to the amount appropriated for the current fiscal year. The recommendation assumes that savings will be achieved as a result of the Secretary's decision to reduce the number of non-career personnel at the Department by the end of the current fiscal year.

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

OFFICE OF INSPECTOR GENERAL

The Committee recommends $20,140,000 for the Commerce Department's Office of Inspector General for fiscal year 1998. This amount is a decrease of $1,537,000 below the request, and equal to the amount appropriated for the current fiscal year.

The Committee is supportive of the work being carried out by the Department's Inspector General, and looks forward to working more closely with the IG to follow up on matters of mutual concern.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH AND FACILITIES

(RESCISSION)

The Committee recommendation includes a rescission of $5,000,000 from the NOAA Operations, Research, and Facilities account under this title. The Committee expects this rescission to be taken from the satellite programs within the National Environmental, Satellite, Data and Information Service. The Committee understands that reestimation of program requirments has resulted in excess funds in these programs.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

The Committee has included the following General Provisions for the Department of Commerce that were included in the fiscal year 1997 Appropriations Act (Public Law 104–208).

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

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

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

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

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

Section 206 provides that should legislation be enacted to reorganize the Department of Commerce, the Secretary shall submit a plan for transferring such functions in accordance with the standard reprogramming procedures in this Act, and such reprogramming will not be subject to the limitations set forth in the standard procedures.

Section 207 provides that any costs incurred by the Department in response to funding reductions shall be absorbed within the total budgetary resources available to the Department and shall not be subject to the reprogramming limitations in this Act.

Section 209, renumbered as Section 208, allows the Secretary to award contracts for certain mapping and charting activities in accordance with the Federal Property and Administrative Services Act.

The recommendation does not include new provisions, requested in the budget, to change the current statutory requirements regarding certification procedures related to National Weather Service modernization activities, and to provide seizure authority to the Secretary of Commerce. In addition, the recommendation does not include a new provision, requested in the budget, to allow the Department of Commerce franchise fund to retain a percentage of earnings from services provided.

TITLE III—THE JUDICIARY

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

The appropriation request submitted for fiscal year 1998 for the judiciary totals $3,638,896,000. Of this amount, $264,898,000 is associated with the salaries and retirement expenses of Supreme Court Justices, Article III Judges and Bankruptcy Judges and payments to judiciary retirement funds and is considered mandatory for scorekeeping purposes. The remainder of the request, $3,373,998,000, which is considered discretionary for scorekeeping purposes, represents an increase of $365,412,000, or 12.1 percent, over the enacted amounts for fiscal year 1997. Of this amount, $50,000,000 is requested from the Violent Crime Reduction Trust Fund.

The Committee recommendation provides $266,898,000 for mandatory salary and retirement expenses of the Justices and judges, $2,000,000 above the request. The Committee recommendation also provides $3,210,918,000 for the discretionary programs of the judiciary, including $40,000,000 from the Violent Crime Reduction Trust Fund. This amount is $163,080,000 below the request, but is $202,332,000, or 6.7% above the amount provided for the current fiscal year. This increase is provided to pay the estimated fiscal year 1998 costs of the ongoing activities of the federal courts, to allow program enhancements in response to increasing caseloads, and to bring court security up to current standards.

Optimal Utilization of Judicial Resources.—In response to the request of the Committee in both the House and Conference reports accompanying the FY 1996 appropriations bill, the Judicial Con-

ference submitted a report to the Congress in November, 1996 on the optimal utilization of judicial resources.

The request arose out of concerns about the ability of the Congress to sustain the current appropriations level of the Judicial Branch in the context of the desire of the American public to balance the budget and reduce the deficit. The Committee wanted to receive information on a number of issues that could lead to the more rational deployment of resources, including the fact that some courts face disproportionately high caseloads, while others may be underutilized, and that approximately 80 court facilities have no resident judges or staff, and are used on a visiting basis for less that 45 days per year.

While the Committee encouraged the report to be used to address possible improvements in any aspect of the judiciary and its functions, the Committee specifically asked that the following issues be addressed:

—The extent to which the current judicial workload corresponds to the distribution of judicial resources;

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

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

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

—The extent to which the judiciary is pursuing improvements and cost efficiencies in other areas.

The report submitted to the Congress provided a comprehensive review of these topics. It confirmed, for instance, that distribution of judicial resources varies from what judicial workload would indicate, and that there are savings to be obtained from underutilized space, which the judiciary has begun to achieve. With respect to contract services, it found a substantial effort underway to obtain efficiencies, and identified six additional areas to be explored. The report also described the automation efforts underway and identified videoconferencing, video training, and computer based training as areas that could reduce the need for travel. In order to put this report to full use, the Committee requests that the judiciary follow up this report with an annual update in conjunction with submission of the budget request on further efficiencies arising out of the report that have been achieved, together with the amount of savings, and provide a list of recommendations for achieving efficiencies that the judiciary will undertake in fiscal year 1998 as well as a list of recommendations for achieving efficiencies that require legislative action. The more concrete this list is, the more helpful it is likely to be.

For fiscal year 1998, the judiciary submitted its budget request on the basis of total obligational authority, to provide a more complete description of the total budgetary resources available to the judiciary, including fees and carry-over of prior year fees and appropriations. The Committee believes this is a helpful development

and commends the judiciary for making this refinement in its budget presentation.

While progress has been made in the budget presentation, problems remain in the budgets of Defender Services and Court Security, for which large increases are again requested for fiscal year 1998. The Committee believes these areas require additional attention over the next year by the Judicial Conference and the Administrative Office of the Courts, to assure that the budgets for these activities are receiving the scrutiny and management that they appear to require.

SUPREME COURT OF THE UNITED STATES

The Committee recommends a total of $32,678,000 for the Supreme Court of the United States for fiscal year 1998. The total amount is provided in two separate appropriation accounts as follows:

SALARIES AND EXPENSES

The Committee recommends $29,278,000 for fiscal year 1998 for the Salaries and Expenses of the Justices, their supporting personnel, and the cost of operating the Supreme Court, excluding the care of the building and grounds. The Committee recommendation is $2,121,000 more than the current year appropriation, and is equal to the budget request for this account. It provides the amount required to maintain the current level of activities, and provides for six additional police officers for security purposes and an enhanced police radio system, as requested. The Committee believes it is important to provide the resources required to maintain the security of the Supreme Court.

CARE OF THE BUILDING AND GROUNDS

The Committee recommends $3,400,000 for fiscal year 1998 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 $600,000 more than the current year appropriation and $597,000 below the request for fiscal year 1998. This includes an increase of $75,000 to maintain current services, and an increase of $525,000 for capital improvements.

Within the amount provided for current services, the Committee has provided $140,000 for miscellaneous improvements. The Committee expects to be provided an accounting of the expenditure of these funds.

The budget request included $1,112,000 for capital improvements, but two projects for which $150,000 was requested were subsequently withdrawn. The recommendation includes $525,000 for the following requested projects: schematic design of building improvements and utility systems upgrade, emergency electrical distribution system, fire alarm system upgrade, and fire pump electric feeders upgrade.

The schematic design of building improvements and utility systems upgrade is the first step in a process that could lead to major renovations of the Supreme Court building. The Committee was surprised to learn that the estimate for the ultimate cost of these

renovations had grown from $7,000,000 in fiscal year 1997 to $22,000,000 in fiscal year 1998. The Committee will want to see the results of the schematic design prior to taking any further steps on this project.

The Committee notes the inclusion of a five-year capital budget in this year's budget submission. This provides a useful tool for looking at the capital needs of the Supreme Court, and commends the Architect's Office for this innovation.

Language in the bill allows $410,000 of the appropriation to remain available until expended, compared with $485,000 requested in the budget. The Committee has provided that $75,000 of the miscellaneous improvements funding remain available until expended, instead of the $150,000 included in the budget request.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The Committee recommends $15,507,000 for fiscal year 1998 for the Salaries and Expenses of the United States Court of Appeals for the Federal Circuit. The Committee recommendation is $494,000 more than the current year appropriation, and is $649,000 less than the request.

The Committee recommendation should provide the amount required to maintain current services, taking into account existing vacancies, but does not include the increase requested for 12 additional positions for the Court.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

The Committee recommends $11,478,000 for fiscal year 1998 for the Salaries and Expenses of the United States Court of International Trade, the amount of the budget request, and an increase of $364,000 over the amount provided in fiscal year 1997. The recommendation provides funding to maintain current activities, and does not provide for any program increases.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The Committee recommends $2,700,069,000 for this account for fiscal year 1998, an increase of $134,069,000 over fiscal year 1997 and a reduction of $141,771,000 from the request. This account provides for the salaries of judges, magistrates, and all other officers and employees of the federal judiciary not otherwise provided for, and for all necessary expenses including rental charges for space and facilities.

The judiciary's budget request for each new fiscal year is workload driven, and is currently based on a formula that assumes staffing at 84 percent of the level that would be required to fully staff the projected workload. As cases and filings increase, staffing requirements increase, and the funding increases requested in the budget are based on those trends. Currently, for example, the judi-

ciary is experiencing large increases in the workload of bankruptcy courts, due to the dramatic increase in bankruptcy filings.

The budget request assumes a total funding requirement for fiscal year 1998 of $3,067,449,000, of which $2,841,840,000 is derived from the appropriation from this account, and $225,609,000 is derived from other sources of funding, including fee collections, carryover from fiscal year 1997, and funds from the Violent Crime Reduction Trust Fund. Since submission of the budget, the judiciary's latest financial review has resulted in an increase in the estimated carryover from fiscal year 1997 of $97,549,000, an increase in anticipated fiscal year 1998 fee collections of $5,030,000 and a reduction of $18,382,000 in the total funding requirement for fiscal year 1998, resulting in a decrease in the appropriation needed to support this account of $120,961,000, to a level of $2,720,879,000. The Committee recommendation of $2,700,069,000 is $20,810,000 below that revised funding level, and is sufficient to provide the increase of $143,288,000 needed to fund the current level of operation of the activities supported by this account, adjusted for factors such as increases in cost, inflation, annualization of positions, and conversion of judges to senior status, and $64,363,000 of the requested $85,193,000 in workload and program increases.

The budget request assumes creation of 13 new magistrate judge positions in New York (2), Louisiana, California (4), Tennessee, Arizona, Oregon, Alabama, and Florida (2).

In addition, this account provides rental payments to the General Services Administration for court space and facilities. New space is expected to be delivered in fiscal year 1998 in the following locations: Portland, Oregon; Tampa, Florida; Trenton, New Jersey; Fargo, North Dakota; Charleston, West Virginia; Lubbock, Texas; Sacramento, California; Kansas City, Missouri; Bismarck, North Dakota; Knoxville, Tennessee; Boston, Massachusetts; Fort Myers, Florida; and Old San Juan, Puerto, Rico.

Also, certain above-standard facility costs for courtroom and other requirements that are not covered by GSA regulations are funded from this account, for which $8,727,000 is included in the budget request, including the following: Boston, Massachusetts; Concord, New Hampshire; Hartford, Connecticut; Brooklyn, New York City, and Islip, New York; Camden, New Jersey; Cleveland, Ohio; Greeneville and Knoxville, Tennessee; Little Rock, Arkansas; St. Louis, Missouri; Fargo, North Dakota; Sacramento, California; Eugene, Oregon; and Denver, Colorado.

The Committee understands that the judiciary is studying how best to integrate technological advances into courthouses currently being planned and constructed, as well as into existing facilities. In addition to providing the computer information infrastructure necessary for handling a court's workflow, recent attention has been given to applying technology to court proceedings. Emerging technologies that can facilitate court proceedings include videoconferencing under certain circumstances, realtime computer-assisted transcription of proceedings, and a variety of technologies that aid the presentation of evidence. The Committee understands that the judiciary is undertaking a study of such technologies and intends to establish guidelines for their acquisition and use. The Committee encourages the judiciary to make use of emerging tech-

nologies to the extent practicable, particularly if their use will result in more efficient use of judicial resources. Funding should be provided from the amounts available, consistent with the priorities established in annual financial operating plans and existing policies and regulations.

In the language in the bill, the amount of funds for space alteration projects that is permitted to remain available until expended is retained at the fiscal year 1997 level of $13,454,000, rather than the level of $16,500,000 requested in the budget. In addition, language included in the fiscal year 1997 bill is deleted, as requested in the budget, relating to funding of a Commission on Structural Alternatives for the Federal Courts of Appeals, making available until expended $500,000 for acquisition of books and periodicals, and providing $10,000,000 under an emergency designation.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

The Committee recommends a reimbursement of $2,450,000 for fiscal year 1998 from the Special Fund to cover expenses of the Claims Court associated with processing cases under the National Childhood Vaccine Injury Act of 1986. This is equal to the budget request and an increase of $60,000 over the amount appropriated for the current fiscal year.

VIOLENT CRIME REDUCTION PROGRAMS

The Committee recommends $40,000,000 for the judiciary from the Violent Crime Reduction Trust Fund, an increase of $10,000,000 over the amount provided in fiscal year 1997 and a decrease of $10,000,000 from the budget request. The Committee intends that amounts provided be used to offset base expenditures related to carrying out the provisions of the Violent Crime Control and Law Enforcement Act of 1994 and the Antiterrorism and Effective Death Penalty Act of 1996, and to fund requested program increases related to certain provisions of that Act, such as activities related to mandatory drug testing, increasing requirements for supervised release and increases in workload generated by increasing federal prosecution of crimes under those acts. The Committee expects the judiciary to transmit a notification detailing the proposed distribution of the amounts provided under the Violent Crime Reduction Trust Fund.

DEFENDER SERVICES

The Committee recommends $329,529,000 for fiscal year 1998, the amount requested in the budget, for the operation of the Federal Public Defender and Community Defender organizations and for compensation and reimbursement of expenses of panel attorneys appointed pursuant to the Criminal Justice Act, as amended, for representation in criminal cases. This represents a increase of $21,529,000 over the appropriation provided in fiscal year 1997. In addition, the budget requests $24,953,000 to be transferred to this account from the Violent Crime Reduction Trust Fund. While the Committee has provided $40,000,000 for Violent Crime Reduction Programs, it has not specifically allocated those funds, although those funds can be applied, by reprogramming, to this account.

In the fiscal year 1997 appropriation, the Committee called attention to the rising costs of this account, driven in large part by the increasing cost per representation, which is rising, even in noncapital cases, faster than inflation, and asked for a report. Although in monetary terms a relatively small part of the cost of this account, the most dramatic increase in costs relates to panel attorney representation in capital cases, which has grown from $62,128 per case in fiscal year 1995 to an estimated $175,989 per case in fiscal year 1997. The report was notably short on statistical analysis of the actual factors contributing to the increase and on actual steps taken to control the rise in total costs and in cost per representation. It seems apparent that the need to understand and provide possible solutions has not been taken sufficiently seriously. As a result, the Committee requests a comprehensive statistical analysis of the actual factors in the increase in the cost per representation in this account for the three major types of cases—noncapital cases, capital cases, and capital habeas corpus cases—by type of representation—federal public defender organization, community defender organization, and panel attorneys—as well as a series of concrete recommendations for control of costs, by February 2, 1998, with the expectation that all necessary resources will be utilized to provide this report. The Administrative Office is expected to consult with the General Accounting Office in designing this analysis. In addition, the Committee is concerned about the apparent incongruity in the average cost per capital habeas representation between the various judicial districts and circuits. The Committee understands that in some circuits the average cost per representation in capital habeas representations may be as much as two times the national average cost. The Committee expects the Judiciary to examine and explain this disparity in average costs of capital habeas representations between the circuits and districts. The Committee also expects the Judiciary to identify possible ways to reduce those costs.

While the recommendation provides funding at the requested level in fiscal year 1998, the Committee has not provided for increases in the rate for panel attorneys or for program increases, because of indications that the costs that will be incurred by Defender Services programs could exceed the requested amount for fiscal year 1998. Before taking steps that will increase the cost of these programs further, the Committee believes it is incumbent upon the judiciary to first bring the rate of increase in the cost of these programs under control.

FEES OF JURORS AND COMMISSIONERS

The Committee recommends $66,196,000 for fiscal year 1998 for the fees and allowances of grand and petit jurors and for the compensation of land commissioners and jury commissioners. This represents a decrease of $804,000 from the amount appropriated in fiscal year 1997, and a decrease of $3,455,000 from the budget request. The recommendation is based on the latest estimate from the judiciary of the requirements for this account.

COURT SECURITY

The Committee recommends $167,214,000 for Court Security for fiscal year 1998 to provide for the necessary expenses of security and protective services for the United States Courts in courtrooms and adjacent areas. This is $40,214,000 more than was appropriated in fiscal year 1997, and $3,090,000 less than the budget request. The recommendation is based on the latest estimate by the judiciary of the requirements for this account.

Total funds available in this account in fiscal year 1998 are $26,421,000 move than estimated obligations for fiscal year 1997. In fiscal year 1997, $127,000,000 was appropriated for this account, but an additional $14,462,000 was available in fiscal year 1997 as a result of carryover from judiciary fees and prior year appropriations, and the use of $4,000,000 from the $10,000,000 emergency appropriation for implementation of the Antiterrorism and Effective Death Penalty Act of 1996.

The recommendation is intended to provide all necessary court security officers to bring court facilities up to the applicable security standards. The recommendation is sufficient to provide 310 security officers for existing facilities and 77 officers for court facilities coming on line, as well as required equipment. The Committee was surprised at the size of the increase requested to bring security up to standard, in light of the significant increases that have been provided in previous years. Upon examination, over the past several years, the number of security officers hired by the U.S. Marshals Service, which administers this account, has netted at 147 less than was appropriated for, and the reason for the shortfall involves budgetary mistakes and underestimates and a decision to use some of the funds for equipment rather than personnel. Obviously, the Committee is not pleased with this development, and directs the Administrative Office of the Courts and the U.S. Marshals Service to provide a report by no later than November 1, 1997 of how this occurred. Nonetheless, the Committee believes that resources necessary for security of court facilities need to be provided, and has recommended the amount required to bring court facility security up to standard. If for any reason the recommended funding is not sufficient, the judiciary and the Marshals Service will be expected to absorb any additional costs from within their existing budgets.

In last year's report, the Committee requested a report on whether reimbursements from other agencies would be appropriate in those facilities where building security is provided to other agencies. The Committee directs the judiciary to seek reimbursement in those situations and to report back to the Committee on the results of its efforts.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

The Committee recommends $52,000,000 for the Salaries and Expenses of the Administrative Office of the United States Courts for fiscal year 1998, an increase of $2,550,000 over the appropriation for fiscal year 1997, and a decrease of $2,108,000 from the budget

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

The recommendation is sufficient to fund pay and benefit cost adjustments for the current operations of the Administrative Office, and to provide approximately $800,000 to fund a portion of the 23 additional positions requested in the budget. Given the critical need for improved data and analysis of the costs of the Defender Services program, and the need for greater oversight of the Court Security budget currently managed by the U.S. Marshals Service, as discussed under those headings, the Committee intends that these additional positions be used to strengthen the Administrative Office's capabilities to manage these accounts and to assure that the information required by Congress to oversee these programs is being provided.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

The Committee recommends $17,495,000 for the Salaries and Expenses of the Federal Judicial Center for fiscal year 1998, which is the same as the amount provided in fiscal year 1997, and $930,000 below the budget request. 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.

The Committee believes the Center is making progress in using innovative and less costly training through increasing use of video training techniques to help control costs, and expects the Center to continue with this effort.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

The Committee recommends $34,200,000 for the payment to the Judicial Officers' Retirement Fund and the Claims Court Judges Retirement Fund for fiscal year 1997. This amount is $2,000,000 above the budget request, and is $4,000,000 above the current year appropriation for this account, which is considered mandatory for budget scorekeeping purposes. The increase is based on the latest estimate of the requirements for the Fund.

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

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

The Committee recommends $9,000,000 for the Salaries and Expenses of the United States Sentencing Commission for fiscal year 1998, an increase of $510,000 above the amount provided for the

current fiscal year and a reduction of $480,000 below the budget request.

The Committee recommendation is intended to provide the funding required to maintain the operations of the Sentencing Commission at the current level, assuming the on-board level of employment in place in fiscal year 1997.

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

GENERAL PROVISIONS—THE JUDICIARY

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

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

Section 302 provides language, included in previous appropriations Acts, which permits up to five percent of any appropriation made available for fiscal year 1998 to be transferred between Judiciary appropriation accounts with the proviso that no appropriation shall be decreased by more than 5 percent or increased by more than 10 percent by any such transfer except in certain circumstances. In addition, the language provides that any such transfer shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 303 provides language included in previous appropriations acts permitting not to exceed a total of $10,000 for expenses of official reception and representation expenses incurred by the Judicial Conference of the United States.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCIES

In total, the recommendation in this Title for the Department of State, the United States Information Agency (USIA) and the Arms Control and Disarmament Agency (ACDA) includes $5,145,119,000, which is $225,768,000 below the budget request, and $69,943,000 above the amount available in fiscal year 1997. The major area of reduction from the budget request is due to the fact that the Administration requested a change to the way machine readable visa fees are accounted for, that would have required the appropriation of an additional $140,000,000, but that change was not made part of the final balanced budget discussions, and consequently, the additional appropriation is not required. Once that adjustment to the budget request is taken into account, the recommendation is $85,768,000 below the budget request.

In addition, the amounts recommended in this Title are below the authorized levels set forth in the authorization bill, H.R. 1757, the Foreign Relations Authorization Act, Fiscal Years 1998 and

1999, and European Security Act of 1997, which passed the House on June 11, 1997, by $18,601,000, and funding for the programs authorized in that bill is either at or below the authorized levels.

H.R. 1757 included (as Division A) the "Foreign Affairs Agencies Consolidation and Reinvention Act of 1997" which requires the submission of a reorganization plan for foreign affairs agencies no later than 60 days after the enactment of that Act. H.R. 1757 requires abolition of the Arms Control and Disarmament Agency and the transfer of its functions to the Department of State by no later than October 1, 1998, and abolition of the United States Information Agency and the transfer of its functions to the Department of State by no later than October 1, 1999. The Committee expects to be consulted regularly as the plans for reorganization are developed, particularly with respect to funding issues and the use of appropriated funds for reorganization purposes as well as for funding of the consolidated functions. The Committee expects all standard procedures to be employed with respect to changes from the budget justifications submitted to the Committee as part of the fiscal year 1998 budget request.

DEPARTMENT OF STATE

The Committee recommends a total of $4,011,691,000 for fiscal year 1998 for the Department of State. This amount is $235,208,000 less than the budget request for fiscal year 1998, of which $140,000,000 is attributable to machine readable visa fees remaining an offsetting collection, and $37,425,000 more than the amounts appropriated for fiscal year 1997 for the Department.

The Committee recommendation includes a total of $2,718,306,000 for the appropriation accounts under Administration of Foreign Affairs; $1,241,452,000 for the appropriation accounts under International Organizations and Conferences; $43,933,000 for International Commissions; and $8,000,000 for Other activities. The Committee's recommended priorities for the Department of State are delineated in the following paragraphs.

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The Committee recommends $1,739,977,000 for the Diplomatic and Consular Programs account, including $23,700,000 set aside to continue the funding for counterterrorism requirements overseas that was included in the fiscal year 1997 appropriation as an emergency requirement. This appropriation account provides for the formulation and execution of United States foreign policy, including the conduct of diplomatic and consular relations with foreign countries, diplomatic relations with international organizations and related activities. The account includes funding for all of the program and operations bureaus and offices of the Department of State and the Foreign Service, with the exception of the domestic operations of the Department, which are funded under the Salaries and Expenses account.

The recommendation represents a reduction of $147,000,000 from the budget request for the functions funded in this account and an increase of $14,677,000 over the current year appropriation. This

will provide a steady-state budget, providing funds for operation of the activities funded under this account at their current level.

The Administration's budget request for fiscal year 1998 proposed a major change in the way funds are appropriated to the State Department. The budget proposed to reduce the direct appropriation to $1,291,277,000, and to provide the balance of the request, $595,000,000 through appropriation of fees. The majority of these fees, totaling $455,000,000, derived from passport fees, immigrant visa fees, and fees from overseas citizen services are currently paid into the General Fund of the Treasury. The balance of the fees, $140,000,000 from machine readable visa fees, are currently credited as an offsetting collection to the Diplomatic and Consular Programs account, and are used to fund the Border Security program. The Administration's budget request would have changed this fee from an offsetting collection, which does not require the funds to be appropriated, to a government receipt dedicated to discretionary spending, which would require the funds to be appropriated. However, in the discussions connected with the Balanced Budget Agreement of 1997, the Administration's proposal to fund part of the operation of the Department from fees was not agreed to. Furthermore, agreement has been reached to return the machine readable visa fee to its current category of offsetting collection. Consequently, the Committee has not provided for the appropriation of $595,000,000 in fees requested in the budget, and has instead provided funding for this account in the same manner as in previous years.

The Committee has included requested language in the bill which will provide not to exceed $700,000 in registration fees collected pursuant to section 45 of the State Department Basic Authorities Act for activities of the Office of Defense Trade Controls. The Committee has also included language provisions under this heading which provide $1,252,000 in fees collected from other Executive Branch agencies for lease or use of facilities at the International Center Complex, as authorized by law, and $490,000 to be derived from the reserves. In addition, the Committee has included language that provides not to exceed $15,000 from reimbursements, surcharges, and fees for use of Blair House facilities in accordance with the State Department Basic Authorities Act of 1956.

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

The bill also includes a provision that states that all machine readable visa fees are to be deposited as an offsetting collection under this account.

The bill retains and updates a provision included in the fiscal year 1997 appropriations bill that sets forth the funding for the Diplomatic Telecommunications Service of $24,856,000 for existing base services and not to exceed $17,312,000 for program enhancements.

Finally, the bill contains a separate paragraph providing $23,700,000, to remain available until expended, to continue the funding for counterterrorism requirements overseas that was in-

cluded in the fiscal year 1997 appropriation as an emergency requirement.

Changes from the Budget Request.—The Committee recommendation does not include the requested increases for program expansions, with the exception of an increase of $250,000 for the International Telecommunications Union plenipotentiary conference. The Committee believes there are foreign currency exchange rate gains available to the Department in approximately the amount of its requested program increases, and the Department will have the ability to propose that these exchange rate gains be used for needs not covered by the recommendation through the normal processes.

Reform.—The Committee continues to be insistent that the Department move forward to reform and make more efficient its operations. As the Department develops its reorganization plan, in conjunction with the other foreign affairs agencies, the Committee believes the Department should use the opportunity to take a top to bottom review of the Department's structure, and eliminate unneeded positions and bureaus. With 29 bureaus, 18 assistant secretaries, and another 13 assistant secretary equivalents, there are ample opportunities for streamlining. The Committee is concerned that the State Department suffers from weak management systems and processes and notes that "State Department Reinvention" is one of the eight Task Forces that have been formed to work on the Department's consolidation plan. The National Performance Review Senior Advisor indicated that restructuring is critical to the broader reorganization process and stated that "reinvention at the State Department is an a priori qualification for doing any consolidations of other agencies." The Committee urges the State Department to make State Department reinvention a top priority and requests a report of specific actions recommended by the State Department Reinvention Task Force no later than October 1, 1997.

—*ICASS reform.*—In sections 403 and 404 of this bill, the Committee has included the budget amendment requested by the Administration to implement the International Cooperative Administrative Support Services system. This will put into place a major reform of the way agencies pay the costs of their overseas presence in return for an equal voice in the way administrative services are provided in each overseas post. The intention of this reform is to make each agency responsible for its overseas costs, in order to require each agency to make decisions about the number of people and resources to put overseas on the basis of actual cost, through a cost-benefit analysis. For the past two years, the Committee has insisted upon measures to rationalize the expenditure of resources overseas, where it costs at least twice as much as in the United States to support a position, and believes this will be a major step forward in controlling costs. The Committee directs that ICASS be implemented fully in fiscal year 1998 and wishes to be informed immediately of any circumstances that might cause a delay. The Office of Management and Budget is directed to ensure that in the fiscal year 1999 budget submission, each Federal agency budget for the cost of its overseas presence in accordance with ICASS. The provision is further described under

sections 403 and 404 of the State Department and Related Agencies General Provisions.

—*Overseas Staffing Model Reform.*—In addition to ICASS, the Department has worked with the Committee to institute an Overseas Staffing Model to rationalize the State Department's assignment of resources to its 160 embassies overseas. This has entailed an effort to right-size posts and embassies by establishing a model staffing profile based on seven different categories of posts. The Department is expected to report to the Committee by February 1, 1998 on how implementation of this staffing model has changed the deployment of resources, and how the model is integrated both into the financial plan and mission planning process for fiscal year 1998, and the budget request for fiscal year 1999.

—*Government-wide deployment of resources.*—The next logical step to try to assure that resources are being spent overseas where they are most needed to further American foreign policy objectives is to create an inter-agency process to help decide what agencies need to be at what overseas posts, and at what level of resources. Currently, the only controls are what an agency wants to do within its budget, and what the ambassador to a particular country is willing to agree to. While that control is better than no control at all, it does nothing to guarantee that an agency's presence at a particular post is the most rational deployment of resources. Consequently, the Committee urges the Department and the Administration to move forward on this next step toward rationalizing presence overseas, by developing a plan for a coordinated planning process for deployment of resources overseas, and to report to the Committee on the status of that plan by February 2, 1998.

—*Logistics.*—The Department is planning a consolidation of its logistics activities, including the movement of people and personnel among the approximately 250 posts overseas, consolidating a number of offices. The Committee believes that the Department needs to set goals for this consolidation in terms of personnel and budget savings, in order to provide a yardstick to determine what benefits this reorganization brings, and to provide those goals to the Committee prior to the beginning of the fiscal year.

—*Inspector General Recommendations.*—The Inspector General has provided a consolidated list of particular position reduction and economy measures it has recommended, and improvements required in the mission planning process, as a result of its reviews of posts and bureaus, that is included in the Committee hearing record. The Department is requested to report on the actions it has taken in response to those recommendations by February 2, 1998.

Diplomatic Security.—Within the total amount provided for this account, the recommendation contains a separate set-aside of $23,700,000 to continue the funding for counterterrorism requirements overseas that was included in the fiscal year 1997 appropriation as an emergency requirement. This funding was provided in fiscal year 1997 with the intention that it would supplement, not supplant, funding for diplomatic security needs. The Committee be-

lieves strongly that within the amount recommended for the overall account, sufficient funds must be provided for Diplomatic Security, not only to continue current operations, but to address any unmet requirements. These requirements are expected to be addressed in the financial plan which the Department submits to indicate its plans for spending the amounts provided through this appropriation.

Consular Affairs.—The other area that the Committee has received indications that there are resource shortfalls is in the operations of consular affairs functions in overseas missions, particularly in high volume missions. Thus far, the Department has been using resources from machine readable visa fees to replace funding required from appropriations, and not to augment operations, where needed, of consular offices. As part of its financial plan, the Department is directed to examine the sufficiency of resources for consular offices, and to include recommendations for increasing resources at posts where the need is greatest.

Diplomatic Telecommunications Service.—The plan for the development of a coordinated telecommunications service (DTS) providing more economic communications services to all agencies at post appears to be faltering. The Committee believes that unless the plan for such service is reinvigorated within the next year, it will simply succumb to inertia. The Committee expects a report by February 2, 1998 on the current status of the DTS and plans for the future. One problem in moving toward the direction of coordinated service is that agencies do not separately keep track of their communications costs overseas, and therefore are not able to quantify savings that would accrue from a coordinated communication plan. The Department is expected to work with the Office of Management and Budget to develop a mechanism to break out separately the costs of overseas communications for all agencies, so that there is a basis for a comparison with the costs of a coordinated communication system, and to include the results of that effort in the report.

Machine Readable Visa fees.—The machine readable visa fee is a fee instituted in 1994 on all visa applicants to finance the development of a computerized name-check system and other technology enhancements at posts throughout the world to exclude persons that pose a threat to the United States, and to implement an improved border security program. Those fees are expected to amount to no less than $140,000,000 in fiscal year 1998, and, with carryover, allow a border security program of nearly $200,000,000. Because of the significant resources now provided through these fees, it is essential that a full justification for the use of those fees be included in the Department's annual budget request, and that the activities funded from these fees be integrated into the Department's overall budget justifications, in order to provide a complete picture of the resources that are funding the operations of the Department.

Economic and political officers.—The Committee understands that in posts where both State Department and United States and Foreign Commercial Service officers are present, the Department is moving in the direction of combining the functions of economic and political officers into a single operation to handle all policy issues.

The Committee urges the Department to continue in this direction, as it should assist in removing the overlap between economic officers and US&FCS officers in reporting on economic matters that affect U.S. business, which is primarily within the purview of the US&FCS.

Other issues.—The Committee understands that the Inspector General has made a recent recommendation to establish some form of permanent presence in Malabo, Equatorial Guinea, such as hiring a local resident as a consular agent. The Committee urges the Department to pursue this recommendation.

Within the recommendation for this account, sufficient funds have been provided to assure in combination with other available resources continued funding for National Law Center for Inter-American Free Trade.

SALARIES AND EXPENSES

The Committee recommends $363,513,000 for the Salaries and Expenses account of the Department of State. This amount is the same as the budget request, and an increase of $11,213,000 above the fiscal year 1997 level. This is the amount required to support the current operating level, and does not provide any program increases.

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

As previously discussed, the Committee expects the Department to use the reorganization planning process to review its own operations and structure. One of the issues that will be pending is the issue of how to handle congressional and public affairs functions from the three agencies under the jurisdiction of the Commerce, Justice, State Subcommittee, that will be combined. As long ago as January of 1995, the Vice President, as part of his National Performance Review, indicated that duplicative public affairs and congressional relations staff would be eliminated. The Committee expects that any reorganization plans will include savings and net staff reductions in these areas.

The Committee expects that the Department will provide sufficient funds for Diplomatic Security, not only to continue current operations, but to address any unmet requirements, as part of the financial plan for fiscal year 1998 that the Department will submit to the Committee based on final funding levels.

The Committee commends the consolidated Overseas Schools Assistance Program for its many accomplishments in enhancing educational opportunities for children of American families living overseas and furthering mutual understanding between the people of the United States and the people of other countries. Funded from the Salaries and Expenses appropriations of the Department of State, the United States Information Agency, and the Agency for International Development, the program meets its dual objectives by supporting quality education for American school-age dependents overseas and demonstrating American educational philosophy and practice to other nationals. The Committee also commends the Overseas School Advisory Council and its Program for Educational Assistance in generating U.S. corporate and foundation financial

support and volunteer activities for American-sponsored overseas schools.

CAPITAL INVESTMENT FUND

The Committee recommends $50,600,000 for the Capital Investment Fund, $26,000,000 above fiscal year 1997 and $14,000,000 below the request. In addition, approximately $18,000,000 in expedited passport fees are available for information technology requirements related to passports. In January, 1997, the Department submitted its long-awaited Strategic and Performance Management Plan for fiscal years 1997-2001 and a Tactical Plan for fiscal years 1997 and 1998. The overall plan calls for an infrastructure modernization effort through fiscal year 2001 totaling $2,716,000,000, of which approximately $600,000,000 is funding required over and above the Department's Information Resource Management funding base. This is obviously an enormous undertaking.

The question is not whether the Department's computer and technology systems need modernization, because they do. The question is whether the Department has the capacity and capability to handle this effort. The General Accounting Office has been requested to evaluate this question, and after some initial rebuffs from the Department, the effort appears to be underway.

One of the issues that has been raised is whether the Department has the management structure to assure coordination among the many bureaus, and to assure that the plan is adhered to and management decisions are in fact carried out. The Committee requests a report by February 2, 1998 detailing the management structures that are in place to assure that plans and decisions made by the Chief Information Officer will be carried out.

The amount recommended by the Committee is sufficient to start the modernization effort, and to address the most critical needs required in fiscal year 1998, including the year 2000 problem. However, before providing additional resources, the Committee will want assurances on the Department's capability and capacity to carry out this project over the long term.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $28,300,000 for the Office of Inspector General, the amount requested in the budget, and $805,000 above fiscal year 1997. The Inspector General conducts oversight at the State Department, the Arms Control and Disarmament Agency, and the United States Information Agency.

The Committee believes that the impact of the Inspector General could be magnified if the Office provided more timely information to the Congress.

The bill includes language, as in previous years, waiving the statutory requirement that every post be inspected every five years, in order to provide greater flexibility to the Inspector General to utilize resources in the most productive areas.

REPRESENTATION ALLOWANCES

The Committee recommends $4,300,000 for representation allowances authorized by section 905 of the Foreign Service Act of 1980.

This is the same as the amount requested in the budget, and $190,000 below fiscal year 1997. These funds are used to reimburse Foreign Service Officers for expenditures incurred in their official capacities abroad in establishing and maintaining relations with officials of foreign governments and appropriate members of local communities.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

The Committee recommends a total of $7,900,000 for the Protection of Foreign Missions and Officials account. This amount is the same as the budget request, and $432,000 less than the appropriation provided for fiscal year 1997.

This account reimburses local governments and communities for the extraordinary costs incurred in providing protection for international organizations, foreign missions and officials, and foreign dignitaries under certain circumstances. The Committee believes that local jurisdictions which incur such costs must submit a certified billing for such costs in accordance with program regulations. The Committee also believes that in those circumstances where a local jurisdiction will realize a financial benefit from a visit from a foreign dignitary through increased tax revenues, that such circumstances should be taken into account by the Department in assessing the need for reimbursement under this program. The Committee expects the Department to treat such submissions diligently and provide reimbursement to local jurisdictions on a timely basis if claims are fully justified.

Of the total amount recommended, $1,283,000 is available for protection of foreign diplomats and their families throughout the United States. The Foreign Missions Act of 1982 authorizes the provision of such services when necessary either at the request of a foreign mission or on the initiative of the Secretary of State. In these situations, where State and local authorities cannot provide the security required, the Act permits the Department of State to employ the services of private security firms.

Of the total amount recommended, $6,617,000 is allocated to reimburse New York City for the protection of foreign missions and officials credited to the United Nations and other international organizations. These funds provide for the costs of guard posts and security escort and motorcade services to foreign missions and personnel assigned to the United Nations.

The bill includes language making these funds available until September 30, 1999, as requested in the budget.

SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

The Committee recommends a total appropriation of $373,081,000 for Security and Maintenance of United States Missions. This is the same as the amount requested in the budget, and a reduction of $16,239,000 from the amount provided in the current fiscal year. The language in the bill includes a provision carried in the bill in previous years which prohibits funds from being used for acquisition of furniture and furnishings and generators for other departments and agencies.

The recommendation provides no funding for new capital projects. The funding is to be used to allow the Department to

manage U.S. Government real property in over 200 countries worth an estimated $12,500,000,000, including maintaining 2,792 Government-owned and long-term leased properties at 250 posts, and leasing approximately 1,200 office and functional facilities and 4,800 residential units, not only for the Department of State, but for all U.S. employees overseas. The Department's latest inspection and survey identified 4,100 maintenance needs, with an estimated cost of $250,000,000. In addition, it has identified 64 major facility rehabilitation projects that need to be implemented over the next five years at an estimated cost of $260,000,000. The need appears to be far greater than the available funding.

The requested funding is for the following purposes:

Fiscal Year 1998 Recommended Security and Maintenance of United States Missions

Activities	
Capital Program	0
Leasehold Program	119,898
Functional Programs:	
Physical Security Upgrades	5,000
Fire Life Safety	7,905
Energy Conservation	3,700
Power Support Program	5,147
Seismic Program	675
Post Communications Support	5,000
Hazardous Material Inspection	2,600
Maintenance of Buildings	62,782
Facility Rehabilitation	48,315
Facility Maintenance Assistance	32,107
Interior Planning and Design	7,331
Program Execution	29,479
Construction Security	20,638
Administration	22,504
Total Recommended	373,081

Management of existing real estate portfolio.—The Committee has insisted that the Department exercise much greater management over excess and underutilized property, and taken steps to assure the disposal of such property. In fiscal year 1997, the Committee required the establishment of an advisory board on real property sales, consisting of real estate experts both inside and outside of the State Department to compile a list of properties recommended for sale. In the first two quarters of fiscal year 1997, the Committee understands that the Department has already sold twice as much as it sold in all of fiscal year 1996. The Department is expected to continue to submit a quarterly report on its transactions, in order to permit the Committee to continue its scrutiny of the Department's record on this issue.

The Committee is disappointed that no action has yet been taken to follow the recommendation of the General Accounting Office and this Committee to dispose of the Hamilton, Bermuda facility. The Committee would like a report on the status of this facility by no later than February 2, 1998, and to be notified in advance if there is any indication that obstacles have arisen that will make sale of that property difficult.

The Committee expects the Department to notify it immediately if there are any facilities that the Department believes pose serious security risks.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

The Committee recommends $5,500,000 to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service. This amount is the same as the budget request, and is $300,000 less than the amount appropriated for fiscal year 1997.

The Committee has included a provision in the bill which permits up to $1,000,000 to be transferred from this account to the Repatriation Loans Program account, as requested in the budget. This provision will ensure an adequate level of resources for loans to American citizens through the Repatriation Loans Program account should that account require additional funds in fiscal year 1998 due to an unanticipated increase in the number of loans needed.

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

REPATRIATION LOANS PROGRAM ACCOUNT

The Committee has included $593,000 for the subsidy cost of repatriation loans, which is the same as in the current fiscal year and the budget request, and $607,000 for administrative costs of the program as authorized by 22 U.S.C. 2671, which is the same as in the budget request, and a decrease of $56,000 below the current fiscal year.

As in fiscal year 1997, the recommendation includes the total amount required for all administrative costs associated with this program, based on the recommendation of the Inspector General.

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

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

The accompanying bill includes $14,000,000 for the appropriation entitled, "Payment to the American Institute in Taiwan". This amount is $490,000 below the budget request and the amount provided in fiscal year 1997, and is taken because the Committee is still awaiting the resolution of audits which indicate that financial management of spending of the Institute is weak and in need of improvement.

In addition to the appropriated amount, the Institute has the authority to collect fees and reimbursements to cover the cost of operations of the Institute, which are expected to total $18 million in fiscal year 1998.

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

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

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The Committee recommends $129,935,000 for the appropriation entitled, "Payment to the Foreign Service Retirement and Disability Fund". This amount is the full budget request and is $3,444,000 more than the amount appropriated for fiscal year 1997. The increase provided in the Committee recommendation is required to amortize the unfunded liability in the system, as documented by the annual evaluation of Fund balances.

This appropriation, which is considered mandatory for budget scorekeeping purposes, is authorized by the Foreign Service Act of 1980 which provides for an appropriation to the Fund in 30 equal annual installments of the amount required for the unfunded liability created by new benefits, new groups of beneficiaries or increased salaries on which benefits are computed. The Retirement Fund is maintained through contributions by participants; matching government contributions; special government contributions, including this account; interest on investments; and voluntary contributions.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The bill includes a total of $978,952,000 for payment of the obligations of United States membership in international organizations as authorized by conventions, treaties, or specific Acts of Congress for fiscal year 1998, including $54,000,000 for payment of arrearages, subject to enactment of authorization legislation. This is $44,048,000 below the request, and $86,952,000 above the fiscal year 1997 appropriation, which did not contain a payment for arrearages in this account.

Within the $978,952,000, the bill provides $924,952,000 for current year assessments for U.S. membership in international organizations. This is $44,048,000 below the budget request for this activity, but is sufficient to pay all assessments due in fiscal year 1998, and avoid creation of further arrearages. The reason this amount is sufficient is because of foreign currency exchange rate gains. The Department of State submitted its latest estimate for the cost of assessments, based on May, 1997 exchange rates, which indicated that the rising value of the dollar in relation to other major currencies, has lowered the requirement for funding of this account by $44,048,000, because many of the assessments for international organizations are payable in the currency in which the headquarters of the organizations are located.

In addition, the bill provides $54,000,000 for payment of arrearages, the amount requested in the budget for international organization arrearages, subject to enactment of an authorization bill that conditions payment of arrearages on the achievement of real and substantial reforms at the United Nations and other international organizations. This $54,000,000 is for payment of arrear-

ages to the United Nations regular budget, and will pay completely all the arrearages that the Administration states the United States owes with respect to the U.N. regular budget. These arrearages arose in fiscal year 1989, and since then, the United States has paid what the Department of State has determined is the full assessment for the U.N. regular budget. The remaining U.N. arrearages are in the areas of U.N. peacekeeping and other international organizations.

This is the second year that this bill has provided for payment of arrearages. In total, together with the amounts provided under Contributions for International Peacekeeping Activities, the bill provides $100,000,000 for payment of arrearages, the amount of the budget request, and $50,000,000 more than was provided in fiscal year 1997. As in fiscal year 1997, payment of these arrearages is subject to real and substantial reform conditions.

The bill explicitly states that none of the funds provided in the bill for arrearages may be obligated or expended unless such obligation or expenditure is authorized by the enactment of a subsequent act that makes payment of arrearages contingent upon reforms that should include the following, which are the major reforms pending in S. 903, the State Department authorization bill as passed by the Senate, and supported by the Administration:

—a reduction in the United States assessed share of the United Nations regular budget to 20 percent and of peacekeeping operations to 25 percent;

—reimbursement for goods and services provided by the United States to the United Nations;

—certification that the United Nations and its specialized or affiliated agencies have not taken any action to infringe on the sovereignty of the United States;

—a ceiling on United States contributions to international organizations after fiscal year 1998 of $900,000,000;

—establishment of a merit-based personnel system at the United Nations that includes a code of conduct and a personnel evaluation system;

—United States membership on the Advisory Committee on Administrative and Budgetary Questions that oversees the United Nations budget;

—access to United Nations financial data by the General Accounting Office;

—achievement of a negative growth budget and the establishment of independent inspectors general for affiliated organizations;

—and improved consultation procedures with the Congress.

The intention is to indicate that the Committee will provide this funding for payment of arrearages only if an authorization bill is enacted and signed into law that conditions payment upon the achievement of real and substantial reforms in the United Nations and other international organizations.

The Committee notes that reform of the United Nations and other international organizations must remain a top priority for the U.S., and that arrears payments cannot be made in the absence of reform. The U.S. must continue to work with the United Nations to streamline its bureaucracy, increase the efficiency and cost-effec-

tiveness of its programs, reduce the U.S. assessment rate, and provide for meaningful and independent oversight. By keeping the United Nations' budget in check, and reducing the U.S. assessment rate, the long-term costs of the United Nations and its specialized agencies to the American taxpayer can be significantly reduced.

Failure to move forward on resolving the arrearage issue bears the risk of diminishing U.S. influence in the United Nations, and making it more difficult to achieve far-reaching reform at the United Nations. Moving forward on the arrearage issue will help maintain U.S. influence, promote U.S. interests and assure that the U.S. will continue to play a leading role in reforming the United Nations and its specialized agencies.

The Committee notes that this recommendation for payment of arrearages is in accord with the agreement reached as part of the Balanced Budget negotiations and included in the fiscal year 1998 budget resolution. That agreement anticipates funding in future years for paying the balance of arrearages. Assuming that agreement is reached on authorization legislation, and that the Administration and the United Nations follow through on their parts to make reforms happen, the Committee will seek to do its part in fully resolving the arrearages issue.

A key provision with respect to future funding is the provision that in future years, the Administration would commit to a funding level of no greater than $900,000,000. The Committee notes that this $900,000,000 was based on July, 1996 exchange rates, and that the comparable figure, based on current exchange rates is $861,000,000.

The bill includes language carried in previous years stating that payment of arrearages shall be directed toward special activities that are mutually agreed upon by the U.S. and the respective international organization.

Current year assessments for international organizations.—As indicated, the amount provided for current year assessments is sufficient to fully pay all assessments at current exchange rates, including those that the Committee has identified in previous years as being the highest priority—the United Nations, the International Atomic Energy Agency, the North Atlantic Treaty Organization and the related North Atlantic Assembly, and the International Civil Aviation Organization.

Within this total, there is likely to be in excess of $4,000,000 of funding that is not required to be paid out. Membership in two organizations, for which assessments are proposed, has not yet been ratified—the International Seabed Authority, proposed in the request at $1,250,000, and the International Tribunal of the Law of the Sea, proposed in the request at $1,489,000. In addition, the Administration has announced withdrawal from a small organization, the OECD Development Center, that has been paid for out of the assessment for the Organization for Economic Cooperation and Development, saving $1,165,506. Furthermore, the Committee has been informed that because no resolution of a disputed assessment increase for the Interparliamentary Union has occurred, the contribution to the IPU will be limited to $500,000, compared to the estimated assessment of $1,075,000.

The bill includes language, similar to language included in the fiscal year 1997 bill, proposed for deletion, that would allow transfer of up to $4,000,000 to the International Conferences and Contingencies account, to provide a limited amount of funding, should it be required, for provisional international organizations in fiscal year 1998.

Current year United Nations assessment.—Up until the recent negotiations concerning payment of arrearages in return for reform, a basic reform that has been achieved is the requirement that the United Nations live within a no-growth budget as a condition for payment of the full amount of the current year assessment. In March of this year, the Secretary General pledged to find savings of $123,000,000 from the 1998-1999 biennial budget. While the budget for the next biennium has not been finally agreed to, the most recent briefing provided by the State Department indicated that the U.N. budget is likely to be $2,533,000,000, a reduction from the 1996–1997 biennial budget of $2,608,000,000, although partly attributable to accounting changes. Consequently, the bill contains language, similar to that contained in previous years, that conditions release of $100,000,000 of the current year assessment for the United Nations on a semi-annual certification by the Secretary of State that the United Nations has taken no action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations to exceed its 1998–1999 budget of $2,533,000,000. This provision is similar to a provision in the Senate-passed State Department authorization legislation that was negotiated with the Administration.

Another basic reform that has been achieved is the creation of the equivalent of an Inspector General at the U.N., and the bill continues language contained in previous years requiring a certification that an effective and independent Inspector General is in place.

Other issues.—The U.S.-Israel relationship is an historic commitment of two nations to the cause of peace, freedom, and security. Israel and the United States share a similar world view and have similar foreign policy goals. With Israel voting more than 85 percent of the time in the U.N. with the United States, it is the Committee's belief that it should be the policy of the U.S. to promote an end to the persistent inequity experienced by Israel in the United Nations whereby Israel is the only long-standing member of the organization to be denied acceptance into any of the United Nation's regional blocs. The Committee concurs with the House Committee on International Relations and the Senate Committee on Foreign Relations in their desire to have the U.N. enter into an agreement with Israel to ensure and promote full and equal participation in the United Nations via membership in a regional bloc and have the U.S. Representative to the United Nations vote in support of Israel's acceptance into the Western Europe and Other Group (WEOG) regional bloc.

The Committee remains concerned about the direction of the negotiation of a protocol, amendment, or any other agreement to the U.N. Framework Convention on Climate Change, since any agreement will have a significant impact on U.S. trade, competitiveness,

and jobs. The Committee reiterates the request from the current year for information and a report by the Department of State, in coordination with all other affected agencies, providing a detailed economic analysis evaluating the impact of any proposed agreement on the overall U.S. economy, specific industrial sectors, and jobs within those sectors, prior to proposal of any proposed protocol or amendment, in order to be able to evaluate the proposal.

Within the amount provided under this heading, no funding is provided for support of world-wide conferences.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The Committee recommends a total of $261,000,000, for United States payments for Contributions for International Peacekeeping Activities for fiscal year 1998, a reduction of $91,400,000 from the amount provided in fiscal year 1997, and a reduction of $25,000,000 from the amount requested in the budget.

Within this amount, the recommendation includes $215,000,000 for current year assessments, $87,000,000 below the amount provided in fiscal year 1997 and $25,000,000 below the administration request. This amount is sufficient to cover anticipated requirements in fiscal year 1998. The budget included a request for $15,000,000 for a mission in Afghanistan which does not appear to be imminent; $25,000,000 for the mission in Angola, which the U.S. anticipates will now cost $7,000,000, as well as an increase in the contingency fund requested for Africa, which has not been utilized thus far this year. As a result, the Committee is confident that even with a reduction from the request, the recommended level of funding is sufficient.

The recommendation also provides $46,000,000 for payment of peacekeeping arrearages, a reduction of $4,000,000 from the amount provided in fiscal year 1997, and equal to the budget request, subject to enactment of an authorization bill that conditions payment of arrearages on the achievement of real and substantial reforms at the United Nations and other international organizations. The funding for arrearages under this account is provided subject to identical conditions applicable to arrearages provided under the previous account, Contributions to International Organizations. Those conditions are fully explained in the previous section of this report.

The peacekeeping arrearages for which funding has been requested arose primarily in fiscal year 1995, when spending for peacekeeping missions exceeded the appropriated amount by $672,000,000. The Administration proposed a supplemental appropriation in fiscal year 1995, but failed to identify offsets to pay for it, and as a result, the Congress did not act on the request. Since that time, $34,644,000 became available in fiscal year 1996 for net payment of arrearages, due to the fact that billings for fiscal year 1996 assessments totaled below what was anticipated, and $50,000,000, subject to conditions relating to reform, was provided in fiscal year 1997. The recommendation to provide $46,000,000 toward peacekeeping arrearages in fiscal year 1998, subject to conditions, is the amount that was anticipated in the Balanced Budget negotiations, and so is being provided within agreed-upon budget

ceilings, and is being provided in connection with the institution of reforms at the U.N.

Fiscal Year 1998 assessments.—The amount recommended for fiscal year 1998 assessments for peacekeeping, $215,000,000 indicates how far the cost of peacekeeping has decreased. In fiscal year 1995, the annual cost of peacekeeping to the United States amounted to approximately $1,100,000,000. Assessments will be paid at the rate of 25 percent, which is one of the major reforms that has been achieved in the peacekeeping area

Within the amount provided, the Committee does not specifically approve the amounts requested for certain peacekeeping missions whose mandate is expiring, and for which information on future plans has not been provided, including Western Sahara, and Bosnia. With respect to Bosnia, the mandate for the current mission, paid for out of the fiscal year 1997 appropriation, expires in December, 1997, and the Committee has been provided no information as to what the plans are beyond the expiration of the mandate. Funding for these missions in fiscal year 1998 from within the overall amount available in this appropriation account is subject to reprogramming. As was the case in fiscal year 1997, any proposal to use contingency funds provided for African crises is covered under the language in the bill requiring 15 day advance notice.

The bill retains language enacted in fiscal year 1996, requiring 15-day advance notice of any new or expanded mission, together with a statement of cost, duration, exit strategy, national interest, and source of funds to pay the cost. The bill also retains bill language requiring certification that American manufacturers and suppliers are provided equal procurement opportunities.

INTERNATIONAL CONFERENCES AND CONTINGENCIES

The Committee recommends $1,500,000 to fund U.S. participation in multilateral intergovernmental conferences, $3,441,000 less than the budget request. In addition, up to $4,000,000 is available by transfer from the Contributions to International Organizations account for the costs of provisional international organizations. These funds were requested in the budget as part of the Arms Control and Disarmament Agency (ACDA) request. In fiscal year 1997, no funds were appropriated in this account, but up to $10,000,000 was made available by transfer from Contributions to International Organizations account to fund both participation in multilateral conferences and the costs of provisional international organizations. Language in the bill provides that the $1,500,000 is available only upon submission of a plan for the expenditure of the funds under standard reprogramming procedures.

International Conferences.—As stated in the Committee report accompanying the fiscal year 1997 appropriations bill, this account has not functioned, as the Committee believes it should, to coordinate or control the number of participants in conferences. The Committee continues to believe that a mechanism is required to coordinate overall cost and participation in conferences. The Department's submission of a plan for the expenditure of funds in this account should include descriptions of: (1) the mechanism proposed to coordinate and control overall conference participation and costs,

and (2) the criteria for prioritizing attendance among specific conferences.

New or Provisional Organizations.—The other purpose of this account is to provide contingency funds for new or provisional international organizations. To assure that such funds are available, language is included under the Contributions to International Organizations account to allow the transfer of up to $4,000,000 to this account for the purpose of providing such funds. In addition to funds for several small organizations and activities traditionally funded under this account, funds were requested under ACDA for the Comprehensive Test Ban Treaty preparatory commission in the amount of $2,800,000 and for the Nonproliferation Treaty Review Conference, in the amount of $250,000, which are more properly funded under this account. However, as the current year's experience and hearing record document, ACDA has a record of vastly underestimating the costs of these activities and of having no plan for the payment of these costs once they become apparent. It appears this will be a continuing problem in fiscal year 1998, and the Committee does not understand how it can be expected to formulate a budget under these circumstances.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

The bill includes a total of $23,953,000 for the International Boundary and Water Commission, United States and Mexico (IBWC). This amount is $2,000,000 more than the amount provided in fiscal year 1997, and $1,000,000 less than the total budget request for fiscal year 1998. The total amount provided includes $17,490,000 for Salaries and Expenses and $6,463,000 for Construction. Funding allowed for representation expenses is maintained at the fiscal year 1997 level.

SALARIES AND EXPENSES

The Committee recommendation for the Salaries and Expenses account is $17,490,000, an increase of $2,000,000 over the amount provided in fiscal year 1997 and $1,000,000 less than the budget request.

The budget request includes funding for an increase in the second year operating costs of the South Bay International Wastewater Treatment Plant, as well as program increases for information management, equipment replacement and the preparation of an environmental impact statement. The Committee recommendation reduces the requested increase by $1,000,000, based on the need to prioritize program increases, and to stage them over a period of time rather than do them all in one year, as well as the possibility that there will be savings and carryover from the operation of the South Bay International Wastewater Treatment Plant, based on reduced flow from the level the operating contract had been based on.

CONSTRUCTION

The Committee recommendation for IBWC Construction provides $6,463,000, which is the same as the amount provided in fiscal year 1997 and as requested in the budget.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The Committee recommends a total of $5,490,000 to fund the U.S. share of expenses of the International Boundary Commission, the International Joint Commission, United States and Canada, and the Border Environment Cooperation Commission for fiscal year 1998. This amount is the same as provided in fiscal year 1997 and $170,000 less than the budget request. The reduction from the budget request is to be taken proportionately from the three Commissions.

INTERNATIONAL FISHERIES COMMISSIONS

The accompanying bill provides a total of $14,490,000 to fund the U.S. share of the expenses of eight international fisheries commissions, three international marine science sea organizations, and one international council, travel expenses of the United States commissioners and their advisors, and salary payments to non-government employees of the Pacific Salmon Commission for days actually worked as commissioners and panel members and alternates. This is $59,000 below the budget request and the amount provided in fiscal year 1997. The reduction is to be taken from those commissions where the United States overmatches its share of the budget compared with contributions from other countries.

The Committee has retained language, proposed for deletion, allowing payment for those Commissions that are authorized.

OTHER

PAYMENT TO THE ASIA FOUNDATION

The Committee recommends an appropriation of $8,000,000 for payment to the Asia Foundation for fiscal year 1998, the same as the budget request, and the amount provided in fiscal year 1997.

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

RELATED AGENCIES

ARMS CONTROL AND DISARMAMENT AGENCY

ARMS CONTROL AND DISARMAMENT ACTIVITIES

The Committee recommends $41,500,000 for the basic operating expenses of the Arms Control and Disarmament Agency (ACDA) for fiscal year 1998, which is $4,700,000 below the request, and the same as the amount provided in fiscal year 1997.

The Committee has included a provision under Contributions to International Organizations that provides for the transfer of up to $4,000,000 to the International Conferences and Contingencies account that could be used to fund two items requested under this

account: $2,800,000 for activities related to the implementation of the Comprehensive Test Ban Treaty, and $250,000 for the Nonproliferation Treaty Review Conference.

The Committee has provided the same level of appropriation for ACDA as was provided in fiscal year 1997. Under the authorization legislation that has passed both the House and the Senate and is pending in conference, ACDA will be consolidated with the State Department no later than October 1, 1998. Because of that impending reorganization, the Committee believes it advisable to maintain the operations of this agency at its current level. The Committee expects that efficiencies will be attained through the reorganization, and duplication and overlap between the current State Department Bureau of Political-Military Affairs and ACDA will be eliminated. The Committee expects to be kept informed of plans for the reorganization in particular that involve disposition of funds and plans for future funding.

The Arms Control and Disarmament Agency negotiates, advises on, and assesses compliance with, arms control and nonproliferation agreements.

UNITED STATES INFORMATION AGENCY

The Committee recommends a total of $1,091,928,000 for the United States Information Agency to carry out information activities, educational and cultural exchange programs, international broadcasting operations, to fund the National Endowment for Democracy, and to appropriate interest and earnings on the Eisenhower Exchange Fellowship Program Trust Fund and the Israeli Arab Scholarship Endowment Fund. This total amount is $14,140,000 more than the budget request for these items, and $32,518,000 more than the fiscal year 1997 appropriation.

The Committee notes that the President announced on April 17, 1997, a foreign affairs reorganization plan proposing to eliminate USIA, and absorb its functions within the Department of State. Both House and Senate reauthorization bills would require the elimination of USIA no later than October 1, 1999. The Committee understands that the administration planning process is now underway, and is scheduled to culminate in a report in September, 1997. The Committee urges that any reorganization plan fully respect the importance and integrity of the nation's public diplomacy programs, and recognize the continuing significant contributions of those programs in promoting and protecting U.S. foreign policy interests. The Committee expects to be kept informed on the progress of the reorganization effort, and requests that, upon the release of the report in September, 1997, USIA provide the Committee with a detailed reporting of resource implications of the reorganization, as proposed. Any funding transfers proposed with regard to reorganization will be subject to normal reprogramming requirements.

The details of the Committee's recommendations for the eight appropriations of the Agency are contained in the following paragraphs. The funding levels for the Agency's accounts are at or below the levels in the authorization bill that passed the House in June, 1997.

INTERNATIONAL INFORMATION PROGRAMS

The Committee recommends $430,597,000 for the International Information Programs appropriation of the United States Information Agency (USIA), formerly known as the "Salaries and Expenses" appropriation. The Agency has proposed this new title on the basis that it more accurately characterizes the range of programs and activities included under this account, and the Committee agrees. This amount is $3,500,000 less than the budget request, and $10,778,000 below the amount appropriated in fiscal year 1997.

The Committee recommendation includes the following limitations on the use of funds similar to those carried in the bill in previous years: (1) $700,000 for temporary employees; (2) $25,000 for entertainment, including official receptions as authorized by law; (3) $1,400,000 for representation abroad as authorized by law; (4) $6,000,000, to remain available until expended, in fees credited to this appropriation which are received in connection with English teaching, library, motion pictures, student advising and counseling, exchange visitor program services and publication programs as authorized by law; and (5) $920,000 to remain available until expended to carry out projects involving security construction and related improvements for agency facilities not physically located together with State Department facilities abroad.

USIA has undergone major reductions over the past several years. The 1998 budget request contained further reductions, including the closure of two posts (in Nigeria and Papua/New Guinea), the closure of America Houses in Munich and Hamburg, the downsizing of selected overseas programs, and reductions to domestic support activities, including the streamlining and consolidation of Agency warehouse operations in the U.S. The reductions in the budget request include the elimination of 96 foreign national and 22 American positions. Compared with fiscal year 1994, the fiscal year 1998 request for this appropriation will fund 1,488 fewer employees. Thirty-one posts around the world will have been closed.

The Committee recommendation provides funding at the requested level, with the following adjustments: $2,500,000 based on exchange rate gains since the time of the request, and $1,000,000 in estimated space cost savings resulting from the Agency's relocation of employees from the Patrick Henry building. Any further gains from exchange rate fluctuation are subject to the usual reprogramming procedures. The recommendation assumes the consolidation of all costs for the Bureau of Educational and Cultural Affairs in the Educational and Cultural Exchange Programs appropriation, as requested. This consolidation includes the transfer of costs totaling $11,804,000 to the Exchange Programs appropriation in 1998.

The Committee expects USIA to continue planning to downsize, streamline and reengineer its structures and processes to carry on its activities with less resources, and to prepare for merging into the Department of State. The Committee believes that USIA should concentrate any further necessary personnel reductions in support staff in Washington, D.C. rather than programming staff in the field.

The Committee expects the Director of USIA to administer summer travel/work programs without regard to pre-placement requirements, pending resolution of this issue in the authorization legislation.

TECHNOLOGY FUND

The Committee recommends $5,050,000 for the Technology Fund, the same level as provided in fiscal year 1997, and $1,950,000 below the budget request. The purpose of this account is to establish a technology investment fund to modernize USIA's non-broadcasting computer and telecommunications infrastructure and to replace an investment strategy that relied heavily on available year-end funds.

The recommendation freezes this account at last year's level, to allow for necessary modernization projects, while recognizing that reductions below the requested level are possible due to (1) the availability of an estimated additional $900,000 in carryover balances, (2) the cancellation of planned financial management systems activities in light of consolidation with the Department of State, and (3) the lower relative priority of developing programmatic technology applications, including the use of funds from this account to create an automated network for Fulbright Scholars to maintain contact with their colleagues. At this funding level, USIA will have to prioritize its technology projects. The Committee requests the inclusion of cost estimates, by project, for this account as a part of future budget submissions.

The Committee encourages USIA to carry out testing for establishment of a two-way high-speed digital network, and to report to the Committee about plans for its implementation. Further, the Committee would like USIA to provide a status report including a rejustification of 1998 spending plans for the Financial Management System (FMS) project no later than December 1, 1997, in light of the consolidation with the Department of State.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The bill includes a total of $193,731,000 for the Educational and Cultural Exchange Programs of the United States Information Agency, the amount authorized in the House-passed authorization bill. This amount is $8,731,000 more than in fiscal year 1997, and $4,000,000 below the budget request. In addition, the program expects to receive a transfer of approximately $30,000,000 from appropriations for Freedom Support Act exchange programs, the same as in fiscal year 1997.

The Committee recommendation assumes the consolidation of all costs for the Bureau of Educational and Cultural Affairs in this appropriation, as requested. This consolidation includes the transfer of costs totaling $11,804,000 from the International Information Programs appropriation in 1998. The recommendation includes a limitation of not to exceed $800,000 on the use of fees or other payments received from or in connection with English teaching and publication, and student advising and counseling programs as authorized by law. Bill language and dollar limitations on the use of fees is transferred from the International Information Programs ac-

count as a result of the consolidation of all Exchange Program costs.

Within the total, the Committee recommends $94,236,000 for the Fulbright program, and $99,495,000 for other programs in accord with the House-passed authorization bill. To the maximum extent possible, the Committee urges that the following exchange programs be supported: the Pepper Scholarships, including the Executive Education Program for Central European Business and Professional Leaders, the Humphrey Fellowships, the Congress-Bundestag Program, the Institute for Representative Government, and exchanges with the South Pacific, East Timor, and Tibet. With respect to exchanges with the newly independent states of the former Soviet Union, the Committee expects that funding will be distributed equitably among high-school, college, graduate, and post-graduate programs. Also, the recommended level includes $565,000 and 5 positions to establish an office to coordinate exchange programs across U.S. Government agencies.

The Committee understands that USIA plans to open up the administration of the Fulbright senior scholar program for competition in 1998. The Committee encourages USIA to conduct this and future competitions in such a way as to take maximum advantage of the unique competitive strengths of eligible exchange organizations that have expertise and experience in specific regions of the world.

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

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

The Committee recommends an appropriation of interest and earnings expected to total $600,000 in the Eisenhower Exchange Fellowship Program Trust Fund, authorized by the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101–454).

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

ISRAELI ARAB SCHOLARSHIP PROGRAM

The Committee recommends language in the accompanying bill which will appropriate interest and earnings of the Israeli Arab Scholarship Endowment Fund expected to total $400,000. This is the full budget request and the same as was provided in fiscal year 1997. A permanent endowment of $4,978,500 for the Fund was es-

tablished in fiscal year 1992 with funds made available to the United States Information Agency under section 556(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, as amended. The income from the endowment is to be used for a program of scholarships for Israeli Arabs to attend institutions of higher education in the United States.

INTERNATIONAL BROADCASTING OPERATIONS

The Committee recommends $391,550,000 to carry out United States International Broadcasting Operations for fiscal year 1998. This is $24,800,000 above the budget request and $41,550,000 more than comparable amounts provided in fiscal year 1997. The Committee recommendation includes funding for all international broadcasting under this account, including Broadcasting to Cuba, as requested in the budget. Under the United States International Broadcasting Act of 1994, all broadcasting activities are under the oversight of the Broadcasting Board of Governors. In fiscal year 1997, funding was provided separately for Broadcasting to Cuba.

The bill retains language included in fiscal year 1997 relating to representation expenses, and authority to use funds for Broadcasting to Cuba in this account for facilities and equipment as well as operations. The bill includes new language allowing the use of fees collected from advertising and other receipts. The bill does not include language proposed in the budget to allow use of funds for costs of aircraft as may be required to house and operate necessary television broadcasting equipment, since no funding is included in the request for this purpose. The bill includes language providing that no funds shall be used for television broadcasting to Cuba after October 1, 1997, if the President certifies that continued funding is not in the national interest of the United States.

The Committee recommendation provides funding at the requested level, with the following downward adjustments: $2,400,000 based on exchange rate gains since the time of the request, $1,800,000 based on additional carryover funding at Radio Free Asia, and $1,000,000 for the requested enhancement for audience research. If USIA and the Broadcasting Board of Governors identify further savings, the Committee would be willing to entertain a reprogramming request to restore the enhancement for audience research.

Beyond the request, the Committee recommendation includes an additional $30,000,000, to remain available until expended, for the expansion of broadcasting to China, including the establishment of a twenty-four hour a day broadcast schedule. This funding is provided for expanded broadcasting by Radio Free Asia and the Voice of America, including transmission costs, and those costs of acquiring and modernizing transmission infrastructure which are not provided under the Radio Construction account. This enhancement is intended to increase the pace of constructive change within China by increasing the exposure of the Chinese people to timely and accurate news and information. It is the intent of the Committee that Radio Free Asia work with organizations having special expertise and ready access to accurate information about conditions in the region in developing programming for its broadcasts. Such cooperation will assist Radio Free Asia programs to reflect the interests

and concerns of the radio audience and enhance the quality of the programs that are broadcast into the region. USIA and the Broadcasting Board of Governors are directed to provide a detailed plan for expenditure of funds for the expansion of broadcasting to China prior to the start of the fiscal year for consideration under usual reprogramming procedures.

The Committee understands that the BBG and the International Broadcasting Bureau are engaged in redefining the role of television in international broadcasting, and encourages their progress toward the development of a streamlined, low-cost television component to news and information broadcasting in local languages, where appropriate.

The Committee notes that TV Marti's signal has been jammed by the Cuban government since broadcasting began in 1990. TV Marti is preparing to conduct testing to convert from broadcasting in VHF to UHF. The Committee expects to be told of any definitive results from the testing, and any subsequent conversion to UHF. Once the testing, and any conversion to UHF are complete, the Committee instructs the Secretary of State to take the necessary steps to see that the U.S. Interests Section in Cuba gathers data on reception in various parts of the target area and survey data on viewership to the extent possible. The Committee further instructs the Broadcasting Board of Governors to analyze the data and report to the Committee as to whether there is a significant audience for TV Marti's programs, as broadcast via UHF.

International broadcasting has undergone major reductions over the past several years. Compared with fiscal year 1994, the fiscal year 1998 request will fund nearly 1,600 fewer positions, including employment at Radio Free Europe/Radio Liberty and Radio Free Asia, and represents a funding reduction of 30 percent. VOA's direct broadcast programming hours have been reduced by nearly 30 percent, and five relay stations have been closed.

USIA and the Broadcasting Board of Governors are directed to provide their plan for the expenditure of funds under this account, including an accounting for exchange rate gains, to the Committee by November 1, 1997.

RADIO CONSTRUCTION

The bill includes $40,000,000 in new budget authority for the Radio Construction account for fiscal year 1998. This amount is $7,290,000 more than the budget request and $4,510,000 more than the level provided in fiscal year 1997. This amount is in accord with the House-passed authorization bill, and contains an increase of $10,000,000 to support expanded broadcasting to China, and unspecified offsetting reductions of $2,710,000 below the request. The amount recommended will provide for maintenance, improvements, replacements and repairs, satellite and terrestrial program feeds, and broadcast facility leases and land rentals.

The title of this program is somewhat of a misnomer. In fiscal year 1998, there will be one major construction project underway, to continue the construction of the Pacific Island Relay Station in the Northern Mariana Islands, to improve broadcasts to Asia. The Committee recommendation includes the requested $4,400,000 for this project, and also includes an additional $10 million for capital

expenditures related to the augmentation of this relay station to support the expansion of broadcasting to China funded in the International Broadcasting Operations appropriation. USIA and the Broadcasting Board of Governors are directed to provide the Committee with a detailed plan on the expenditure of funds in this account for the Pacific Island Relay Station prior to the start of the fiscal year.

The remaining funds in this account are provided for maintenance, repair and modernization of equipment to keep the broadcasting infrastructure operational. The major element in the proposed modernization funding is to move forward on digital processing and distribution, which is required to replace the current analog system which is on the verge of obsolescence. The Committee expects to be kept informed about ongoing efforts to re-evaluate the plans, priorities and funding requirements for the digitization project.

Funding for this program has been reduced from an annual level that averaged twice the current level prior to fiscal year 1996.

BROADCASTING TO CUBA

Funding for Broadcasting to Cuba is considered under the International Broadcasting Operations account, as requested in the fiscal year 1998 budget.

EAST-WEST CENTER

The Committee does not recommend funding for maintaining and operating the East-West Center. The budget contained a request of $7,000,000, and in fiscal year 1997, $10,000,000 was provided.

Because of budget constraints, the Committee does not recommend continued funding for the East-West Center as a sole-source appropriation to a private organization affiliated with a university. The purpose of the Center is to promote better relations and understanding between the United States and the nations of Asia and the Pacific through cooperative programs of research, study and training.

The Center started receiving a direct subsidy from the Federal government in fiscal year 1961. Over the past ten years, the Federal government has provided more than $200,000,000 for its operation.

The Center can solicit private contributions and compete for other Federal grants to support its activities, and has embarked on a plan to increase private contributions. The termination of funding in this account does not therefore necessarily mean the dissolution of the Center.

NORTH/SOUTH CENTER

The Committee does not recommend funding for continued support of the operations of the North/South Center. The budget contained a request of $1,500,000 and $1,495,000 was provided in fiscal year 1997.

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

the Center is to promote, through cultural and technical exchange, better relations among the United States, Canada, and the nations of Latin America and the Caribbean.

The Center started receiving a direct subsidy from the Federal government in 1991. Since that time, the Federal government has provided $38,895,000 for its operations. Prior to 1991, the Center operated on private funding, and competed for and received project-specific Federal grants. The Center can solicit private donations and compete for Federal grants available to support its programs and research, as it did prior to 1991. The termination of funding in this account does not therefore necessarily mean the dissolution of the Center.

NATIONAL ENDOWMENT FOR DEMOCRACY

The Committee recommends $30,000,000 for the National Endowment for Democracy for fiscal year 1998, the same as the budget request and the amount provided in fiscal year 1997.

The National Endowment for Democracy is a private, non-profit corporation established to encourage and strengthen the development of democratic institutions and processes internationally through private-sector initiatives, training, and other activities, including those which promote pluralism, democratic governance, civic education, human rights, and respect for the rule of law. The Endowment does not carry out programs directly, but provides funding for projects which are determined to be in the national interest of the United States and which are administered by private organizations and groups.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCIES

The Committee recommends the following general provisions for the Department of State similar to the provisions that were included in the fiscal year 1997 Appropriations Act:

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

Section 402 of the bill permits up to five percent of any State Department appropriation to be transferred to another State Department appropriation, but no program can be increased by more than ten percent, and also provides the same authority to United States Information Agency programs. In addition, the language provides that any transfer pursuant to this subsection shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

In addition, the Committee recommends the following new general provision that was included in the budget request.

Sections 403 and 404 provide for the implementation of the International Cooperative Administrative Support Services (ICASS) program through the transfer of $108,932,000 made available in this title under the Diplomatic and Consular Programs and

$3,530,000 made available in this title under the Security and Maintenance of United States Missions of the Department of State to provide additional administrative resources to 24 other Departments and Agencies. This is a new system for the allocation of administrative support costs incurred in the operation of overseas operations. Under the present system, State Department funds much of the administrative platform on which other agencies rely. Under the new system, all agencies operating overseas would be responsible for much more of the full cost of their administrative operations. This transfer of funds is intended to provide for the start-up of the new system, by transferring to those other agencies with an overseas presence their share of the administrative costs that the State Department had previously paid, so that they would have the full funding required to initiate the new system. Once these funds are transferred to the respective agencies in fiscal year 1998, the agencies will be responsible in future fiscal years for providing the funds necessary to pay for ICASS out of their own budgets, and will permanently shift ongoing budgetary responsibility to them.

The language included under these provisions is nearly identical to the budget amendment submitted by the Administration on March 17, 1997, with the exception of technical drafting changes, an adjustment in the distribution of funds being transferred from the State Department between the two accounts from which funds are being transferred, and a reduction in the amount transferred to the Foreign Military Financing Program of $497,000 due to recent reestimates.

The purpose of the ICASS reform is discussed in greater detail under the Diplomatic and Consular Programs account.

TITLE V—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

The Committee recommendation includes a total of $138,950,000 in new budget authority, plus an additional $51,030,000 for liquidation of contract authority, for the Maritime Administration for fiscal year 1998, as described below:

OPERATING-DIFFERENTIAL SUBSIDIES

(APPROPRIATION TO LIQUIDATE CONTRACT AUTHORITY)

The Committee recommends $51,030,000 for payment of obligations incurred for operating-differential subsidies of American flag vessels. This amount is $83,970,000 below the request, and represents a decrease of $97,400,000 below the amount made available for the program in fiscal year 1997. This decrease is based on information provided by the Maritime Administration subsequent to the request, indicating reduced requirements in this account. This amount does not score against the Committee's 602(b) allocation for budget authority or outlays. This program is in the process of phasing out, as operating-differential contracts expire.

MARITIME SECURITY PROGRAM

The Committee recommends $35,500,000 for the Maritime Security Program, a reduction of $16,900,000 from the budget request, and $18,500,000 below the amount made available in 1997. This decrease is based on information provided by the Maritime Administration subsequent to the request indicating a slower than expected start-up of the program, and estimated carryover balances of $54,300,000. Together with the amount of expected carryover funding, the 1998 recommendation will provide all the resources necessary for the operation of the program through fiscal year 1998. The purpose of the Maritime Security Program is to maintain and preserve a U.S. flag merchant fleet to serve the national security needs of the United States. This program is funded under the allocation for national security programs.

OPERATIONS AND TRAINING

The Committee recommends an appropriation of $65,000,000 to fund programs under the Operations and Training account for the Maritime Administration (MARAD). This amount is a reduction of $5,000,000 from the budget request and is the same level appropriated for the current fiscal year. This account provides funding for the U.S. Merchant Marine Academy, the State maritime schools, and other MARAD operations and training.

The Committee recommendation includes sufficient funding for the operation and maintenance of the U.S. Merchant Marine Academy at no less than the fiscal year 1997 appropriated level. The Committee has not specifically allocated the balance of the funds; however, the Committee intends that the amount of funding available for additional training, operating programs and general administration of MARAD be no higher than the amount appropriated for the current fiscal year.

Although the overall funding level is frozen, the Committee believes there are ample opportunities to reallocate funds within this account to ensure sufficient funding for programmatic activities. In this light, the Committee believes further efficiencies in staffing can be achieved, and encourages MARAD to reduce staffing through attrition. In addition, the Committee notes two developments that will enhance the funding of State school ships: (1) the House-passed provision as part of the Defense authorization legislation that allows MARAD to proceed with the sale for scrap of vessels in the National Defense Reserve Fleet, of which 25 percent of the proceeds can be used for the State school ships, and (2) a 1997 agreement that two of the five State school ships are now being funded under the Ready Reserve Force program.

The Committee recommendation keeps bill language, requested for deletion, allowing reimbursements to this appropriation from receipts to the Federal Ship Financing Fund, for administrative costs of that program.

MARAD is expected to provide its plan for the expenditure of funds under this account to the Committee prior to the start of the fiscal year.

MARITIME GUARANTEED LOAN PROGRAM

The Committee has included a total of $38,450,000 in the bill for the Maritime Guaranteed Loan (Title XI) Program. This amount is $550,000 less than the budget request, and is $2,450,000 less than the amount provided for fiscal year 1997. The bill also includes a total program limitation of $1,000,000,000.

The amount provided includes $35,000,000 in subsidies for the guaranteed loan program, which will provide a total program level of up to $1,000,000,000. This provides the amount requested in the budget, and is $2,450,000 less than the amount provided in 1997.

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

The amount provided also includes $3,450,000 for administrative expenses related to this program, the same amount provided in fiscal year 1997, and a reduction of $550,000 below the budget request. The amount provided for administrative expenses may be transferred to and merged with appropriations for MARAD operations and training on a reimbursable basis to cover the common overhead expenses associated with maritime guaranteed loans.

ADMINISTRATIVE PROVISIONS

The bill includes several administrative provisions involving Government property controlled by MARAD, the accounting for certain funds received by MARAD, and a prohibition on obligations from MARAD construction fund. These provisions have been carried in appropriations acts for the Maritime Administration for several years.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

The Committee recommends $250,000 for the expenses of the Commission for the Preservation of America's Heritage Abroad. This amount reflects an increase of $44,000 above the level provided in fiscal year 1997 and in the budget request. The recommendation will allow the Commission to fund its administrative expenses through appropriated funds while relying on privately donated funds for the actual purchase and restoration of property.

The purpose of the Commission is to encourage the preservation of cemeteries, monuments, and historic buildings associated with the foreign heritage of the American people.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

The Committee recommends an appropriation of $8,740,000 for the Salaries and Expenses of the Commission on Civil Rights for

fiscal year 1998. The amount recommended is $2,260,000 less than the budget request and the same amount provided in the current year appropriation.

The Commission, established by the Civil Rights Act of 1957, is an independent, bipartisan, fact-finding agency directed by eight part-time commissioners.

The Committee is deeply concerned about the recent GAO report to the Subcommittee on the Constitution of the Judiciary Committee which found that the Commission lacks basic management controls. Of particular concern to the Committee are the findings that the Commission possesses a limited awareness of how its resources are used, including an inability to track costs accurately on the basis of project, office or function. The Committee expects the Commission to implement GAO recommendations to develop and document management policies and procedures; in particular, ones which will improve the ability of the Commission to plan and budget for projects, and track the progress and ongoing costs of such projects.

In addition, the Committee continues to believe, as was stated in the House report last year, that the Commission can augment its resources for fact-finding and research-related tasks by utilizing detail employees from agencies that have expertise in civil rights and related matters. The Committee recommends that the Commission explore with the authorizing committee any changes necessary to existing authorizations to allow for these types of agreements.

The Committee recommends bill language which provides (1) $50,000 to employ consultants; (2) a prohibition against reimbursing commissioners for more than 75 billable days with the exception of the chairman who is permitted 125 billable days; and (3) a limitation of four full-time positions under schedule C of the Excepted Service exclusive of one special assistant for each commissioner.

COMMISSION ON IMMIGRATION REFORM

SALARIES AND EXPENSES

The Committee recommends an appropriation of $496,000 for fiscal year 1998 for the final year of the Commission on Immigration Reform, which is a decrease of $4,000 below the amount requested and $1,700,000 below the total amount available to the Commission for fiscal year 1997.

The Commission's mandate is to review and evaluate the impact of U.S. immigration policy and to transmit to the Congress a report of its findings and recommendations for additional changes that should be made with respect to immigration into the United States. The Commission must report to the Congress on September 30, 1994 and September 30, 1997. The Commission is scheduled to sunset on January 1, 1998. The recommendation provides for funds to support salaries of the Commission staff and office expenses through the first quarter of the fiscal year, printing and dissemination of the final report and Commission travel to hearings and meetings.

At the Committee's request, the Commission conducted a thorough evaluation of the organizational roles and relationships of

Federal agencies responsible for implementation of immigration policy, its strengths and weaknesses, and has provided recommendations to improve the management of immigration-related activities. The Committee commends the Commission for completion of this review and looks forward to its publication with the final Commission report on September 30, 1997. As stated under the Department of Justice, General Administration account, the Committee expects the Attorney General to develop a plan for the implementation of these recommendations.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

The Committee recommends an appropriation of $1,090,000 for the Commission on Security and Cooperation in Europe, the same level as appropriated in fiscal year 1997 and as requested in the budget. The Committee notes that the Commission also receives administrative support from the House of Representatives, and reemphasizes that it would be useful in future budget justifications to display the total budget of the Commission, including both the appropriation request from this Subcommittee and the support expected to be provided by the House.

The Commission was established in 1976 to monitor compliance with the final act of the Conference on Security and Cooperation in Europe with particular regard to provisions dealing with humanitarian affairs.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The Committee recommends $239,740,000 for the Salaries and Expenses of the Equal Employment Opportunity Commission for fiscal year 1998. This amount is a decrease of $6,260,000 below the request, and is the same amount provided in the current year appropriation.

In Fiscal Year 1997, the Committee supported additional resources for EEOC in order to address the charge caseload and its growing backlog. The Committee expected that the additional resources and implementation of new charge handling procedures would have an impact on reducing the overall caseload of the EEOC and would improve response time for new complaints. EEOC's workload information included with its 1998 budget justification reflects a reduction of 32,000 cases, a 30 percent reduction, in the backlog. The Committee is concerned however, that this case reduction was a one-time occurrence instead of a sustained effort. For FY 1998, EEOC estimates it will complete 16% fewer cases than they expect to complete in 1997. Furthermore, EEOC projects that by 1999, its backlog of cases will grow to levels similar to 1995 when the new procedures for backlog reduction were first implemented. The Committee is concerned that the additional resources provided in fiscal year 1997, in addition to other EEOC resources, are being diverted from case processing to increase other activities, such as litigation. The Committee understands that the EEOC currently does not track staffing or resources expended on

particular EEOC activities. As a result, neither the EEOC nor the Committee can determine the level of resources actually being spent on case processing, how this level compares to previous years, whether resources need to be reallocated among activities or districts, and the productivity of case processing of various offices.

The Committee expects the processing of charges filed with the EEOC, including the reduction of the backlog of such charges, will remain the EEOC's first priority and directs the EEOC to implement a system of identifying the level of resources dedicated to this activity and other EEOC activities, such as litigation. The Committee further directs the EEOC to provide by February 2, 1998, a report identifying the level of resources being used to support charge processing and the level of resources being used to support litigation activities.

The Committee is also concerned that the EEOC does not have specific criteria by which EEOC determines whether to intervene in an ongoing lawsuit, or to initiate a lawsuit alleging a similar claim or claims as alleged in any other lawsuit filed against the same defendant. The Committee directs EEOC to set forth specific criteria for adoption by the Commission, that delineate how EEOC will (a) intervene in an on-going lawsuit, including how such intervention is in the general public interest, or (b) initiate a lawsuit against a defendant alleging a similar claim or claims of legal violations or facts as alleged in any other lawsuit filed against the same defendant. The Committee expects that these criteria should maximize the responsiveness of the EEOC to complainants not adequately represented by counsel in other fora. The Committee further directs the EEOC that before any criteria are adopted, the EEOC shall submit such criteria, no later than February 2, 1998, to both the House Appropriations Committee and the House Education and Workforce Committee for review.

The bill also includes language included in previous appropriations acts allowing: (1) non-monetary awards to private citizens; (2) up to $27,500,000 for payments to State and local agencies; and (3) up to $2,500 for official reception and representation expenses.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

The Committee recommends total budget authority of $187,079,000 for the Salaries and Expenses of the Federal Communications Commission (FCC) for fiscal year 1998, of which $152,523,000 is to be derived from offsetting fee collections. This will result in a direct appropriation of $34,556,000, a decrease of $22,000,000 below the request, and $1,000,000 below the current year appropriation. The recommendation provides the full request for the operations of the FCC due to correction of an error contained in the original FCC budget submission which overestimated inflationary increases by $2,000,000.

The Committee has not provided the requested increase related to the cost of relocating the FCC headquarters into consolidated new space. The fiscal year 1998 request included $30,000,000 for the costs associated with the relocation, and the FCC anticipates that an additional $10,000,000 will be required in fiscal year 1999.

The Committee remains concerned that, despite the admonitions of the Committee for the past three years, the FCC and the General Services Administration (GSA) have made no progress in reducing the costs of this relocation. Further, the Committee is concerned about recent actions by GSA and FCC to expand the total space in the facility. The Committee expects the FCC to continue to work to find lower cost alternatives to provide for the relocation, and to submit a reprogramming of funds under Section 605 of the bill to cover such costs FCC will incur from the move.

The Committee is concerned that the FCC has not taken sufficient actions to streamline and reduce its operations in response to passage of the landmark Telecommunications Act of 1996 (P.L.104-104). While the Committee understands that the Commission has experienced a short-term increase in workload in some areas, the Committee believes that further opportunities exist to streamline and downsize the Commission as a result of the de-regulation of the industry. Therefore, the Committee encourages the FCC to re-evaluate all of its functions, and to eliminate those unnecessary regulatory functions which have been reduced or eliminated by this Act. Such actions will enable the Commission to achieve budgetary savings while promoting greater competition in the industry, and at the same time assist the FCC is identifying the necessary resources to provide for other agency requirements.

The Committee is aware that concerns and questions have been raised regarding the authority and competence of FCC with respect to regulation of advertising. The Committee notes that Congress has granted the Federal Trade Commission (FTC) the authority to investigate certain advertised products and regulate commercial advertising of those products. The Committee encourages the authorization committees to review this issue and take appropriate steps to address this matter.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) up to $600,000 for land and structures; (2) up to $500,000 for care of grounds and buildings; (3) up to $4,000 for official reception and representation expenses; (4) up to $300,000 for research and policy studies to remain available until September 30, 1999; (5) authority to purchase uniforms and acquire vehicles; (6) special counsel fees; (7) for the collection of $152,523,000 in section 9 fees; (8) for the sum appropriated to be reduced as section 9 fees are collected; and (9) fees collected in excess of $152,523,000 to be available in fiscal year 1999.

The FCC is an independent agency charged with regulating interstate and foreign communications by means of radio, television, wire, cable and satellite.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

The Committee recommends an appropriation of $13,500,000 for the Salaries and Expenses of the Federal Maritime Commission (FMC) for fiscal year 1998. This amount is a reduction of $500,000 below the amount provided for the current fiscal year and a reduction of $800,000 below the budget request.

The Senate has reported legislation from the Commerce Committee terminating the FMC in January, 1999 and transferring its authorities to the Department of Transportation's Surface Transportation Board, which would be renamed the Intermodal Transportation Board. The amount recommended by the Committee will allow FMC to continue enforcement activity through fiscal year 1998, and begin to implement the provisions of the pending legislation which include the phase-out of certain FMC responsibilities during fiscal year 1998, particularly the responsibility of the FMC to collect and disseminate to the public all tariffs and other information through an automated tariff filing and information system.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

The Committee recommends total budget authority of $105,000,000 for the Salaries and Expenses of the Federal Trade Commission (FTC) for fiscal year 1998, a decrease of $3,000,000 below the request and $3,070,000 above the current year appropriation. Of this amount, $10,000,000 is to be derived from prior year unobligated fee collections, and $70,000,000 is to be derived from current year offsetting fee collections from premerger filing fees under the Hart-Scott-Rodino Act, resulting in a net direct appropriation of $25,000,000. The Committee notes that any use of remaining unobligated fee collections from the prior year are subject to the reprogramming requirements outlined in section 605 of this Act.

The mission of the Federal Trade Commission is to enforce a variety of Federal antitrust and consumer protection laws. Under these laws, the Commission seeks to ensure that the nation's markets are competitive, function vigorously and efficiently, and are free from undue governmental and private restrictions. The Commission also seeks to improve the operation of the marketplace by eliminating deceptive and unfair practices.

The Committee expresses concern regarding the new guidelines proposed by the FTC allowing the "Made in USA" label to be used on products for which U.S. manufacturing costs are as low as 75% of total manufacturing costs. The Committee urges the Commission to retain the current standard for "Made in U.S.A." requiring that "all or virtually all" of the product must be made in the U.S.A.

The Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for purchase of uniforms and hire of motor vehicles; (2) allows up to $2,000 for official reception and representation expenses; (3) allows for the collection of fees; (4) allows for the sum appropriated to be reduced as fees are collected; (5) allows fees in excess of the amount designated in the bill to be available in fiscal year 1999; (6) prohibits the use of funds to implement section 151 of the Federal Deposit Insurance Corporation Improvements Act of 1991; and (7) makes funds appropriated from the Treasury for the FTC available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

The Committee recommendation provides $141,000,000 for the Legal Services Corporation for fiscal year 1998. This amount is a decrease of $199,000,000 below the request, and $142,000,000 below the amount provided in fiscal year 1997. This amount includes: (1) $134,575,000 for grants to basic field programs; (2) $5,300,000 for management and administration to administer these grants on a competitive basis; and (3) $1,125,000 is provided to the Office of the Inspector General for oversight of the Corporation and its grantees.

LEGAL SERVICES CORPORATION

ADMINISTRATIVE PROVISIONS

The Committee recommends a continuation of all statutory requirements and restrictions contained in the fiscal year 1997 appropriations Act, as requested, with one modification. The recommendation contains new language, not requested, to strengthen sanction authority for violations of statutory or regulatory requirements and restrictions. Provisions are included providing additional authority to the Corporation to terminate a grant award and institute a new grant competition if the existing grantee has been found to be in violation of such requirements and restrictions, and to allow the Corporation to debar grantees from the competitive bid process in certain circumstances.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

The Committee recommends $1,000,000 for the Marine Mammal Commission for fiscal year 1998. This is $240,000 below the request, and $189,000 below the current appropriation. The Committee notes that a total of $326,942,000 has been provided in the Department of Commerce for the National Marine Fisheries Service (NMFS), the primary Federal agency charged with providing the necessary scientific research and evaluation of marine resources, including marine mammals. The Committee feels the Commission can achieve its goals at this reduced level of funding by working more closely with NMFS, particularly in the area of research, studies, and workshops, to identify and eliminate overlap and duplication. The Committee notes that, in the past, the Commission has received funding from NMFS for these types of activities, and expects such collaboration to continue.

OUNCE OF PREVENTION COUNCIL

The Committee recommendation does not include funding for the Ounce of Prevention Council in fiscal year 1998. In fiscal year 1997, $500,000 was provided for this program and $9,000,000 was requested for fiscal year 1998.

The primary purpose of the Council is to coordinate crime prevention information through development of a crime prevention

catalogue and provision of assistance to communities seeking information regarding prevention programs. The Committee believes that these responsibilities are duplicative of other information dissemination, coordination and assistance functions that already exist in Federal agencies that administer crime prevention programs. Furthermore, States and localities are also assisted by nonprofit organizations active in crime prevention, such as the National Crime Prevention Council, to obtain needed information on crime prevention strategies.

In addition, the Council's grant program, for which $8,000,000 is requested, includes grants for summer and after school recreation programs, mentoring, programs assisting employability, and outreach programs for at-risk families. The Committee has provided $237,922,000, $7,500,000 more than requested, under the Department of Justice, Juvenile Justice programs, specifically for prevention programs such as those requested by the Council. In addition, other programs under the Department of Justice, State and Local Law Enforcement Assistance Program, such as the Local Law Enforcement Block Grant, are also available for States and localities to provide these types of programs at their own discretion.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

The Committee recommends overall funding for the Securities and Exchange Commission (SEC) of $315,000,000, a decrease of $2,412,000 below the request and an increase of $9,600,000 above the level provided in fiscal year 1997. The overall funding is made up of the following components: (1) a direct appropriation of $33,477,000 for fiscal year 1998; (2) offsetting fees expected to provide $249,523,000 in fiscal year 1998; and (3) carryover of $32,000,000. The Administration proposed an appropriation of $317,412,000, to be offset by the fees and carryover mentioned above resulting in a direct appropriation of $35,889,000. The Committee recommendation for direct appropriations represents a reduction of $2,412,000 below the request. Of this amount $421,000 is based on a recalculation of the 1998 pay raise. The balance is taken as a general, unspecified reduction.

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

The Committee recommendation includes bill language providing offsetting fees in accord with levels authorized in the National Securities Markets Improvement Act of 1996.

In addition, the Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for the rental of space; (2) makes up to $3,000 available for official reception and representation expenses; (3) makes up to $10,000 available for a permanent secretariat for the International Organization of Securities Commissions; (4) makes up to $100,000 available for expenses of meetings and consultations with foreign governmental

and regulatory officials; (5) appropriates a total of $283,000,000 and reduces that amount to not more than $33,477,000 as offsetting fees are collected; and (6) makes fees collected in excess of $249,523,000 available until expended, but not available for obligation until October 1, 1998.

SMALL BUSINESS ADMINISTRATION

The accompanying bill provides a total of $728,237,000 for the five appropriations items of the Small Business Administration (SBA). This amount is an increase of $27,602,000 above the budget request, and $124,180,000 below the total amounts available, including emergency appropriations, in fiscal year 1997. The details for the five SBA appropriation accounts are contained in the following paragraphs.

The Committee is pleased that the SBA has worked with the Committee to develop a new format for the budget justification materials during the development of the fiscal year 1998 budget submission. The Committee notes that the fiscal year 1998 budget submission was a marked improvement over previous years budget submission materials. The Committee would like to continue to work with SBA to make further refinements to this new format.

The Committee is concerned about the SBA's ability to manage its financial programs. For the past three years, the SBA has been unable to accurately project both the subsidy rates for its programs and project resource requirements. The Committee is disturbed by the most recent failure of the agency to detect a significant error in the subsidy rate for the 7(a) program. Despite extensive scrutiny and discussion throughout the development of the fiscal year 1997 appropriations Act, this error went undetected, resulting in the Committee being required to find significant additional resources to meet SBA program requirements. The error was subsequently detected by the General Accounting Office (GAO). The Committee reminds SBA that the volatility in subsidy rates is a direct reflection on the SBA's management of its loan portfolio and expects SBA to take immediate action to address these management problems, and report its progress to the Committee.

SALARIES AND EXPENSES

The Committee recommends $235,047,000 for the Salaries and Expenses of the Small Business Administration. This amount is equal to the fiscal year 1997 appropriation and $11,053,000 below the request.

In addition, $94,000,000 is available for this account from the portion of the Business Loans Program account for administrative expenses, and additional funds are available for administrative expenses for the Disaster Loans Program account. These amounts are to be transferred to and merged with the Salaries and Expenses account.

The Committee has provided an increase of $9,952,000 above the fiscal year 1997 level for the regular salaries and expenses of the SBA. The recommendation provides an increase of $3,952,000 for adjustments to base, including the full amount requested for Low Documentation processing centers.

In addition, $6,000,000 is provided for initiatives to improve SBA's management and oversight of its loan portfolio as follows: (1) $1,750,000 for staff and training for the Office of the Chief Financial Officer; (2) $200,000 is for SBA to contract with a private entity to provide technical and management support in developing and implementing a plan for modernization of SBA's information resource management systems; and (3) $4,050,000 for information resource management systems. The Committee expects SBA to submit a spending plan in accordance with section 605 of this Act prior to the expenditure of funds provided for these initiatives.

In addition, within the amounts provided, the Committee expects the SBA to work closely with existing small business incubators, as well as to continue to assist small businesses adapt to a paperless procurement environment, and support activities which assist small businesses in making the transition to meet both military and ISO 9000 quality systems requirements.

The Committee recommendation includes a total of $104,894,000 for non-credit initiatives, as follows:

Small Business Development Centers	$75,500,000
SCORE	3,500,000
Microloan technical assistance	14,500,000
Enterprise zone one-stop shops	3,100,000
Export assistance centers	3,100,000
Regulatory Fairness Boards	500,000
Women's Demonstration Projects	3,000,000
Women's Business Council	194,000
Survey of Women-Owned Businesses	1,000,000
Business Information Centers	500,000
Total, non-credit initiatives	104,894,000

Of the amounts provided for the SBDC program, $2,000,000 is to continue the SBDC defense transition program and $1,000,000 is for a regulatory compliance simplification program to increase coordination of environmental, Occupational Health and Safety Administration and Internal Revenue Service compliance requirements and to avoid duplication among programs for compliance assistance to small businesses.

The Committee recommendation does not include funds for an economic policy research program for the Office of Advocacy. However, the Committee would be willing to entertain a reprogramming to maintain the existing small business database and other data collection functions. Further, the Committee continues to be concerned over duplication between SBA and the Commerce Department's Minority Business Development Agency (MBDA). The Committee is disappointed that the MBDA and SBA have not made sufficient progress in eliminating duplication and increasing cooperation. Therefore, the Committee has discontinued funding for this initiative.

The Committee recommendation includes requested language authorizing $3,500 for official reception and representation expenses and language authorizing SBA to charge fees to cover the cost of publications, and certain loan servicing activities. The language also permits revenues received from all such activities to be credited to the Salaries and Expenses account to be available for carrying out these purposes without further appropriations. In addition, the Committee recommendation includes language making funds

for the Small Business Development Center program available for two years, reflecting the grant cycle for this program.

OFFICE OF INSPECTOR GENERAL

The Committee recommends $9,490,000 for the Office of Inspector General of the Small Business Administration under this heading. Further, an additional $500,000 has been provided under the administrative expenses of the Disaster Loans Program to be made available to the Office of Inspector General for work associated with the oversight of the disaster loan program. Thus, the recommendation provides a total of $9,990,000 to be available to the Office of Inspector General in fiscal year 1998, a $990,000 increase over the current year, and $610,000 below the request.

The Committee has provided additional resources to the Office of Inspector General for additional program review activity. The Committee believes that additional efforts in this area will assist the Committee in its efforts to ensure that Federal programs funded in the Small Business Administration are cost effective.

BUSINESS LOANS PROGRAM ACCOUNT

The Committee recommends $187,100,000 for the Business Loans Program Account for subsidies for guaranteed business loans, and an additional $94,000,000 for administrative expenses related to this account. The amount provided for administrative expenses may be transferred to and merged with the appropriation for SBA salaries and expenses to cover the common overhead expenses associated with business loans. In addition, the recommendation includes a provision in the bill, similar to that carried in previous years, allowing up to $45,000,000 to remain available until September 30, 1999.

As required by the Federal Credit Reform Act of 1990, the Congress is required to appropriate an amount sufficient to cover the estimated losses associated with all direct loan obligations and loan guarantee commitments made in fiscal year 1997, as well as the administrative expenses of the loans. The subsidy amounts are estimated on a net present value basis, and the administrative expenses are estimated on a cash basis.

7(a) Business loan program.—The Committee recommends a $10,000,000,000 program level for the 7(a) program in fiscal year 1998, instead of an $8,500,000,000 program level requested in the budget. To provide for this program level, the Committee has assumed a 1.8% subsidy rate, as estimated in the budget, and included a subsidy appropriation of $167,000,000, instead of $153,003,000 as proposed in the request and $158,000,000 as provided for fiscal year 1997. In addition, based on estimates and information provided by SBA on June 25, 1997, the recommendation assumes carryover of $13,000,000, resulting in a total subsidy appropriations availability of $180,000,000. Should changes in the program level occur due to changes in the subsidy rate, or changes in estimated carryover and recoveries, the Committee expects to be notified in accordance with section 605 of this Act prior to the SBA taking any actions to change the program level provided in fiscal year 1998.

Small Business Investment Corporation (SBIC) debenture and participating securities.—The Committee recommendation includes a total of $20,100,000 for the subsidy appropriation for the SBIC programs, a decrease of $132,000 below the request and $1,600,000 below the amount provided in fiscal year 1997. In addition, estimates provided by the SBA on June 25, 1997, indicate an additional $3,950,000 in carryover will be available for the SBIC programs in fiscal year 1998. The recommendation includes $8,600,000 in subsidy appropriations for SBIC debenture guarantees, and $11,500,000 for the SBIC participating securities loans. Funding recommendations for both programs assume continuation of legislative changes enacted in fiscal year 1997 which will result in the following program levels: $373,913,000 for the SBIC debenture program, a 45% increase over the current level; and $452,756,000 for the SBIC participating securities loans program, a 10% increase over the current level. In addition, carryover will provide an additional $80,435,000 in program level for SBIC debentures, and $82,677,000 for the participating securities program.

Microloan Direct and Guaranty Programs.—The Committee does not include new appropriations for the Microloan Direct Loan Program or the Microloan Guaranty Program, as none was requested. The recommendation assumes that $2,000,000 of the $5,500,000 in estimated carryover in the Direct Loan Program will be transferred to the Salaries and Expenses Account for Microloan Technical Assistance grants, and $3,500,000 will be available for the subsidy budget authority for direct loans in fiscal year 1998. In addition, the Committee expects the $3,300,000 in carryover from the Microloan Guaranty Program to be available for the subsidy budget authority for guaranteed loans in fiscal year 1998. The Committee is concerned about the inability of SBA to utilize the resources which have been provided as SBA does not expect to spend any of the resources provided in fiscal year 1997 for these programs, and will in fact be unable to spend funds provided prior to fiscal year 1997. Therefore, SBA is directed to provide a report to the Committee note later than February 2, 1998 outlining the necessary steps to ensure the successful operation of this program.

504 Development Company loans.—The Committee recommendation provides no new budget authority for the section 504 development company loan program, as requested. This amount, however, assumes the success of legislative proposals to maintain a zero subsidy rate for this program.

The Committee is aware that concerns have been expressed regarding the manner in which SBA determines risk assessment and environmental liability on 504 loans. The Committee understands the SBA is currently working to revise risk assessment policies with regard to 504 loans. The Committee encourages SBA to move expeditiously on this matter and report back to the Committee no later than October 1, 1997 as to the status of its effort.

DISASTER LOANS PROGRAM ACCOUNT

The Committee recommends $199,100,000 for the Disaster Loans Program Account for loan subsidies and associated administrative expenses, an increase of $25,900,000 above the request and

$127,832,000 below the total amount available, including emergency appropriations, in fiscal year 1997.

As required by the Federal Credit Reform Act of 1990, the Congress is required to appropriate an amount sufficient to cover the subsidy costs associated with all direct loan obligations and loan guarantee commitments made in fiscal year 1996, as well as the administrative expenses of the loan programs. The subsidy amounts are measured on a net present value basis, and the administrative expenses are estimated on a cash basis.

SURETY BOND GUARANTEES REVOLVING FUND

The accompanying bill provides an appropriation of $3,500,000 for additional capital for the Surety Bond Guarantees Revolving Fund. This amount is equal to the budget request, and a decrease of $230,000 below the amount provided for fiscal year 1997. The recommendation will result in a program level of $1,672,000,000.

Under the Surety Bond Guarantees program, the Small Business Administration guarantees a portion of the losses sustained by a surety company as a result of the issuance of a bid, payment, and/or performance bond to a small business concern.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

The Committee recommends $3,000,000 for the State Justice Institute (SJI) for fiscal year 1998, a decrease of $3,000,000 from the current year appropriation.

The mission of SJI is to award grants to improve the administration of justice in State courts. SJI requested $13,550,000 for fiscal year 1998 for this purpose. However, the Administration proposed $5,000,000 for SJI in fiscal year 1998, citing a new $50,000,000 program to assist State Courts which the Administration has requested under the Department of Justice, Office of Justice Programs, to augment assistance to State Courts for juvenile crime.

The Committee recommendation for the Department of Justice, Office of Justice Programs includes a new $300,000,000 juvenile crime block grant, which includes as an allowable use, assistance to State courts. However, the Committee has continued funding for SJI in order to augment assistance to State courts for unique circumstances which other State and local grant programs may not support.

TITLE VI—GENERAL PROVISIONS

The Committee recommends the following general provisions for the departments and agencies funded in the accompanying bill. Except where modifications are indicated, these general provisions were included in the fiscal year 1997 Appropriations Act.

Section 601 prohibits any appropriation contained in the Act from being used for publicity or propaganda purposes not authorized by the Congress.

Section 602 prohibits any appropriation contained in the Act from remaining available for obligation beyond the current fiscal year unless explicitly provided.

Section 603 provides that the expenditure of any appropriation contained in the Act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law or under existing Executive Order issued pursuant to existing law.

Section 604 provides that if any provision of the Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of the Act and the application of such provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 605 provides for the Committee's policy concerning the reprogramming of funds. Section 605(a) prohibits the reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates offices or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any function or activity presently performed by Federal employees unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance.

Section 605(b) prohibits a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings due to a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance.

The Committee has again included carryover funds under the requirements of section 605 to clarify that agencies must follow reprogramming procedures with respect to carryover funds.

Section 606 prohibits funds in the Act from being used for construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside the United States.

Section 607 states the sense of the Congress that all equipment and products purchased with funds made available in the bill should be American-made, directs the head of each Federal agency to provide a notice describing Congressional intent to any entity it provides financial assistance to or enters into a contract with, and makes any person determined to have misused "Made in America" labeling from receiving grants or contracts made with funds provided under this Act.

Section 608 prohibits funds in the bill from being used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion similar to proposed guidelines published by the EEOC in October, 1993.

Section 609 prohibits the use of funds to pay for expansion of diplomatic or consular operations in Vietnam beyond the level of operations on July 11, 1995, unless the President certifies within

60 days that Vietnam is cooperating in full faith with the U.S. on POW/MIA issues.

Section 610 prohibits the use of funds for any United Nations peacekeeping mission when it is made known that United States Armed Forces are under the command or operational control of a foreign national and the President has not submitted to the Congress a recommendation that such involvement is in the national security interest of the United States.

Section 611 prohibits the use of funds to provide certain amenities and personal comforts in the Federal prison system.

Section 612 includes modified language prohibiting the use of funds under the NOAA Fleet Modernization, Shipbuilding and Conversion account to implement sections 603, 604, and 605 of Public Law 102–567.

Section 613 provides that any closing or downsizing costs incurred by a Department or agency funded under this Act resulting from funding reductions in the Act shall be absorbed within the budgetary resources available to the Department or agency, and provides transfer authority between appropriation accounts to carry out the provision, subject to reprogramming procedures.

Section 614 prohibits funds made available in this Act to the Federal Bureau of Prisons from being used to distribute publications that include sexually explicit material.

Section 615 limits funding under the Local Law Enforcement Block Grant to 90 percent to an entity that does not provide public safety officers injured in the line of duty and as a result separated or retired from their jobs with health insurance benefits equal to the insurance they received while on duty.

The bill also includes a new general provision, Section 616, to entitle any Member of Congress and individual paid by the Clerk of the House of Representatives or the Secretary of the Senate to receive reimbursement for any legal expenses and other legitimate expenses in connection with a Department of Justice prosecution arising in connection with the performance of official duties if such Member or individual is acquitted of the charges brought, the charges are dismissed by a court, or the conviction is reversed on appeal.

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to Clause 3, rule XXI of the House of Representatives, the following statement is submitted describing the effect of provisions in the accompanying bill which directly or indirectly change the application of existing law.

Language is included for a number of accounts which places limitations on representation and reception allowances in order to reduce the amount of money that could otherwise be spent on these activities.

The bill also provides that a number of appropriations shall remain available for obligation beyond the current fiscal year. While these provisions are not specifically authorized for all of the items, it is deemed desirable to include such language for certain programs in order to provide for orderly administration and the effective use of funds.

Under Department of Justice, General Administration, Salaries and Expenses, a limitation of $3,317,000 is provided for the Facilities Program 2000 and a limitation of $7,860,000 for the Department Leadership program is included. In addition, language is included that limits funding to $4,660,000 for the Offices of Legislative Affairs and Public Affairs and prohibits these offices from being augmented with reimbursable and non-reimbursable details.

Under Counterterrorism Fund, funding is provided for reimbursement of certain expenses related to countering, investigating and prosecuting acts of terrorism and language is provided that makes these funds available only after the Attorney General notifies the Committees on Appropriations of the House and Senate in accordance with the reprogramming requirements included in section 605 of the accompanying bill.

Under Office of Inspector General, a limitation of $10,000 is provided to meet unforeseen emergencies of a confidential nature. Language is included which makes the appropriation available for the acquisition, lease, maintenance, and operation of motor vehicles without regard to the general purchase price limitation. Language is also included that allows the Attorney General to transfer up to one tenth of one percent of grant funds provided under the Violent Crime Reduction Trust Fund for the Inspector General to audit and review these grant programs.

Under Legal Activities, Salaries and Expenses, General Legal Activities, a limitation of $20,000 is provided for expenses of collecting evidence. Language is also included to permit the lease of private or government-owned space in the District of Columbia. In addition, a limitation of $10,000,000 is provided for litigation support contracts to remain available until expended and a limitation of $17,525,000, to remain available until expended, is provided for office automation systems. Further, language is included that provides a limitation of $1,000 to the United States National Central Bureau (INTERPOL) for official reception and representation. In addition, language is included which permits up to $4,028,000 to be appropriated from the Vaccine Injury Compensation Trust Fund for processing cases under the National Childhood Vaccine Injury Act of 1986.

Under Antitrust Division, Salaries and Expenses, language is included to allow $70,000,000 to be credited to this appropriation from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act. Further, language provides that the appropriation shall be reduced by such offsetting collections that are received during fiscal year 1998 so as to result in a final year 1998 appropriation estimated at not more than $14,542,000. Further, language is included that any fees received in excess of $70,000,000 in fiscal year 1998 shall remain available until expended, but shall not be available for obligation until fiscal year 1999.

Under United States Attorneys, Salaries and Expenses, language is included providing a limitation of $2,500,000 to be available until September 30, 1999, for the purposes of: (1) providing debt collection training; (2) providing services relating to locating debtors and their property; (3) paying the costs of sales of property not covered by sale proceeds; and (4) paying the costs of processing and

tracking debts owed to the United States Government. Language is also included providing a limitation of $8,000 for official reception and representation expenses, and up to $10,000,000 for automated litigation support contracts to be available until expended. Language is included that provides the level of positions and workyears for the U.S. Attorneys. Language is included providing a limitation of $6,000,000 for office moves, expansions and renovations, to be available until September 30, 1999. Language is also included providing a limitation of $1,200,000 to be available until expended for the design, development and implementation of an information systems strategy for D.C. Superior Court.

Under United States Trustee System Fund, language is included that makes deposits to the Fund available to pay refunds due depositors. In addition, language is included which provides that not to exceed $107,950,000 of offsetting collections derived from fees collected shall be retained and used for necessary expenses in this appropriation. In addition, the language provides that the $107,950,000 appropriated shall be reduced as such offsetting collections are received during fiscal year 1998 so as to result in a final fiscal year 1998 appropriation estimated at not more than $0. In addition, language is included which provides that any of the aforementioned fees collected in excess of $107,950,000 in fiscal year 1998 shall remain available until expended, but shall not be available for obligation until October 1, 1998.

Under United States Marshals Service, language is included which makes funds available to procure, maintain and operate vehicles and aircraft, and which permits purchase of vehicles without regard to the general purchase price limitation. Language is also included which allows up to $6,000 to be available for official reception and representation expenses, and up to $4,000,000 for development, implementation, maintenance and support, and training for an automated prisoner information system, and $2,200,000 for the Justice Prisoner and Alien Transportation System to be available until expended. In addition, language is included which makes permanent the provision that allows the U.S. Marshals Service to earn reimbursement for the maintenance and transport of State, local and territorial prisoners by the Justice Prisoner and Alien Transportation System.

Under Federal Prisoner Detention, language is included stating that the appropriation is not available for expenses otherwise provided for in appropriations available to the Attorney General.

Under Fees and Expenses of Witnesses, language is included which makes funds available for expert witnesses, private counsel and per diem. Language is also provided making not to exceed $4,750,000 available for planning, construction, renovation, maintenance, remodeling, and repair of buildings, and the purchase of equipment incident thereto for protected witness safe sites. Also, language is included which makes not to exceed $1,000,000 available for the purchase and maintenance of armored vehicles for transportation of protected witnesses, and up to $4,000,000 for a secure automated network for protected witnesses.

Under Community Relations Service, language is included that permits the Attorney General to transfer up to $2,000,000 to this account from other DOJ accounts, and may also transfer amounts

that may be necessary to meet emergent circumstances from other Department of Justice programs, subject to the reprogramming requirements under section 605 of the accompanying bill.

Under Radiation Exposure Compensation, Administrative Expenses, language is included that provides $2,000,000 for administrative expenses but shall not be available until fiscal year 1999.

Under Payment of Radiation Exposure Compensation Trust Fund, language is included that provides $29,000,000 for payment of claims under the Radiation Exposure Compensation Act but shall not be available for obligation until fiscal year 1999.

Under Interagency Law Enforcement, Interagency Crime and Drug Enforcement, language is provided which permits the appropriation to be used for intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking. Language is also included permitting $50,000,000 to remain available until expended. In addition, language is provided that allows the appropriation to be used under authorities available to the organizations reimbursed from this appropriation. Finally, language is provided that permits unobligated balances remaining available at the end of the fiscal year to revert to the Attorney General for reallocation among participating organizations in the succeeding fiscal year, subject to the reprogramming procedures describe in section 605 of the accompanying bill.

Under Federal Bureau of Investigation, several provisions are recommended, including language which permits the purchase of up to 3,094 passenger vehicles for police-type use, of which 2,270 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year, and which permits the procurement, maintenance and operation of aircraft. Language is also included to allow up to $70,000 for unforeseen emergencies to be expended solely under the certificate of the Attorney General. Language is also included that provides not less than $147,081,000 to be available for counterterrorism investigations, foreign counterintelligence, and other national security activities. In addition, language is provided which permits not to exceed $50,000,000 for automated data processing, telecommunications, and technical equipment and $1,000,000 for undercover operations to be available until September 30, 1999. In addition, language is recommended which permits $98,400,000 to remain available until expended. Also, language is included under this item permitting not to exceed $10,000,000 for contractual or reimbursement agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime and drug investigations. Language is included which provides that $1,500,000 shall be available to maintain an independent program office dedicated solely to the relocation of the Identification Division and the automation of fingerprint identification services. Language is included that makes available $45,000 for official reception and representation expenses. Language is also included providing that no funds may be used to provide ballistics imaging equipment to State and local entities that have received similar equipment from another Federal source.

Language is provided, under the heading Construction, for the necessary expenses of the Federal Bureau of Investigation to remain available until expended, to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and the preliminary planning and design of projects.

Under Drug Enforcement Administration, language is included to allow for up to $70,000 for unforeseen emergencies to be expended solely under the certificate of the Attorney General. Language is also included to permit expenses for conducting drug education and training programs. Language is provided to permit the purchase of not to exceed 1,602 passenger motor vehicles of which 1,410 are for replacement only for police-type use without regard to the purchase price limitation for the current fiscal year. Language is also included to permit acquisition, lease, maintenance and operation of aircraft. In addition, a limitation of $1,800,000 is included for research, and $15,000,000 for transfer to the Diversion Control Fee Account is to remain available until expended. In addition, the following limitations are included: $4,000,000 for purchase of evidence and payments for information; $10,000,000 for contracting for ADP and telecommunications equipment; $2,000,000 for laboratory equipment; $2,000,000 for aircraft replacement retrofit and parts; and $4,000,000 for technical equipment and will remain available until September 30, 1999. Finally, a limitation of $50,000 is provided for official reception and representation expenses.

Under Immigration and Naturalization Service, several provisions are recommended, including language to allow up to $50,000 for unforeseen emergencies to be expended solely under the certificate of the Attorney General. Language is also included to permit the purchase of up to 2,904 passenger motor vehicles for police-type use of which 1,711 are for replacement only without regard to the general purchase price limitation for the current fiscal year and for the hire of passenger motor vehicles, and to permit the procurement, maintenance and operation of aircraft. Language is included which allows for the care and housing of Federal detainees held in the joint INS and U.S. Marshals Buffalo Detention facility. In addition, language is included to permit research related to immigration enforcement and which makes $400,000 for research available until expended. In addition, language is included which limits the amount available to pay any employee overtime pay in excess of $30,000. Language is also included which makes available not to exceed $10,000,000 for costs associated with the training program for basic officer training; $5,000,000 for payments or advances arising out of contractual agreements with State and local law enforcement agencies; and $5,000,000 to reimburse other Federal agencies for the repatriation of smuggled aliens. Language is also included to allow the purchase of uniforms without regard to the general purchase price limitation for the current fiscal year. Language is included that permits up to $5,000 to be available for official reception and representation expenses. Language is also included that prohibits funds appropriated in this Act to be used to operate the Border Patrol traffic checkpoints located in San Clemente, California, and Temecula, California unless they are open and operated

on a continuous 24-hour basis. Language is included that requires INS to wait for fingerprint checks on all applicants for citizenship, and prohibits funds from being used to contract with outside entities other than State and local law enforcement agencies for fingerprinting applicants for citizenship or other benefits and requires that beginning March 1, 1998, INS is required to fingerprint all applicants for benefits under the Immigration and Nationality Act which require a criminal record check, who are required to be interviewed at an INS office. Language is included that limits funding to $3,101,000 for the Offices of Congressional and Public Affairs and prohibits these offices from being augmented with reimbursable and non-reimbursable details. Language is included which limits the number of positions filled through non-career appointment. Language is included which directs and authorizes the Attorney General to impose disciplinary actions, including termination of employment, for any INS employee who violates Department policies and procedures relative to granting citizenship or who willfully deceives the Congress or Department Leadership on any matter.

Language is provided under the heading Construction, for expenses of the Immigration and Naturalization Service for planning, constructing, renovating, equipping and maintaining buildings and facilities for enforcement of immigration laws and allows funds to remain available until expended.

Several items are recommended under Federal Prison System, Salaries and Expenses, including language to permit the purchase of not to exceed 834 law enforcement and passenger motor vehicles of which 599 are for replacement only, and the hire of law enforcement and passenger motor vehicles. Language is also included allowing for the provision of technical assistance and advice on corrections-related issues to foreign governments. In addition, language is included to permit the transfer to the Health Resources and Services Administration of such amounts as may be necessary for medical relief for inmates. Language is also included that permits the Director of the Federal Prison System to enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who furnish health services to inmates. Also, language is provided that uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year. In addition, a limitation of $6,000 is provided for official reception and representation expenses. Language is included that not to exceed $90,000,000 for the activation of new facilities shall remain available until September 30, 1999. In addition, language is included which allows for up to $20,000,000 for contract confinement expenses for the care and security of Cuban and Haitian entrants to remain available until expended. Language is also included that allows the Federal Prison System to enter into contracts and other agreements with private entities for a multiyear period for the confinement of Federal prisoners.

Several items are recommended under Buildings and Facilities, including language making the appropriation available for leasing the Oklahoma City Airport Trust Facility and for purchase and acquisition of facilities and remodeling and equipping of such facilities for penal and correctional use, including all necessary expenses

incident thereto by contract or force account. In addition, language is included which makes not to exceed $14,074,000 available to construct areas for inmate work programs and permits labor of United States prisoners to be used for work performed under this appropriation. Further, language is included that permits up to 10 percent of the funds appropriated to this account in the accompanying bill or any other Act to be transferred to the Salaries and Expenses account of the Federal Prison System upon notification by the Attorney General to the House and Senate Appropriations Committees. Finally, language is included, which makes up to $2,300,000 available for renovation and construction of United States Marshals Service prisoner holding facilities.

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

Under Limitation on Administrative Expenses, Federal Prison Industries, Incorporated, language is included permitting the funds for administrative expenses and for services as authorized by 5 U.S.C. 3109 to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system. The language further provides that such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the Corporation or in which it has an interest.

Under Violent Crime Reduction Programs, State and Local Law Enforcement Assistance, language is provided that makes $523,000,000 available for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives on February 14, 1995 and allows Puerto Rico to be considered a "unit of local government" as well as a "State" and allows funds to be used for certain purposes set forth in H.R. 728 and to defray the costs of indemnification insurance for law enforcement officers, and to provide $20,000,000 for Boys and Girls Clubs, and prohibits these funds from being used as matching funds to other grant programs. In addition, language is provided that makes funds available under formula grants from the Edward Byrne Memorial Grant Program for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions and to implement drug testing initiatives. Language is included that allows funds made available to the State of California from Violent Offender Incarceration and Truth in Sentencing Incentive Grants to be used for costs of incarceration of criminal aliens. Language is included providing additional funding for prosecutions of domestic violence

in D.C. Superior Court to the U.S. Attorney in the District of Columbia and research and evaluation of domestic violence, from amounts included for Violence Against Women Act programs. Also, language is included that provides additional funding under the Violence Against Women Act programs exclusively for legal assistance to victims of domestic violence. In addition, language is included that provides funding for a new juvenile crime block grant, subject to authorization. Finally, language is included that requires a net gain in the number of law enforcement officers performing nonadministrative duties if funds are used by local governments to increase the number of law enforcement officers.

Under Weed and Seed Program Fund, language is provided which makes the amounts available for intergovernmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies engaged in the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the "Weed and Seed" program strategy upon notification by the Attorney General to the House and Senate Appropriations Committees. Language is included that requires funds to be obligated by July 1, 1998.

Language is included under Community Oriented Policing Services, Violent Crime Reduction Programs, which allows $20,000,000 of funds provided to be available for Police Corps. Language is included that allows $100,000,000 of unobligated balances to be used for innovative community policing programs for law enforcement technology, drug enforcement, and methamphetamine initiatives. A limitation of $20,553,000 is also included for management and administration.

Under Juvenile Justice Programs, language is included that allows funding provided to be subject to provisions of any reauthorization of the Juvenile Justice and Delinquency Act of 1974. Language is also included that provides $5,000,000 for programs designed to reduce drug use among juveniles.

Under General Provisions—Department of Justice, section 101 provides a limitation of $45,000 from funds appropriated to the Department of Justice for official reception and representation expenses.

Under section 102, language is provided that maintains authorities contained in Public Law 96–132, "The Department of Justice Appropriation Authorization Act, fiscal year 1980" until the termination date of this Act or until the effective date of a Department of Justice Appropriation Authorization Act, whichever is earlier.

Under section 103, language is included which prohibits funds appropriated for the Department of Justice to pay for an abortion, except when the life of the mother would be endangered if the fetus were carried to term, or in the case of rape. The language also provides that should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

Under section 104, language is included which prohibits funds appropriated for the Department of Justice to require any person to perform or facilitate in any way the performance of any abortion.

Under section 105, language is included which allows the Director of the Federal Bureau of Prisons to provide necessary escort services for female inmates who request abortion services outside a Federal prison facility.

Under section 106, language is included which would permit up to $10,000,000 of funds appropriated to the Department of Justice to be available for rewards to individuals who furnish information regarding criminal acts or acts of terrorism against a United States person or property at levels not to exceed $2,000,000.

Under section 107, language is provided that permits up to 5 percent of any appropriation made available for the current fiscal year for the Justice Department, including those derived from the Violent Crime Reduction Trust Fund, to be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfer. Further, the language provides that any transfer made pursuant to this section shall be treated as a reprogramming of funds under section 605 of the accompanying bill.

Under section 108, language is included which makes permanent a provision which allows the excess unobligated balances remaining in the Department of Justice Assets Forfeiture Fund on September 30, 1996 to be available to the Attorney General, without fiscal year limitation, for any Federal law enforcement, litigative/prosecutive, and correctional activities, or any other authorized purposes of the Department of Justice, subject to notification by the Attorney General to the Appropriation Committees of the House and Senate.

Under section 109, language is included which allows the use of unexpended Crime Victims Fund to be used for Federal system improvements for victims programs.

Under the Office of the United States Trade Representative, language is included which permits $2,500,000 of the appropriation to remain available until expended. Language is also included providing a limitation of $98,000 for official reception and representation expenses.

Under the International Trade Commission, language is included recommending a ceiling of $2,500 for official reception and representation expenses. In addition, language is included which makes funding available until expended.

Under International Trade Administration, "Operations and Administration", language is provided which permits the appropriation to be used for trade promotion activities abroad without regard to the provisions of 44 U.S.C. 3702 and 3703, including expenses of grants and cooperative agreements for the purpose of promoting exports of U.S. firms. The language also permits the appropriation to be used for full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas, as well as for travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad without regard to 49 U.S.C. 1517.

Language is included under this heading which permits employment of Americans and aliens by contract for services abroad, rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair or improvement. In addition, language is included which permits purchase or construction of temporary demountable exhibition structures for use abroad, and payment of tort claims in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries. In addition, language is included which permits not to exceed $327,000 for official representation expenses abroad and purchase of passenger motor vehicles for official use abroad at not to exceed $30,000 per vehicle. In addition, language is included which permits the purchase of insurance on official motor vehicles and the renting of tielines and teletype equipment. Language is included which allows a minimum of $172,608,000 from this account for the U.S. and Foreign Commercial Service. Also, language is included which provides that the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to 15 U.S.C. 4912, and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

Under Export Administration, "Operations and Administration", language is provided which permits the appropriation to be used for costs associated with the performance of export administration field activities both domestically and abroad. Language is also included to provide for full coverage for dependent members of immediate families of employees stationed overseas, employment of Americans and alien by contract for services abroad, rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement. Also, language is included to permit payment of tort claims in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries. In addition, the bill provides that not to exceed $15,000 may be used for official representation expenses abroad. Language is included to permit award of compensation to informers under the Export Administration Act of 1979 and as authorized by 22 U.S.C. 401(b) and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law. Language is also included which provides that the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities. Finally, language is included allowing payments and contributions collected and accepted for materials and services related to export administration, and for providing information to the public regarding export administration, national security activities, and export control programs of the Department of Commerce, the U.S. government and other governments, may be retained for use in covering the cost of such activities.

Under Economic Development Administration, "Economic Development Assistance Programs" language is included allowing funds to be used for trade adjustment assistance. Language is included prohibiting funds from being used to pay attorneys' and consultants' fees in connection with EDA grants or contracts. In addition, language is included which allows the Secretary of Commerce to provide financial assistance for projects located on military installations closed or scheduled for closure without it being required that the grantee have title to the property or the ability to obtain a lease for the property, when such assistance is necessary for the economic development of the area. Language is also included to allow the Secretary of Commerce to consult with the Secretary of Defense regarding the title to land on military installations closed or scheduled for closure.

Under Economic Development Administration "Salaries and Expenses" language is included allowing funds to be used to monitor projects approved pursuant to certain statutes.

Under Minority Business Development Agency, language is included to permit the funds to be used for fostering, promoting, and developing minority business enterprise including expenses of grants, contracts, and other agreements with public or private organizations.

Under Economic and Statistical Analysis, language is included permitting the appropriation to remain available until September 30, 1999.

Under Economics and Statistics Administration Revolving Fund, language is included authorizing the Secretary of Commerce to disseminate economic and statistical data products and to charge fees necessary to recover the full costs incurred in the production of economic and statistical data products. The language also allows fees received from data dissemination activities to be credited to this account and available for carrying out these purposes without further appropriation.

Under Bureau of the Census, "Periodic Censuses and Programs", language is included providing a separate appropriation for decennial census programs. In addition, language is included restricting $100,000,000 provided for decennial programs from being used for activities related to the use of statistical procedures in determining the population for purposes of apportionment. Language is also included making the expenditure of the remaining amounts contingent upon enactment of subsequent legislation authorizing the methods for conducting the 2000 Decennial census for the purpose of apportionment. Language is also included making funds available until expended.

Under National Telecommunications and Information Administration, "Salaries and Expenses", language is included providing that NTIA shall charge other Federal agencies for costs incurred for spectrum management, analysis operations and related services to offset the costs of such services, and such collections may remain available until expended. Language is included permanently prohibiting NTIA from authorizing spectrum use or services to Federal entities unless reimbursement for services is provided. In addition, language is included which will allow NTIA to retain and use funds

transferred from other Federal agencies for research purposes beyond the fiscal year for which the funds were initially appropriated.

Under the National Telecommunications and Information Administration, "Public Broadcasting Facilities, Planning and Construction", language is included making funds available until expended, and providing $1,500,000 for program administration. Language is also included that provides that notwithstanding section 391 of the Communications Act of 1934, as amended, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

Under "Information Infrastructure Grants", language is included which provided that notwithstanding the requirements of sections 392(a) and 932(c) of the Communications Act of 1934, the appropriation may be used for the planning and construction of telecommunications networks. Language is also included which allows up to five percent of the funds appropriated to be available for telecommunications research activities, and up to $3,000,000 to be available for program administration and other support activities. Language is also included making funds available until expended.

Under Patent and Trademark Office, language is included which permits necessary expenses for the defense of suits instituted against the Commissioner of Patents and Trademarks. Language is also included which provides that the amounts made available from the Patent and Trademark Office Fee Surcharge Fund shall not exceed amounts deposited and shall remain available until expended.

Under Technology Administration "Salaries and Expenses", language is included allowing $1,600,000 to remain available until September 30, 1999.

Under Science and Technology, National Institute of Standards and Technology, "Scientific and Technical Research and Services", language is recommended which would permit not to exceed $1,625,000 to be transferred to the "Working Capital Fund".

Under "Industrial Technology Services", language is provided that makes the appropriation available for expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology. In addition, language is included which permits not to exceed $300,000 of the appropriation to be transferred to the "Working Capital Fund". Language is also included that designates funding for the Advanced Technology Program of the National Institute of Standards and Technology, and allows up to $500,000 of his appropriation to be transferred to the "Working Group Fund". Finally, language is included allowing up to $74,100,000 for the award of new grants under the Advanced Technology Program.

Under "Construction of Research Facilities", language is included making funds available for the renovation of existing facilities and construction of new facilities, and making a portion of the funds contingent upon the submission of a plan for expenditure.

Under National Oceanic and Atmospheric Administration, "Operations, Research, and Facilities", the bill provides for the expenses including maintenance, operation, and hire of aircraft. A limitation of not to exceed 270 active commissioned officers as of September 30, 1998 is also included. In addition, language is included to per-

mit NOAA to enter into grants, contracts, and cooperative agreements, and to relocate facilities. Language is also included which allows for the collection of additional fees to recover costs of administering aeronautical chart programs, and provides that the funds appropriated from the General Fund shall be reduced as such additional fees are received during fiscal year 1998. The language also provides that fees received in excess of $3,000,000 in fiscal year 1998 shall not be available for obligation until October 1, 1998. Also, language is recommended which transfers $62,381,000 from the fund entitled, "Promote and Develop Fishery Products and Research Pertaining to American Fisheries". Language is included allowing NOAA to retain gifts and contributions under the Marine Sanctuary Program. Language is included specifying the direct obligation amounts under this heading for the National Ocean Service, the National Marine Fisheries Service, Oceanic and Atmospheric Research, the National Weather Service, the National Environmental Satellite, Data, and Information Service, Program Support, Fleet Maintenance, and Facilities Maintenance. Language is included providing the grants made under sections 306 and 306(A) of the Coastal Zone Management Act, as amended, shall not exceed $2,000,000. Finally, language is included transferring unexpended balances previously made available under other accounts to be merged with this account.

Under "Capital Assets Acquisition", language is included which establishes this new account funding activities previously funded within other NOAA accounts. Language is included which designates the amounts available for the Advanced Weather Interactive Processing System, and makes availability of these funds contingent upon certification of overall program costs. Finally, language is included transferring unexpended balances previously made available under other accounts to be merged with this account.

Under "Coastal Zone Management Fund", language is included allowing funds made available under this heading to be used to carry out purposes set forth in 16 U.S.C. 1456a(b)(2)(A), 16 U.S.C. 1456a(b)(2)(B)(v), and 16 U.S.C. 1461(c). This expands the purposes for which these funds can be used to include CZM development grants and Estuarine Research Reserves.

Under "Fisheries Finance Program Account" language is included establishing this new account name, and provides funds for purposes in accordance with the Magnuson-Stevens Fishery Conservation and Management Act. Language is also included prohibiting funds from being used for vessels which increase the harvesting capacity in a U.S. fishery.

Under General Administration, Salaries and Expenses, language is included limiting the amount for official entertainment to $3,000.

Under General Provisions—Department of Commerce, the following general provisions that fall within the rule are recommended:

Section 201 provides that during the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 to the extent and in the manner prescribed by said Act, and notwithstanding 31 U.S.C. 3324 may be used for advanced payments not otherwise authorized, only upon

the certification of officials designated by the Secretary that such payments are in the public interest.

Section 203 prohibits any of the funds made available by this Act to be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

Section 204 prohibits any of the funds in this, any previous Act or hereinafter to be available to reimburse the Unemployment Trust Fund or any fund or account of the Treasury to pay for any expenses paid before October 1, 1992 as authorized by section 8051 of Title 5, United States Code, for services performed after April 20, 1990, by individuals appointed to temporary positions within the Bureau of the Census for purposes relating to the 1990 Decennial Census of Population.

Section 205 provides that up to 5 percent of any appropriation made available for the Department of Commerce in the Act may be transferred between such appropriations. The language also provides that any transfer made under this section shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 206 requires that should legislation be enacted to reorganize or dismantle the Commerce Department, the Committees on Appropriations shall be notified of a plan to implement such legislation within 90 days of enactment. Language is also included allowing the implementation costs to be covered from funds available to the Department.

Section 207 requires any downsizing costs to be absorbed.

Section 208 allows the National Ocean Service to award contracts for mapping and surveying work in accordance with the Federal Property and Administrative Services Act.

Under the Judiciary, Supreme Court of the United States, "Salaries and Expenses", language is included permitting not to exceed $10,000 to be used for the purpose of transporting Associate Justices. In addition, a limitation of $10,000 is recommended for official reception and representation expenses, and for miscellaneous expenses approved by the Chief Justice.

Under the "Care of the Building and Grounds" appropriation for the Supreme Court, language is included providing that $410,000 remain available until expended.

Under U.S. Court of Appeals for the Federal Circuit, "Salaries and Expenses", and under U.S. Court of International Trade, "Salaries and Expenses", language is included which allows funds to be spent for necessary expenses of these courts.

Under Courts of Appeals, District Courts, and Other Judicial Services, "Salaries and Expenses", language is recommended which allows funds to be spent for necessary expenses of the courts, and which permits the purchase of firearms and ammunition. In addition, language is included providing that $13,454,000 for space alteration projects remain available until expended. In addition, language is included permitting not to exceed $10,000,000 to remain available until expended for furniture and furnishings related to new space and alteration projects. In addition, language is included which permits up to $2,450,000 to be appropriated from the Vac-

cine Injury Compensation Trust Fund for expenses of the Claims Court associated with processing cases under the National Childhood Vaccine Injury Act of 1986.

Under "Violent Crime Reduction Programs", language is included making $40,000,000, to remain available until expended, for activities of the Federal Judiciary authorized by law, to be derived from the Violent Crime Reduction Trust Fund as authorized by section 190001(a) of Public Law 103–322, and sections 818 and 823 of Public Law 104–132.

Under "Defender Services", language is included permitting the use of funds for compensation of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel. In addition, language is included permitting the use of funds for compensation of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers to foreign countries. Language is also included permitting the use of funds for compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment.

Under "Fees of Jurors and Commissioners", language is included which provides that compensation of land commissioners shall not exceed that of the highest rate payable under 5 U.S.C. 5332.

Under "Court Security", language is included which provides that funds in this account shall be expended by the U.S. Marshals Service consistent with standards or guidelines agreed to by the Administrative Office of the U.S. Courts and the Attorney General.

Under Administrative Office of the United States Courts, "Salaries and Expenses", language is included allowing expenses for advertising and rent in the District of Columbia and elsewhere. In addition, language is included permitting up to $7,500 for official reception and representation expenses.

Under Federal Judicial Center, "Salaries and Expenses", language is included permitting up to $1,000 for official reception and representation expenses, as well as language permitting $1,800,000 to remain available through September 30, 1999.

Under United States Sentencing Commission, language is included permitting up to $1,000 for official reception and representation expenses.

Under General Provisions—The Judiciary,

Section 302 permits up to 5 percent of any appropriation made in the Act for the Judiciary to be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfer, except in certain instances. The language also provides that any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of the Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Under section 303, language is recommended that provides that notwithstanding any other provision of law, the Salaries and Expenses appropriation for District Courts, Courts of Appeals, and Other Judicial Services shall be available for official reception and representation expenses of the Judicial Conference of the United States. The language further provides that such available funds

shall not exceed $10,000 and shall be administered by the Director of the Administrative Office of the United States Courts in his capacity as Secretary of the Judicial Conference.

Under Department of State, Administration of Foreign Affairs, "Diplomatic and Consular Programs", language is included which permits not to exceed 20 percent of the amounts made available in this Act in the appropriation accounts, "Diplomatic and Consular Programs" and "Salaries and Expenses" to be transferred between such accounts in accordance with reprogramming procedures specified in section 605 of the Act. Language is also included which permits the use of the appropriation for representation expenses to certain international organizations in which the United States participates pursuant to treaties or specific acts of Congress. Language is also included limiting availability of funding for the Diplomatic Telecommunications Service. Language is also included allowing collection of fees which are to be deposited as offsetting collections. Language is also included making funding for counterterrorism available until expended.

Under "Capital Investment Fund", language is included removing a reprogramming requirement.

Under Office of Inspector General (IG), language is included exempting the IG from periodic post inspection requirements.

Under Protection of Foreign Missions and Officials, language is included permitting the appropriation to remain available until September 30, 1999.

Under Security and Maintenance of United States Missions, language is included which prohibits the appropriation from being used for acquisition of furniture and furnishings and generators for other departments and agencies.

Under Emergencies in the Diplomatic and Consular Service, language is included which permits up to $1,000,000 to be transferred to the Repatriation Loans Program account.

Under the Repatriation Loans Program account, language is included which permits the transfer of $607,000 for administrative expenses to the Salaries and Expenses account.

Under Contributions to International Organizations, language is included withholding funds until a certification under section 401(b) of Public Law 103–236 for fiscal year 1998 is made. In addition, language is included which prohibits the use of United States Contributions to International Organizations for payment of the United States' share of interest costs made known to the United States Government for external borrowings by such organizations incurred on or after October 1, 1984. Language is included making $54,000,000 available until expended for payment of arrearages. Language is included that provides that payment of arrearages shall be directed toward activities that are mutually agreed upon by the United States and the respective international organization. Language is also included withholding $100,000,000 unless a certification is made regarding the United Nations budget. Language is also included permitting a transfer of up to $4,000,000 to the International Conferences and Contingencies account. Language is included making the payment of arrearages subject to authorization that contains certain reform requirements.

Under Contributions for International Peacekeeping Activities, language is included prohibiting use of funds for new or expanded missions unless the Committee is notified 15 days in advance and a reprogramming is submitted. Language is also included making funds available only upon a certification by the Secretary of State that American manufacturers are being given equal opportunities. Language is included making $46,000,000 available until expended for payment of arrearages. Language is also included making the payment of arrearages subject to authorization that contains certain reform requirements.

Under International Conferences and Contingencies, language is included making the availability of funding contingent upon the implementation of a plan for the expenditure of funds.

Under International Boundary and Water Commission, United States and Mexico, language is included limiting representation expenses to $6,000.

Under American Sections, International Commissions, language is included limiting representation expenses to $9,000.

Under International Fisheries Commissions, language is included that provides that the United States' share of the expenses of the International Fisheries Commission may be advanced to the respective commissions pursuant to 31 U.S.C. 3324.

Under Arms Control and Disarmament Agency, language is included which provides that not to exceed $50,000 is available for official reception and representation expenses.

Under "International Information Programs" United States Information Agency, language is included which permits up to $700,000 to carry out certain activities authorized by law, including employment, without regard to civil service and classification laws, of persons on a temporary basis. Language is included limiting representation in the U.S. and abroad. Language is also included permitting fees to be credited to the account. Language is included that provides a limitation of $920,000 to remain available until expended to carry out projects involving security construction and related improvements for agency facilities not physically located together with Department of State facilities abroad.

Under Technology Fund, language is included making funding available until expended.

Under Educational and Cultural Exchange Programs, language is included permitting fees to be credited to the account for student advising and English teaching activities.

Under the Eisenhower Exchange Fellowship Trust Fund, and the Israeli Arab Scholarship Program, language is included which makes available all interest and earnings accruing to each fund.

Under Eisenhower Exchange Fellowship Program Trust Fund, language is included which prohibits any of the funds appropriated to pay any salary or other compensation or to enter into any contract in excess of the rate authorized by 5 U.S.C. 5376 or for purposes which are not in accordance with OMB Circulars A–110 and A–122, including the restrictions on compensation for personal services.

Under International Broadcasting Operations, language is included allowing funds provided for broadcasting to Cuba to be used for facilities and equipment. Language is included making

$30,000,000 available until expended for costs of expanding broadcasting to China. Language is included limiting representation. Language is included providing that no funds shall be used for television broadcasting to Cuba after October 1, 1997, if the President certifies that continued funding is not in the national interest of the United States. Language is also included permitting not to exceed $3,500,000 for receipts, including advertising, to be available until expended.

Under National Endowment for Democracy, funds are permitted to remain available until expended.

Under General Provisions—Department of State, section 402 provides that up to 5 percent of any appropriation made available in the Act for the Department of State and USIA may be transferred between the appropriations within each respective agency, but no such appropriation shall be increased by more than 10 percent or decreased by more than 5 percent by any such transfer. The language further provides that any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Sections 403 and 404 transfer $112,462,000 from the Department of State to 23 other agencies to implement the International Cooperative Administrative Support Service (ICASS) system.

Under Department of Transportation, the Maritime Administration, Operations and Training, language is included that permits reimbursements to be made to this appropriation from receipts to the "Federal Ship Financing Fund" for administrative expenses in support of that program.

Under Maritime Guaranteed Loan (Title XI) program, language is included providing that funds are available to subsidize total loan principal not to exceed $1,000,000,000. The language further provides that not to exceed $3,450,000 for administrative expenses shall be transferred to and merged with the "Operations and Training" account.

Funding for several Maritime Administration accounts is made available until expended.

Under Administrative Provisions—Maritime Administration, language is provided that notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration. In addition, the language provides that payments received by the Maritime Administration for utilities, services, and repairs so furnished or made shall be credited to the appropriation charged with the cost thereof. In addition, language is recommended that rental payments under any such lease, contract, or occupancy on account of items other than such utilities, services or repairs, shall be paid into the Treasury as miscellaneous receipts. In addition, language is recommended that prohibits obligation from the construction funds established by the Merchant Marine Act of 1936, or any other obligation, in excess of the appropriations and limitations contained in this bill and all

receipts which otherwise would be deposited to the credit of said fund shall be paid to the Treasury as miscellaneous receipts.

Under Commission on Civil Rights, language is included which permits not to exceed $50,000 to be used to employ consultants. In addition, language is included that prohibits funds appropriated in this paragraph from being used to employ in excess of four full-time individuals under schedule C of the Excepted Service, exclusive of one special assistant for each Commissioner. Finally, language is included that prohibits any of the appropriation from being used to reimburse commissioners for more than 75 billable days with the exception of the Chairperson who is permitted 125 billable days.

Under Equal Employment Opportunity Commission, language is included permitting non-monetary awards to private citizens. In addition, a limitation of $2,500 is included for official reception and representation expenses and a limitation of $27,500,000 is included for payments to State and local agencies for services pursuant to Title VII of the Civil Rights Act.

Under the Federal Communications Commission, language is included setting a limitation of $4,000 for official representation expenses. In addition, language is included providing up to $600,000 for land and structures, and up to $500,000 for improvement and care of grounds and repair to buildings. Also, language is provided permitting the purchase of up to sixteen motor vehicles and authorizing the use of funds for special counsel fees. Language is also included permitting not to exceed $300,000 of the appropriation to remain available until September 30, 1999 for research and policy studies. Language is included making offsetting fee collections in excess of $152,523,000 available until expended, but not available until October 1, 1998.

Under the Federal Trade Commission, language is provided establishing a ceiling of $2,000 for official reception expenses. In addition, language is included which permits up to $70,000,000 of offsetting collections derived from fees collected for pre-merger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 to be retained and used for necessary expenses in this appropriation. In addition, language is included which provides that the sum appropriated for the Federal Trade Commission shall be reduced as such offsetting collections are received during fiscal year 1998 so as to result in a final fiscal year appropriation estimated at not more than $25,000,000. Language is included that provides that any fees received in excess of $70,000,000 in fiscal year 1998 shall remain available until expended, but shall not be available for obligation until fiscal year 1999. In addition, language is provided that prohibits any of the funds made available to the Commission in this Act from being used for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991. Finally, language is included making funds appropriated from the General Fund of the Treasury for the FTC available until expended.

Under the Legal Services Corporation, language is included which designates $134,575,000 for basic field programs and required independent audits, $1,125,000 for the Office of the Inspector General, and $5,300,000 for management and administration.

Under Administrative Provisions—Legal Services Corporation:

Section 501 requires that no funds may be used to provide financial assistance to any person or entity except through a competitive selection process conducted in accordance with the criteria set forth in the section of the fiscal year 1996 Commerce, Justice appropriations bill. Language is included overriding certain provisions of the Legal Services Corporation Act regarding refunding and termination of funding. Language is also included providing additional sanction authorities for violations of certain requirements and restrictions.

Section 502 prohibits funds from being expended for any purpose prohibited or limited by, or contrary to, any of the provisions in sections 501, 502, 505, 506 and 507 of the fiscal year 1996 bill.

Section 502 also prohibits funds from being expended for any purpose prohibited by or limited by, or contrary to, any of the provisions of section 504 of the fiscal year 1996 bill, with one exception to allow the use of non-federal funds to represent battered women and children in matters related to domestic violence, regardless of their eligibility for assistance. Section 502 also clarifies transition rules with respect to cases involving attorney's fees by making it clear that those transition rules remain in effect as of the date of enactment of the fiscal year 1996 appropriations bill.

Section 503 makes applicable in fiscal year 1998 the requirements in the fiscal year 1996 bill relating to annual audits.

Section 504 provides debarment authority to the Corporation on a showing of good cause that a recipient has failed to comply with requirements and restrictions after opportunity for a hearing.

Under the Securities and Exchange Commission, language is included allowing the use of funds for the rental of space, and establishing a ceiling of $3,000 for official reception expenses. Also, language is included setting a limit of $10,000 toward funding a permanent secretariat for the International Organization of Securities Commissions. In addition, language is included which permits up to $100,000 to be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials to exchange views concerning developments relating to securities matters, to include necessary logistic and administrative expenses and the expenses of Commission staff and invitees. Language is also included providing that fees and charges shall be credited to this account as offsetting collections, and that up to $249,523,000 of such collections shall be available until expended, but not available until October 1, 1998.

Under the Small Business Administration, "Salaries and Expenses," language is included limiting the amount for official reception and representation expenses to $3,500. Language is included which permits the Administration to charge fees to cover the cost of publications developed by the Small Business Administration and for certain loan servicing activities. Further, the language provides that notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriation. In addition, language is included making funds for the Small Business Development Centers program available for two years.

Under the Business Loans Program Account, language is included allowing funds to be used for the cost of modifying loans. Language is included designating $45,000,000 to be available until September 30, 1999. In addition, language is included which allows $94,000,000 to be transferred to and merged with the appropriation for SBA, Salaries and Expenses.

Under Disaster Loans Program Account, language is included to permit funds to be used for the cost of modifying loans and associated administrative expenses. In addition, language is included which transfers $500,000 for the Office of Inspector General for audits and reviews of disaster loans and the disaster loan program.

Under Administrative Provision—Small Business Administration, language is included to provide that up to 5 percent of any appropriation made available in the Act for the Small Business Administration may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfer. The language further provides that any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Under General Provisions, the following sections are included which come under the rule:

Section 603 provides that the expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109 shall be limited to those contracts where such expenditures are a matter of public record and are available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

Section 604 provides that if any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstance other than those to which it is held invalid shall not be affected thereby.

Section 605(a) provides that none of the funds provided under this Act, under prior appropriations acts, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act shall be available for obligation or expenditures through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employee; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committee of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

Section 605(b) provides that none of the funds provided under this Act, under prior appropriations acts, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agency funded by this Act shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000

or 10 percent whichever is less that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings due to a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress, unless the Appropriations Committee of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

Section 606 prohibits any of the funds in this Act from being used for the construction, repair, overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

Section 607(b) includes language requiring that the head of each Federal agency provide a notice, describing that it is the sense of Congress that all equipment and products purchased with funds made available under this Act be American-made, when providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act.

Section 607(c) includes language to bar contracts to any individual who intentionally falsely affixes a "Made in America" label to a product sold or shipped inthe United States.

Section 608 includes language prohibiting funds made available in this Act from being used to implement, administer or enforce any guidelines of the Equal Employment Opportunity Commission covering religious harassment, when it is made known to the Federal entity or official to which the funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993.

Section 609 prohibits funds from being expended for expansion of diplomatic presence in Vietnam unless certification is made relating to POW/MIA issues.

Section 610 prohibits use of funds for any United Nations peacekeeping mission if U.S. troops are under foreign command or control unless certain certifications are made.

Section 611 prohibits use of funds for certain prison amenities.

Section 612 prohibits use of NOAA fleet modernization funds to implement sections 603, 604, and 605 of P.L. 102–567.

Section 613 requires that any downsizing costs of any agency in the Act be absorbed within the agency's budget.

Section 614 prohibits use of funds to distribute sexually explicit publications in Federal prisons.

Section 615 limits Local Law Enforcement Block Grant Funds under certain circumstances relating to health benefits for retired public safety officers injured in the line of duty.

Section 616 entitles any Member of Congress and individual paid by the Clerk of the House of Representatives or the Secretary of the Senate to recieve reimbursement for any legal expenses and other legitimate expenses in connection with a Department of Justice prosecution arising in connection with the performance of official duties if such Member or individual is acquitted of the charges brought, the charges are dismissed by a court, or the conviction is reversed on appeal.

APPROPRIATIONS, NOT AUTHORIZED BY LAW

Pursuant to clause 3 of rule XXI of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law in whole or in part. The Committee notes that authorization legislation for many of the programs listed below has either passed the House or is pending before the House or the committee of jurisdiction. In all cases, the Committee has endeavored to work closely with the committee of jurisdiction in developing the recommendations in this bill.

Department of Justice:
- General Administration
  - Salaries and Expenses
  - Administrative Review and Appeals
  - Office of the Inspector General
- United States Parole Commission
- Legal Activities
  - Salaries and Expenses, General Legal Activities
  - Salaries and Expenses, Antitrust Division
  - Salaries and Expenses, United States Attorneys
  - Salaries and Expenses, Foreign Claims Settlement Commission
  - Fees and Expenses of Witnesses
  - Community Relations Service
- Radiation Exposure Compensation, Administrative Expenses
- Interagency Law Enforcement
- Federal Bureau of Investigation
  - Salaries and Expenses
  - Construction
- Drug Enforcement Administration
  - Salaries and Expenses
  - Construction
- Immigration and Naturalization Service
  - Salaries and Expenses
  - Construction
- Federal Prison System
  - Salaries and Expenses
  - Building and Facilities
  - Federal Prison Industries, Incorporated
  - Limitation on Administrative Expenses, Federal Prison Industries, Incorporated
- Office of Justice Programs
  - Justice Assistance
  - State and Local Law Enforcement Assistance, Violent Crime Reduction Programs, Local Law Enforcement Block Grants, Juvenile Crime Block Grant
  - Weed and Seed Program
  - Juvenile Justice Programs
  - Victims of Child Abuse

Office of the United States Trade Representative

International Trade Commission

Department of Commerce:
- Export Administration

Economic Development Administration, except Salaries and Expenses
International Trade Administration, except Import Administration
Minority Business Development Agency
National Telecommunications and Information Administration
Salaries and Expenses
Public Broadcasting Facilities, Planning and Construction
Information Infrastructure Grants
Patent and Trademark Office
National Institute of Standards and Technology
Scientific and Technical Research and Services
Industrial Technology Services
Construction of Research Facilities
National Oceanic and Atmospheric Administration
Operations, Research and Facilities, with certain exceptions
Capital Assets Acquisition
Technology Administration
Department of State:
Diplomatic and Consular Services, except registration fees
Salaries and Expenses
Capital Investment Fund
Representation Allowance
Protection of Foreign Missions and Officials
Security and Maintenance of United States Missions
Emergencies in the Diplomatic and Consular Service
Payment to the American Institute in Taiwan
Contributions to International Organizations
Contributions to International Peacekeeping Activities
International Conferences and Contingencies
International Boundary and Water Commission, United States and Mexico
American Sections, International Commissions, except Border Environment Cooperation Commission
International Fisheries Commissions
Payment to the Asia Foundation
Arms Control and Disarmament Agency
United States Information Agency:
International Information Programs
Technology Fund
Educational and Cultural Exchange Programs
International Broadcasting Operations
Radio Construction
National Endowment for Democracy
Department of Transportation, Maritime Administration:
Operations and Training
Maritime Guaranteed Loan Program Account
Commission on Civil Rights
Federal Communications Commission, except offsetting fee collections
Federal Maritime Commission

Legal Services Corporation
Securities and Exchange Commission
Small Business Administration
Salaries and Expenses, with certain exceptions
Business Loans Program
Surety Bond Guaranty

CONSTITUTIONAL AUTHORITY

Clause 2(l)(4) of rule XI of the Rules of the House of Representatives states that:

> "Each report of a committee on a bill or joint resolution of a public character, shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution."

The Committee on Appropriations bases its authority to report this legislation from Clause 7 of Section 9 of Article I of the Constitution of the United States of America which states:

> "No money shall be drawn from the Treasury but in consequence of Appropriations made by law * * *"

Appropriations contained in this bill are made pursuant to this specific power granted by the Constitution.

COMPARISON WITH BUDGET RESOLUTION

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

[In millions of dollars]

	Section 602(b) allocation	Recommended in this bill
Budget authority:		
Mandatory	522	497
Discretionary	25,868	25,964
Violent Crime Reduction Trust Fund	5,259	5,259
Total budget authority	31,649	31,720
Outlays:		
Mandatory	532	492
Discretionary	25,450	25,546
Violent Crime Reduction Trust Fund	3,434	3,434
Total outlays	29,416	29,472

Note.—The amounts in this bill are technically in excess of the subcommittee section 602(b) subdivision. However, pursuant to section 206 of H. Con. Res. 84, the FY 1998 Congressional Budget Resolution, increases to the Committee's section 602(a) allocation are authorized for funding in the reported bill for arrearages to international organizations, international peacekeeping, and multilateral development banks. After the bill is reported to the House, the Chairman of the Committee on the Budget will provide an increased section 602(a) allocation consistent with the funding provided in the bill. That new allocation will eliminate the technical difference prior to floor consideration.

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

FIVE-YEAR PROJECTION OF OUTLAYS

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

Fiscal year 1998 outlays

[In millions of dollars]

Budget authority	$31,687
Outlays:	
1998	21,267
1999	5,618
2000	2,857
2001	1,761
2002 and future years	143

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

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

	Millions
FY 1998 new budget authority	$5,095
FY 1998 outlays resulting therefrom	748

PROGRAMS, PROJECTS, AND ACTIVITIES

During fiscal year 1998, for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177), as amended, the following information provides the definition of the term "program, project, and activity" for departments and agencies under the jurisdiction of Commerce, Justice, and State, the Judiciary, and Related Agencies Subcommittees of the House and Senate. The term "program, project, and activity" shall include the most specific level of budget terms identified in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act of 1998, as passed the House and the House report accompanying said Act.

In implementing any Presidential order, departments and agencies shall apply the percentage reduction required for fiscal year 1998 pursuant to the provisions of Public Law 99–177 to each program, project, activity and subactivity specified in the budget justification documents submitted to the Committees on Appropriations of the House and Senate in support of the fiscal year 1998 budget estimates, as amended, for such departments and agencies, as modified by Congressional action. In addition, the departments and agencies, in implementing the Presidential order, shall apply the percentage reduction required for fiscal year 1998 to each grantee of such department or agency as applicable. In addition, the departments and agencies in implementing the Presidential order, shall not: (1) eliminate any program, project or activity; (2) reorder priorities or funds; or (3) initiate any program, project or activity that was not funded in the fiscal year 1998 Appropriations

Act. However, for purposes of program execution, departments and agencies may propose reprogrammings between programs, projects and activities pursuant to the provisions of the Committee's reprogramming procedures after they implement the reductions under the Balanced Budget Act.

COMPLIANCE WITH RULE XIII, CL. 3 (RAMSEYER RULE)

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 524 OF TITLE 28, UNITED STATES CODE

§ 524. Availability of appropriations

(a) * * *

* * * * * * *

(c)(1) * * *

* * * * * * *

(8)(A) * * *

* * * * * * *

(E) Subject to the notification procedures contained in section 605 of Public Law 103–121, and after satisfying the transfer requirement in subparagraph (B) of this paragraph, any excess unobligated balance remaining in the Fund on September 30, [1996] *1997 and thereafter* shall be available to the Attorney General, without fiscal year limitation, for any Federal law enforcement, litigative/prosecutive, and correctional activities, or any other authorized purpose of the Department of Justice. Any amounts provided pursuant to this subparagraph may be used under authorities available to the organization receiving the funds.

* * * * * * *

SECTION 1402 OF THE VICTIMS OF CRIME ACT OF 1984

CRIME VICTIMS FUND

SEC. 1402. (a) * * *

* * * * * * *

(d) The Fund shall be available as follows:

[(1) The first $6,200,000 deposited in the Fund in each of the fiscal years 1992 through 1995 and the first $3,000,000 in each fiscal year thereafter shall be available to the judicial branch for administrative costs to carry out the functions of the judicial branch under sections 3611 and 3612 of title 18, United States Code.]

(2) [the next] *The first* $10,000,000 deposited in the Fund shall be available for grants under section 1404A.

* * * * * * *

TRANSFER OF FUNDS

Pursuant to clause 1(b) of rule X of the House of Representatives, language included under "National Oceanic and Atmospheric Administration, Operations, Research and Facilities" and "National Oceanic and Atmospheric Administration, Capital Assets Acquisition" provides certain transfer authority.

RESCISSION OF FUNDS

In compliance with clause 1(b) of rule X of the House of Representatives, the Committee reports that it recommends a rescission in the bill, as follows:

National Oceanic and Atmospheric Administration, Operations, Research and Facilities	−$5,000,000

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 2(l)(2)(b) of rule XI of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 1

Date: July 22, 1997.

Measure: FY 1998 Commerce, Justice, State, and the Judiciary Appropriations Bill.

Motion by: Mr. Mollohan.

Description of motion: To strike limitations included in the bill regarding the use of funds provided for decennial census programs, to create a Board of Observers to monitor the 2000 Decennial Census, and to prohibit the Census Bureau from making irreversible plans or preparations for the use of statistical methods in the 2000 Decennial Census.

Results: Rejected 25 yeas to 33 nays.

Members Voting Yea	*Members Voting Nay*
Ms. DeLauro	Mr. Aderholt
Mr. Dicks	Mr. Bonilla
Mr. Dixon	Mr. Callahan
Mr. Edwards	Mr. Cunningham
Mr. Fazio	Mr. DeLay
Mr. Foglietta	Mr. Dickey
Mr. Hefner	Mr. Forbes
Mr. Hoyer	Mr. Frelinghuysen
Miss Kaptur	Mr. Hobson
Mrs. Lowey	Mr. Istook
Mrs. Meek	Mr. Kingston
Mr. Mollohan	Mr. Knollenberg
Mr. Moran	Mr. Kolbe
Mr. Murtha	Mr. Latham
Mr. Obey	Mr. Lewis
Mr. Olver	Mr. Livingston
Mr. Pastor	Mr. McDade
Ms. Pelosi	Mr. Miller
Mr. Price	Mr. Nethercutt
Mr. Sabo	Mr. Neumann
Mr. Serrano	Mrs. Northup
Mr. Skaggs	Mr. Packard
Mr. Stokes	Mr. Parker
Mr. Visclosky	Mr. Porter
Mr. Yates	Mr. Regula
	Mr. Rogers
	Mr. Skeen
	Mr. Tiahrt
	Mr. Walsh
	Mr. Wamp

Pursuant to the provisions of clause 2(l)(2)(b) of rule XI of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 2

Date: July 22, 1997.

Measure: FY 1998 Commerce, Justice, State, and the Judiciary Appropriations Bill.

Motion by: Mr. Rogers.

Description of motion: To prohibit funding for television broadcasting to Cuba after October 1, 1997, if the President certifies that it would not be in the national interest.

Results: Adopted 28 yeas to 19 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Aderholt	Ms. DeLauro
Mr. Bonilla	Mr. Dixon
Mr. Callahan	Mr. Edwards
Mr. Cunningham	Mr. Hefner
Mr. Dickey	Mrs. Lowey
Mr. Forbes	Mr. Mollohan
Mr. Frelinghuysen	Mr. Moran
Mr. Hobson	Mr. Murtha
Miss Kaptur	Mr. Obey
Mr. Kingston	Mr. Olver
Mr. Knollenberg	Mr. Parker
Mr. Latham	Ms. Pelosi
Mr. Livingston	Mr. Price
Mr. McDade	Mr. Sabo
Mrs. Meek	Mr. Serrano
Mr. Miller	Mr. Skaggs
Mrs. Northup	Mr. Stokes
Mr. Packard	Mr. Visclosky
Mr. Pastor	Mr. Yates
Mr. Porter	
Mr. Regula	
Mr. Rogers	
Mr. Skeen	
Mr. Walsh	
Mr. Wamp	
Mr. Wicker	
Mr. Wolf	
Mr. Young	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY

The following table provides a detailed summary, for each department and agency, comparing the amounts recommended in the bill with fiscal year 1997 enacted amounts and budget estimates presented for fiscal year 1998:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1998

Agency and item (1)	Appropriated, 1997 (enacted to date) (2)	Budget estimates, 1998 (3)	Recommended in bill (4)	Bill compared with appropriated, 1997 (5)	Bill compared with budget estimates, 1998 (6)
TITLE I - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses	75,773,000	79,959,000	76,199,000	+426,000	-3,760,000
Emergency appropriations	3,600,000	.....	.....	-3,600,000	.....
Total, salaries and expenses	79,373,000	79,959,000	76,199,000	-3,174,000	-3,760,000
Counterterrorism fund	9,450,000	29,450,000	20,000,000	+10,550,000	-9,450,000
Emergency appropriations	20,000,000	.....	.....	-20,000,000	.....
Total, Counterterrorism fund	29,450,000	29,450,000	20,000,000	-9,450,000	-9,450,000
Administrative review and appeals:					
Direct appropriation	62,000,000	70,007,000	66,700,000	+4,700,000	-3,307,000
Emergency appropriations	1,000,000	.....	.....	-1,000,000	.....
Crime trust fund	48,000,000	59,251,000	59,000,000	+11,000,000	-251,000
Total, Administrative review and appeals	111,000,000	129,258,000	125,700,000	+14,700,000	-3,558,000
Office of Inspector General	31,960,000	33,211,000	33,211,000	+1,251,000	.....
Total, General administration	251,783,000	271,878,000	255,110,000	+3,327,000	-16,768,000
Appropriations	(179,183,000)	(212,627,000)	(196,110,000)	(+16,927,000)	(-16,517,000)
Emergency appropriations	(24,600,000)	.....	.....	(-24,600,000)	.....
Crime trust fund	(48,000,000)	(59,251,000)	(59,000,000)	(+11,000,000)	(-251,000)

United States Parole Commission					
Salaries and expenses	4,845,000	4,799,000	4,799,000	-46,000	.....
Legal Activities					
General legal activities:					
Direct appropriation	420,793,000	466,557,000	445,000,000	+24,207,000	-21,557,000
Emergency appropriations	1,719,000	.....	.....	-1,719,000	.....
Crime trust fund	7,750,000	7,969,000	7,969,000	+219,000	.....
Total, General legal activities	430,262,000	474,526,000	452,969,000	+22,707,000	-21,557,000
Vaccine injury compensation trust fund	4,028,000	4,028,000	4,028,000	.....	.....
Independent counsel (permanent, indefinite)	3,000,000	9,500,000	9,500,000	+6,500,000	.....
Antitrust Division	92,447,000	97,542,000	94,542,000	+2,095,000	-3,000,000
Offsetting fee collections - carryover	-16,000,000	-10,000,000	-10,000,000	+6,000,000	.....
Offsetting fee collections - current year	-58,905,000	-70,000,000	-70,000,000	-11,095,000	.....
Direct appropriation	17,542,000	17,542,000	14,542,000	-3,000,000	-3,000,000
United States Attorneys:					
Direct appropriation	923,340,000	1,018,617,000	973,000,000	+49,660,000	-45,617,000
Emergency appropriations	10,900,000	.....	.....	-10,900,000	.....
Crime trust fund	43,876,000	50,828,000	62,828,000	+18,952,000	+12,000,000
Total, United States Attorneys	978,116,000	1,069,445,000	1,035,828,000	+57,712,000	-33,617,000
United States Trustee System Fund	107,950,000	116,721,000	107,950,000	.....	-8,771,000
Offsetting fee collections	-49,869,000	-116,721,000	-107,950,000	-58,081,000	+8,771,000
Direct appropriation	58,081,000	.....	.....	-58,081,000	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1998—Continued

Agency and item (1)	Appropriated, 1997 (enacted to date) (2)	Budget estimates, 1998 (3)	Recommended in bill (4)	Bill compared with appropriated, 1997 (5)	Bill compared with budget estimates, 1998 (6)
Foreign Claims Settlement Commission	953,000	1,226,000	1,226,000	+273,000	.....
United States Marshals Service:					
Direct appropriation	457,495,000	475,244,000	462,944,000	+5,449,000	-12,300,000
Crime trust fund	25,000,000	25,553,000	25,553,000	+553,000	.....
Total, United States Marshals Service	482,495,000	500,797,000	488,497,000	+6,002,000	-12,300,000
Federal Prisoner Detention	405,262,000	462,831,000	405,262,000	.....	-57,569,000
Fees and expenses of witnesses	100,702,000	75,000,000	75,000,000	-25,702,000	.....
Community Relations Service	5,319,000	7,500,000	5,319,000	.....	-2,181,000
Assets forfeiture fund	23,000,000	23,000,000	23,000,000	.....	.....
Total, Legal activities	2,508,760,000	2,645,395,000	2,515,171,000	+6,411,000	-130,224,000
Appropriations	(2,419,515,000)	(2,561,045,000)	(2,418,821,000)	(-694,000)	(-142,224,000)
Emergency appropriations	(12,619,000)	.....	.....	(-12,619,000)	.....
Crime trust fund	(76,626,000)	(84,350,000)	(96,350,000)	(+19,724,000)	(+12,000,000)
Radiation Exposure Compensation					
Administrative expenses	2,000,000	2,000,000	2,000,000	.....	.....
Advance appropriation	.....	2,000,000	2,000,000	+2,000,000	.....
Payment to radiation exposure compensation trust fund	13,736,000	4,381,000	4,381,000	-9,355,000	.....
Advance appropriation	.....	29,000,000	29,000,000	+29,000,000	.....
Total, Radiation Exposure Compensation	15,736,000	37,381,000	37,381,000	+21,645,000	.....

Interagency Law Enforcement					
Interagency crime and drug enforcement	359,430,000	294,967,000	294,967,000	-64,463,000	.....
Federal Bureau of Investigation					
Salaries and expenses	2,257,880,000	2,482,267,000	2,475,463,000	+217,583,000	-6,804,000
Anti-terrorism activities (emergency appropriations)	115,610,000	.....	.....	-115,610,000	.....
Counterintelligence and national security	147,081,000	147,081,000	147,081,000	.....	.....
FBI Fingerprint identification	84,400,000	84,400,000	84,400,000	.....	.....
Advance appropriation, FY 1999	.....	47,800,000	.....	.....	-47,800,000
Health care fraud enforcement	-38,000,000	.....	.....	+38,000,000	.....
Subtotal	2,566,971,000	2,761,548,000	2,706,944,000	+139,973,000	-54,604,000
Crime trust fund	169,000,000	179,121,000	179,121,000	+10,121,000	.....
Telecommunications carrier compliance fund	.....	50,000,000	.....	.....	-50,000,000
Defense function	.....	50,000,000	50,000,000	+50,000,000	.....
Emergency appropriations	60,000,000	.....	.....	-60,000,000	.....
Construction	41,639,000	49,006,000	38,506,000	-3,133,000	-10,500,000
Total, Federal Bureau of Investigation	2,837,610,000	3,089,675,000	2,974,571,000	+136,961,000	-115,104,000
Appropriations	(2,493,000,000)	(2,862,754,000)	(2,795,450,000)	(+302,450,000)	(-67,304,000)
Advance appropriations	.....	(47,800,000)	.....	.....	(-47,800,000)
Emergency appropriations	(175,610,000)	.....	.....	(-175,610,000)	.....
Crime trust fund	(169,000,000)	(179,121,000)	(179,121,000)	(+10,121,000)	.....
Drug Enforcement Administration					
Salaries and expenses	798,212,000	740,293,000	872,731,000	+74,519,000	+132,438,000
Diversion control fund	-52,824,000	-58,268,000	-58,268,000	-5,444,000	.....
Direct appropriation	745,388,000	682,025,000	814,463,000	+69,075,000	+132,438,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1998—Continued

Agency and item (1)	Appropriated, 1997 (enacted to date) (2)	Budget estimates, 1998 (3)	Recommended in bill (4)	Bill compared with appropriated, 1997 (5)	Bill compared with budget estimates, 1998 (6)
Emergency appropriations	5,000,000	.....	.....	-5,000,000	.....
Crime trust fund	220,000,000	400,037,000	310,037,000	+90,037,000	-90,000,000
Construction	30,806,000	5,500,000	5,500,000	-25,306,000	.....
Total, Drug Enforcement Administration	1,001,194,000	1,087,562,000	1,130,000,000	+128,806,000	+42,438,000
Appropriations	(776,194,000)	(687,525,000)	(819,963,000)	(+43,769,000)	(+132,438,000)
Emergency appropriations	(5,000,000)	.....	.....	(-5,000,000)	.....
Crime trust fund	(220,000,000)	(400,037,000)	(310,037,000)	(+90,037,000)	(-90,000,000)
Immigration and Naturalization Service					
Salaries and expenses	1,590,159,000	1,651,463,000	1,609,441,000	+19,282,000	-42,022,000
Emergency appropriations	15,000,000	.....	.....	-15,000,000	.....
Immigration initiative (crime trust fund)	500,000,000	732,251,000	690,957,000	+190,957,000	-41,294,000
Subtotal, Direct and crime trust fund	(2,105,159,000)	(2,383,714,000)	(2,300,398,000)	(+195,239,000)	(-83,316,000)
Fee accounts:					
Immigration legalization fund	(1,893,000)	(1,259,000)	(1,259,000)	(-634,000)	.....
Immigration user fee	(388,664,000)	(419,296,000)	(419,296,000)	(+30,632,000)	.....
Land border inspection fund	(11,054,000)	(8,888,000)	(8,888,000)	(-2,166,000)	.....
Immigration examinations fund	(567,550,000)	(646,916,000)	(667,477,000)	(+99,927,000)	(+20,561,000)
Breached bond fund	(6,613,000)	(104,471,000)	(104,471,000)	(+97,858,000)	.....
Immigration enforcement fines	.....	(13,800,000)	(13,800,000)	(+13,800,000)	.....
Subtotal, Fee accounts	(975,774,000)	(1,194,630,000)	(1,215,191,000)	(+239,417,000)	(+20,561,000)

Construction	8,841,000	73,831,000	70,959,000	+62,118,000	-2,872,000
Total, Immigration and Naturalization Service	(3,089,774,000)	(3,652,175,000)	(3,586,548,000)	(+496,774,000)	(-65,627,000)
Appropriations	(1,599,000,000)	(1,725,294,000)	(1,680,400,000)	(+81,400,000)	(-44,894,000)
Emergency appropriations	(15,000,000)	.....	.....	(-15,000,000)	.....
Crime trust fund	(500,000,000)	(732,251,000)	(690,957,000)	(+190,957,000)	(-41,294,000)
(Fee accounts)	(975,774,000)	(1,194,630,000)	(1,215,191,000)	(+239,417,000)	(+20,561,000)
Federal Prison System					
Salaries and expenses	2,858,316,000	3,015,642,000	2,959,642,000	+101,326,000	-56,000,000
Prior year carryover	-90,000,000	-50,000,000	-90,000,000	.....	-40,000,000
Direct appropriation	2,768,316,000	2,965,642,000	2,869,642,000	+101,326,000	-96,000,000
Crime trust fund	25,224,000	26,135,000	26,135,000	+911,000	.....
Total, Salaries and expenses	2,793,540,000	2,991,777,000	2,895,777,000	+102,237,000	-96,000,000
Buildings and facilities	395,700,000	252,833,000	255,133,000	-140,567,000	+2,300,000
Federal Prison Industries, Incorporated (limitation on administrative expenses)	(3,042,000)	(3,930,000)	(3,490,000)	(+448,000)	(-440,000)
Total, Federal Prison System	3,189,240,000	3,244,610,000	3,150,910,000	-38,330,000	-93,700,000
Office of Justice Programs					
Justice assistance:					
Direct appropriation	101,429,000	166,665,000	162,500,000	+61,071,000	-4,165,000
Emergency appropriations	17,000,000	.....	.....	-17,000,000	.....
Total, Justice assistance	118,429,000	166,665,000	162,500,000	+44,071,000	-4,165,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1998—Continued

Agency and item (1)	Appropriated, 1997 (enacted to date) (2)	Budget estimates, 1998 (3)	Recommended in bill (4)	Bill compared with appropriated, 1997 (5)	Bill compared with budget estimates, 1998 (6)
State and local law enforcement assistance:					
Direct appropriations:					
Byrne grants (discretionary)	60,000,000	.....	46,500,000	-13,500,000	+46,500,000
Byrne grants (formula)	301,000,000	.....	491,500,000	+190,500,000	+491,500,000
Weed and seed fund (earmark)	(28,500,000)	(28,500,000)	40,000,000	+40,000,000	+40,000,000
Subtotal, Direct appropriations	361,000,000	.....	578,000,000	+217,000,000	+578,000,000
Crime trust fund:					
Byrne grants (direct/formula)	199,000,000	580,000,000	13,500,000	-185,500,000	-566,500,000
Community oriented policing services	1,400,000,000	1,400,000,000	1,400,000,000	.....	.....
Police corps	20,000,000	20,000,000	20,000,000	.....	.....
Law enforcement scholarship program	.....	20,000,000	.....	.....	-20,000,000
Police recruitment grants program	.....	5,000,000	.....	.....	-5,000,000
Prosecutorial initiatives targeting crime and violent juveniles program	.....	100,000,000	.....	.....	-100,000,000
Juvenile crime block grant	.....	.....	300,000,000	+300,000,000	+300,000,000
Local law enforcement block grant	523,000,000	.....	523,000,000	.....	+523,000,000
Boys and Girls clubs (earmark)	(20,000,000)	.....	(20,000,000)	.....	(+20,000,000)
Drug courts	30,000,000	75,000,000	30,000,000	.....	-45,000,000
Upgrade criminal history records	50,000,000	45,000,000	45,000,000	-5,000,000	.....
State prison grants	670,000,000	710,500,000	722,500,000	+52,500,000	+12,000,000
State criminal alien assistance program	330,000,000	350,000,000	420,000,000	+90,000,000	+70,000,000
Violence Against Women grants	196,500,000	248,750,000	305,500,000	+109,000,000	+56,750,000
State prison drug treatment	30,000,000	63,000,000	63,000,000	+33,000,000	.....

State courts assistance	.....	50,000,000	.....	.....	-50,000,000
Other crime control programs	7,650,000	30,605,000	14,650,000	+7,000,000	-15,955,000
Subtotal, Crime trust fund	3,456,150,000	3,697,855,000	3,857,150,000	+401,000,000	+159,295,000
Total, State and local law enforcement	3,817,150,000	3,697,855,000	4,435,150,000	+618,000,000	+737,295,000
Juvenile justice programs	174,500,000	230,422,000	237,922,000	+63,422,000	+7,500,000
Public safety officers benefits program:					
Death benefits	30,126,000	31,003,000	31,003,000	+877,000	.....
Disability benefits	2,200,000	2,264,000	.....	-2,200,000	-2,264,000
Federal law enforcement education assistance	.....	2,000,000	2,000,000	+2,000,000	.....
Total, Office of Justice Programs	4,142,405,000	4,130,209,000	4,868,575,000	+726,170,000	+738,366,000
Appropriations	(669,255,000)	(432,354,000)	(1,011,425,000)	(+342,170,000)	(+579,071,000)
Emergency appropriations	(17,000,000)	.....	.....	(-17,000,000)	.....
Crime trust fund	(3,456,150,000)	(3,697,855,000)	(3,857,150,000)	(+401,000,000)	(+159,295,000)
Total, title I, Department of Justice	16,425,003,000	17,264,021,000	17,602,841,000	+1,177,838,000	+338,820,000
Appropriations	(11,680,174,000)	(12,006,221,000)	(12,353,091,000)	(+672,917,000)	(+346,870,000)
Advance appropriations	.....	(78,800,000)	(31,000,000)	(+31,000,000)	(-47,800,000)
Emergency appropriations	(249,829,000)	.....	.....	(-249,829,000)	.....
Crime trust fund	(4,495,000,000)	(5,179,000,000)	(5,218,750,000)	(+723,750,000)	(+39,750,000)
(Limitation on administrative expenses)	(3,042,000)	(3,930,000)	(3,490,000)	(+448,000)	(-440,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1998—Continued

Agency and item (1)	Appropriated, 1997 (enacted to date) (2)	Budget estimates, 1998 (3)	Recommended in bill (4)	Bill compared with appropriated, 1997 (5)	Bill compared with budget estimates, 1998 (6)
TITLE II - DEPARTMENT OF COMMERCE AND RELATED AGENCIES					
TRADE AND INFRASTRUCTURE DEVELOPMENT					
Office of the United States Trade Representative					
Salaries and expenses	21,449,000	22,092,000	21,700,000	+251,000	-392,000
International Trade Commission					
Salaries and expenses	40,850,000	41,980,000	41,400,000	+550,000	-580,000
Total, Related agencies	62,299,000	64,072,000	63,100,000	+801,000	-972,000
DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration	270,000,000	271,636,000	279,500,000	+9,500,000	+7,864,000
Export Administration					
Operations and administration	36,000,000	43,126,000	41,000,000	+5,000,000	-2,126,000
Emergency appropriations	3,900,000	.....	.....	-3,900,000	.....
Total, Export Administration	39,900,000	43,126,000	41,000,000	+1,100,000	-2,126,000

Economic Development Administration					
Economic development assistance programs	328,500,000	319,000,000	340,000,000	+11,500,000	+21,000,000
Emergency appropriations	25,000,000	.....	.....	-25,000,000	.....
Emergency appropriations (1997 supplemental)	50,200,000	.....	.....	-50,200,000	.....
Subtotal	403,700,000	319,000,000	340,000,000	-63,700,000	+21,000,000
Salaries and expenses	20,036,000	24,028,000	21,000,000	+964,000	-3,028,000
Emergency appropriations (1997 supplemental)	2,000,000	.....	.....	-2,000,000	.....
Total, Economic Development Administration	425,736,000	343,028,000	361,000,000	-64,736,000	+17,972,000
Minority Business Development Agency					
Minority business development	28,000,000	27,811,000	25,000,000	-3,000,000	-2,811,000
Total, Trade and Infrastructure Development	825,935,000	749,673,000	769,600,000	-56,335,000	+19,927,000
ECONOMIC AND INFORMATION INFRASTRUCTURE					
Economic and Statistical Analysis					
Salaries and expenses	45,900,000	52,196,000	47,000,000	+1,100,000	-5,196,000
Bureau of the Census					
Salaries and expenses	135,000,000	138,056,000	136,499,000	+1,499,000	-1,557,000
Periodic censuses and programs	210,500,000	523,126,000	550,126,000	+339,626,000	+27,000,000
Total, Bureau of the Census	345,500,000	661,182,000	686,625,000	+341,125,000	+25,443,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1998—Continued

Agency and item (1)	Appropriated, 1997 (enacted to date) (2)	Budget estimates, 1998 (3)	Recommended in bill (4)	Bill compared with appropriated, 1997 (5)	Bill compared with budget estimates, 1998 (6)
National Telecommunications and Information Administration					
Salaries and expenses	15,000,000	18,074,000	17,100,000	+2,100,000	-974,000
Public broadcasting facilities, planning and construction	15,250,000	.....	16,750,000	+1,500,000	+16,750,000
Information infrastructure grants	21,490,000	36,000,000	21,490,000	.....	-14,510,000
Total, National Telecommunications and Information Administration	51,740,000	54,074,000	55,340,000	+3,600,000	+1,266,000
Patent and Trademark Office					
Salaries and expenses	61,252,000	27,000,000	27,000,000	-34,252,000	.....
Fees collected	(601,723,000)	(629,320,000)	(664,000,000)	(+62,277,000)	(+34,680,000)
(Prior year carryover)	(30,000,000)	.....	(18,000,000)	(-12,000,000)	(+18,000,000)
Total, Patent and Trademark Office	(692,975,000)	(656,320,000)	(709,000,000)	(+16,025,000)	(+52,680,000)
Total, Economic and Information Infrastructure	504,392,000	794,452,000	815,965,000	+311,573,000	+21,513,000
SCIENCE AND TECHNOLOGY					
Technology Administration					
Salaries and expenses	9,500,000	9,230,000	8,500,000	-1,000,000	-730,000

National Institute of Standards and Technology					
Scientific and technical research and services	268,000,000	276,852,000	282,852,000	+14,852,000	+6,000,000
Industrial technology services	313,000,000	399,000,000	298,600,000	-14,400,000	-100,400,000
Construction of research facilities	.....	16,692,000	111,092,000	+111,092,000	+94,400,000
Total, National Institute of Standards and Technology..	581,000,000	692,544,000	692,544,000	+111,544,000	.....
National Oceanic and Atmospheric Administration					
Operations, research and facilities	1,854,067,000	1,476,245,000	1,406,400,000	-447,667,000	-69,845,000
Offsetting collections - fees	-3,000,000	-3,000,000	-3,000,000	.....	.....
Direct appropriation	1,851,067,000	1,473,245,000	1,403,400,000	-447,667,000	-69,845,000
(By transfer from Promote and Develop Fund)	(66,000,000)	(62,381,000)	(62,381,000)	(-3,619,000)	.....
(By transfer from Damage assessment and restoration revolving fund, permanent)	6,000,000	5,000,000	5,000,000	-1,000,000	.....
(Damage assessment and restoration revolving fund)	-6,000,000	-5,000,000	-5,000,000	+1,000,000	.....
Total, Operations, research and facilities	1,851,067,000	1,473,245,000	1,403,400,000	-447,667,000	-69,845,000
Capital assets acquisition	.....	503,464,000	460,600,000	+460,600,000	-42,864,000
Advance appropriations, FY 1999 - 2010	.....	3,485,517,000	.....	.....	-3,485,517,000
Coastal zone management fund	(7,800,000)	(7,800,000)	(7,800,000)	.....	.....
Mandatory offset	(-7,800,000)	(-7,800,000)	(-7,800,000)	.....	.....
Construction	58,250,000	.....	.....	-58,250,000	.....
Emergency appropriations (1997 supplemental)	10,800,000	.....	.....	-10,800,000	.....
Fleet modernization, shipbuilding and conversion	8,000,000	.....	.....	-8,000,000	.....
Fishing vessel and gear damage fund	200,000	.....	.....	-200,000	.....
Fishermen's contingency fund	1,000,000	953,000	953,000	-47,000	.....
Foreign fishing observer fund	196,000	189,000	189,000	-7,000	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1998—Continued

Agency and item (1)	Appropriated, 1997 (enacted to date) (2)	Budget estimates, 1998 (3)	Recommended in bill (4)	Bill compared with appropriated, 1997 (5)	Bill compared with budget estimates, 1998 (6)
Fisheries finance program account	250,000	238,000	250,000	.....	+12,000
Total, National Oceanic and Atmospheric Administration	1,929,763,000	5,463,606,000	1,865,392,000	-64,371,000	-3,598,214,000
Total, Science and Technology	2,520,263,000	6,165,380,000	2,566,436,000	+46,173,000	-3,598,944,000
General Administration					
Salaries and expenses	28,490,000	30,085,000	28,490,000	.....	-1,595,000
Office of Inspector General	20,140,000	21,677,000	20,140,000	.....	-1,537,000
Working capital fund (by transfer)	(3,000,000)	.....	.....	(-3,000,000)	.....
Total, General administration	48,630,000	51,762,000	48,630,000	.....	-3,132,000
National Institute of Standards and Technology					
Construction of research facilities (rescission)	-16,000,000	.....	.....	+16,000,000	.....
National Oceanic and Atmospheric Administration					
Operations, research and facilities (rescission)	-20,000,000	.....	-5,000,000	+15,000,000	-5,000,000
Total, Department of Commerce	3,800,921,000	7,697,195,000	4,132,531,000	+331,610,000	-3,564,664,000

Total, title II, Department of Commerce and related agencies	3,863,220,000	7,761,267,000	4,195,631,000	+332,411,000	-3,565,636,000
Appropriations	(3,807,320,000)	(4,275,750,000)	(4,200,631,000)	(+393,311,000)	(-75,119,000)
Rescissions	(-36,000,000)	.....	(-5,000,000)	(+31,000,000)	(-5,000,000)
Advance appropriations	.....	(3,485,517,000)	.....	.....	(-3,485,517,000)
Emergency appropriations	(91,900,000)	.....	.....	(-91,900,000)	.....
(By transfer)	(69,000,000)	(62,381,000)	(62,381,000)	(-6,619,000)	.....
TITLE III - THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	1,704,000	1,654,000	1,654,000	-50,000	.....
Other salaries and expenses	25,453,000	27,624,000	27,624,000	+2,171,000	.....
Total, Salaries and expenses	27,157,000	29,278,000	29,278,000	+2,121,000	.....
Care of the building and grounds	2,800,000	3,997,000	3,400,000	+600,000	-597,000
Total, Supreme Court of the United States	29,957,000	33,275,000	32,678,000	+2,721,000	-597,000
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	1,898,000	1,887,000	1,887,000	-11,000	.....
Other salaries and expenses	13,115,000	14,269,000	13,620,000	+505,000	-649,000
Total, Salaries and expenses	15,013,000	16,156,000	15,507,000	+494,000	-649,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1998—Continued

Agency and item (1)	Appropriated, 1997 (enacted to date) (2)	Budget estimates, 1998 (3)	Recommended in bill (4)	Bill compared with appropriated, 1997 (5)	Bill compared with budget estimates, 1998 (6)
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,447,000	1,483,000	1,483,000	+36,000	.....
Other salaries and expenses	9,667,000	9,995,000	9,995,000	+328,000	.....
Total, Salaries and expenses	11,114,000	11,478,000	11,478,000	+364,000	.....
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	225,956,000	227,674,000	227,674,000	+1,718,000	.....
Other salaries and expenses	2,330,044,000	2,614,166,000	2,472,395,000	+142,351,000	-141,771,000
Emergency appropriations	10,000,000	.....	.....	-10,000,000	.....
Direct appropriation	2,566,000,000	2,841,840,000	2,700,069,000	+134,069,000	-141,771,000
Crime trust fund	30,000,000	50,000,000	40,000,000	+10,000,000	-10,000,000
Total, Salaries and expenses	2,596,000,000	2,891,840,000	2,740,069,000	+144,069,000	-151,771,000
Vaccine Injury Compensation Trust Fund	2,390,000	2,450,000	2,450,000	+60,000	.....

Defender services	308,000,000	329,529,000	329,529,000	+21,529,000	.....
Fees of jurors and commissioners	67,000,000	69,651,000	66,196,000	-804,000	-3,455,000
Court security	127,000,000	170,304,000	167,214,000	+40,214,000	-3,090,000
Total, Courts of Appeals, District Courts, and Other Judicial Services	3,100,390,000	3,463,774,000	3,305,458,000	+205,068,000	-158,316,000
Administrative Office of the United States Courts					
Salaries and expenses	49,450,000	54,108,000	52,000,000	+2,550,000	-2,108,000
Federal Judicial Center					
Salaries and expenses	17,495,000	18,425,000	17,495,000	.....	-930,000
Judicial Retirement Funds					
Payment to Judiciary Trust Funds	30,200,000	32,200,000	34,200,000	+4,000,000	+2,000,000
United States Sentencing Commission					
Salaries and expenses	8,490,000	9,480,000	9,000,000	+510,000	-480,000
Total, title III, the Judiciary	3,262,109,000	3,638,896,000	3,477,816,000	+215,707,000	-161,080,000
Appropriations	(3,222,109,000)	(3,588,896,000)	(3,437,816,000)	(+215,707,000)	(-151,080,000)
Emergency appropriations	(10,000,000)	.....	.....	(-10,000,000)	.....
Crime trust fund	(3[illegible],000)	(50,000,000)	(40,000,000)	(+10,000,000)	(-10,000,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1998—Continued

Agency and item (1)	Appropriated, 1997 (enacted to date) (2)	Budget estimates, 1998 (3)	Recommended in bill (4)	Bill compared with appropriated, 1997 (5)	Bill compared with budget estimates, 1998 (6)
TITLE IV - DEPARTMENT OF STATE					
Administration of Foreign Affairs					
Diplomatic and consular programs	1,700,900,000	1,291,277,000	1,715,577,000	+14,677,000	+424,300,000
Registration fees	700,000	700,000	700,000	.....	.....
Emergency appropriations (security)	23,700,000	.....	.....	-23,700,000	.....
Security	.....	.....	23,700,000	+23,700,000	+23,700,000
Fee proposal	.....	595,000,000	.....	.....	-595,000,000
Total, Diplomatic and consular programs	1,725,300,000	1,886,977,000	1,739,977,000	+14,677,000	-147,000,000
Salaries and expenses	352,300,000	363,513,000	363,513,000	+11,213,000	.....
Capital investment fund	24,600,000	64,600,000	50,600,000	+26,000,000	-14,000,000
Office of Inspector General	27,495,000	28,300,000	28,300,000	+805,000	.....
Representation allowances	4,490,000	4,300,000	4,300,000	-190,000	.....
Protection of foreign missions and officials	8,332,000	7,900,000	7,900,000	-432,000	.....
Security and maintenance of United States missions	364,495,000	373,081,000	373,081,000	+8,586,000	.....
Emergency appropriations	24,825,000	.....	.....	-24,825,000	.....
Total, Security and maintenance of United States missions	389,320,000	373,081,000	373,081,000	-16,239,000	.....
Emergencies in the diplomatic and consular service	5,800,000	5,500,000	5,500,000	-300,000	.....

Repatriation Loans Program Account:					
Direct loans subsidy	593,000	593,000	593,000	.....	.....
Administrative expenses	663,000	607,000	607,000	-56,000	.....
Total, Repatriation loans program account	1,256,000	1,200,000	1,200,000	-56,000	.....
Payment to the American Institute in Taiwan	14,490,000	14,490,000	14,000,000	-490,000	-490,000
Payment to the Foreign Service Retirement and Disability Fund	126,491,000	129,935,000	129,935,000	+3,444,000	.....
Total, Administration of Foreign Affairs	2,679,874,000	2,879,796,000	2,718,306,000	+38,432,000	-161,490,000
International Organizations and Conferences					
Contributions to international organizations, current year assessment	892,000,000	969,000,000	924,952,000	+32,952,000	-44,048,000
Prior year assessment	.....	54,000,000	54,000,000	+54,000,000	.....
Subtotal	892,000,000	1,023,000,000	978,952,000	+86,952,000	-44,048,000
Contributions for international peacekeeping activities, current year	302,400,000	240,000,000	215,000,000	-87,400,000	-25,000,000
Prior year assessment	50,000,000	46,000,000	46,000,000	-4,000,000	.....
Subtotal	352,400,000	286,000,000	261,000,000	-91,400,000	-25,000,000
International conferences and contingencies	.....	4,941,000	1,500,000	+1,500,000	-3,441,000
Total, International Organizations and Conferences	1,244,400,000	1,313,941,000	1,241,452,000	-2,948,000	-72,489,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1998—Continued

Agency and item (1)	Appropriated, 1997 (enacted to date) (2)	Budget estimates, 1998 (3)	Recommended in bill (4)	Bill compared with appropriated, 1997 (5)	Bill compared with budget estimates, 1998 (6)
International Commissions					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses	15,490,000	18,490,000	17,490,000	+2,000,000	-1,000,000
Construction	6,463,000	6,463,000	6,463,000	.....	.....
American sections, international commissions	5,490,000	5,660,000	5,490,000	.....	-170,000
International fisheries commissions	14,549,000	14,549,000	14,490,000	-59,000	-59,000
Total, International commissions	41,992,000	45,162,000	43,933,000	+1,941,000	-1,229,000
Other					
Payment to the Asia Foundation	8,000,000	8,000,000	8,000,000	.....	.....
Total, Department of State	3,974,266,000	4,246,899,000	4,011,691,000	+37,425,000	-235,208,000
RELATED AGENCIES					
Arms Control and Disarmament Agency					
Arms control and disarmament activities	41,500,000	46,200,000	41,500,000	.....	-4,700,000
United States Information Agency					
International information programs	440,000,000	434,097,000	430,597,000	-9,403,000	-3,500,000
Emergency appropriations	1,375,000	.....	.....	-1,375,000	.....
Total, salaries and expenses	441,375,000	434,097,000	430,597,000	-10,778,000	-3,500,000

Technology fund	5,050,000	7,000,000	5,050,000	.....	-1,950,000
Educational and cultural exchange programs	185,000,000	197,731,000	193,731,000	+8,731,000	-4,000,000
Eisenhower Exchange Fellowship Program, trust fund	600,000	600,000	600,000	.....	.....
Israeli Arab scholarship program	400,000	400,000	400,000	.....	.....
International Broadcasting Operations	325,000,000	366,750,000	391,550,000	+66,550,000	+24,800,000
Broadcasting to Cuba (direct)	25,000,000	.....	.....	-25,000,000	.....
Radio construction	35,490,000	32,710,000	40,000,000	+4,510,000	+7,290,000
East-West Center	10,000,000	7,000,000	.....	-10,000,000	-7,000,000
North/South Center	1,495,000	1,500,000	.....	-1,495,000	-1,500,000
National Endowment for Democracy	30,000,000	30,000,000	30,000,000	.....	.....
Total, United States Information Agency	1,059,410,000	1,077,788,000	1,091,928,000	+32,518,000	+14,140,000
Total, related agencies	1,100,910,000	1,123,988,000	1,133,428,000	+32,518,000	+9,440,000
Total, title IV, Department of State	5,075,176,000	5,370,887,000	5,145,119,000	+69,943,000	-225,768,000
Appropriations	(5,025,276,000)	(5,370,887,000)	(5,145,119,000)	(+119,843,000)	(-225,768,000)
Emergency appropriations	(49,900,000)	.....	.....	(-49,900,000)	.....
TITLE V - RELATED AGENCIES					
DEPARTMENT OF TRANSPORTATION					
Maritime Administration					
Operating-differential subsidies (liquidation of contract authority)	(148,430,000)	(135,000,000)	(51,030,000)	(-97,400,000)	(-83,970,000)
Maritime Security Program	54,000,000	52,400,000	35,500,000	-18,500,000	-16,900,000
Operations and training	65,000,000	70,000,000	65,000,000	.....	-5,000,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1998—Continued

Agency and item (1)	Appropriated, 1997 (enacted to date) (2)	Budget estimates, 1998 (3)	Recommended in bill (4)	Bill compared with appropriated, 1997 (5)	Bill compared with budget estimates, 1998 (6)
Maritime Guaranteed Loan Program Account:					
Guaranteed loans subsidy	37,450,000	35,000,000	35,000,000	-2,450,000	.....
Administrative expenses	3,450,000	4,000,000	3,450,000	.....	-550,000
Total, Maritime guaranteed loan program account	40,900,000	39,000,000	38,450,000	-2,450,000	-550,000
Total, Maritime Administration	159,900,000	161,400,000	138,950,000	-20,950,000	-22,450,000
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses	206,000	206,000	250,000	+44,000	+44,000
Commission on the Advancement of Federal Law Enforcement					
Salaries and expenses	2,000,000	.....	.....	-2,000,000	.....
Commission on Civil Rights					
Salaries and expenses	8,740,000	11,000,000	8,740,000	.....	-2,260,000
Commission on Immigration Reform					
Salaries and expenses	2,196,000	500,000	496,000	-1,700,000	-4,000
Commission on Security and Cooperation in Europe					
Salaries and expenses	1,090,000	1,090,000	1,090,000	.....	.....

Equal Employment Opportunity Commission					
Salaries and expenses	239,740,000	246,000,000	239,740,000	.....	-6,260,000
Federal Communications Commission					
Salaries and expenses	188,079,000	219,079,000	187,079,000	-1,000,000	-32,000,000
Offsetting fee collections - current year	-152,523,000	-162,523,000	-152,523,000	.....	+10,000,000
Direct appropriation	35,556,000	56,556,000	34,556,000	-1,000,000	-22,000,000
Federal Maritime Commission					
Salaries and expenses	14,000,000	14,300,000	13,500,000	-500,000	-800,000
Federal Trade Commission					
Salaries and expenses	101,930,000	108,000,000	105,000,000	+3,070,000	-3,000,000
Offsetting fee collections - carryover	-16,000,000	-10,000,000	-10,000,000	+6,000,000	.....
Offsetting fee collections - current year	-58,905,000	-70,000,000	-70,000,000	-11,095,000	.....
Direct appropriation	27,025,000	28,000,000	25,000,000	-2,025,000	-3,000,000
Gambling Impact Study Commission					
Salaries and expenses	4,000,000	.....	.....	-4,000,000	.....
Legal Services Corporation					
Payment to the Legal Services Corporation	283,000,000	340,000,000	141,000,000	-142,000,000	-199,000,000
Marine Mammal Commission					
Salaries and expenses	1,189,000	1,240,000	1,000,000	-189,000	-240,000
National Bankruptcy Review Commission					
Salaries and expenses	494,000	.....	.....	-494,000	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1998—Continued

Agency and item (1)	Appropriated, 1997 (enacted to date) (2)	Budget estimates, 1998 (3)	Recommended in bill (4)	Bill compared with appropriated, 1997 (5)	Bill compared with budget estimates, 1998 (6)
Ounce of Prevention Council					
Direct appropriation	500,000	.....	.....	-500,000	.....
Crime trust fund	.....	9,000,000	.....	.....	-9,000,000
Securities and Exchange Commission					
Salaries and expenses	305,400,000	317,412,000	315,000,000	+9,600,000	-2,412,000
Offsetting fee collections	-222,622,000	-249,523,000	-249,523,000	-26,901,000	.....
Offsetting fee collections - carryover	-45,000,000	-32,000,000	-32,000,000	+13,000,000	.....
Direct appropriation	37,778,000	35,889,000	33,477,000	-4,301,000	-2,412,000
Small Business Administration					
Salaries and expenses	239,547,000	246,100,000	235,047,000	-4,500,000	-11,053,000
Offsetting fee collections	-4,500,000	.....	.....	+4,500,000	.....
Direct appropriation	235,047,000	246,100,000	235,047,000	.....	-11,053,000
Office of Inspector General	9,000,000	10,600,000	9,490,000	+490,000	-1,110,000
Business Loans Program Account:					
Direct loans subsidy	1,691,000	.....	.....	-1,691,000	.....
Guaranteed loans subsidy	179,700,000	173,235,000	187,100,000	+7,400,000	+13,865,000

Micro loan guarantees	2,317,000	.....	.....	-2,317,000	.....
Administrative expenses	94,000,000	94,000,000	94,000,000	.....	.....
Total, Business loans program account	277,708,000	267,235,000	281,100,000	+3,392,000	+13,865,000
Disaster loans program account	191,932,000	173,200,000	199,100,000	+7,168,000	+25,900,000
Emergency appropriations	135,000,000	.....	.....	-135,000,000	.....
Total, Disaster loans program account	326,932,000	173,200,000	199,100,000	-127,832,000	+25,900,000
Surety bond guarantees revolving fund	3,730,000	3,500,000	3,500,000	-230,000	.....
Total, Small Business Administration	852,417,000	700,635,000	728,237,000	-124,180,000	+27,602,000
State Justice Institute					
Salaries and expenses 1/	6,000,000	13,550,000	3,000,000	-3,000,000	-10,550,000
Total, title V, Related agencies	1,675,831,000	1,619,366,000	1,369,036,000	-306,795,000	-250,330,000
Appropriations	(1,540,831,000)	(1,610,366,000)	(1,369,036,000)	(-171,795,000)	(-241,330,000)
(Liquidation of contract authority)	(148,430,000)	(135,000,000)	(51,030,000)	(-97,400,000)	(-83,970,000)
TITLE VI - GENERAL PROVISIONS					
DEPARTMENT OF JUSTICE					
Congressional legal expenses (sec. 616)	.....	.....	1,000,000	+1,000,000	+1,000,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1997 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1998—Continued

Agency and item (1)	Appropriated, 1997 (enacted to date) (2)	Budget estimates, 1998 (3)	Recommended in bill (4)	Bill compared with appropriated, 1997 (5)	Bill compared with budget estimates, 1998 (6)
GOVERNMENT-WIDE					
Defense function (by transfer)	.....	(34,025,000)	(34,025,000)	(+34,025,000)	.....
International function (by transfer)	.....	(47,089,000)	(47,089,000)	(+47,089,000)	.....
Domestic function (by transfer)	.....	(31,845,000)	(31,845,000)	(+31,845,000)	.....
Total, title VI, general provisions	.....	.....	1,000,000	+1,000,000	+1,000,000
Appropriations	.....	.....	(1,000,000)	(+1,000,000)	(+1,000,000)
(By transfer)	.....	(112,959,000)	(112,959,000)	(+112,959,000)	.....
TITLE VII - RESCISSIONS					
DEPARTMENT OF JUSTICE					
General Administration					
Working capital fund (rescission)	-36,400,000	.....	.....	+36,400,000	.....
Immigration and Naturalization Service					
Immigration Emergency fund (rescission)	-34,779,000	.....	.....	+34,779,000	.....
Total, title VII, Rescissions	-71,179,000	.....	.....	+71,179,000	.....

Grand total:					
New budget (obligational) authority	30,230,160,000	35,654,437,000	31,791,443,000	+1,561,283,000	-3,862,994,000
Appropriations	(25,275,710,000)	(26,852,120,000)	(26,506,693,000)	(+1,230,983,000)	(-345,427,000)
Advance appropriations	.....	(3,564,317,000)	(31,000,000)	(+31,000,000)	(-3,533,317,000)
Emergency appropriations	(536,629,000)	.....	.....	(-536,629,000)	.....
Rescissions	(-107,179,000)	.....	(-5,000,000)	(+102,179,000)	(-5,000,000)
Crime trust fund	(4,525,000,000)	(5,238,000,000)	(5,258,750,000)	(+733,750,000)	(+20,750,000)
(By transfer)	(69,000,000)	(175,340,000)	(175,340,000)	(+106,340,000)	.....
(Limitation on administrative expenses)	(3,042,000)	(3,930,000)	(3,490,000)	(+448,000)	(-440,000)
(Liquidation of contract authority)	(148,430,000)	(135,000,000)	(51,030,000)	(-97,400,000)	(-83,970,000)

1/ President's budget proposes $5,000,000 for State Justice Institute.

ADDITIONAL VIEWS SUBMITTED BY MR. MOLLOHAN, MR. SKAGGS, AND MR. DIXON

We want to compliment the Chairman for the fine job he has done putting together this Fiscal Year 1998 spending bill. He and his staff have worked hard to craft a balanced bill and we thank them for their diligence, and for giving us the opportunity to voice our views on a variety of topics throughout the process.

There are many parts of this bill where we are in agreement. This bill provides robust funding for Federal law enforcement and juvenile justice delinquency prevention. The bill continues the trend of strong support for State and local law enforcement assistance, and provides greater flexibility at the local level. We are pleased that the bill funds several initiatives aimed at dealing with drug abuse, particularly among our young people. We note that full funding is provided for the COPS program, with provisions for non-hiring programs.

Also of importance, the bill provides generous funding levels for the FBI, the DEA and the Border Patrol. Such ample funding will enable us to continue our important work in combating terrorism, illicit during trafficking and illegal immigration.

We support the focus and attention given to juvenile justice delinquency prevention programs. The bill provides more than requested by the administration to prevent juvenile crime. Additionally, we are serious about fighting the war on drugs—both in preventing illicit drugs from coming across the border and in eliminating the use of drugs by our nation's youth. We are pleased that the Chairman has taken an aggressive approach in this area by providing substantial funding for both the Southwest border initiative and the Caribbean initiative.

Regarding our international commitments, we are pleased that this bill represents the beginning of bipartisan efforts to eliminate our United Nations arrearages. We also support the increases provided in the State Department's operating accounts.

Lastly, we feel that, for the most part, this bill deals fairly with the Commerce Department. We are pleased to note a continued commitment to such important programs as the Public Works Grant Program, PTFP, the Manufacturing Extension Partnership and the International Trade Administration. The bill also fully funds the Administration's request for the critical missions of the National Weather Service.

Although we agree with many of the provisions of this bill, we believe it is less than perfect. There are certain issues which we would like to improve. For example, we sincerely regret that a major reduction was made to the Legal Services Corporation. The funding level provided in this bill will leave many of our nation's poorest citizens without legal representation.

In addition, we also regret the significant reductions in funding for programs of the National Oceanic and Atmospheric Administration (NOAA). NOAA research and monitoring programs are extremely valuable to proper implementation of the nation's environmental programs. The funding level in the bill may delay vital atmospheric research and jeopardize good stewardship of marine resources.

Also, although this bill provides more than the administration requested for the decennial census, we are concerned about restrictions which are being placed on the agency. We believe that the language contained in this bill in effect represents a ban on sampling. The issue of sampling has become extremely politicized, and the Administration has expressed strong opposition to language which places restrictions of this nature on the Census Bureau. We are hopeful that the leadership, President Clinton, and the statistical community can work together to assure the most accurate count.

This bill provides $185 million for the Advanced Technology Program. While we are pleased that the Chairman is providing some funding for this important initiative, it is still significantly below that which was requested by the Administration.

This list is not exhaustive, but merely highlights a number of areas which we hope we can improve as this bill proceeds. Again, we want to thank the Chairman for his cooperation, and his good-faith efforts.

ALAN B. MOLLOHAN.
DAVID E. SKAGGS.
JULIAN C. DIXON.

ADDITIONAL VIEWS OF MR. TAYLOR OF NORTH CAROLINA

While I realize that it is unusual for us to focus on particular rules and rulemakings by an independent agency within our subcommittee's jurisdictional purview, I continue to be very frustrated by the processes and policies of the Federal Communications Commission (FCC) in regards to the cellular separate subsidiary rule. For the last two and a half years, I have been patient with the FCC in regards to the cellular separate subsidiary rule, all to no avail.

At a March 12, 1997 hearing, Chairman Reed Hundt testified that a final order regarding the cellular separate subsidiary rule would be presented to the Commission later that month, with the Commission intending to take action on the proposed order quickly. Well, it is nearly August now. Where is the reconsideration order on this arcane 1981 FCC cellular structural separation rule which the Sixth Circuit U.S. Court of Appeals, in November of 1995 (in the *Cincinnati Bell* decision), had found to be "arbitrary and capricious?" It is my understanding that the companies affected by the FCC's reconsideration of the cellular separate subsidiary safeguards are not facing elimination of this outdated rule, but the development of new regulations on other parts of their commercial mobile businesses which are not currently regulated, such as Personal Communications Services (PCS).

I say it is time that we get the FCC's attention on this issue. If the FCC is not going to act on the court's directives, I believe it is the Congress' responsibility to review it.

CHARLES H. TAYLOR.

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