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SENATE

{ REPORT  
105-235

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE,  
THE JUDICIARY, AND RELATED AGENCIES APPROPRIA-  
TION BILL, 1999

—————  
JULY 2, 1998.—Ordered to be printed

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—————  
Mr. GREGG, from the Committee on Appropriations,  
submitted the following

**REPORT**

[To accompany S. 2260]

The Committee on Appropriations reports the bill (S. 2260) mak-  
ing appropriations for the Departments of Commerce, Justice, and  
State, the judiciary, and related agencies for the fiscal year ending  
September 30, 1999, and for other purposes, reports favorably  
thereon and recommends that the bill do pass.

*Amount in new budget (obligational) authority*

|  |                  |
|--|------------------|
| Total bill as reported to Senate .....           | \$33,239,060,000 |
| Amount of appropriations, 1998 .....             | 32,123,907,000   |
| Amount of budget estimates, 1999, as amended ... | 36,886,233,000   |
| The bill as reported to the Senate:              |                  |
| Above the appropriations for 1998 .....          | 1,115,153,000    |
| Below the estimates for 1999 .....               | 3,647,173,000    |

## CONTENTS

---

|  | Page |
|--|------|
| Summary of estimates and recommendations .....   | 3    |
| Title I—Department of Justice .....  | 7    |
| Title II—Department of Commerce and related agencies .....                             | 71   |
| Title III—The judiciary .....  | 110  |
| Title IV—Department of State and related agencies .....                                | 118  |
| Title V—Related agencies:  |      |
| Department of Transportation: Maritime Administration .....                            | 142  |
| Commission for the Preservation of America's Heritage Abroad .....                     | 144  |
| Commission on Civil Rights .....   | 144  |
| Commission on Security and Cooperation in Europe .....                                 | 145  |
| Equal Employment Opportunity Commission .....  | 145  |
| Federal Communications Commission .....  | 146  |
| Federal Maritime Commission .....  | 146  |
| Federal Trade Commission .....   | 146  |
| National Gambling Impact Study Commission .....  | 149  |
| Legal Services Corporation .....   | 149  |
| Marine Mammal Commission .....   | 150  |
| Commission on Ocean Policy .....   | 150  |
| Securities and Exchange Commission .....   | 150  |
| Small Business Administration .....  | 151  |
| State Justice Institute .....  | 155  |
| Title VI—General provisions .....  | 156  |
| Title VII—Rescissions .....  | 160  |
| Compliance with paragraph 7, rule XVI of the Standing Rules of the Senate ...          | 161  |
| Compliance with paragraph 7(c), rule XXVI of the Standing Rules of the<br>Senate ..... | 162  |
| Compliance with paragraph 12, rule XXVI of the Standing Rules of the<br>Senate .....   | 163  |
| Budgetary impact .....   | 175  |

## 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 fiscal year 1999 submitted on February 2, 1998 and budget amendments submitted on May 18, and June 8, 1998.

The total amount of new budget authority recommended by the Committee for fiscal year 1999 is \$33,249,060,000. This amount is an increase of \$1,125,153,000 above appropriations enacted for fiscal year 1998 for these departments and agencies. The Committee recommendation is \$3,637,173,000 below the budget estimates as amended. This significant difference is partly a result of the Committee's decision not to approve advanced appropriations.

## HIGHLIGHTS OF THE BILL

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

### *Department of Justice*

- \$210,000,000 for a new schools without violence initiative to address the recent shootings in schools;
- \$144,009,000 to enhance law enforcement activities in Indian country;
- Increases to fight the proliferation of crime and drugs;
- Additional funding to address a comprehensive and coordinated response for counterterrorism efforts, including \$197,000,000 to improve State and local response capabilities;
- Additional funding for 1,000 Border Patrol agents and associated staff;
- \$5,204,000 in additional funding to enhance the FBI's capabilities to combat child abductions and serial killings;
- \$21,794,000 to establish DEA regional drug enforcement teams;
- Additional funding to DEA for methamphetamine and heroin investigations;
- \$379,197,000 for new and expanded prison facilities;
- Increased funding for the Office of Justice Programs including \$7,000,000 for grants to firefighters and emergency service personnel, \$17,168,000 for the Missing Children Program, and a \$5,000,000 increase for the regional information sharing system;
- \$4,643,207,000 to support State and local law enforcement including \$1,440,000,000 for the Community Oriented Policing Services [COPS] Program, an increase to \$282,750,000 for the

- Violence Against Women Program, \$711,000,000 for State prison grants, \$552,000,000 for the Edward Byrne Memorial State and Local Law Enforcement Grant Program, and \$40,000,000 for drug courts; and
- \$284,597,000 for juvenile justice programs.

*Department of Commerce*

- The U.S. Trade Representative is funded at the requested level and the International Trade Commission is funded at \$45,500,000;
- The Committee recommends funding the International Trade Administration at \$312,167,000. The Bureau of Export Administration [BXA] is funded at \$45,671,000;
- The Minority Business Development Agency is funded at \$25,276,000;
- The Bureau of the Census is given full funding for the decennial census. The same sampling language approved by the Senate during the fiscal year 1997 supplemental bill is addressed in the bill;
- The National Telecommunications and Information Administration is funded at \$42,840,000. The public broadcasting grant program, for which there was no fiscal year 1998 request, is funded at \$20,900,000. The Information Infrastructure grants are funded at \$11,000,000;
- The bill funds the ATP program at \$192,500,000 and the MEP program at \$106,800,000; and
- An increase in funding for the National Oceanic and Atmospheric Administration and the National Weather Service.

*The judiciary*

- Maintains current operations;
- Continues renovation of the Supreme Court building;
- Provides increases to address the growing probation population; and
- Provides a cost-of-living increase for justices and judges.

*Department of State*

- Maintains current operations;
- Provides increases for infrastructure investments in computers, communications, and facilities;
- Maintains international commitments; and
- Funds U.N. arrears.

*Related agencies*

- The related agencies title funds the full budget of the Security and Exchange Commission, which is offset by offsetting receipts, adequate funding for the Small Business Administration, the Equal Employment Opportunity Commission, the Federal Communications Commission, and the Legal Services Corporation.

REPROGRAMMINGS, REORGANIZATIONS, AND RELOCATIONS

As in previous years, the Committee has inserted section 605 under title VI of the general provisions of the bill. This section re-

states previous law with regard to the reprogramming of funds between programs or activities.

The House and Senate reports accompanying the appropriations bills of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies for several years contained sections concerning the reprogramming of funds between programs or activities. The Committee expects each department and agency to follow closely the reprogramming procedures listed below which are similar to provisions that applied in statute during fiscal year 1997.

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

- Reprogramming of funds, whether permanent or temporary, in excess of \$1,000,000 or 20 percent, whichever is more, between programs or activities. This provision is also applicable in cases where several activities are involved with each receiving less than \$1,000,000. 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;
- Increasing funds or personnel by any means for any project or activity for which funds have been denied or restricted;
- Creation of new programs, offices, agencies, or commissions, or substantial augmentations of existing programs, offices, agencies, or commissions;
- Relocations of offices or employees;
- Reorganization of offices, programs, or activities; and
- Contracts out or privatizes any functions or activities presently performed by Federal employees.

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

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

*Government Performance and Results Act [GPRA].*—The Committee has received a number of strategic plans from different organizations receiving appropriated funds within the bill. The Committee found weaknesses with the fiscal year 1999 performance plans of the Departments of Commerce and State and the Small Business Administration. The Committee is especially troubled by the lack of results-oriented, measurable goals in these performance plans. The Committee is also concerned that the plans did not uniformly display clear linkages between performance goals and the program activities in agencies' budget requests. Also, some plans did not suf-

ficiently describe approaches to produce credible performance information.

The Committee considers the full and effective implementation of the Results Act to be a priority for all agencies under its jurisdiction. We recognize that implementation will be an interactive process, likely to involve several appropriations cycles. The Committee will consider agencies' progress in addressing weaknesses in strategic and annual performance plans in tandem with their funding requests in light of their strategic goals. This effort will help 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.

#### *Rescissions*

The Committee mark rescinds a total of \$68,204,000 from the Department of Justice and \$2,090,000 from the Department of Commerce. Rescission amounts are based on estimates provided to the Committee on or before June 23, 1998.

Proposed rescissions include: \$45,326,000 from the working capital fund at the Department of Justice; \$22,878,000 from various accounts within the FBI; \$915,000 from the U.S. Travel and Tourism Administration; and \$1,175,000 from the Endowment for Children's Educational TV.

## TITLE I—DEPARTMENT OF JUSTICE

The Committee has made funding for law enforcement the centerpiece of the fiscal year 1999 appropriations bill.

The Committee recommends \$17,802,267,000 in new budget (obligational) authority in the accompanying bill for the Department of Justice with a strong emphasis on law enforcement activities for fiscal year 1999. This amount is \$37,807,000 more than the fiscal year 1998 funding level.

*Coordinated drug strategy.*—Last year, Congress directed 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 were specific and measurable. The Committee received a draft copy of the drug control strategic plan on March 31, 1998, and commends the Department for its efforts in preparing a comprehensive departmental drug strategy. However, the Committee increasingly believes that this Nation's overall drug strategy simply is not working. Drug use by teenagers has increased precipitously since 1991. The percentage of eighth graders who used any illicit drug during the previous year has virtually doubled since 1991. More than 40 percent of 12th graders admit to having used illicit drugs during the past year. This figure has increased 60 percent over the past 5 years. The Committee is alarmed by these trends and is committed to reversing them.

The Committee believes that additional emphasis is needed to coordinate efforts among the many participating departments and agencies that have personnel, resources, and expertise to contribute to this critical mission and to move efforts forward in a multilateral and institutionalized manner. Therefore, the Committee directs the Attorney General to build on the drug control strategic plan by consulting with the Secretary of Defense, the Secretary of State, the Secretary of the Treasury, the Secretary of Health and Human Services, the Director of the Federal Bureau of Investigation, the Administrator of the Drug Enforcement Administration, the Director of Central Intelligence, and drawing upon expertise of academia, the private sector and State and local law enforcement, to develop a 5-year interdepartmental drug strategy which outlines plans for preventing, deterring, and reducing drug usage. The plan should be coordinated with the Director of the Office of National Drug Control Policy and should be representative of all participating agencies.

The Committee expects that this plan will serve as a new baseline strategy for coordination of national policy and operational capabilities to combat drug use and will be updated annually to institutionalize this effort. A prospectus shall be submitted in an expanded outline format with estimated time lines and major milestones for completion of the drug strategy plan to the Committee on Appropriations of both the House and Senate no later than Feb-

ruary 1, 1999. The final plan should be coordinated with the Director of the Office of National Drug Control Policy and shall be submitted to the Appropriations Committees no later than December 31, 1999.

*Consolidation of accounting systems.*—The Department has seven different accounting systems, several of which have not yet been fully implemented with the standard Federal financial systems requirements. The Committee understands that the Department is installing three new commercial off-the-shelf financial management systems within the Drug Enforcement Administration, the Immigration and Naturalization Service, and the U.S. Marshals Service. This current approach reversed the direction taken by the previous administration which focused on collapsing the number of accounting systems within a department.

While the Department continues to invest funds to upgrade all seven accounting systems to meet standard Federal requirements, it still has not invested in the implementation of a departmentwide financial reporting system to provide integrated summary level financial information. The lack of such a capability is a serious concern to the Committee because of the significant growth in the resources being entrusted to the management of the Department. The Committee understands the Department has deferred plans to create such a system due to competing program and funding priorities. Therefore, we direct the Department to make this initiative a priority and to use funds available from the Justice working capital fund [WCF] retained earnings account in fiscal year 1998 and beyond to plan, develop, and implement a departmentwide financial reporting system. The Committee expects the system to become operational by the end of fiscal year 1999 and to begin to provide the Committee necessary data in fiscal year 2000. Permanent funding to maintain, enhance, and operate the system should be included in the Department's fiscal year 2000 budget request. In the interim, the Committee directs the Department to provide the Committee with monthly status reports for all directly appropriated funds and those accounts the Department labels fee accounts.

Further, the Committee directs that the Attorney General provide budget year plus 4 years of data for each program line item beginning with the fiscal year 2000 congressional justification book material submitted by the Department in support of the President's annual budget request. These 5 years of data shall reflect the administration and Attorney General's long-range funding plan for each program and the Committee expects such funding to reflect requirements needed to satisfy the Department's strategic plan.

*Government Performance and Results Act.*—The Committee commends the Assistant Attorney General for Administration for his efforts in preparing the Department's performance plan. The plan was received in a timely fashion and contained objective, measurable performance goals. The strength of the performance plan was its presentation of reasonably clear strategies for its intended performance goals. The Committee urges the Department to follow the recommendations of the General Accounting Office in preparation of its fiscal year 2000 plan. Next year, the Department will have

had 2 years to implement and perfect its plan. The Committee will use this plan in making recommendations for fiscal year 2000.

#### GENERAL ADMINISTRATION

##### SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$76,199,000 |
| Budget estimate, 1999 .....    | 89,488,000   |
| Committee recommendation ..... | 76,199,000   |

This account funds the development of policy objectives and the overall management of the Department of Justice.

The Committee recommends a total of \$76,199,000 for fiscal year 1999 for general administration. The recommendation is identical to the fiscal year 1998 appropriation and \$13,289,000 below the fiscal year 1999 request. The reduction in this account is largely the result of the Committee's recommendation to fund the joint automated booking system [JABS] under a separate account. Within available resources, \$100,000 is provided to study judicial issues in Alaska.

The Committee recommendation includes the transfer of \$5,000,000 to Justice Management Division from the Immigration and Naturalization Service [INS] "Immigration examinations fees" account for INS oversight, including semiannual outside audits of the naturalization and records centralization processes.

The Committee also recommends bill language, similar to that included in previous fiscal years, that: (1) freezes manpower levels in the Department Leadership Program and the Offices of Legislative [OLA] and Public Affairs [PAO]; and (2) prohibits augmentation of OLA and PAO with reimbursable or nonreimbursable details. Also, new language allows the Attorney General to transfer seized property of marginal value to community groups.

##### JOINT AUTOMATED BOOKING SYSTEM

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     |              |
| Budget estimate, 1999 .....    |              |
| Committee recommendation ..... | \$10,000,000 |

This new account centrally funds development, acquisition, and deployment of the joint automated booking system [JABS]. JABS will standardize booking data, procedures, and equipment throughout Justice.

The Committee recommendation includes \$10,000,000 for fiscal year 1999 for JABS. The recommendation is identical to the fiscal year 1999 request included under salaries and expenses. Previously, JABS funding was distributed among various Justice components.

JABS will save money by eliminating repetitive booking of suspects and improve public safety by identifying repeat offenders and persons with outstanding charges or warrants.

##### NARROWBAND COMMUNICATIONS

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     |              |
| Budget estimate, 1999 .....    | \$85,894,000 |
| Committee recommendation ..... |              |

This new account centrally funds the conversion of the Department of Justice to narrowband radio communications as mandated by 47 U.S.C. 903(d)(1).

The Committee does not recommend funding for fiscal year 1999 for narrowband communications. The recommendation is \$85,894,000 below the fiscal year 1999 request. Previously, narrowband communications compliance funding was scattered among various Justice components.

All Federal law enforcement agencies must convert to narrowband communications systems by 2005. The estimated total cost of conversion for Justice alone is \$1,684,000,000. Law enforcement has experienced situations where agents in close proximity were unable to communicate because of incompatible equipment. The conversion to narrowband communications offers an opportunity to ensure interoperability between law enforcement agencies. The Committee believes that commonality is the best, most cost-effective route to interoperability. Unfortunately, current agency-driven procurement plans still emphasize mission specific requirements and agency-unique communications gear. Moreover, fragmented procurements fail to take advantage of potential economies of scale. Therefore, the Committee directs the Justice Management Division [JMD] to serve as the central purchasing agent for all communications equipment. The first task of JMD will be to deliver a narrowband communications conversion master plan to Congress that addresses commonality, interoperability, costs, schedules, network architecture, field tests, reliability, security, and systems growth. This plan shall be provided to the Appropriations Committees no later than November 1, 1998.

COUNTERTERRORISM FUND

(INCLUDING TRANSFER OF FUNDS)

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$52,700,000 |
| Budget estimate, 1999 .....    | 61,703,000   |
| Committee recommendation ..... | 193,999,000  |

The Committee recommends \$193,999,000 for the "Counterterrorism fund" account which was established in Public Law 104-19, the Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-Terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995. The recommendation provides \$132,296,000 more than the request and \$141,299,000 above the 1998 appropriation. This fund is under the control and direction of the Attorney General to: (1) cover the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of any domestic or international terrorist incident; (2) the costs of providing support to counter, investigate, or prosecute domestic or international terrorism, including payment of rewards in connection with these activities; (3) the costs of conducting a terrorism threat assessment of Federal agencies and their facilities; (4) the costs associated with ensuring the continuance of essential Government functions during a time of emergency; and (5) the costs for activities related to the protection of the Nation's critical infrastructure.

*Counterterrorism initiative.*—The administration is starting to realize the threat of terrorists using considerable destructive power on individuals, institutions, and facilities. The Committee is especially concerned with the threat of chemical and biological weapons. The requirements placed upon officials from Federal, State, city, and community agencies are complicated and in many cases unfunded. Most Federal, State, city, and community agencies do not have civil response assets needed to address such a threat or event. These assets include the equipment and training needed to address the demands of terrorist threats or events.

The Committee also recognizes that domestic disaster relief is part of each State's responsibility for public safety. The Committee's goals include providing States with an improved ability to respond to terrorist threats or events. This includes training and equipping the first responder who will respond within 1 hour of a threat or event. The Committee is also aware of the State's rapid assessment and initial detection [RAID] elements that are expected to arrive within 6 to 8 hours after an event has occurred. They will assist in confirming the nature of an attack. However, the use of weapons of mass destruction [WMD] could create a situation which is outside the response capabilities of local law enforcement. The role of the Department of Justice is to manage crises that are caused by domestic terrorists. This includes the ability to prevent or resolve an act of terrorism.

The fiscal year 1998 conference report directed the Attorney General to develop a 5-year interdepartmental counterterrorism and technology crime plan. The plan covers a broad range of topics encompassing the Nation's efforts to prevent and deter terrorist attacks, as well as manage a crisis created by a terrorist incident. It is to serve as a baseline strategy for coordination of national policy and operational capabilities to combat terrorism. This effort is in accord with Presidential Decision Directive 62. The final plan is due no later than December 31, 1998. Last year, the conferees provided \$1,000,000 for the preparation of this plan.

On March 3, 1998, the Department provided an initial prospectus outlining the basic topics to be considered in the course of developing the plan with estimated time lines and major milestones for completion of the plan. The prospectus outlines a comprehensive strategy which covers the prevention of, and the reaction to, terrorist events both inside and outside the United States. It also addresses the safeguarding of our information infrastructure and the research and development of critical technologies used in combating terrorism. The goal of the Committee is to create a coordinated posture with respect to our national efforts to combat terrorism.

The Committee understands that working groups have been developing specific 5-year objectives to be included in a draft plan. The subject area of these recommendations include: prevention and deterrence; crisis management; consequence management; cyberterrorism; critical technologies; and research and development. The Committee expects field meetings be held to refine the draft plan. The purpose of these meetings is to consult with State and local authorities and interested members of the academic community to obtain input for the plan. The Committee continues to emphasize the importance of input and consultation from State and

local authorities, and the academic and private sectors. In consultation with the Office of Management and Budget [OMB], the Coordinating Subgroup on Counterterrorism and key agencies, a final plan should be completed by November 31, 1998. The plan should be presented to the Attorney General for approval and submitted to the appropriate committees no later than December 31, 1998. The Committee looks forward to submission of a comprehensive final product that will serve as a baseline strategy and budget document for coordination of national policy and operational capabilities to combat terrorism.

The Committee commends the Attorney General for her efforts in this process. However, the Committee is concerned with the burdensome process that has been created. The Department has given direct roles to the following agencies: Federal Emergency Management Agency, National Security Agency, Public Health Service, Environmental Protection Agency, Federal Aviation Administration, Nuclear Regulatory Commission, General Services Administration, U.S. Information Agency, Department of Transportation, and Department of Commerce. While many of these agencies have a significant role to play, others do not. It has been estimated that 20 different agencies are involved. As a result, information has been leaked to the media and the process has become burdensome. The Committee urges the Attorney General to conduct an immediate review of the process and in consultation with the Appropriations Committees make appropriate changes.

Also, the Committee expects the final plan will contain budget data appropriate for inclusion in the fiscal year 2000 appropriations bills.

To advance this effort the Committee recommendation includes language which allows the Attorney General to better manage and coordinate the funding requirements needed for crisis management.

*Improving State and local response capabilities.*—The Committee recommendation includes \$197,000,000 within the counterterrorism fund to enable the Office of Justice Programs [OJP] to expand first responder training and equipment program activities. The grant funds available in this program will be targeted to the 157 largest cities and localities in the United States, as well as States. These first responders will be designated by the appropriate local governments. The Committee notes the National Domestic Preparedness Consortium was designed to address and sustain comprehensive and coordinated efforts to respond to incidents of terrorism. This will be done through certification programs, technical assistance, distance learning, test and evaluation, and realistic confidence building exercises based on threat-driven scenarios. The goal of the consortium is to provide a threat responsive, long-term national capability. This capability will be attained through weapons of mass destruction [WMD] emergency first responder training, test, and exercise programs. The consortium should concentrate on using its existing training facilities and staff. This collaborative effort is intended to achieve the most immediate enhancement of local, State, and Federal emergency first responders and emergency management agencies nationwide.

The consortium members include the National Energetic Materials Research and Testing Center, New Mexico Institute of Mining

and Technology; the National Center for Bio-Med Research and Training, Louisiana State University; the Center for Domestic Preparedness, Fort McClellan, AL; the National Emergency Response and Rescue Training Center, Texas A&M University; and the National Exercise, Test, and Training Center, Nevada test site.

The Committee is aware of and supportive of OJP's administration of this program. This program includes an equipment purchasing program and two training programs. It will address the unmet needs of our Nation's first responders by providing equipment and training to efficiently and safely respond to incidents of terrorism, including those involving nuclear, biological, and chemical agents; explosive devices; and other weapons of mass destruction.

OJP expects to accomplish the following activities by the close of fiscal year 1998: (1) offer the first responder basic concepts course to over 74,000 firefighters and emergency medical services personnel in 120 jurisdictions nationwide; (2) award equipment grants, totaling \$12,000,000, to 46 State and local first responder agencies for the purpose of outfitting these agencies with basic protective gear and equipment; (3) establish the State and local training center for first responders at Fort McClellan, AL; and (4) award a \$2,000,000 grant to the New Mexico Institute of Mining and Technology for the development of a curriculum to train local law enforcement personnel to respond to incidents of terrorism.

The Committee recommends the following program increases for fiscal year 1999:

|   | 1998<br>appropriation | 1999 budget esti-<br>mate | Committee rec-<br>ommendation |
|---|-----------------------|---------------------------|-------------------------------|
| Metropolitan medical strike teams training and equipment .....  |                       | \$9,000,000               | \$5,000,000                   |
| Establishment of a Local Law Enforcement Training Program .....   |                       | 7,000,000                 | 7,000,000                     |
| Expansion of the equipment acquisition program ....   | \$12,000,000          | 73,500,000                | 95,000,000                    |
| Administration .....  |                       |                           | (2,000,000)                   |
| Implementation of situational exercises .....   |                       |                           | 10,000,000                    |
| Technical assistance/national needs assessment ....   |                       | 10,000,000                | 10,000,000                    |
| For consortium members:   |                       |                           |                               |
| Center for Domestic Preparedness, Fort McClellan, AL .....  | 2,000,000             | 5,000,000                 | 12,000,000                    |
| National Energetic Materials Research and Testing Center, New Mexico Institute of Mining and Technology ..... | 2,000,000             |                           | 2,500,000                     |
| National Emergency Response and Rescue Training Center, Texas A&M University .....                            |                       |                           | 2,500,000                     |
| National Exercise, Test and Training Center, Nevada test site .....   |                       |                           | 2,500,000                     |
| National Center for Bio-Med Research and Training, Louisiana State University .....                           |                       |                           | 2,500,000                     |
| State and local detection/bomb technician equipment .....   |                       | 49,000,000                | 23,000,000                    |
| Municipal fire and emergency services .....   |                       |                           | 25,000,000                    |

Should the funds be available in the Department of Justice working capital fund, the Committee directs the Attorney General to provide \$23,000,000 for State and local detection/bomb technician equipment.

The Committee finds that the Department of Justice's Office of Justice Programs [OJP] currently does not have a plan to develop simulations of complex, nonlinear phenomena, such as dispersion and deposition of chemical or biological aerosols for the 2002 Winter Olympics. The Committee directs the Department to explore this possibility, employing the services of the University of Utah which is the Nation's lead institution in the National Science Foundation Science and Technology Center for Computer Graphics.

The Committee also notes that the Department of Defense is expected to commit additional funding for this counterterrorism effort in fiscal year 1999 pursuant to the Nunn-Lugar-Domenici Program authorized in Public Law 104-201.

*Improving municipal fire and emergency services.*—The Committee recommendation includes \$25,000,000 to improve municipal fire and emergency services. This new program will ensure municipal fire and emergency services departments are provided with appropriate equipment necessary to respond to incidents of terrorism involving the release of chemical, biological, and radiological agents, as well as improvised or manufactured explosive devices. The Committee recommendation includes \$17,000,000 for grants of equipment directly to local fire departments, hazardous materials response teams, and emergency medical service agencies, and \$8,000,000 for grants for interoperable radio equipment to local emergency response agencies. The Committee's recommendation also includes \$7,000,000 for grants to firefighters and emergency service personnel within the "Justice assistance" account.

*Topoff exercise.*—The Committee commends the administration for its efforts to enhance our ability to prevent and respond to chemical, biological, and cyberweapon attacks. The Committee is aware that numerous exercises are conducted each year to practice operations in the event of a terrorist incident. The Committee understands that few of the top officials of agencies have ever fully participated in these exercises. The Committee directs that an exercise be conducted in fiscal year 1999 with the participation of all key personnel who would participate in the consequence management of such an actual terrorist event. The decision on what type of simulated attack should be based upon the ability to best address one of these three threats. This exercise should be cochaired and administered without notice by the Attorney General and the Administrator of FEMA and coordinated with the National Security Council.

*Cyberterrorism.*—The Committee understands that today our U.S. economy and even our continuing national security is heavily reliant on a vast array of interdependent and critical infrastructures. The Report of the President's Commission on Critical Infrastructure Protection in October 1997 and Presidential Decision Directive No. 63, released in May 1998, call for an unprecedented level of cooperation among U.S. Federal law enforcement agencies, national security entities and the private sector owners and operators to reduce the threat of information age crime, terrorism and possibility of a cyber attack. The Committee strongly encourages and expects all Federal agencies to cooperate to the full extent of their authorities and expertise in the response planning, prevention, detection, deterrence, and elimination of vulnerabilities to

these critical infrastructures. The Committee further encourages all Federal entities to ensure that resources required to protect critical infrastructures and pursue information age criminals and terrorists are given a high priority within respective programs and initiatives.

Today, the potential for an Internet crime wave is staggering. Programs are available which provide marginally skilled people with the tools to threaten national security. These efforts can be contained by simple methods. The Committee urges the FBI to provide guidelines for all agencies within the Department. These guidelines should include the enforcement of strict password policies, employment of firewalls between agency networks and the outside world, the use of encryption, and the reporting of break-ins.

*Presidential Decision Directive 63 [PDD-63].*—The Committee supports PDD-63 in its efforts to address threats to physical and cyberbased critical infrastructure. The Committee notes the requirement by PDD-63 that the Department develop a plan for protecting its own critical infrastructure, including but not limited to its cyberbased systems. This plan should be provided to the Committee no later than August 31, 1998. In addition to this plan the Committee directs the Department to include the necessary legislative authorities and fiscal year 2000 budgetary priorities necessary to begin implementing this plan.

*National Infrastructure Protection Center [NIPC].*—The Committee recommendation includes \$26,984,000 for the National Infrastructure Protection Center. The recommendation does not include \$6,619,000 for other infrastructure protection projects. Should the funds be available in the Department of Justice working capital fund, the Committee directs the Attorney General to provide \$7,985,000 for the National Infrastructure Protection Center [NIPC].

*Continuation of operations [COOP]/continuity of government [COG].*—The Committee recommendation includes \$1,000,000 for the continuation of operations/continuity of government for an alternate crisis management/relocation facility to carry on essential Department of Justice functions in the event the Department, or one of its components, is denied access to its facility for various reasons, such as a terrorist act. The recommendation is \$2,100,000 less than the fiscal year 1999 request due to updated funding requirements.

The Committee is aware that there are carryover balances from fiscal years 1997 and 1998 in excess of \$50,000,000. This amount is adequate to fund the statutory provisions provided in fiscal years 1997-98 counterterrorism fund. The Committee directs the Department of Justice to continue to notify the House and Senate Appropriations Committees prior to obligations of funds.

TELECOMMUNICATIONS CARRIER COMPLIANCE FUND

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | .....         |
| Budget estimate, 1999 .....    | \$100,000,000 |
| Committee recommendation ..... | .....         |

The Committee recommendation does not include direct appropriations for the telecommunications carrier compliance fund. The request included \$100,000,000 to reimburse equipment manufac-

turers and telecommunications support services for implementation of the Communications Assistance for Law Enforcement Act [CALEA].

The Committee continues to recognize the need for law enforcement to retain its ability to use court authorized electronic intercepts in the rapidly growing digital telecommunications environment. At the same time, the Committee is concerned that the Department of Justice, the FBI, and the telecommunications industry have been unable after nearly 4 years of discussions and negotiations to resolve differences regarding compliance with CALEA. On March 27, 1998, the Attorney General filed a petition with the Federal Communications Commission [FCC] advising that the industry's interim technical standard was deficient. The standard was unacceptable because it did not properly address law enforcement requirements that the Department of Justice and the FBI maintain are essential for meeting evidentiary and minimization requirements dictated by law. In view of the continued impasse and the uncertainty about when a FCC decision regarding the industry standard will be forthcoming, the Committee does not recommend any new funding for the telecommunications carrier compliance fund. The Committee notes that \$102,580,270 is available in the fund to begin reimbursing industry once an agreement is reached.

ADMINISTRATIVE REVIEW AND APPEALS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$129,258,000 |
| Budget estimate, 1999 .....    | 144,863,000   |
| Committee recommendation ..... | 41,858,000    |

The Committee recommends \$41,858,000 for fiscal year 1999 for administrative review and appeals. The recommendation is \$87,400,000 below the fiscal year 1998 appropriation and \$103,005,000 below the fiscal year 1999 request. The recommendation assumes that \$97,400,000 in funds from the Immigration and Naturalization Service [INS] examinations fee account is made available for Executive Office for Immigration Review [EOIR] operations. Immigration exam fees may be used for expenses in providing immigration adjudication.

The EOIR includes the Board of Immigration Appeals, immigration judges, and administrative law judges who decide through administrative hearings whether to admit or exclude aliens seeking to enter the country, and whether to deport or adjust the status of aliens whose status has been challenged. This account also funds the Office of the Pardon Attorney which receives, investigates, and considers petitions for all forms of executive clemency. The recommendation provides \$128,701,000 for the EOIR and \$1,557,000 for the Office of the Pardon Attorney.

*Videoconferencing.*—Within the funds made available for the EOIR, the Committee recommendation provides \$1,000,000 for 20 point-to-point installations in the following cities: Chicago, IL; Kansas City, MO; Omaha, NE; Newark, NJ; Miami, FL; Los Angeles, CA; Denver, CO; Salt Lake City, UT; Houston, TX; Oklahoma City, OK; New York, NY; San Francisco, CA; Detroit, MI; Cincinnati and Cleveland, OH; Las Vegas and Reno, NV; Phoenix, AZ; San Juan, PR; and St. Thomas, VI, subject to continuing cost-benefit analysis. The various nodes will be linked in a network that maximizes cov-

erage and utilization. The Committee expects the EOIR to consult with the Committees on Appropriations prior to the final determination of the installation sites.

*Translation and transcription.*—Of the funds transferred from the INS “Examinations fee” account, \$9,000,000 is only for translation and transcription services at immigration proceedings.

OFFICE OF INSPECTOR GENERAL

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$33,211,000 |
| Budget estimate, 1999 .....    | 34,610,000   |
| Committee recommendation ..... | 33,211,000   |

The Committee recommends \$33,211,000 for fiscal year 1999 for the Office of Inspector General. This recommendation is identical to the fiscal year 1998 appropriation and \$1,399,000 below the fiscal year 1999 request.

The Committee is concerned that Department employees accused of wrongdoing are not enjoying the swift justice that is every citizen’s right. From fiscal years 1996 to 1998, the average closure rate for inspector general investigations climbed from 6 to 9 months. The Committee urges the inspector general to refer cases to the appropriate component of the Department as necessary to keep its average closure rate for investigations at no more than 180 days.

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 nature; (2) funds available for the acquisition of motor vehicles; and (3) up to one-tenth of 1 percent of violent crime reduction trust fund grant money available to the inspector general for audits of grant programs.

U.S. PAROLE COMMISSION

SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$5,009,000 |
| Budget estimate, 1999 .....    | 7,621,000   |
| Committee recommendation ..... | 7,969,000   |

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

The Committee recommends \$7,969,000 for fiscal year 1999 for the Parole Commission. The recommendation is \$2,960,000 above the fiscal year 1998 appropriation and \$348,000 above the fiscal year 1999 request.

The Parole Commission is scheduled to be phased out in 2002 as a result of the creation of sentencing guidelines. The Committee recommendation reflects the Commission’s schedule to terminate its operations. However, the Commission has been given sweeping new responsibilities with the passage of the National Capital Revitalization and Self-Government Improvement Act (Public Law 105–33). On August 5, 1998, the Commission will assume the responsibilities of the D.C. Board of Parole. The District prison population is one of the most violent in the country, and, with the imminent closing of Lorton, may be widely scattered. If the paperwork exists at all, presentencing reports, prisoner case files, and other docu-

mentation necessary to hold parole hearings are fragmentary and of poor quality. Verification of parole plans and parole supervision will have to be revived. The Committee recommendation includes the increases required to properly implement Public Law 105-33 with the understanding that additional funding may be necessary as the implications of the transition come into clearer focus.

## LEGAL ACTIVITIES

### GENERAL LEGAL ACTIVITIES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$452,358,000 |
| Budget estimate, 1999 .....    | 485,511,000   |
| Committee recommendation ..... | 485,511,000   |

This appropriation funds the establishment of litigation policy, conduct of litigation, and various other legal responsibilities, through the Office of the Solicitor General, the Tax Division, the Criminal Division, the Civil Division, the Environmental and Natural Resources Division, the Civil Rights Division, the Office of Legal Counsel, Interpol, and the Office of Special Counsel for Immigration Related Unfair Employment Practices.

The Committee recommends \$485,511,000 for fiscal year 1999 for general legal activities. The total recommendation is \$33,153,000 above the fiscal year 1998 appropriation and identical to the fiscal year 1999 request. The Committee is aware that an additional \$160,242,000 in reimbursements will be made available to this account in fiscal year 1999. Within available resources, the Committee directs the divisions to redouble efforts on hate crimes and domestic terrorism. No funds are provided for the Joint Center for Strategic Environmental Enforcement.

*Winstar.*—Winstar describes the over 130 breach of contract suits against the Government that resulted from capital reserve requirement and accounting changes mandated by the Financial Institutions Reform, Recovery and Enforcement Act [FIRREA]. Winstar cases have an estimated total liability of as much as \$32,000,000,000. Until this year, Treasury reimbursed Justice for most litigation costs using Federal Savings and Loan Insurance Corporation [FSLIC] transfers. This year, Justice, and this subcommittee, are bearing the entire cost of litigation. Within available resources, the Committee recommendation provides \$63,737,000 for Winstar, the full amount requested. The Committee fully expects Justice to keep it apprised of the cost implications of relevant rulings that may occur during the course of the year.

*Cybercrime.*—Traffic on the Internet continues to rise, yet security controls remain totally inadequate. As a result, the information superhighway has become an avenue for embezzlement, fraud, theft, sabotage, espionage, hate crimes, and pornography. Within available resources, the Committee recommendation provides \$5,089,000 for cybercrime prosecutions, including \$1,000,000 for online obscenity prosecutions.

*Office of Special Investigations.*—The Office of Special Investigations [OSI] is responsible for originating, investigating, and prosecuting all denaturalization and deportation cases against Nazi war criminals. Within available resources, the Committee recommendation provides \$5,761,000 for the OSI. The \$2,000,000 in-

crease over the fiscal year 1999 request will allow the OSI to maintain the pace of prosecutions while supporting the Nazi war criminal records interagency working group.

*Superfund litigation.*—Corporations that produced war goods during World Wars I and II are attempting to shift the costs for cleaning up contaminated wartime manufacturing sites from themselves to the Government in suits filed under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 [CERCLA]. The total liability of the cases filed is estimated at \$2,200,000,000. Additional cases are a distinct possibility. That most wartime Federal agencies are defunct, and most successor agencies disinterested, complicates the Government's defense. Within available resources, the Committee recommendation provides \$3,431,000 for CERCLA defensive litigation.

*Vessel pollution.*—The intentional discharge of oil and other pollutants from vessels in U.S. coastal and inland waterways is a widespread problem. Justice Department lawyers and investigators, in cooperation with the Coast Guard, the Environmental Protection Agency, and the Department of Transportation, have undertaken an initiative to better enforce current clean water laws. Within available resources, the Committee recommendation provides \$706,000 for vessel pollution prosecutions, including \$250,000 for automated litigation support.

*Chlorofluorocarbon smuggling.*—The ban on the use of chlorofluorocarbons [CFC's] in the United States has created a thriving black market trade in freon and halon. Russia, China, and India are exploiting the wide use of older, CFC-dependent air-conditioners and fire suppression systems to supply illegal importers. Justice Department lawyers, cooperating with Customs and the Environmental Protection Agency, have targeted smuggling rings in coastal and border States. Within available resources, the Committee recommendation provides \$523,000 for CFC smuggling prosecutions, including \$250,000 for automated litigation support.

*Interpol.*—Criminals, particularly terrorists and narcotics traffickers, routinely elude police pursuit by traveling from country to country. Efforts to catch international criminals depend heavily upon the widest dissemination of timely information regarding wanted fugitives. The U.S. branch of Interpol serves as an information clearinghouse for both member nations and domestic State and local law enforcement agencies. Within available resources, the Committee recommendation provides \$7,068,000 for Interpol.

*Law-based international organizations.*—Within available resources, the Committee recommendation provides \$245,000 for U.S. membership in three law-based international organizations: the Hague Conference on Private International Law, the International Bureau of the Permanent Court of Arbitration, and the International Institute for the Unification of Private Law. Previously, membership dues were paid out of the "Contributions to international organizations" account in title IV. The recommendation reflects exchange rate savings.

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 available for litigation support contracts; (3) makes up to \$17,834,000

available for office automation systems; and (4) makes up to \$1,000 available to the U.S. National Central Bureau—Interpol for reception and representation expenses. New language authorizes the payment of assessed contributions to international organizations.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$4,028,000 |
| Budget estimate, 1999 .....    | 4,028,000   |
| Committee recommendation ..... | 4,028,000   |

The Committee recommends a reimbursement of \$4,028,000 for fiscal year 1999 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. The recommendation is identical to the fiscal year 1998 appropriation and the fiscal year 1999 request.

ANTITRUST DIVISION

SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$93,495,000 |
| Budget estimate, 1999 .....    | 98,275,000   |
| Committee recommendation ..... | 98,275,000   |

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

The Committee recommendation assumes a total of \$98,275,000 in budget (obligational) authority for fiscal year 1999 for the Antitrust Division. The recommendation is \$4,780,000 above the fiscal year 1998 appropriation and identical to the fiscal year 1999 request. The Committee has not adopted OMB's latest fee proposal.

Of the amount provided, \$86,588,000 will be derived from anticipated offsetting fee collections in fiscal year 1999, and \$11,687,000 will be available from carryover balances.

The recommendation includes bill language for the Antitrust Division, similar to that included in previous fiscal years, which: (1) allows \$86,588,000 in fees to be credited to this account; and (2) reduces appropriated funds as fees are collected.

U.S. ATTORNEYS

SALARIES AND EXPENSES

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1998 .....     | \$1,035,288,000 |
| Budget estimate, 1999 .....    | 1,106,993,000   |
| Committee recommendation ..... | 1,083,642,000   |

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

The Committee recommends a total of \$1,083,642,000 in fiscal year 1999 for U.S. attorneys. The recommendation is \$48,354,000 above the fiscal year 1998 appropriation and \$23,351,000 below the

fiscal year 1999 request. The Committee is aware that an additional \$106,937,000 in reimbursements will be made available to this account in fiscal year 1999. The recommendation provides most requested base adjustments for this account.

*Indian country.*—The Committee directs that resources dedicated to the oversight of the soon to be completed IBT election be redirected to restoring the rule of law on Indian reservations.

*Redeployment of resources.*—More and more, criminal activity, particularly narcotics trafficking, is nomadic and tends to surge and recede as law enforcement responds to local or regional crime waves. Unlike the investigatory arms of justice, U.S. attorneys lack the flexibility to shift from place to place as criminal enterprises migrate. As a result, district workloads vary wildly and sudden rises in crime rates can quickly overwhelm U.S. attorneys offices. The Committee directs the Executive Office for U.S. Attorneys [EOUSA] to report on new approaches to the deployment of attorneys, paralegals, and support staff that emphasize responsiveness to sudden changes in local or regional crime rates. The report should be delivered to the Committees on Appropriations no later than February 1, 1999.

*Courtroom technology.*—U.S. attorneys have been experimenting with portable, off-the-shelf video and computer equipment for courtroom proceedings. The attorneys found that the equipment substantially improved the presentation of evidence, as well as rapidly accelerating the pace of trials. Users found that they saved the equivalent of 1 trial day in every 5 using video and computer equipment. The Committee recommendation provides \$2,612,000 within available resources (and 10 full-time equivalents) for a courtroom technology pilot program involving 10 districts, including Colorado, middle district of Florida, Montana, New Mexico, northern district of New York, and South Carolina. The Committee urges the Executive Office for U.S. Attorneys [EOUSA] to exploit opportunities created by attrition to add technical staff and further expand the pilot program, if possible. The Committee expects the EOUSA to report to the Committees on Appropriations on its courtroom technology efforts not later than February 1, 1999.

*Cybercrime.*—Traffic on the Internet continues to rise, yet security controls remain totally inadequate. As a result, the information superhighway has become an avenue for embezzlement, fraud, theft, sabotage, espionage, hate crimes, and pornography. Within available resources and manpower ceilings, the Committee recommendation provides \$3,630,000 (and 18 full-time equivalents) for cybercrime prosecutions.

*Legal education.*—Within available resources and manpower ceilings, the Committee recommendation provides \$14,782,000 (and 37 full-time equivalents) for legal education at the National Advocacy Center [NAC]. NAC State and local training funds are provided under the Office of Justice Programs. In addition, the Committee recommendation provides \$1,000,000 within available resources to complete the audio-visual center and equip another computer classroom at the NAC.

*Child support enforcement.*—The Committee is aware that an estimated \$34,000,000,000 in child support payments will have gone unpaid by fiscal year 1999. Within available resources and man-

power ceilings, the Committee recommendation provides a total of \$1,472,000 (and 20 full-time equivalents) for child support enforcement. U.S. attorneys should consider cross-referencing their files with those of the U.S. trustees to help identify deadbeat parents.

*Firearm violation demonstration project.*—Within available resources, the Committee recommendation includes \$1,500,000 to hire additional assistant U.S. attorneys and investigators in the city of Philadelphia to enforce Federal laws designed to keep firearms out of the hands of criminals. This focused demonstration project will provide additional prosecutorial resources to enhance existing law enforcement efforts.

*Violent crime task force demonstration projects.*—Last year, the Conferees provided \$2,000,000 to support the continuation and expansion of violent crime task force demonstration projects to address specific law enforcement problems. One of those efforts has been to investigate and prosecute perpetrators of Internet sexual exploitation of children. The Committee recommends \$1,000,000 within available resources for this effort to be administered under the auspices of Operation Streetsweeper. These funds should be provided to facilitate all aspects, phases and stages of Internet child exploitation prosecutions.

*District of Columbia.*—The ability of U.S. attorneys in the District to pursue criminal prosecutions, particularly sex crimes and murders, has been hindered by failures in the medical examiner's office. The Committee urges the District government to properly fund the medical examiner's office, or make funds available to reimburse the Federal Bureau of Investigation for laboratory services to collect, identify, classify, analyze, and interpret crime scene evidence.

The Committee also recommends bill language, similar to that included in previous fiscal years, which makes available up to: (1) \$2,500,000 for debt collection purposes until September 30, 2000; (2) \$10,000,000 for automated litigation support contracts until expended; (3) \$8,000 to be used for official reception and representation expenses; and (4) \$1,200,000 to modernize the computer system of D.C. Superior Court.

U.S. TRUSTEE SYSTEM FUND

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$114,248,000 |
| Budget estimate, 1999 .....    | 130,437,000   |
| Committee recommendation ..... | 108,248,000   |

The U.S. trustee system provides administrative support to expeditiously move bankruptcy cases through the bankruptcy process and ensures accountability of private trustees appointed to administer bankruptcy estates. This system was authorized in Public Law 99-554, the Bankruptcy Judges, U.S. Trustees, and Family Farmer Bankruptcy Act of 1986, which 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 Committee recommends a total of \$108,248,000 in budget (obligational) authority for fiscal year 1999 for the U.S. trustees. The recommendation is \$6,000,000 below the fiscal year 1998 appropriation and \$22,189,000 below the fiscal year 1999 request. The Committee has not adopted OMB's latest fee proposal.

The trustees are projecting an unexpectedly sharp drop in revenues in fiscal year 1999 due to a decline in chapter 11 caseload. As a result, trustees now require appropriated funds to meet operating expenses. Of the amount provided, \$100,000,000 will be derived from anticipated offsetting fee collections in fiscal year 1999 and \$8,248,000 is provided as a direct appropriation. Language included under general provisions will make available to the trustees another \$6,000,000 derived from interest earned on U.S. trustee system fund investments.

The Committee recommendation includes bill language which: (1) allows all fees collected to be used as offsetting collections to the U.S. trustee program; (2) allows deposits to the U.S. trustee system fund to be used to pay refunds due depositors; (3) allows \$100,000,000 in offsetting fee collections to be retained and used for necessary expenses in this appropriation; and (4) reduces appropriated funds as such fees are collected.

FOREIGN CLAIMS SETTLEMENT COMMISSION

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$1,226,000 |
| Budget estimate, 1999 .....    | 1,335,000   |
| Committee recommendation ..... | 1,227,000   |

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

The Committee recommends \$1,227,000 for fiscal year 1999 for the Foreign Claims Settlement Commission. The recommendation is \$1,000 above the fiscal year 1998 appropriation and \$108,000 below the fiscal year 1999 request. The Committee recommendation fully provides for the adjudication of claims against: Germany relating to World War II; Cuba relating to the Castro regime; Iraq relating to the U.S.S. *Stark* incident and Desert Shield/Storm; and Albania relating to the Communist takeover in 1945. The recommendation eliminates funds for a rent increase that is no longer a requirement.

U.S. MARSHALS SERVICE

SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$493,388,000 |
| Budget estimate, 1999 .....    | 512,843,000   |
| Committee recommendation ..... | 501,752,000   |

The U.S. Marshals Service is made up of 94 offices with the responsibility for 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 recommends \$501,752,000 for fiscal year 1999 for the U.S. Marshals Service. The recommendation is \$8,364,000 above the fiscal year 1998 appropriation and \$11,091,000 below the fiscal year 1999 request.

The Committee recommendation provides the requested base adjustments for this account. The recommendation also includes a \$1,023,000 increase for staff to implement and support a variety of cost-reduction initiatives. This amount includes 12 senior systems

administrators for the following locations: Anchorage, AK, Honolulu, HI, Boise, ID, Louisville, KY, Las Vegas, NV, Fargo, ND, Columbia, SC, South Bend, IN, Jackson, MS, Greensboro, NC, Hato Rey, PR, and Charleston, WV.

*Courthouse security.*—The Committee is aware that the substantial increase provided in fiscal year 1998 for fugitive apprehensions was largely diverted to courthouse security and prisoner transportation. The Committee recommendation assumes that last year's unintended increase for courthouse security can cover the fiscal year 1999 request for new courthouses.

*Courthouse security equipment.*—The Committee recommendation provides \$2,935,000 for courthouse security equipment. This equipment will outfit newly opening courthouses in the following locations: Phoenix and Tucson, AZ; Tallahassee, FL; Omaha, NE; Las Vegas, NV; Charleston, SC; and Richland, WA.

*Contract officers.*—The Director shall make maximum use of contract officers for process serving, evictions (in the District of Columbia), and to augment the marshals' courthouse presence, thus freeing up deputies for fugitive apprehension. Properly supervised, contract officers are a cost-effective means of addressing the ever-increasing workload associated with service of process, evictions, and protection of the Federal judiciary. The Director shall provide a report on the expansion of the marshals' contract officer program not later than December 31, 1998.

*Fugitive apprehensions.*—At any given moment, 25,000 to 30,000 fugitives are prowling America's streets. With nothing to lose, these fugitives are particularly prone to violent crime. By providing support to all levels of law enforcement, the marshals' electronic surveillance unit is a significant force multiplier in the effort to apprehend dangerous fugitives. The Committee recommendation provides an increase of \$3,130,000 over fiscal year 1998 for the electronic surveillance unit, including funding for surveillance vans, telephone and bucket trucks, dialed number recorders, and digital cellular tracking systems.

*Videoconferencing.*—The Committee is aware that videoconferencing generates savings and improves public safety. The Committee recommendation provides \$500,000 for the acquisition and installation of videoconferencing equipment in the following locations: the District of Columbia; Union County, NJ, jail; Westchester, NY, regional medical facility; Oklahoma City, OK, regional medical facility; and high-volume jail locations to be determined in Texas and elsewhere. The Committee expects the Marshals Service to consult with the Committees on Appropriations prior to the final determination of the installation sites.

*District of Columbia.*—In the District of Columbia, the U.S. marshals are responsible for enforcing court-ordered evictions. The Committee is concerned that evictions are traumatic enough for neighborhoods without the presence of unfamiliar Federal officers. The Committee believes that pairing marshals with Metropolitan police officers, preferably officers known in the community, would help defuse potentially explosive situations. The Committee directs the Marshals Service to work cooperatively with the Metropolitan Police Department [MPD] to implement a pilot of this proposal beginning on October 1, 1998, and extending through March 30, 1999.

The Committee further expects that the marshals and the MPD to jointly report to the Appropriations Committees on the pilot evictions policy no later than May 1, 1999. Included in the requested report should be a description of the incidents, if any, where the Marshals Service called for MPD backup prior to the implementation of the pilot, the number of evictions carried out during the pilot period, and an estimate of the number of additional MPD officers required to maintain citywide patrol coverage. It should also include the number of U.S. marshals that could be reassigned to fugitive apprehension, protection of judicial officers, or other duties in the District if this policy were made permanent.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows up to \$6,000 to be used for official reception and representation expenses, up to \$4,000,000 to be used for an automated prisoner information system, and allows for the acquisition of motor vehicles for police-type use without regard to the general purchase price limitation.

CONSTRUCTION

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     |             |
| Budget estimate, 1999 .....    | \$6,300,000 |
| Committee recommendation ..... | 4,000,000   |

The Committee recommends \$4,000,000 for fiscal year 1999 for construction projects. The recommendation is \$2,300,000 below the fiscal year 1999 request.

The Committee recommendation includes funding for courthouse renovations at the following locations: Flagstaff, AZ; Key West and Miami, FL; Savannah, GA; Detroit and Grand Rapids, MI; Greenville, MS; Buffalo, NY; Cleveland, OH; McAlester, OK; Philadelphia, PA; Sioux Falls, SD; Houston, TX; Newport News, VA; and Martinsburg, WV. No contingency funding is provided.

JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     |              |
| Budget estimate, 1999 .....    | \$10,000,000 |
| Committee recommendation ..... | 10,000,000   |

This new account capitalizes a limited revolving fund making prisoner air transportation operations and maintenance self-financing. Aircraft procurement and prisoner ground transportation will continue to require appropriated funds. Customer costs will continue to be reflected in the separate agency requests.

The Committee recommends \$10,000,000 for fiscal year 1999 for the justice prisoner and alien transportation system. The recommendation is identical to the fiscal year 1999 request.

FEDERAL PRISONER DETENTION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$405,262,000 |
| Budget estimate, 1999 .....    | 450,848,000   |
| Committee recommendation ..... | 407,018,000   |

Under this program, the U.S. marshals contract with State and local jails and private facilities to house unsentenced Federal prisoners for short periods of time. This is usually before and during

trial, and while awaiting transfer to Federal institutions after conviction.

The Committee recommends \$407,018,000 for fiscal year 1999 for Federal prisoner detention. The recommendation is \$1,756,000 above the fiscal year 1998 appropriation and \$43,830,000 below the fiscal year 1999 request. The recommendation reflects a refined estimate of requirements and fully funds Federal prisoner detention.

FEEES AND EXPENSES OF WITNESSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$75,000,000 |
| Budget estimate, 1999 .....    | 95,000,000   |
| Committee recommendation ..... | 95,000,000   |

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

The Committee recommends \$95,000,000 for fiscal year 1999 for fees and expenses of witnesses. The recommendation is \$20,000,000 above the fiscal year 1998 appropriation and identical to the fiscal year 1999 request.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows up to: (1) \$6,000,000 for protected witness safe sites; and (2) \$1,000,000 for the purchase and maintenance of armored vehicles for prisoner transportation.

COMMUNITY RELATIONS SERVICE

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$5,319,000 |
| Budget estimate, 1999 .....    | 8,899,000   |
| Committee recommendation ..... | 5,319,000   |

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

The Committee recommends \$5,319,000 for fiscal year 1999 for the Community Relations Service. The recommendation is identical to the fiscal year 1998 appropriation and \$3,580,000 below the fiscal year 1999 request. The reduction in this account is done without prejudice.

The CRS has served the country well as a small crisis response team dedicated to mediating racially charged civil disputes. The Committee is concerned that CRS will lose its focus, and its skills, if its mission is broadened to include State and local education and training and national disaster planning. The Committee recommendation attempts to sustain the core mission of the CRS, but does not fund several extraneous initiatives better handled by other agencies.

The Committee also recommends bill language included in previous years that 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

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$23,000,000 |
| Budget estimate, 1999 .....    | 23,000,000   |
| Committee recommendation ..... | 23,000,000   |

This account provides funds to supplement existing resources to cover additional investigative expenses of the FBI, DEA, INS, and U.S. marshals, such as awards for information, purchase of evidence, equipping of conveyances, and investigative expenses leading to seizure. Funds for these activities are provided from receipts deposited in the assets forfeiture fund resulting from the forfeiture of assets. Expenses related to the management and disposal of assets are also provided from the assets forfeiture fund by a permanent indefinite appropriation.

The Committee recommends \$23,000,000 for fiscal year 1999 for the assets forfeiture fund. The recommendation is identical to the fiscal year 1998 appropriation and the fiscal year 1999 request.

## RADIATION EXPOSURE COMPENSATION

## ADMINISTRATIVE EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$2,000,000 |
| Budget estimate, 1999 .....    | 2,000,000   |
| Committee recommendation ..... | 2,000,000   |

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.

The Committee recommends \$2,000,000 for fiscal year 1999 to handle claims and litigation arising from the Radiation Exposure Compensation Act. The recommendation is identical to the fiscal year 1998 appropriation and the fiscal year 1999 request.

## PAYMENT TO THE RADIATION EXPOSURE COMPENSATION FUND

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$4,381,000 |
| Budget estimate, 1999 .....    | 11,717,000  |
| Committee recommendation ..... |             |

This account funds payments to approved claimants under the Radiation Exposure Compensation Act of 1990.

The Committee does not recommend an appropriation for fiscal year 1999 for payments under the Radiation Compensation Act. The recommendation is \$4,381,000 below the fiscal year 1998 appropriation and \$11,717,000 below the fiscal year 1999 request.

Approval of the funds sought in fiscal year 1999 was predicated on the passage of legislation that increased both the amount of payments to qualifying individuals and the number of categories of claimants. The proposed legislation has not been acted on and future passage is uncertain. The Committee understands that the \$19,000,000 in carryover available to the fund is more than adequate to cover payments in fiscal year 1999. The Committee expects the Justice Department to request the necessary funds in fiscal year 2000.

## INTERAGENCY LAW ENFORCEMENT

## INTERAGENCY CRIME AND DRUG ENFORCEMENT

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$294,967,000 |
| Budget estimate, 1999 .....    | 304,014,000   |
| Committee recommendation ..... | 294,967,000   |

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

The Committee recommends \$294,967,000 for fiscal year 1999 for interagency crime and drug enforcement. The recommendation is identical to the fiscal year 1998 appropriation and \$9,047,000 below the fiscal year 1999 request.

In addition, the Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for intergovernmental agreements; and (2) allows funds to be reallocated under existing authorities among participating organizations.

## FEDERAL BUREAU OF INVESTIGATION

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1998 .....     | \$2,974,548,000 |
| Budget estimate, 1999 .....    | 3,032,470,000   |
| Committee recommendation ..... | 2,956,461,000   |

The Committee recommendation provides \$2,956,461,000 in budgetary resources for Federal Bureau of Investigation [FBI] operations for fiscal year 1999. The total includes a direct appropriation of \$2,288,577,000. Also, this amount includes \$1,287,000 for construction, \$233,473,000 in defense discretionary funding for counterterrorism, counterintelligence, and national security activities, and \$433,124,000 from the violent crime reduction trust fund pursuant to the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132) and the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322). This operating level is \$18,087,000 below the appropriation for fiscal year 1998 and \$76,009,000 less than the fiscal year 1999 request.

*Working capital fund transfer.*—The Committee understands that the FBI projects \$10,000,000 in unobligated user fees for fiscal year 1998. The Committee directs the FBI to transfer these funds to the Department of Justice working capital fund.

## SALARIES AND EXPENSES

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1998 .....     | \$2,750,921,000 |
| Budget estimate, 1999 .....    | 2,802,968,000   |
| Committee recommendation ..... | 2,522,050,000   |

The Committee recommendation provides \$2,522,050,000 in salaries and expenses for FBI operations for fiscal year 1999. This level includes funding for the following requested initiatives:

*Counterterrorism and cybercrime.*—The Committee recommends \$17,419,000 and 133 positions (75 agents) to support the establishment of dedicated computer crime squads in six field offices (Atlanta, GA; Boston, MA; Charlotte, NC; Miami, FL; Minneapolis, MN; and Seattle, WA) and to enhance the operations of the Na-

tional Infrastructure Protection Center [NIPC]. The recommendation does not include \$4,600,000 for infrastructure assessments. Should the funds be available in the Department of Justice working capital fund, the Committee directs the Attorney General to provide \$4,250,000 for the FBI's National Infrastructure Protection Center [NIPC].

*Information sharing.*—The Committee recommends \$50,000,000 and 20 positions to expand and broaden the FBI's current information technology environment for the multiagency cooperation and collaboration essential to supporting counterterrorism, international crime, technology crime, and other investigative and national security priorities. Should the funds be available in the Department of Justice working capital fund, the Committee directs the Attorney General to provide \$47,950,000 for the FBI's information sharing efforts.

*Indian country law enforcement.*—The Committee recommends \$8,009,000 and 81 positions (30 agents) to address crimes in Indian country and provide additional victim/witness coordinator positions.

*Infrastructure.*—The Committee recommends \$337,000 and six positions (one agent) for a program office at the FBI Academy complex to manage construction projects (\$141,000) and to establish a civil rights analytical center (\$196,000).

*Crimes against children.*—The Committee recommendation includes \$5,204,000 to enhance the FBI's capabilities to combat child abductions and serial killings. Within this amount, \$3,439,000 is included for the child abduction and serial killer unit to enhance staffing to provide additional case consultation services, establish a police fellows program for training local investigators, and provide training to State and local law enforcement. Additionally, \$1,765,000 is recommended to enhance the staffing of the Violent Criminal Apprehension Program [VICAP] to provide more timely assistance to State and local law enforcement requesting case analysis services.

*Criminal justice services.*—The Committee recommendation includes an increase of \$8,110,000 for support of Criminal Justice Information Services Division [CJIS] facilities and systems. Within this funding, \$4,074,000 is provided for operations and maintenance of the CJIS fingerprint identification complex; \$2,711,000 is for continued operations and maintenance of the CJIS wide area network; and \$1,325,000 is for part-year operating costs for the integrated automated fingerprint identification system [IAFIS], which is scheduled to begin offering full services in the third quarter of 1999.

Should the funds be available in the Department of Justice working capital fund, the Committee directs the Attorney General to provide \$6,000,000 for the FBI's microwave replacement.

*FBI training facility in Quantico, VA.*—The Committee recommendation continues funding for the recently established DEA training facility at the FBI Training Academy in Quantico, VA. The Committee again directs the FBI and the DEA to fully integrate their training curriculum as it relates to issues of mutual responsibility and statutory jurisdiction to establish, maintain, and enhance the mission-related skills of both agencies.

*South Carolina low country.*—The Committee is concerned that the DEA is under-represented in the low country of South Carolina, which is experiencing an alarming rate of crack cocaine usage. In an effort to counter this trend, the Committee directs the DEA to create a post of duty in the low country of South Carolina to address this problem.

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; (2) the acquisition and operation of aircraft; (3) up to \$70,000 for unforeseen emergencies; (4) up to \$50,000,000 for automated data processing [ADP], telecommunications, and technical equipment to remain available until September 30, 1999; (5) up to \$1,000,000 for undercover operations to remain available until September 30, 1999; (6) not less than \$233,473,000 for counterterrorism investigations, foreign counterintelligence, and national security activities; (7) up to \$14,000,000 to remain available until expended for research and development related to investigative activities; (8) up to \$10,000,000 to reimburse State and local enforcement for assistance related to violent crime, terrorism, and drug investigations; and (9) up to \$45,000 for official reception and representation expenses.

*Counterterrorism initiative.*—The Committee included funding in fiscal year 1998 to significantly upgrade the FBI's counterterrorism mobility capabilities by initiating the replacement of outdated tactical helicopters used by the hostage rescue team and specialized surveillance aircraft that support counterterrorism and other investigations, and by enhancing the response capabilities of the hostage rescue team and regional special weapons and tactics squads. Similarly, the Committee provided funding in fiscal year 1998 for FBI weapons of mass destruction programs, consistent with its crisis response responsibilities.

With funding provided by the Committee in fiscal year 1998, the FBI will nearly double, from 384 to 754, the number of Federal, State, and local bomb technicians trained this year at the Hazardous Devices School, Redstone Arsenal, AL. In particular, the Committee notes that the FBI will provide a specialized weapons of mass destruction bomb technician emergency actions course to 340 students in 1998.

The Committee recommendation includes an increase of \$8,700,000 to continue the improvement of FBI capabilities for dealing with the threat of weapons of mass destruction. This amount includes \$2,900,000 for training at the Hazardous Devices School; \$3,430,000 for chemical and biological detection equipment; \$1,700,000 and 10 positions for national weapons of mass destruction program management; and \$670,000 and 6 positions for hazardous materials response unit staff. Should the funds be available in the Department of Justice working capital fund, the Committee directs the Attorney General to provide \$6,330,000 for this effort.

The Committee commends the FBI for its use of joint task forces to combat terrorism. These interagency task forces, comprised of representatives from Federal, State, and local law enforcement agencies, have been established in 16 cities to maximize cooperation and facilitate the sharing of information among participants.

The Committee recommendation includes \$3,200,000 to support joint counterterrorism task force operations during 1999.

The Committee recommends additional funding for the FBI's National Foreign Intelligence Program [NFIP], including \$2,500,000 for a counterintelligence investigation enhancement. In addition, the Committee directs that the FBI may, within available 1999 funding, implement the following programs: (1) dedicated technical program; (2) foreign counterintelligence operational training; (3) all-source/operational analytical headquarters support; and (4) all-source/operational analytical training. These programs are detailed in the classified annex and schedule of authorizations of the Intelligence Authorization Act for Fiscal Year 1999. The Committee supports this programwide initiative to enhance the Bureau's capability to collect, process, and analyze espionage and international terrorism information.

*Fingerprint-card backlog.*—The Committee commends the FBI for the significant strides it has made in reducing the overall backlog of fingerprints submitted for checks against its existing records. Fingerprint-card receipts increased 48 percent from fiscal year 1994 through fiscal year 1997. To address this continually growing backlog, the FBI hired 1,100 additional criminal justice information services [CJIS] employees between January and July 1997. The additional personnel and the establishment of several end-to-end processing teams reduced the backlog from approximately 2,900,000 in January 1997 to 700,000 as of February 10, 1998. Moreover, the Committee understands the FBI's incremental development of the new integrated automated fingerprint identification system [IAFIS] is projected to reduce processing times to 2 hours for high priority criminal submissions and 24 hours for all other criminal and civil submissions.

The Committee is aware that many States require a Federal criminal background check for the hiring of schoolbus drivers. The Committee directs the FBI to allocate sufficient personnel to ensure the timely processing of criminal background checks for schoolbus drivers.

CONSTRUCTION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$44,506,000 |
| Budget estimate, 1999 .....    | 14,146,000   |
| Committee recommendation ..... | 1,287,000    |

The Committee recommends \$1,287,000 for FBI construction. This amount is \$12,859,000 less than the fiscal year 1999 request and \$43,219,000 less than the fiscal year 1998 appropriation.

*Academy firearms training facility.*—Should the funds be available in the Department of Justice working capital fund, the Committee directs the Attorney General to provide \$10,000,000 for the second phase of upgrades to the FBI's firearms training facility.

*Academy improvements and maintenance.*—The Committee recommends \$1,287,000 to continue necessary improvements and maintenance at the FBI Academy.

*Academy master plan.*—Should the funds be available in the Department of Justice working capital fund, the Committee directs the Attorney General to provide \$2,859,000 for continued develop-

ment of a comprehensive plan for necessary improvements, maintenance, capital improvements, and expansion of facilities.

The Committee finds that in the past there has been no long-range planning of construction facilities. With the growth of the FBI's construction budget, the Committee directs that funding for fiscal year 2000 construction will only be appropriated if there is a construction site; the project is part of a 5-year Department plan; and the planning and design of the project is 35 percent designed.

The Committee commends the Bureau for its efforts to plan for future construction at the Academy. The Committee is concerned with the limitations of construction at the Academy and directs that a master plan be created which addresses construction planning for the next 5 years. This plan should be provided to the Appropriations Committees no later than February 1, 1999. There are encroachment and boundary restrictions which will prevent future expansion of the Academy. The Committee urges the Bureau to enter into negotiations with the Department of the Navy regarding the expansion of the Academy's boundaries.

#### DRUG ENFORCEMENT ADMINISTRATION

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1998 .....     | \$1,135,378,000 |
| Budget estimate, 1999 .....    | 1,178,260,000   |
| Committee recommendation ..... | 1,217,054,000   |

The Committee recommends total budget authority of \$1,217,054,000 for the Drug Enforcement Administration [DEA] for fiscal year 1999, of which \$407,000,000 is derived from the violent crime reduction trust fund for activities authorized by the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132) and the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322).

#### SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$782,109,000 |
| Budget estimate, 1999 .....    | 841,970,000   |
| Committee recommendation ..... | 863,764,000   |

The Committee recommends total budget authority of \$863,764,000 for Drug Enforcement Administration [DEA] salaries and expenses for fiscal year 1999, of which \$61,710,000 is derived from the diversion control fund.

The Committee recommendation attempts to give DEA the tools it needs to properly wage the war on drugs. The Committee recommendation provides funding for the following:

*Regional drug enforcement teams.*—The Committee recommendation includes \$21,794,000 and 79 positions (54 agents) for a new initiative to establish DEA regional drug enforcement teams. Organized crime syndicates, based in Colombia and Mexico, have established a network of compartmentalized cells to conduct their drug trafficking operations in the United States. Historically, these crime syndicates have maintained command and control centers in major U.S. cities such as New York, Miami, and Los Angeles. In reaction to law enforcement pressure in major metropolitan areas, organized criminal drug syndicates from Mexico and Colombia have established regional command/control centers and warehousing and

transshipment points in smaller, nontraditional trafficking locations across the United States.

The crime syndicates' new command and control centers are, in part, responsible for rising rates of drug abuse, drug trafficking, and violent crime in our Nation's smaller cities. DEA cannot combat this new threat by transferring resources from major metropolitan areas to smaller cities. Yet, this new development in drug trafficking requires an immediate, flexible, and effective law enforcement response.

In an effort to better address national drug trafficking threats on a regional basis and establish the flexibility to deploy agent resources and assets to meet emerging drug trends, the Committee recommendation will allow DEA to establish regional drug enforcement teams, stationed in targeted regions across the United States. Mobility has been the strength of the drug syndicates and this initiative is intended to counter the advantages traffickers have in this area. The establishment of regionally based drug enforcement teams will enable DEA to: (1) intensify the agency's concentration of enforcement efforts on regional drug trafficking problems throughout the country; (2) provide a means to focus dedicated intelligence and investigative efforts on emerging drug trafficking organizations and trends; (3) afford DEA with the flexibility to quickly move its special agent personnel and resources as necessary to those areas of the country most hard hit by changing drug trafficking patterns; and (4) expand and maintain DEA's close working relationship with other Federal, State, and local law enforcement organizations through ongoing multijurisdictional investigations.

The teams will be comprised of DEA special agents, intelligence analysts, and support personnel able to address complex enforcement situations in widely dispersed geographic areas. On a proactive and selective basis, intelligence-driven investigations will be designated as agencywide priority enforcement efforts. The teams will direct their efforts toward combating specific drug problems as identified by intelligence sources and leads provided by DEA's Special Operations Division [SOD].

*International program.*—The recommendation includes \$4,212,000 and \$1,966,000 to increase DEA presence in the Caribbean and Asia, respectively, to enhance DEA cooperation with foreign law enforcement organizations. The recommendation also includes \$1,415,000 for Mexican drug trafficking and \$1,075,000 to increase DEA's ability to collect and analyze information on major drug traffickers from Mexico who have a direct impact upon the United States.

*Caribbean strategy.*—The recommendation includes \$5,632,000 and 42 agents to enhance DEA's domestic offices in cities that are being affected by the influx of violent trafficking groups based in the Caribbean. These staffing initiatives are necessary to implement and support DEA's Caribbean corridor strategy effectively. This strategy is a multiagency initiative to stem the flow of drugs transiting Puerto Rico, the Dominican Republic, and 26 island nations while attacking simultaneously the distribution networks established by Dominican groups in the United States.

In an effort to stem the growing flow of drug trafficking through the Caribbean basin, in fiscal years 1997–98, Congress provided

DEA with an additional 44 special agent positions (25 in fiscal year 1997 and 19 in fiscal year 1998) to expand regional enforcement operations. With the resources provided, DEA has worked to significantly increase regional arrests, establish a new Caribbean operational plan [CROP] and initiate several significant enforcement operations including Operations Summer Storm, Blue Skies, and Frontier Lance. DEA has also worked to target the infrastructure of several major organized crime syndicates operating in Puerto Rico, seizing over 600 kilograms of cocaine and arresting 65 members of one of the most violent trafficking groups operating in the Caribbean. DEA has also indicted 12 members of a major drug trafficking organization operating at the airport in San Juan, and placing cocaine filled suitcases and cargo containers on board commercial aircraft destined for the continental United States.

*Methamphetamine initiative.*—The recommendation includes \$24,459,000 and 100 agents to implement a comprehensive approach for targeting and investigating methamphetamine trafficking, production, and abuse across the United States. The funding will allow DEA to investigate and stop methamphetamine traffickers; establish a national clandestine laboratory data base; reduce the availability of precursor chemicals being diverted to clandestine laboratories in the United States and abroad; and clean up the hazardous waste generated by seized clandestine laboratories.

*Heroin enforcement strategy.*—The recommendation includes \$12,926,000 and 95 agents to combat heroin trafficking, production, and distribution networks operating in the United States.

*Special intelligence project.*—The recommendation includes \$7,002,000 and three agents to improve cooperative drug law enforcement operations at the Federal, State, and local levels. Funding these efforts will serve to maximize existing law enforcement resources through improved coordination, information sharing, and the minimization of duplicate efforts.

*Network control center.*—The recommendation includes \$3,066,000 to establish an alternate site for DEA's Network Control Center.

*DEA training facility in Quantico, VA.*—The Committee recommendation continues funding for the recently established DEA training facility at the FBI Training Academy in Quantico, VA. The Committee again directs the FBI and the DEA to fully integrate their training curriculum as it relates to issues of mutual responsibility and statutory jurisdiction to establish, maintain, and enhance the mission-related skills of both agencies.

*South Carolina low country.*—The Committee is concerned that the DEA is under-represented in the low country of South Carolina, which is experiencing an alarming rate of crack cocaine usage. In an effort to counter this trend, the Committee directs the DEA to create a post of duty in the low country of South Carolina to address this problem.

*"Drug diversion control fee" account.*—The recommendation includes \$61,710,000 for DEA's Drug Diversion Control Program for fiscal year 1999. This amount is equal to the fiscal year 1999 request and is \$3,442,000 above the fiscal year 1998 appropriation. The Drug Diversion Control Program addresses the diversion, distribution, manufacture, and abuse of legitimate pharmaceuticals.

DEA annually registers more than 900,000 drug handlers; more than 1,670 of these handlers are manufacturers, distributors, importers, exporters, and others who handle large volumes of controlled substances. Registrants pay fees which fully support the cost of this program.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) for expenses for drug education and training; (2) for purchase of passenger vehicles without regard to general purchase price limitations; (3) up to \$70,000 for unforeseen emergencies; (4) up to \$2,000,000 for mission essential aircraft, replacement parts, and retrofit capability; (5) 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; (6) up to \$5,000,000 for evidence and information, up to \$10,000,000 for contracting for automated data processing [ADP] and telecommunications, \$4,000,000 for technical equipment, and up to \$2,000,000 for laboratory equipment to remain available until September 30, 1999; and (7) up to \$50,000 for official reception and representation expenses.

#### CONSTRUCTION

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$8,000,000 |
| Budget estimate, 1999 .....    | 8,000,000   |
| Committee recommendation ..... | 8,000,000   |

The Committee recommends continuing the "Construction" account for DEA to finance needed infrastructure improvements and renovations.

The recommendation includes \$8,000,000 to replace DEA's deteriorating laboratories and to repair and maintain DEA offices and other facilities.

#### IMMIGRATION AND NATURALIZATION SERVICE

##### (INCLUDING OFFSETTING FEE COLLECTIONS)

|                                    |                 |
|------------------------------------|-----------------|
| Appropriations, 1998 .....         | \$2,342,051,000 |
| (Offsetting fee collections) ..... | 1,455,338,000   |
| Budget estimate, 1999 .....        | 2,723,523,000   |
| (Offsetting fee collections) ..... | 1,465,416,000   |
| Committee recommendation .....     | 2,379,235,000   |
| (Offsetting fee collections) ..... | 1,560,308,000   |

The Committee recommends total new budget (obligational) authority of \$3,939,543,000 for fiscal year 1999 for the Immigration and Naturalization Service [INS]. The recommendation is \$142,154,000 above the fiscal year 1998 appropriation and \$249,396,000 below the fiscal year 1999 request. Of the total amount recommended, \$1,099,667,000 is derived from the violent crime reduction trust fund, and \$1,560,308,000 will be derived from offsetting fee collections.

*245i.*—The elimination of the 245i program last year has had a damaging effect on INS resources. The Committee recommendation includes bill language reauthorizing the 245i program under general provisions. The Committee directs the INS to focus initial revenues on two key initiatives: (1) reduction of the naturalization

backlog, and (2) construction of a detention facility in San Francisco, CA.

The Committee's recommendations for specific accounts within the INS are described in more detail below.

#### SALARIES AND EXPENSES

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1998 .....     | \$2,266,092,000 |
| Budget estimate, 1999 .....    | 2,605,353,000   |
| Committee recommendation ..... | 2,268,984,000   |

The Committee recommends \$2,268,984,000 for salaries and expenses for fiscal year 1999, including \$1,099,667,000 from the violent crime reduction trust fund. The recommendation is \$2,892,000 above the fiscal year 1998 appropriation and \$336,369,000 below the fiscal year 1999 request. The Committee is aware that an additional \$1,489,551,000 in reimbursements will be made available to this account in fiscal year 1999. Within available resources, the Committee directs the INS to establish a permanent presence on Kodiak Island manned by not less than one full-time special agent.

*Base adjustments.*—The Committee recommendation eliminates the base increase for detention and deportation (–\$50,938,000), delays helicopter purchases pending a study detailed below (–\$4,873,000), downsizes the Legislative and Public Affairs Offices (–\$2,573,000), closes the Office of Internal Audit (–\$8,440,000), and adopts an undistributed reduction aimed at structural inefficiencies and duplications (–\$23,808,000). To the greatest degree possible, personnel reductions should be achieved through attrition. Where possible, the Committee expects displaced personnel of proven merit to be reassigned.

*Transfer to immigration fees.*—The recommendation transfers \$11,000,000 for the enforcement case tracking system [ENFORCE] and the biometric identification system [IDENT], and \$53,000,000 for data processing, legal proceedings, and information and records management, out of salaries and expenses. The funds are transferred to the “Immigration user fee” and “Immigration examinations fee” accounts. This transfer releases additional resources in this account for higher priority border control, deportation, and detention initiatives. Immigration user and examinations fees may be used for expenses in providing immigration enforcement, adjudication, and naturalization services and support.

*Transfer to breached bond/detention fund.*—The recommendation transfers base funding for detention and deportation, a total of \$52,106,000, to the breached bond/detention fund. The fund helps defray the cost of detaining criminal and illegal aliens.

*Spending increases.*—In addition to funds required to maintain current operations and onboard staffing levels, the Committee recommendation includes the following:

*Border control and interior enforcement.*—A total increase of \$117,718,000 and 1,240 positions over fiscal year 1998, including:

- \$103,000,000 for 1,000 new Border Patrol agents and 140 support personnel;
- \$10,118,000 for 46 new special agents, 15 new immigration agents, and 39 detention, legal, and support personnel for anti-smuggling and interdiction operations along the Denver, CO, and Houston, TX, corridors;

- \$3,000,000 for the Law Enforcement Support Center [LESC]. The amount provided assumes the addition of Nebraska into the system; and
- \$1,600,000 for the necessary equipment, modifications, and manning for four dedicated commuter lanes at the Sumas, Lynden, Pacific Highway, and Oroville, WA, ports of entry.

*Border patrol training.*—The Committee believes that the current chain of command and organizational structure within the Immigration and Naturalization Service does not provide for an effective link between the field's requirements and the production of new Border Patrol agents. The Committee believes that having the Border Patrol Training Academy report directly to the Assistant Commissioner U.S. Border Patrol would result in several operational benefits and enhance effectiveness. It would shorten lines of communications with the Academy's customers, improve administration and budget requirements, ensure that the training program meets operational commanders' needs, allow for the more rapid integration of new technologies, and would ensure that the Academy receives improved management support. Accordingly, the Committee directs that this reorganization be made effective by January 1, 1999.

*Border Patrol aviation.*—The Committee believes that considerable cost savings could be achieved, and border surveillance capabilities improved, by moving to a mixed fleet of manned and unmanned aircraft. The Committee recommendation delays helicopter procurement until the Border Patrol has delivered to the Appropriations Committees a report on the cost and capabilities of a mixed fleet of unmanned aerial vehicles, helicopters, and fixed-wing aircraft. The report should be delivered no later than March 1, 1999.

*Deployment of Border Patrol resources.*—A recent inspector general report detailed how terrorists are taking advantage of Canada's asylum policy. They are using that country as a springboard for illegal transit into the northern United States. At the same time, illegal immigrants continue to flood into the southeastern United States by land and sea. Neither region has a meaningful Border Patrol presence. The Committee expects the INS to begin deploying Border Patrol agents to the northern and southeastern United States, as well as continuing to augment its presence on the Southwest border. New deployments in the Southwest should be targeted at the areas of highest criminal activity. INS shall continue its consultation with the Committees on Appropriations before deployment of new Border Patrol agents.

*Border crossing cards.*—The Committee is concerned about the need for an expanded consular presence in Mexico to process border crossing cards. The Committee directs that fees charged for border crossing cards be dedicated to providing additional consulates and personnel in Mexico. Also, the Committee is concerned that a single \$45 fee for a long-term visa may discourage cross-border trade and directs the State Department to propose a revised fee structure to the Committee within 90 days to include reduced fees for shorter term cards.

*Illegal alien interdiction.*—Colorado is becoming the crossroads for illegal aliens seeking employment in the Midwest and East. The

Denver District Office has proposed interdicting transiting illegals by expanding the duty station in Grand Junction and opening new duty stations in Alamosa, Glenwood Springs, Craig, Durango, and Greeley, CO. The Committee directs the INS to implement the Denver proposal. The Committee expects the INS to man and equip the offices by redeploying agents and materiel from overstuffed offices on both coasts. Where possible, INS personnel should be collocated with local law enforcement agencies. The Committee recommendation includes \$632,000 to lease office space, where necessary, and to cover other incidental costs associated with the initiative.

Also, the Committee is concerned that insufficient resources have been deployed along Interstate 15 [I-15] to interdict illegal and criminal aliens. This traffic contributes greatly to crime problems in cities in Utah and elsewhere. In order to strengthen enforcement along the I-15 corridor, the INS is directed to establish a field office in southwest Utah. The Committee expects to be consulted prior to the final siting of the office.

*Targeting magnet industries.*—In determining the distribution of INS agents, the Committee requests that the INS provide special consideration to placing additional agents in Nebraska. Nebraska is in a unique situation with regard to immigration. There are 170 meat packing plants in Nebraska. In a recently released report, the General Accounting Office estimated that 25 percent of the work force in Nebraska plants are illegal immigrants. In addition, Interstate 80 (I-80), which runs the length of Nebraska, is a major pipeline for illegal immigrants traveling across the United States. The Committee believes that increasing the number of special agents enforcing the law along I-80 will be beneficial to Nebraska and several other States bisected by the highway.

In addition, the Committee directs the INS to increase manning in Kansas City, MO. This increase should help ensure that illegal immigrants detained by local police are not released as a result of INS agents not being able to take custody of detainees. The convergence of three interstates, I-70, I-35, and I-29, makes Kansas City an opportune location for intercepting illegal immigrants seeking employment in chicken processing plants in southern Missouri. The Committee believes that converting Kansas City into a choke point will significantly disrupt illegal immigrant traffic.

*Detention space shortfall.*—As noted above, Utah has experienced increasing problems with illegal and criminal aliens both transiting and remaining in Utah. In particular, the lack of available jail space in Utah for INS detainees undercuts efforts by local police to intercept aliens. The INS is directed to designate Salt Lake City, UT, as a hub location for the criminal alien county jail removal program and to establish at Salt Lake City a temporary holding facility for criminal aliens. The INS is also directed to provide to the Committees on Appropriations reports on the following: (1) the feasibility of locating a permanent INS detention center at Salt Lake City, and (2) the resources and training needed to address the overall INS mission in Utah, with specific reference to detention space and the number and distribution of agents assigned to the State. The reports should be delivered to the Committees not later than January 31, 1999.

*Refugees.*—Immigration advocates have called for circuit rides through Russia and the New Independent States by INS personnel to ease the financial and logistical burden on foreign nationals seeking refugee status. The Committee is concerned by the potential costs and safety risks of sending INS personnel through Eurasia in search of potential refugees, not to mention the precedent. Last year, INS and the State Department were successful in eliminating onerous travel requirements associated with the adoption of Russian orphans by American parents in Vladivostok. The Committee directs the INS and the State Department to report to the Committees on Appropriations not later than March 1, 1999, on no or low-cost options for improving refugee processing in Russia and the New Independent States.

*Casework.*—The Boston District Office has one person attempting to deal with the avalanche of casework inquiries from local, State, and Federal officials. The Committee directs the INS to reassign not less than three personnel currently assigned at headquarters, Washington, DC, to the Boston District Office to augment its inquiries operation. Of the three personnel reassigned, not less than one shall be dedicated solely to handling casework from the northern New England States. INS shall report to the Committees on Appropriations on the completed personnel transfer not later than November 1, 1998.

#### OFFSETTING FEE COLLECTIONS

The Committee recommends a total of \$1,560,308,000 of spending for fiscal year 1999 from fee-funded accounts, an increase of \$104,970,000 above the fiscal year 1998 level, to support activities related to the legal admission of persons into the United States. These activities are supported entirely by fees paid by persons who are either traveling internationally or are applying for immigration benefits. The Committee recommendations, by account, follow:

#### IMMIGRATION USER FEE

The Committee recommends \$444,290,000 of spending for fiscal year 1999 from the "Immigration user fee" account, an increase of \$17,668,000 over fiscal year 1998.

The immigration user fee account faces a crisis. Inspection costs are exceeding user fee receipts even after INS extended fees to previously exempted passengers transiting through the United States. For now, the solvency of the account is dependent upon carryover balances. These balances will be exhausted within a year or two. Congress is confronted with four options for restoring the financial health of the account: (1) reduce services, (2) eliminate the cruise ship exemption for ships, other than ferries, arriving at United States ports from Canada, Mexico, or adjacent Caribbean islands, (3) raise the airport fee, or (4) charge vessel and aircraft crews. The Committee recommendation maintains current services until a clear consensus emerges as to the means of matching revenues to requirements in this account.

*Base adjustments.*—The Committee recommendation does not include \$11,000,000 for departure management. This new program is a low priority compared to assuring: (1) the swiftest possible in-

spections for legal entrants; and, (2) the detection, detention, and deportation of illegal entrants at U.S. air and sea ports of entry.

*Transfer to immigration user fee.*—The recommendation transfers base funding of \$11,000,000 for the enforcement case tracking system [ENFORCE] and the biometric identification system [IDENT] from salaries and expenses to this account. Immigration user fees may be used for immigration enforcement expenses.

#### IMMIGRATION EXAMINATIONS FEE

The Committee recommends \$905,700,000 of spending for fiscal year 1999 from offsetting collections from the “Immigration examinations fee” account, an increase of \$113,300,000 from the fiscal year 1998 level.

Last year, the Committee provided \$205,300,000 in program increases to improve the integrity of the naturalization process and reduce the naturalization application backlog. Today, the “Exams fee” account is in flux. Receipts are down, a fee proposal is under review, and a major reprogramming is imminent. The Committee recommendation maintains current operations and onboard staffing levels until the assumptions underlying the fiscal year 1999 request come into clearer focus.

*Transfer to immigration examinations fee.*—The recommendation transfers base funding for data processing, legal proceedings, and information and records management, a total of \$53,000,000, from Salaries and expenses to this account. Immigration examination fees may be used for expenses in providing immigration adjudication and naturalization services and support.

*Transfer to general administration.*—The Committee recommendation includes the transfer of \$5,000,000 from this account to general administration to cover Justice Management Division expenses associated with INS oversight. This includes the continuation of semiannual outside audits of the naturalization and records centralization processes. At a minimum, the audits should cover training, adherence to procedures, and timeliness of new technology implementation.

*Transfer to administrative review and appeals.*—The Committee recommendation includes a \$97,400,000 transfer from this account to administrative review and appeals to cover Executive Office for Immigration Review expenses. Immigration examinations fees may be used for expenses in providing immigration adjudication.

*245i.*—As noted at the beginning of the section, some of the funds generated by the reauthorization of the 245i Program will be provided to reduce the naturalization backlog.

#### LAND BORDER INSPECTION FEE

The Committee recommends \$3,275,000 of spending for fiscal year 1999 from the land border inspection fund, an increase of \$232,000 over fiscal year 1998, to support inspection services at land border ports of entry. Revenues from this account help underwrite the operation of dedicated commuter lanes for preregistered U.S. citizens.

*Peace Arch Crossing Entry [PACE] Program.*—The Committee encourages the INS to work with the Cascadia Cross-Border Working Group to expand the PACE Program on the United States side

to match the Canadian program enhancements pursuant to the goals of the United States/Canada shared border accord. To provide resources for this expansion, the Committee encourages the INS to direct 75 percent of the funds collected locally by the PACE Program to the Northwest region.

BREACHED BOND/DETENTION FUND

The Committee recommends \$201,995,000 of spending for fiscal year 1999 from the breached bond/detention fund, a decrease of \$33,277,000 below the fiscal year 1998 level, to support detention of criminal and illegal aliens. The decrease is attributable to a reduction in 245i resources.

*Base transfer to breached bond/detention fund.*—The recommendation transfers base funding for detention and deportation, a total of \$52,106,000, from salaries and expenses to the breached bond/detention fund. The fund helps defray the cost of detaining criminal and illegal aliens.

*245i.*—As noted at the beginning of the section, some of the funds generated by the reauthorization of the 245i Program will be provided for building a new joint INS-U.S. Marshals detention facility in San Francisco, CA.

*Video conferencing.*—Of the amount provided, \$1,026,000 is for the acquisition and installation of video-conferencing equipment at 20 institutional hearing program sites, including California, Florida, and Texas. The Committee expects INS to consult with the Committees on Appropriations prior to the final determination of the installation sites.

IMMIGRATION ENFORCEMENT FINES

The Committee recommends \$4,050,000 of spending for fiscal year 1999 from the “Immigration enforcement fines” account, an increase of \$250,000 over fiscal year 1998, to support border enforcement activities. The amount provided includes the funds necessary to install at least one remote video surveillance system and associated sensors in Santa Theresa, NM.

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 and up to \$5,000 to be used for official reception and representation expenses; (2) for the purchase of motor vehicles for police-type use and for uniforms, without regard to general purchase price limitations; (3) for immigration-related research; (4) up to \$400,000 for research to be available until expended; (5) up to \$30,000 to be paid to individual employees for overtime; (6) up to \$5,000,000 for payments to State and local law enforcement agencies engaged in cooperative activities related to immigration; and (7) no more than 20 positions in the offices of public and legislative affairs and no more than four political appointees INS-wide.

CONSTRUCTION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$75,959,000 |
| Budget estimate, 1999 .....    | 118,170,000  |
| Committee recommendation ..... | 110,251,000  |

The Committee recommends \$110,251,000 for fiscal year 1999 for construction projects. The recommendation is \$34,292,000 above the fiscal year 1998 appropriation, and \$7,919,000 below the fiscal year 1999 request.

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

| <i>INS construction</i>  |         | <i>Committee</i>      |
|--|---------|-----------------------|
| [In thousands of dollars]  |         | <i>recommendation</i> |
| Border Patrol:   |         |                       |
| Construction:  |         |                       |
| El Centro, CA:   |         |                       |
| Border Patrol station .....  | 5,603   |                       |
| Sector HQ .....  | 2,842   |                       |
| Hebbronville, TX—Border Patrol station .....                           | 3,612   |                       |
| Sierra Blanca, TX—Border Patrol station .....                          | 2,752   |                       |
| Brownsville, TX—Border Patrol station .....                            | 6,800   |                       |
| Del Rio, TX—Border Patrol sector HQ .....                              | 3,097   |                       |
| Artesia, NM—Law enforcement training center .....                      | 5,525   |                       |
| Charleston, SC—Border Patrol academy .....                             | 10,900  |                       |
| Subtotal .....   | 41,131  |                       |
| Military engineering support to the Border Patrol:                     |         |                       |
| Construction:  |         |                       |
| Tucson, AZ—I-19 traffic checkpoint exit lane .....                     | 145     |                       |
| Douglas, AZ—Lights .....   | 777     |                       |
| Nogales, AZ—Lights .....   | 890     |                       |
| Naco, AZ—Lights .....  | 430     |                       |
| Calexico, CA—Fence .....   | 372     |                       |
| Columbus, NM—POE processing/control facility .....                     | 386     |                       |
| Santa Theresa, NM—Fence .....  | 600     |                       |
| Brownsville, TX—Fence .....  | 462     |                       |
| Raymondville, TX—Sterile train check area .....                        | 477     |                       |
| Subtotal .....   | 4,539   |                       |
| Maintenance:   |         |                       |
| Douglas, AZ—Fence .....  | 100     |                       |
| San Diego, CA—Fence/roads/lights .....                                 | 3,000   |                       |
| Subtotal .....   | 3,100   |                       |
| Detention: Construction: El Centro, CA—Service processing center ..... | 4,193   |                       |
| Servicewide one-time construction .....                                | 26,405  |                       |
| Servicewide maintenance and repair .....                               | 22,095  |                       |
| Servicewide fuel storage tank upgrade/repair .....                     | 4,300   |                       |
| Program execution .....  | 4,488   |                       |
| Total, INS construction .....  | 110,251 |                       |

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

*Reprioritization.*—The Committee recommendation defers low-priority new starts while undertaking needed repairs and improvements at Border Patrol training facilities and completing a fence project in New Mexico. Funds for Artesia, NM, reimburse the law enforcement training center for construction costs associated with Border Patrol advanced training.

## FEDERAL PRISON SYSTEM

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1998 .....     | \$3,404,910,000 |
| Budget estimate, 1999 .....    | 3,357,050,000   |
| Committee recommendation ..... | 3,298,712,000   |

The Committee recommends total budgetary resources of \$3,298,712,000 for the Federal prison system for fiscal year 1999, including \$9,559,000 from the violent crime reduction trust fund and \$3,289,153,000 from discretionary appropriations. The Committee recommendation also assumes that in addition to amounts appropriated, \$90,000,000 will be available in end-of-year carryover balances.

## SALARIES AND EXPENSES

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1998 .....     | \$2,847,777,000 |
| Budget estimate, 1999 .....    | 2,943,053,000   |
| Committee recommendation ..... | 2,919,515,000   |

The Committee recommends total budgetary resources of \$2,919,515,000 for the salaries and expenses of the Federal prison system for fiscal year 1999, including \$9,559,000 from the violent crime reduction trust fund and \$2,909,956,000 from discretionary appropriations. The Committee recommendation also assumes that in addition to amounts appropriated, \$90,000,000 will be available in end-of-year carryover balances.

*Activation of new prisons.*—The Committee understands that because of delays in scheduled activations for 1999 and lower than anticipated operational costs, the appropriation required for the Federal prison system can be reduced by \$51,000,000 without affecting requested program levels. According to information provided by the Bureau of Prisons [BOP] in June 1998, the Bureau anticipates \$90,000,000 in funds that will carry over from fiscal year 1998.

The Committee recommendation includes funding to activate the expansion at Loretto, PA, in fiscal year 1999.

In addition, the recommendation includes a total of \$9,559,000 in resources from the violent crime reduction trust fund as authorized in the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) to treat over 6,000 Federal prison inmates with substance abuse problems.

*Privatization of Federal prison facilities.*—The Committee is aware that the 5-year privatization demonstration project at the Taft, CA, minimum- and low-security facility has begun. The Committee understands that the first inmates began arriving in December 1997. As of May 21, 1998, there were 1,713 inmates housed at the Taft facility and approximately 80 additional inmates will arrive at the facility each week. This will continue until the institution reaches its full capacity of 1,536 low security and 512 minimum security Federal inmates. In the fiscal year 1998 conference report, the Committee directed the BOP to provide a report on the privatization of Federal prison facilities. The report submitted to this Committee did not describe the overall performance, safety, and operational concerns associated with prison privatization. Accordingly, the Committee directs the BOP to report on the progress

of the 5-year prison privatization demonstration project by December 31, 1998.

*Operating efficiencies and cost reductions.*—The Committee commends the BOP for its operating efficiencies by consolidating and sharing like-services at several multilevel security prison facilities within a prison complex; expanding institution hearing programs to facilitate the completion of removal proceedings for non-U.S. citizen inmates prior to completion of their sentence; identifying ways such as telemedicine to reduce health care costs; and voluntarily reducing its authority by 760 positions in fiscal year 1999. The Committee recognizes the outstanding management of the BOP and encourages continued identification of cost efficiencies without sacrificing security.

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

|   |             |
|---|-------------|
| Butner, NC—Federal medical center .....                         | \$4,675,000 |
| Edgefield, SC—Federal correctional institution .....            | 19,730,000  |
| Beaumont, TX—Federal correctional complex—medium .....          | 26,683,000  |
| Fort Devens, MA—Federal medical center .....                    | 25,867,000  |
| Carswell AFB, TX—Federal medical center—low .....               | 4,960,000   |
| Morgantown, WV—Federal correctional institution—expansion ..... | 1,719,000   |

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 Administration; (4) for the Director to enter into contracts to furnish health care; (5) up to \$6,000 for reception and representation expenses; (6) up to \$90,000,000 as discussed above for necessary prison operations to remain available until September 30, 2000; (7) up to \$20,000,000 for contract confinement expenses for the care and security of Cuban and Haitian entrants; and (8) for the Federal prison system to enter into contracts and other agreements with private entities for a multiyear period for the confinement of Federal prisoners.

#### BUILDINGS AND FACILITIES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$557,133,000 |
| Budget estimate, 1999 .....    | 413,997,000   |
| Committee recommendation ..... | 379,197,000   |

The Committee recommends a total of \$379,197,000 for fiscal year 1999 for the construction, modernization, maintenance, and repair of prison and detention facilities housing Federal prisoners. This amount is \$177,936,000 less than the fiscal year 1998 appropriation and \$34,800,000 less than the fiscal year 1999 budget request.

*Transfer of D.C. sentenced felons.*—The Committee understands that the BOP has started transferring D.C. sentenced felons into Federal custody as capacity permits based on the closure of the Lorton correctional complex by December 31, 2001. Further, the Committee understands that the BOP has started or will begin the preparation of environmental impact statements at several loca-

tions. This effort is to determine acceptable sites for additional capacity in order that the BOP can absorb D.C. sentenced felons.

The Committee understands the BOP can expeditiously construct two facilities at existing sites in Petersburg, VA, and Coleman, FL, and plans to construct four additional facilities related to D.C. sentenced felons. The Committee directs the BOP to construct three of these facilities in Kentucky, South Carolina, and West Virginia at sites in proximity to the District of Columbia. The Committee directs the BOP to construct the fourth facility in Scranton, PA.

*Federal prison capacity.*—The level of overcrowding in Federal high-security prisons continues to remain high at over 52 percent. The Committee is especially concerned about the overcrowding at the Federal correctional institution located in Lewisburg, PA, where the institution is 63 percent overcrowded. Under these circumstances, the Committee views the administration's plan, as outlined in the budget, to allow 36 percent overcrowding by 2006 as insufficient and irresponsible. Again, the Committee directs BOP to evaluate critical space needs, review site options for a higher security facility in the western region which faces the highest prison overcrowding, and report back with its recommendation by no later than 30 days after enactment of this legislation. The Committee has provided additional funding to address what it views as the greatest long-term need within BOP—adequate bed space for Federal inmates convicted of violent crimes. This increase includes \$6,000,000 for construction of a medium security facility at the Federal prison site in Yazoo City, MS, and anticipates future expansion to include a high-security facility. It also includes \$2,000,000 for construction at Forrest City, AR. Also, the Committee directs the Department of Justice to provide a program increase of at least \$300,000,000 in the fiscal year 2000 request for new construction, modernization, and repair within the Federal prison system. The recommendation reflects the Committee's strongly held view that building and maintaining adequate prison capacity is a critical component of a successful crime-fighting strategy.

The Committee encourages the use of local labor and services, where appropriate and cost effective, for the construction of these facilities.

*Federal prisons infrastructure.*—The Committee is concerned about maintenance and repair of BOP facilities. BOP has not requested program increases for its modernization and repair budget despite fast growth in the inmate population. BOP reports that it has 39 facilities over 30 years old and 20 facilities over 50 years old. Years of overcrowding have caused above normal wear on prison facilities, and BOP does not project a decrease in overcrowding levels in the near future. The Committee believes that BOP's current method of focusing on a few selected projects is not adequate. There can be serious consequences when correctional facilities are not adequately maintained. The Committee directs the BOP to develop a long-term approach to its modernization and repair program ensuring adequate and consistent funding to maintain its infrastructure. BOP should report its recommendations back to the Committee by February 1, 1999.

*Narrowband communications.*—The Committee recommendation includes \$11,176,602 for narrowband radio communications. The

Committee is concerned that the BOP's conversion to narrowband communications has not adequately addressed the necessity for interoperability between other law enforcement agencies. Therefore, the Committee directs the BOP to participate with the Department's Justice Management Division [JMD] in the development of a narrowband communications conversion master plan. The plan will address commonality, interoperability, costs, schedules, network architecture, field tests, reliability, security, and systems growth. This plan shall be provided to the Appropriations Committees no later than November 1, 1998. The Committee directs the BOP not to expend these funds until at least 45 days after the date the report is received by the committees.

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, OK; (3) for acquisition, remodeling, and equipping facilities by contract or force account; (4) for up to \$14,074,000 to construct inmate work areas; (5) for use of prisoner labor; and (6) for up to 10 percent of this appropriation to be transferred to the "Salaries and expenses" account.

FEDERAL PRISON INDUSTRIES, INC.

(LIMITATION ON ADMINISTRATIVE EXPENSES)

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$3,266,000 |
| Budget estimate, 1999 .....    | 3,266,000   |
| Committee recommendation ..... | 3,266,000   |

The Committee recommends a limitation on administrative expenses of \$3,266,000 for the Federal Prison Industries, Inc., for fiscal year 1999, which is equal to the amount requested and equal to the fiscal year 1998 appropriation.

The Committee recognizes the importance of Federal Prison Industries [UNICOR] in the efficient and safe management of Federal prisons. UNICOR provides prison inmates with the opportunity to learn important work habits, participate in meaningful employment which keeps them productively occupied during work hours, and developing improved job skills which help reduce recidivism. The Committee also recognizes the necessity for UNICOR to grow and provide more jobs as the inmate population increases.

OFFICE OF JUSTICE PROGRAMS

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1998 .....     | \$4,800,175,000 |
| Budget estimate, 1999 .....    | 4,447,370,000   |
| Committee recommendation ..... | 4,643,207,000   |

The Committee recommends a total of \$4,643,207,000 in new budget (obligational) authority for fiscal year 1999, including \$3,564,650,000 from the violent crime reduction trust fund for the various law enforcement assistance, juvenile justice, research, and statistics programs of the Office of Justice Programs [OJP].

Included in these amounts are funds to continue providing assistance to States and localities, such as the State and Local Law Enforcement Block Grant Program, the Community Oriented Policing Services [COPS] Program, the violent offender incarceration and truth-in-sentencing incarceration grants, 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, and victims of child abuse programs.

#### JUSTICE ASSISTANCE

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$173,600,000 |
| Budget estimate, 1999 .....    | 307,711,000   |
| Committee recommendation ..... | 170,151,000   |

The Committee recommends \$170,151,000 in direct appropriations for justice assistance for fiscal year 1999.

The funding provided for justice assistance includes funds to States for 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.

#### JUSTICE ASSISTANCE

|  | 1998<br>appropriation | 1999 budget<br>estimate | Committee rec-<br>ommendation |
|--|-----------------------|-------------------------|-------------------------------|
| National Institute of Justice .....                          | \$42,577,000          | \$57,148,000            | \$46,148,000                  |
| Defense/law enforcement technology transfer ....             | (10,277,000)          | (10,277,000)            | (10,277,000)                  |
| Counterterrorism technologies .....                          | 12,000,000            | .....                   | <sup>1</sup> 10,000,000       |
| Grants to firefighters and emergency service personnel ..... | 5,000,000             | .....                   | <sup>1</sup> 7,000,000        |
| State and local antiterrorism training .....                 | 2,000,000             | 2,000,000               | 2,000,000                     |
| Bureau of Justice Statistics .....                           | 21,529,000            | 27,029,000              | 25,529,000                    |
| Missing children .....                                       | 12,256,000            | 12,256,000              | 17,168,000                    |
| National sex offender registry .....                         | 25,000,000            | .....                   | ( <sup>2</sup> )              |
| Regional information sharing system .....                    | 20,000,000            | 20,000,000              | 25,000,000                    |
| National White Collar Crime Center .....                     | 5,350,000             | 5,350,000               | 5,350,000                     |
| Management and administration .....                          | 27,888,000            | 39,428,000              | 31,956,000                    |
| Counterterrorism budget amendment .....                      | .....                 | 144,500,000             | ( <sup>3</sup> )              |
| <b>Total justice assistance .....</b>                        | <b>173,600,000</b>    | <b>307,711,000</b>      | <b>170,151,000</b>            |

<sup>1</sup> Included in 1999 budget estimate under State and local law enforcement assistance.

<sup>2</sup> Included under State and local law enforcement assistance—upgrade criminal history records.

<sup>3</sup> Included in counterterrorism fund.

*National Institute of Justice.*—The Committee recommendation provides \$46,148,000 for the National Institute of Justice [NIJ] for fiscal year 1999, which is a \$3,571,000 increase over the fiscal year 1998 appropriation. The increase is provided to expand research and development programs within NIJ. In addition, \$20,000,000 will be provided to NIJ in fiscal year 1999, as was provided in fiscal year 1998, from the local law enforcement block grant for assisting local units to identify, select, develop, modernize, and purchase new technologies for use by law enforcement. NIJ is the Nation's primary source of research and development in the field of criminal justice. NIJ fosters innovation in law enforcement technologies and practices, investigates causes and patterns of crime, and informs the public of research and development findings.

The Committee recognizes the importance of further development, testing, and deployment of imaging technology systems among law enforcement agencies nationwide. Within the available

resources, the Committee urges the NIJ to consider funding to establish a Forensics Imaging Response Center at the Institute for Forensic Imaging in Indianapolis, IN.

Within total funding for the NIJ, the Committee directs that increased amounts over fiscal year 1998 be made available for computerized identification systems and forensic DNA analysis technologies. The Committee also recommends \$1,200,000 for the study and development of perfluorocarbon technology.

Also within total funding for NIJ, the Committee directs that increased amounts over fiscal year 1998 be made available for the utilization of telemedicine to provide health care for the prison inmate population. The Committee believes that telemedicine will decrease inmate transport to medical facilities, thereby increasing security by reducing the opportunity for escape and alleviating the high cost of inmate transportation. It also will decrease physician and provider isolation, promote inmate health and disease prevention through screening, and health care delivery. The Committee directs that the Medical University of South Carolina and the Federal prison in Estill, SC, be utilized for a telemedicine demonstration project. NIJ should coordinate the project with the Bureau of Prisons and the National Institute of Corrections to avoid duplication and overlap with other existing telemedicine demonstration projects.

*Safe schools initiative [SSI].*—The Committee is concerned about the level of violence in our children's schools as evidenced by recent tragic incidents that have occurred around the Nation. In particular, the incidence of gun violence by juveniles in schools is growing at an alarming rate. If children are fearful for their safety in school, they cannot learn and, if they do not learn, the future of our Nation is at risk. To address this issue, the Committee recommendation includes \$210,000,000 for a new safe schools initiative [SSI], including funds for prevention and technology. Within this total, \$25,000,000 is from the Juvenile Justice At-Risk Children's Program for communities to implement approaches unique to their particular areas and \$10,000,000 is from funds available to the National Institute of Justice [NIJ] to develop new, more effective safety technologies such as less obtrusive weapons detection and surveillance equipment and information systems that provide communities quick access to the information they need to identify potentially violent youth. As part of this effort, the NIJ's Southeast National Law Enforcement and Corrections Technology Center should conduct pilot projects at specific schools to determine law enforcement technologies that can reduce school vulnerabilities. Finally, \$175,000,000 is from the Community Oriented Policing Services [COPS] Program to increase community policing in and around schools.

*Defense/law enforcement technology transfer.*—The Committee recommendation includes resources of \$10,277,000 to provide for NIJ management and oversight of this program to support joint efforts by the Justice Department and the Department of Defense to adapt defense technologies to law enforcement use, to field prototype systems for evaluation, to develop standards and test products, and to develop technologies that will minimize the risk of death or injury to law enforcers, corrections officers, and citizens.

*Counterterrorism technologies.*—The Committee recommendation provides \$10,000,000 for counterterrorism technology programs authorized under section 821 of the Antiterrorism and Effective Death Penalty Act of 1996.

*Grants to firefighters and emergency service personnel.*—The Committee recommendation provides \$7,000,000 for local firefighter and emergency service training grants as authorized under section 819 of the Antiterrorism and Effective Death Penalty Act of 1996. In addition, the Committee recommendation includes \$25,000,000 in the counterterrorism fund for improving municipal fire and emergency services.

*State and local antiterrorism training.*—The Committee recommendation provides \$2,000,000 for State and local law enforcement training to address antiterrorism preparedness. The recommendation is equal to the current year appropriation and the fiscal year 1999 request. This effort includes the effective management of multiagency responses to terrorist acts.

*Bureau of Justice Statistics.*—The Committee recommendation provides \$25,529,000 for the Bureau of Justice Statistics [BJS] for fiscal year 1999, which is \$4,000,000 more than 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.

*Missing children.*—The Committee recommendation provides \$17,168,000 for the Missing Children Program to combat crimes against children, particularly kidnaping and sexual exploitation. This increase expands the missing children initiative included in the fiscal year 1998 conference report. Within the amounts provided the Committee has included:

- (1) \$7,798,000 for the Missing Children Program within the Office of Justice Programs, Justice Assistance, including the following: \$5,000,000 for State and local law enforcement to continue eight specialized cyberunits and to form eight new units to investigate and prevent child sexual exploitation which are based on the protocols for conducting investigations involving the Internet and online service providers that have been established by the Department of Justice and the National Center for Missing and Exploited Children; \$162,000 for highly technical, sophisticated computer crime training for State and local law enforcement; \$90,000 for a national teleconference on cybercrime against children; and \$75,000 for town meetings to focus on cybercrimes against children in local communities around the country;
- (2) \$8,120,000 for the National Center for Missing and Exploited Children, of which \$1,900,000 is provided for Internet investigations. The Committee expects the National Center for Missing and Exploited Children to continue to consult with participating law enforcement agencies to ensure the curriculum, training, and programs provided with this additional funding are consistent with the protocols for conducting investigations involving the Internet and online service providers that have been established by the Department of Justice. Also included is the following: \$180,000 for cybercrime awareness

training for law enforcement in every State; \$690,000 for expansion and enhancement of the cybertipline, technology upgrades, and enhancement of the exploited child unit; \$300,000 for a national survey regarding the exposure of children and youth to unwanted sexual solicitations and pornography on the Internet; and \$50,000 to increase staffing at the center's office in Columbia, SC; and

- (3) \$1,250,000 for the Jimmy Ryce Law Enforcement Training Center for training of State and local law enforcement officials investigating missing and exploited children cases. The Committee recommendation includes an increase for expansion of the center to train additional law enforcement officers.

The Committee acknowledges the significant progress and efforts of the National Center for Missing and Exploited Children to address the increasing need to combat crimes against children. These efforts include initiatives for State and local law enforcement to form specialized cyberunits to investigate and prevent child sexual exploitation and the establishment of a cybertipline at the center. This tipline has provided numerous leads and information regarding missing children and child sexual exploitation.

The Committee recognizes that schools can play a vital role in the identification and recovery of missing children. When a child has been abducted, particularly by a parent, the abductor frequently attempts to obtain a birth certificate or school records in order to enroll the child in a new school or day care. Oftentimes, the children are enrolled under their real names. The Committee urges States to enact legislation requiring schools and public recordkeeping agencies to flag records of abducted children and notify law enforcement if an attempt is made to obtain those records; and requiring schools and day-care providers to require proof of identity for new enrollees and cross-check the names against the missing child data base.

The Committee is troubled by the emergence of sex tourism in the United States. This devastating practice originated in developing areas of the world where the pressure to increase tourism as a source of income predisposed the governments to ignore this practice. Glossy brochures and websites advertise packages for travelers complete with airfare, hotel, and directions to local brothels. Children are being bought and sold using the Internet. Similarly, pedophiles are using the Internet to befriend and lure children. The Committee directs the Department to work closely with the National Center for Missing and Exploited Children, schools, and libraries to educate the public about the potential risks of Internet usages. Further, the Committee suggests that the Center create a brief information seminar appropriate for organizations, such as Boys and Girls Clubs of America, who can provide information directly to juveniles.

The Committee recognizes the key role private organizations can play in combating child abduction. When non-law-enforcement entities adopt procedures that hinder pedophiles and kidnappers, they are doing a much needed public service. Of note is Walmart's Code Adam Program. When a child disappears in a participating store, code Adam is addressed over the public address system. Store personnel immediately stop work to look for the child and monitor all

exits. If the missing child is not located in 10 minutes or is seen with someone other than a parent or guardian, the police are called. This program is implemented in all 2,800 Walmart and Sam's Club stores. The Committee urges retail stores, public buildings, and Federal buildings to adopt comparable programs.

*National sex offender registry.*—The Committee recommendation provides funding for the national sex offender registry for fiscal year 1999 under State and local law enforcement assistance—upgrade criminal history records. This program will identify, collect, and exchange sexual offender data from the States through an automated national registry.

*Regional information sharing system.*—The Committee recommendation provides \$25,000,000 for fiscal year 1999 for the regional information sharing system [RISS], which is \$5,000,000 more than the amount provided for in the fiscal year 1998 appropriation. The RISS Program provides funds to maintain six regional-based information sharing centers in the United States to assist States in addressing major, multijurisdictional crimes. The increase will facilitate the rapid exchange and sharing of information pertaining to criminals and criminal activity. This exchange and sharing of information will be provided to more Federal, State, and local law enforcement agencies than are currently able to participate under present funding.

*National White Collar Crime Center.*—The Committee recommends a total of \$5,350,000 for the National White Collar Crime Center [NWCCC] for fiscal year 1999. This is equal to the full amount requested. This program provides assistance to State and local law enforcement and regulatory agencies in addressing multi-jurisdictional white collar crimes.

*Management and administration.*—The Committee recommendation provides \$31,956,000 for the management and administration [M&A] of the Office of Justice Programs. In addition, reimbursable funding will be provided from the “Community Oriented Policing Services Program” account and the violent crime reduction programs; and a transfer from the “Juvenile justice” account for the administration of grants under these activities. Total funding for the administration of grants is as follows:

*Office of Justice Programs Management and Administration*

| <i>Program</i>                                | <i>Committee recommendation</i> |
|---|---------------------------------|
| Direct appropriation .....                    | \$31,956,000                    |
| Transfer from juvenile justice programs ..... | 6,647,000                       |
| Reimbursement from VCRTF programs .....       | 47,230,000                      |
| Reimbursement from COPS .....                 | 3,300,000                       |
| <br>Total .....                               | <br>89,133,000                  |

*Counterterrorism budget amendment.*—The Committee recommendation does not include \$144,500,000 to train and equip State and local response personnel to respond to a terrorist incident involving weapons of mass destruction. The Committee has provided funding for this effort within the counterterrorism fund.

## STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1998 .....     | \$2,891,400,000 |
| Budget estimate, 1999 .....    | 2,369,400,000   |
| Committee recommendation ..... | 2,676,650,000   |

The Committee recommends a total of \$2,676,650,000 for fiscal year 1999, of which \$2,124,650,000 is provided from the violent crime reduction trust fund. These funds provide assistance to State and local governments in their drug control and other law enforcement efforts as follows:

## OFFICE OF JUSTICE PROGRAMS—STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

|   | 1998<br>appropriation | 1999 budget<br>estimate | Committee Rec-<br>ommendation |
|---|-----------------------|-------------------------|-------------------------------|
| Direct appropriation:   |                       |                         |                               |
| Byrne grants:   |                       |                         |                               |
| Discretionary .....   | \$46,500,000          | .....                   | \$47,000,000                  |
| Formula .....   | 462,500,000           | .....                   | 505,000,000                   |
| Subtotal, direct appropriation .....                          | 509,000,000           | .....                   | 552,000,000                   |
| Violent crime reduction trust fund:                           |                       |                         |                               |
| Byrne grants (discretionary) .....                            | .....                 | \$47,750,000            | .....                         |
| Byrne grants (formula) .....                                  | 42,500,000            | 505,000,000             | .....                         |
| Local law enforcement block grant .....                       | 523,000,000           | .....                   | 500,000,000                   |
| Boys and Girls Clubs .....                                    | (20,000,000)          | .....                   | (40,000,000)                  |
| Juvenile accountability incentive block grant ....            | 250,000,000           | .....                   | 100,000,000                   |
| Youth violence courts .....                                   | .....                 | 50,000,000              | .....                         |
| Juvenile prosecutor program .....                             | .....                 | 100,000,000             | .....                         |
| Community prosecutors program .....                           | .....                 | 50,000,000              | .....                         |
| Drug intervention treatment program .....                     | .....                 | 85,000,000              | .....                         |
| Indian tribal courts program .....                            | .....                 | 10,000,000              | 10,000,000                    |
| Juvenile drug prevention program .....                        | .....                 | 5,000,000               | .....                         |
| Drug courts .....   | 30,000,000            | 30,000,000              | 40,000,000                    |
| Violence Against Women Act programs .....                     | 270,750,000           | 270,750,000             | 282,750,000                   |
| Upgrade criminal history records .....                        | 45,000,000            | 45,000,000              | <sup>1</sup> 45,000,000       |
| State prison grants .....                                     | 720,500,000           | 711,000,000             | 711,000,000                   |
| Cooperative agreement program .....                           | (25,000,000)          | (25,000,000)            | (25,000,000)                  |
| Indian country .....  | (5,000,000)           | (52,000,000)            | (52,000,000)                  |
| Alien incarceration .....                                     | (165,000,000)         | (150,000,000)           | (150,000,000)                 |
| State Criminal Alien Assistance Program .....                 | 420,000,000           | 350,000,000             | 350,000,000                   |
| Substance abuse treatment for State prison-<br>ers .....      | 63,000,000            | 72,000,000              | 63,000,000                    |
| DNA identification State grants .....                         | 12,500,000            | 15,000,000              | 15,000,000                    |
| Counterterrorism technologies .....                           | .....                 | 10,000,000              | ( <sup>2</sup> )              |
| Grants to firefighters/emergency service person-<br>nel ..... | .....                 | 5,000,000               | ( <sup>2</sup> )              |
| Other crime control programs:                                 |                       |                         |                               |
| Safe Return Program .....                                     | 900,000               | 900,000                 | 900,000                       |
| Tuberculosis in prisons .....                                 | .....                 | 1,000,000               | 1,000,000                     |
| Law enforcement family support programs .....                 | 1,000,000             | 2,000,000               | 2,000,000                     |
| Motor vehicle theft prevention .....                          | 750,000               | 2,000,000               | 2,000,000                     |
| Senior citizens against marketing scams .....                 | 2,500,000             | 2,000,000               | 2,000,000                     |
| Subtotal, violent crime reduction trust<br>fund .....         | 2,382,400,000         | 2,369,400,000           | 2,124,650,000                 |

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

|  | 1998<br>appropriation | 1999 budget<br>estimate | Committee Rec-<br>ommendation |
|--|-----------------------|-------------------------|-------------------------------|
| Total, State and local law enforcement as-<br>sistance ..... | 2,891,400,000         | 2,369,400,000           | 2,676,650,000                 |

<sup>1</sup> Includes national sex offender registry.

<sup>2</sup> Included under justice assistance.

*Edward Byrne grants to States.*—The Committee recommendation provides \$552,000,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which \$47,000,000 is for discretionary grants and \$505,000,000 for formula grants. Of the total grant funding recommended by the Committee, no funding is provided under the violent crime reduction trust fund as authorized under the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322.

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

- \$4,500,000 for the Executive Office of U.S. Attorneys to support the National District Attorneys Association’s participation in legal education training at the National Advocacy Center, correcting an error in the fiscal year 1999 request which assumed only 6 months of training;
- \$3,500,000 for a Consolidated Advanced Technologies for the Law Enforcement Program at the University of New Hampshire and the New Hampshire Department of Safety;
- \$2,800,000 for the national motor vehicle title information system, authorized by the Anti-Car Theft Improvement Act;
- \$2,000,000 for continued support for the expansion of Search Group, Inc., and the National Technical Assistance and Training Program to assist States, such as West Virginia, to accelerate the automation of fingerprint identification processes;
- \$1,000,000 for the National Neighborhood Crime and Drug Abuse Prevention Program;
- \$500,000 for continuation of the Santee-Lynches Regional Council of Governments Local Law Enforcement Program;
- \$1,500,000 for Project Return in New Orleans, LA;
- \$1,500,000 to the New Hampshire Department of Safety to Support Operation Streetsweeper;
- \$925,000 to allow the Utah State Olympic Public Safety Command to continue to develop and support a public safety master plan for the 2002 Winter Olympics;
- \$200,000 for the augmentation of the University of South Carolina’s law school library for support of the National Advocacy Center;
- \$100,000 for Jasper County, TX, or alternate trial venue, for necessary trial security expenses;
- \$300,000 for the National Association of Town Watch to support the National Night Out Program; and
- \$1,000,000 for continuation of the National Judicial College.

Within the available resources the Committee urges BJA to consider funding for: the Tools for Tolerance Program in Los Angeles, CA; the Western Missouri Public Safety Training Institute; the Riverside County Public Safety Training Center; the Compton Community Youth Center; the National Training and Information Center; the Lincoln-Lancaster Mediation Center; the trauma reduction initiative at Nova Southeastern University and Cooper Hospital/University Medical Center; the National Fraud Information Center; the Spartanburg Stop the Violence Program; the Light of Life Ministries; the Southern Florida Medical Corrections Options Program; Straight and Narrow, Inc., for substance abuse treatment; support for Chicago's Family Violence Intervention Program; and continuation of the National Crime Prevention Council and the National Citizens Crime Prevention Campaign (McGruff). The Committee strongly believes that the National Crime Prevention Council, with its symbols McGruff and Scruff, can play a significant role in educating our Nation's children about safety on the Internet and urges that such education be incorporated into its campaign messages.

The Committee is pleased with the Bureau of Justice Assistance's commitment to demonstrate and evaluate the outcomes of community-based alternatives to incarceration programs for the nonviolent drug offender. The Committee urges BJA to continue to support established programs in urban, low-income settings such as Haymarket Center in Chicago, IL.

The Committee understands that Drug Abuse Resistance Education [DARE America] Program officials are meeting with officials from the Office of Justice Programs to determine how to most effectively modify current course criteria and commends them for their efforts. Because these discussions are ongoing and changes cannot be integrated, the Committee recommends that funding be maintained at \$1,750,000 for fiscal year 1999. The Committee urges DARE officials to incorporate increased emphasis on prevention of tobacco use into their new curriculum.

#### VIOLENT CRIME REDUCTION TRUST FUND PROGRAMS

*Local law enforcement block grant.*—The Committee recommendation includes \$500,000,000 to continue the local law enforcement block grant program which provides grants to localities to reduce crime and improve public safety. Of the amounts provided, \$20,000,000 will be provided to NIJ to assist local units to identify, select, develop, modernize, and purchase new technologies for use by law enforcement. The recommendation for funding for the local law enforcement block grant continues the commitment to provide local governments with the resources and flexibility to address specific crime problems in their communities.

The Committee recommends \$40,000,000 for the Boys and Girls Clubs of America, which is \$20,000,000 above the amount provided for this program in fiscal year 1998.

The Committee has included language which permanently designates parish sheriffs as the recipient of block grant funds in Louisiana. The Committee is aware of the unique law enforcement system that exists in the State of Louisiana whereby the constitution of the State of Louisiana establishes independent and wholly autonomous parish sheriffs and names the sheriff as the chief law en-

forcement officer of the constitutionally established law enforcement districts. The Committee directs the Department of Justice to ensure that parish sheriffs establish an advisory board pursuant to section 103 of H.R. 728 and shall consider recommendations made by this board to be binding.

*Juvenile accountability incentive block grant.*—The Committee recommends \$100,000,000 for fiscal year 1999 for a Juvenile Accountability Incentive Block Grant Program to address the growing problem of juvenile crime by encouraging accountability-based reforms at the State and local level. The Department has established guidelines for the implementation of the juvenile accountability incentive block grant. Within the funding for the juvenile accountability incentive block grant, the Committee recommendation includes \$2,000,000 for the San Bernardino County Detention Center; \$2,000,000 for the Douglas County, OR, juvenile detention facility; \$1,929,685 for the Missoula, MT, regional youth detention facility; \$1,134,000 for a juvenile justice facility in Billings, MT; \$400,000 for the Montrose, CO, juvenile facility to serve children in need of shelter; \$360,000 for the Montana Juvenile Probation Officers Association; and \$1,700,000 for a youth crisis center in North Dakota.

The Committee recommendation does not include funding for youth violence courts, the Juvenile Prosecutor Program, the Juvenile Drug Prevention Program, the Community Prosecutors Program, and the Drug Intervention Treatment Program. Instead, the Committee recommends \$100,000,000 for the juvenile accountability incentive block grant program.

*Indian Tribal Courts Program.*—The Committee recommendation provides \$10,000,000 to assist tribal governments in the development, enhancement, and continuing operation of tribal judicial systems by providing resources for the necessary tools to sustain safer and more peaceful communities. This new program will enable the Winnebago Tribe of Nebraska to be eligible for a grant for a law enforcement center and the Sioux Nation Tribal Supreme Court to be eligible for a grant for research and development.

*Drug courts.*—The Committee recommends \$40,000,000 for drug courts. This amount is a 30-percent increase above the fiscal year 1998 appropriation.

*Violence Against Women Act programs.*—The Committee recommends \$282,750,000 for grants to support the Violence Against Women Act. This amount represents an increase of \$12,000,000 over the request and \$12,000,000 over the fiscal year 1998 appropriation. Grants provided under this recommendation are for the following programs:

VIOLENCE AGAINST WOMEN ACT PROGRAMS

| Programs                                     | 1998 appropriation | 1999 budget estimate | Committee recommendation |
|--|--------------------|----------------------|--------------------------|
| General formula grants .....                 | \$172,000,000      | \$200,750,000        | \$210,750,000            |
| Grants to encourage arrest policies .....    | 59,000,000         | 30,000,000           | 30,000,000               |
| Rural domestic violence .....                | 25,000,000         | 25,000,000           | 25,000,000               |
| Training programs .....                      | 2,000,000          | 5,000,000            | 5,000,000                |
| National stalker and domestic violence ..... | 2,750,000          | .....                | .....                    |

## VIOLENCE AGAINST WOMEN ACT PROGRAMS—Continued

| Programs                                       | 1998<br>appropriation | 1999 budget<br>estimate | Committee rec-<br>ommendation |
|--|-----------------------|-------------------------|-------------------------------|
| Victims of child abuse programs:               |                       |                         |                               |
| Court appointed special advocate [CASA] .....  | 7,000,000             | 7,000,000               | 9,000,000                     |
| Training for judicial personnel .....          | 2,000,000             | 2,000,000               | 2,000,000                     |
| Grants for televised testimony .....           | 1,000,000             | 1,000,000               | 1,000,000                     |
| Federal victim's counselors <sup>1</sup> ..... | (21,375,600)          | (9,375,600)             | (9,375,600)                   |
| <b>Total, VAWA programs .....</b>              | <b>270,750,000</b>    | <b>270,750,000</b>      | <b>282,750,000</b>            |

<sup>1</sup>Included under U.S. attorneys.

The fiscal year 1999 increase is recommended to continue expansion of units of law enforcement officers and prosecutors specifically focused on crimes against women. Funding will be used to develop and implement effective arrest and prosecution policies to prevent, identify, and respond to violent crimes against women, strengthen programs addressing stalking; and provide much needed victims' services. This includes specialized domestic violence court advocates who obtain protection orders. In addition, programs would be strengthened to encourage reporting of domestic violence by providing assurances that law enforcement and attorney support systems would be available. This funding is to be distributed to States to significantly enhance the availability of services, prosecutors, and law-enforcement officials to women and children who are subjected to domestic violence.

Within the funding for encouraging arrest policies, the Committee urges the Office of Justice Programs to favorably consider funding to support programs aimed at improving safety in the workplace.

Within the funding for court appointed special advocate [CASA], the Committee urges the Office of Justice Programs to favorably consider funding to enhance the Aberdeen, SD, CASA Program.

In addition, the Committee recommendation includes funding for training of criminal justice practitioners and communities in dealing with convicted sex offenders released back into the community. These funds are also available for establishing demonstration projects highlighting proven training models and techniques.

*Violence on college campuses.*—The Committee is concerned about violent crime against women on college campuses. Within the general formula grants, the Committee recommends \$10,000,000 for a new discretionary grant program for institutions of higher learning to strengthen security and investigation efforts to combat violent crime against women on campuses. These institutions may enter into partnerships with local criminal justice organizations and victim services agencies to establish and administer a plan which may include increased personnel, training, technical assistance, data collection, and improved protocol development.

*Criminal history records upgrade.*—The Committee recommends \$45,000,000 for States to upgrade criminal history records so that these records can interface with other data bases holding information on other categories of individuals who are prohibited from purchasing firearms under Federal or State statute. Additionally, the national sexual offender registry [NSOR] component of the Crimi-

nal History Records Upgrade Program will have two principal objectives. The registry will assist States in developing complete and accurate in-State registries and to assist States in sharing their registry information with the FBI system which identifies those offenders for whom special law enforcement interest has been noted.

*State prison grants.*—The recommendation provides \$711,000,000 for the State Prison Grant Program, of which \$150,000,000 is available to States for the incarceration of criminal aliens, \$25,000,000 for the Cooperative Agreement Program, and \$52,000,000 for Indian tribes. 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 Committee recommendation includes a \$2,000,000 grant for the construction of a new detention facility on the Fort Berthold Indian Reservation in North Dakota. The Committee urges the Office of Justice Programs to favorably consider construction of a correctional facility in Barrow, AK, if warranted.

*State Criminal Alien Assistance Program.*—The recommendation provides \$350,000,000 for the State Criminal Alien Assistance Program [SCAAP] for the reimbursement to States for the costs of incarceration of criminal aliens. This amount is in addition to \$150,000,000 included for this purpose under the State Prison Grants Program. Thus, the Committee recommends a total of \$500,000,000 for reimbursement to States for alien incarceration, which is equal to the fiscal year 1999 request and \$85,000,000 below the amount provided in the fiscal year 1998 appropriation.

Last year, the Committee urged the Office of Justice Programs [OJP] to accelerate its schedule for release of these much needed funds. Once again, the Committee finds that fiscal year 1998 SCAAP funding will not be allocated until December 1999. The Committee understands the need for this funding but cannot support the lengthy process which includes the Immigration and Naturalization Service.

*Substance abuse treatment for State prisoners.*—The Committee recommends \$63,000,000, for the Residential Substance Abuse Treatment Program for State Prisoners [RSAT]. This amount is equal to the amount provided in fiscal year 1998. The RSAT Program provides financial and technical assistance to assist State and local governments in developing and implementing residential treatment programs within State and local correctional and detention facilities in which inmates are incarcerated for a period of time sufficient to permit substance abuse treatment. Consistent with the authorizing statute, States must agree to require drug testing of individuals enrolled in the treatment program and give preference to projects that assist in the placement of program participants with community-based aftercare services, such as parole supervision, education and job training, and halfway houses. These aftercare programs cannot be funded with RSAT grant dollars. The Committee estimates that 22,000 inmates could be treated in 1999.

*DNA identification State grants.*—The recommendation includes \$15,000,000 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

equal to the fiscal year 1999 request and \$2,500,000 above the amount provided in the fiscal year 1998 appropriation.

Within the amount made available under this program, \$5,000,000, and in conjunction with State grants, \$15,000,000, and the expanded use of technology grants available through the local law enforcement block grant, \$20,000,000, up to \$40,000,000 is available to develop or improve forensic DNA testing capabilities in State and local forensic laboratories. This funding is provided to foster cooperation and mutual assistance among forensic DNA laboratories within States. Funds should be used for efforts between States that are seeking to match and exchange DNA identification records for law enforcement purposes using the FBI's combined DNA index system [CODIS]. The Committee directs the Department to provide a report on its efforts to create continuity of the capability between all 50 States. The report should be provided no later than February 1, 1999. Within available funds the Committee recommends that the Office of Justice Programs provide a \$2,000,000 grant to Marshall University Forensic Science Program; \$5,000,000 to the West Virginia University Forensic Identification Program; \$3,000,000 to the South Carolina Law Enforcement Division's forensic laboratory; \$2,500,000 for a forensic science partnership between the Oregon State Police and Western Oregon University; and \$800,000 for the Southeast Missouri Crime Laboratory. Also, the Committee expects the OJP to examine a proposal for the National Center for Forensic Science at the University of Central Florida and provide a grant if warranted.

*Safe Return Program.*—The Committee recommendation includes \$900,000 to continue and expand training of law enforcement and other emergency response personnel to locate missing Alzheimer patients.

*Tuberculosis in prisons.* The Committee recommendation includes \$1,000,000 to address the increased incidence of tuberculosis in correctional facilities.

*Law enforcement family support programs.*—The recommendation provides \$2,000,000 for this program to assist Federal, State, and local law enforcement agencies in developing and implementing policies and programs to reduce stress and provide appropriate support services for law enforcement officers and their families.

*Motor vehicle theft prevention.*—The recommendation provides \$2,000,000 for grants to combat motor vehicle theft through cooperative partnerships between car owners and State and local law enforcement. This amount is \$1,250,000 above the fiscal year 1998 appropriation and equal to the fiscal year 1999 request.

*Senior citizens against marketing scams.*—The recommendation provides \$2,000,000 as requested for a program to assist law enforcement in preventing and stopping marketing scams against the elderly. The Committee requests that some program sessions be held at the National Advocacy Center.

#### WEED AND SEED PROGRAM

The Committee recommendation provides \$40,000,000 for the Weed and Seed Program from direct appropriations. This amount is \$6,500,000 above the fiscal year 1998 appropriation and equal to the fiscal year 1999 request. Within the amount provided for these

grants, the Committee expects the Weed and Seed Office to examine a proposal to provide a grant, if warranted, to the Detroit Rescue Mission Ministries.

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

The Committee directs the General Accounting Office to review the Weed and Seed Program for its efficiency and effectiveness. This report should be provided no later than February 1, 1999.

COMMUNITY ORIENTED POLICING SERVICES  
VIOLENT CRIME REDUCTION PROGRAMS

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1998 .....     | \$1,430,000,000 |
| Budget estimate, 1999 .....    | 1,420,000,000   |
| Committee recommendation ..... | 1,440,000,000   |

The recommendation includes \$1,440,000,000 for community oriented policing services [COPS] for fiscal year 1999. This amount is \$10,000,000 above the fiscal year 1998 appropriation and is \$20,000,000 above the fiscal year 1999 request.

The recommendation provides sufficient funding to meet the agreed upon target of 100,000 police officers by 2000. According to the most recent information available from the Department of Justice, a cumulative total of approximately 76,201 officers have been funded. Of these, only an estimated total of 43,304 police officers and sheriff's deputies have been hired. The Committee remains concerned that the unusually high unobligated balances of this program may lead to an inability to reach the goal of 100,000 new officers by 2000.

The Committee recommendation includes \$1,000,000 for Jackson, MS. In addition, the Committee recommendation includes \$650,000 for the Alaskan Village Public Safety Program for training and equipment.

The Committee believes an increase in staff is warranted to reduce delays in processing COPS grants. The Committee continues bill language similar to the 1998 appropriation limiting the amount spent on program administration. However, the cap has been raised. The Committee has included a \$34,023,000 limitation on management and administrative costs within this account to support 266 positions and 266 FTE's. Funding is for making grant awards, payment processing, and grant monitoring.

*Safe schools initiative [SSI].*—The Committee recommendation includes \$175,000,000 for the safe schools initiative. This initiative will provide funding to police departments and sheriff's offices in partnerships with schools and other community-based entities to develop programs to improve the safety of elementary and secondary school children and educators in and around schools. These innovative community policing partnerships should seek to identify the causes of school violence and develop new approaches to address the problem. Preference should be given to those applications submitted by agencies who have received, or have applied to re-

ceive, COPS grants for additional community policing officers to serve as school resource officers.

*Indian country.*—The Committee recommendation includes \$54,000,000 to improve law enforcement capabilities on Indian lands. The report of the interagency executive committee for law enforcement improvement documents a need for additional resources for improving the criminal justice system in Indian tribal jurisdictions. The COPS appropriation, under current statutory authorities, can provide grants and cooperative agreements to Indian tribes for additional uniformed officers. However, to allow these officers to perform their duties most effectively, the Committee has included language which allows COPS funds to be used for the purchase of equipment and training so that fully trained and equipped uniformed officers may be deployed in Indian tribal jurisdictions.

*Officer retention.*—The Committee understands that fiscal year 1998 was the first year that officer hiring grants from the Office of Community Policing Services [COPS] began to expire. Grantee policing agencies are required to retain officers beyond the 3-year grant period. The COPS Office has informed the Committee it expects the vast majority of grantee agencies will retain the officers hired with COPS grants. The Committee has further been informed that a sampling by the COPS Office of more than 8,000 annual reports from grantees demonstrated that 90 percent planned to retain their officers. The Committee urges the COPS Office to continue to provide technical assistance and information to grantee agencies on retention strategies.

*COPS Program cessation.*—The mission of the COPS Office has been to fund the addition of 100,000 community policing officers by the end of the year 2000. The Committee has provided funding for this initiative enabling the COPS Office to complete its mission. The Committee is aware that at the end of fiscal year 2000 the COPS Program is scheduled to end. The Committee directs the COPS Office to provide a report by December 31, 1998, detailing the plan for concluding its operations.

*Police Corps.*—The Committee recommendation includes \$40,000,000 to continue advanced police education and training in the Police Corps Program. This amount is \$10,000,000 more than the fiscal year 1998 appropriation and \$20,000,000 more than the fiscal year 1999 request. The Committee urges the COPS Office to favorably consider grant applications from the State of Alaska.

*Nonhiring initiatives.*—The Committee is aware that the COPS Program will carry forward \$119,960,000 into fiscal year 1999 after completion of its hiring grant process for 1998. The Committee wants to ensure that there is adequate infrastructure for the new police officers. The goal of the Committee is to allow police officers to work more efficiently, equipped with the tools and technology they need, and with the flexibility to design strategies to address specific crime problems. These problems include the emergence of methamphetamine in new areas and the challenge of combating domestic violence. The Committee believes that \$119,960,000 of carryover funds from fiscal year 1998 should be used to address these critical law enforcement requirements and directs the COPS Program to establish the following nonhiring grant programs:

—*COPS Technology Program.*—The Committee recommendation directs \$65,960,000 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 conferees recognize the importance of sharing criminal information and intelligence between State and local law enforcement to resolve multijurisdictional crimes.

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

- \$20,000,000 for the North Carolina criminal justice information system to meet North Carolina’s public safety needs;
- \$9,500,000 to expand the Upgrade Criminal History Records Program for crime information and identification systems and for forensic laboratories;
- \$7,000,000 to the Missouri Office of the State Courts Administrator for a juvenile justice information system;
- \$7,000,000 to the New Hampshire Department of Safety for the development of a pilot intergovernmental VHF trunked digital radio system, including \$2,000,000 for phase 1 of development of an interoperable law enforcement communications system;
- \$5,000,000 to the Utah Communications Agency Network [UCAN] for enhancements and upgrades of security and communications infrastructure to assist with the law enforcement needs arising from the 2002 Winter Olympics;
- \$3,000,000 for the Compton, CA, Police Department for computer upgrades and enhancements;
- \$3,000,000 for the I-85 police technology initiative in Anderson, Greenville, and Spartanburg Counties, SC, for computer enhancements and policing equipment upgrades;
- \$2,400,000 for Anchorage, AK, mobile data terminals;
- \$2,500,000 to Allegheny County, PA, for a law enforcement technology initiative;
- \$1,500,000 for the Alaska juvenile offender management system;
- \$1,500,000 for law enforcement information system infrastructure in New York State;
- \$1,100,000 for the Jackson, MS, public safety automated systems and technologies;
- \$935,000 for the Missoula County, MT, mobile data terminals;
- \$500,000 for the New Mexico rural emergency 911 project;
- \$400,000 to Fairbanks, AK, for law enforcement computer, radio, and technology enhancements;
- \$225,000 for the Lake County, CA, Sheriff Department’s computer systems upgrade project;
- \$200,000 for the Alhambra, CA, Police and Fire Department’s computer system upgrade project;
- \$100,000 for the Marshall County, SD, 911 emergency response system; and
- \$100,000 for the Moody County, SD, 911 emergency response system.

- Police Recruitment Program.*—The Committee recommendation directs \$1,000,000 of unobligated balances in the COPS Program to be used for police recruitment programs authorized under subtitle H of title III of the Violent Crime Control and Law Enforcement Act of 1994.
- Community Policing to Combat Domestic Violence Program.*—The Committee directs \$12,500,000 of unobligated balances in the COPS Program to be used for the Community Policing to Combat Domestic Violence Program established pursuant to section 1701(d) of part Q of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.
- COPS Methamphetamine Program.*—The Committee directs \$15,500,000 of unobligated balances in the COPS Program to be used for State and local law enforcement programs to combat methamphetamine production, distribution, and use, and to reimburse the Drug Enforcement Administration for assistance to State and local law enforcement for proper removal and disposal of hazardous materials at clandestine methamphetamine labs. The Committee is aware that the production, trafficking, and usage of methamphetamine, an extremely destructive and addictive synthetic drug, is a growing national problem, particularly in the Southwest and the Midwest. Within the amount provided for this program, the Committee expects the COPS office to award grants for the following programs:
  - \$1,000,000 to northern Utah law enforcement agencies to be used to purchase remote methamphetamine detection laboratories to be used to identify infrastructure decay caused by the disposal of hazardous and toxic chemicals from such laboratories;
  - \$1,000,000 to Arizona to support additional law enforcement officers, equipment, and training by Drug Enforcement Administration officials to State and local law enforcement about the proper collection, removal, and destruction of methamphetamine, precursor chemicals, laboratory equipment, and related materials using certified hazardous waste management methods;
  - \$6,000,000 for the Midwest and \$1,000,000 for Colorado and other Rocky Mountain areas for methamphetamine initiatives to provide training by Drug Enforcement Administration officials to State and local law enforcement about the proper recognition, collection, removal, and destruction of methamphetamine, precursor chemicals, laboratory equipment, and related materials using certified hazardous waste management methods; and
  - \$6,000,000 for support by the Drug Enforcement Administration to State and local law enforcement for the cleanup and disposal of clandestine methamphetamine laboratories.
- Bulletproof Vest Grant Program.*—The Committee recommendation includes \$25,000,000 of unobligated balances in the COPS Program for a new program within the Bureau of Justice Assistance [BJA] for formula grants to States and local governments or Indian tribes to be used for the purchase of armored vests for law enforcement officers in the jurisdiction of the grantee. The Committee recognizes that by the nature of

their jobs, law enforcement officers are at daily risk of disability or death. Body armor has been proven invaluable in reducing this risk. Because funds available for this program are limited, the Committee strongly recommends that the BJA implement all of the preferential considerations listed in section 2501 of the Matching Grant Program for Law Enforcement Armor Vests when evaluating applications. These considerations include a needs test, the local violent crime rate, and whether or not the jurisdictions has, or will institute, a mandatory vest policy.

JUVENILE JUSTICE PROGRAMS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$238,672,000 |
| Budget estimate, 1999 .....    | 277,950,000   |
| Committee recommendation ..... | 284,597,000   |

The Committee recommendation provides a total of \$284,597,000 for juvenile justice programs for fiscal year 1999. This funding level is \$45,925,000 more than the 1998 appropriation and is \$6,647,000 more than the request.

*Juvenile justice and delinquency prevention.*—The Committee recognizes that changes to juvenile justice and delinquency prevention [JJDP] programs are being considered in the authorization process. As such, the Committee recommendation includes language that makes this program subject to the provisions of any authorizing legislation that is enacted and that any provisions in this act that are inconsistent with that legislation shall no longer have effect.

The Committee recommendation includes a total of \$284,597,000 for fiscal year 1999 for administrative expenses and grants to States and localities for projects in the areas of education, research, prevention, and rehabilitation as follows:

- \$6,847,000 for the Office of Juvenile Justice and Delinquency Prevention [OJJDP] (part A);
- \$96,000,000 for formula grants for assistance to State and local programs (part B);
- \$45,750,000 for discretionary grants for national programs and special emphasis programs (part C). Within the amount provided for part C discretionary grants, the Committee directs OJJDP to provide the following:
  - \$3,000,000 for Parents Anonymous, Inc., to begin developing an immediate response system via a national child abuse prevention telephone network and to develop a new online data base system and a national media campaign;
  - \$3,500,000 to continue and expand the National Council of Juvenile and Family Courts which provides continuing legal education in family and juvenile law;
  - \$2,500,000 for the Hamilton Fish National Institute on School and Community Violence;
  - \$1,900,000 for continued support for law-related education. The Committee recognizes the value of law related education and the youth for justice [YFJ] project, and recommends its continuance with a particular emphasis on in-classroom, hands-on assistance utilizing the legal community's involve-

- ment by lawyers and law students as coordinated by the YFJ consortium.
- \$1,500,000 for continuation of the Center for Research on Crimes Against Children which focuses on improving the handling of child crime victims by the justice system;
- \$1,250,000 for the Teens, Crime, and the Community Program;
- \$650,000 to develop local juvenile justice programs in rural Alaska;
- \$383,000 to the National Association of State Fire Marshals for implementing a national juvenile fire setter intervention mobilization plan that will facilitate and promote the establishment of juvenile fire setter intervention programs based on existing model programs at the State and local level;
- \$250,000 for the Shelby County, TN, Juvenile Offender Transition Program; and
- \$100,000 for the secure school pilot project.

The Committee recognizes the accomplishments of the Center for Study and Prevention of Juvenile Crime and Delinquency of Prairie View A&M University and urges the Department of Justice Office of Juvenile Justice and Delinquency programs to continue support of the center in an amount no less than what was provided by the Department in fiscal year 1998.

In addition, the Committee directs OJJDP to examine each of the following proposals, to provide grants if warranted, and to report to the Committee on its intentions for each proposal: a grant to Youth Advocates Program, Inc.; a grant to the Camden Aquarium urban science enrichment [CAUSE]; a grant for the juvenile antiviolence demonstration project; a grant for a pilot program to promote replication of recent successful juvenile crime reduction strategies; a grant to the Violence Institute of New Jersey; a grant to the School Security Technology Center; a grant to the New Mexico Cooperative Extension Service 4-H Youth Development Program; a grant to demonstrate and evaluate the effectiveness of the Adolescent Residential Treatment Program to address juvenile crime, especially with unique populations such as youth addicted to methamphetamine; a grant to the Coalition for a Drug Free Lanai; a grant to the youth courts in Alaska; a grant to the Consortium on Children, Families, and the Law; a grant to the Chicago public schools for innovative substance abuse programs; a grant to the Women of Vision Program for youthful female offenders; a grant to the Kids With a Promise Program; a grant to the Sioux Falls, SD, School District; a grant to the South Dakota Unified Judicial System; a grant to the Minnehaha, SD, County Sheriff's Office to implement a juvenile crime prevent program; a grant to the Nebraska Commission on Law Enforcement and Criminal Justice to create a model juvenile justice pretrial diversion program; a grant to the Essex Teen Center and other Vermont Coalition for Teen Center's members; a grant to safe places for kids; a grant at the fiscal year 1998 funding level to the Low Country Children's Center; and a grant for the Comprehensive Juvenile Justice Crime Prevention Initiative and Juvenile Assessment Center in Gainesville, FL.

The Committee urges the Department to provide resources to establish a multistate youth violence prevention network.

- \$12,000,000 to expand the Youth Gangs (part D) Program which provides grants to public and private nonprofit organizations to prevent and reduce the participation of at-risk youth in the activities of gangs that commit crimes. Within the amount provided for part D Youth Gang grants, the Committee directs OJJDP to provide \$100,000 to the Metro Denver Gang Coalition to complete a program for service providers and community members to share information, support program efforts, and create positive changes in youth, families, and communities. The Committee also recommends a grant to enhance and expand Operation Clean Break, and grants to Fairbanks, AK, and to the Sisseton, SD, gang task force to prevent and reduce gang-related crimes.
- \$10,000,000 for discretionary grants for State challenge activities (part E). This program authorizes the OJJDP Administrator to award grants which could increase the amount of a State's formula grant by up to 10 percent, if that State agrees to undertake some or all of the 10 challenge activities included in this program. These challenge activities are designed to improve various aspects of a State's juvenile justice and delinquency prevention program.
- \$12,000,000 for the Juvenile Mentoring Program [JUMP] (part G). This program seeks to reduce juvenile delinquency, improve academic performance, and reduce the dropout rate among at-risk youth through the use of mentors. This program has proven successful in reaching at-risk youth and has significant support at the local level. The Committee recommends funding be continued at the fiscal year 1998 level. The program brings together young people in high crime areas with law enforcement officers and other responsible adults who are willing to serve as long-term mentors. Within the amount provided, the Committee directs OJJDP to provide increased funding above the fiscal year 1998 amount for Big Brothers/Big Sisters programs.
- \$95,000,000 for incentive grants for local delinquency prevention programs (title V), to units of general local government for delinquency prevention programs and other activities for at-risk youth. Within this amount, the Committee recommends \$25,000,000 to assist States in enforcing underage drinking laws and \$25,000,000 for the safe schools initiative [SSI]. The Committee directs OJJDP to provide a \$300,000 grant to the Vermont Department of Public Service for breath alcohol testing mobiles.

*Safe schools initiative [SSI].*—The Committee recognizes that school violence by minors is a prevalent problem as evidenced by recent tragic events that have occurred around the Nation. The Committee recommendation includes \$25,000,000 for communities to implement approaches unique to their particular problems. This effort may include training and services such as: accountability and responsibility training; violence reduction training, including dispute resolution; juvenile mentoring; training for teachers and families to recognize troubled children; and parent accountability and family strengthening education.

Under title V of juvenile justice programs, the At Risk Children's Program provides funding to support comprehensive delinquency

prevention plans formulated at the community level. The program targets truancy and school violence; gangs, guns, and drugs; and other influences that lead juveniles down pathways to delinquency and criminality. This program focuses on locally implemented programs that target high-risk and minor offending juveniles for aggressive early intervention. This program, in combination with current investments in graduated sanctions for juveniles already in the juvenile justice system, provides communities with resources to build a continuum of care throughout the childhood years. The use of programs and strategies under the At Risk Children's Program will help keep young people out of trouble and help get them back on the right track if they have broken the law.

The significant increase in funding for the At Risk Children's Program is provided in an attempt to balance prevention with the accountability and justice systems improvement programs of the Juvenile Accountability Incentive Block Grant Program.

The escalating rates of juvenile crime and delinquency in tribal jurisdictions are of serious concern to the Committee. The Committee recommendation provides that \$20,000,000 of the At Risk Children's Program be available for programs to reduce, control, and prevent crime both by and against tribal youth; for interventions for court-involved tribal youth; for improvement to tribal juvenile justice systems; and for prevention programs focusing on alcohol and drugs.

The At Risk Children's Program will provide funding on a formula basis to States, to be distributed by the States for use by local units of government and locally based public and private agencies and organizations. These funds will support communities' involvement in the identification of local problems and needs, and the development and implementation of local solutions to serious and violent juvenile crime.

*Juvenile justice research, evaluation, training, and technical assistance.*—The Committee recognizes that high quality research, evaluation, and statistical analysis are critical to understanding and addressing the causes of youth crime, understanding the scope of delinquency and its impact on the juvenile justice system, and identifying effective approaches to delinquency control that can be replicated at the State and local levels. As reported in the recently published University of Maryland report, "Preventing Crime, What Works, What Doesn't, What's Promising," which was commissioned by Congress and funded by OJP, there is inadequate scientific evidence of what programs work in preventing of crime. The Committee recommendation allows the Office of Juvenile Justice and Delinquency Prevention Programs [OJJDP] to set aside 2 percent for training and technical assistance and 10 percent for research, evaluation, and statistics activities.

*Victims of Child Abuse Act.*—The Committee recommends \$7,000,000 for the various programs authorized under the Victims of Child Abuse Act [VOCA]. Funds, provided to establish regional and local children's advocacy centers, may not be used to provide legal aid. In addition, funding of \$9,000,000 is provided for victims of child abuse programs included under the Violence Against Women Program funded under State and local assistance, violent crime reduction programs. The total amounts recommended for the

Victims of Child Abuse Act equal the amounts provided in the current fiscal year and the full amount requested in the budget. The following programs are included in the recommendation:

- \$7,000,000 to improve investigations and prosecutions (subtitle A) as follows:
  - \$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

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$33,003,000 |
| Budget estimate, 1999 .....    | 32,059,000   |
| Committee recommendation ..... | 31,809,000   |

The Committee recommends \$31,809,000 in direct appropriations and \$4,250,000 in carryover for total budgetary resources of \$36,059,000 for fiscal year 1999. The recommendation includes sufficient funding for death benefits under the Public Safety Officers Benefits Program and will fully fund anticipated payments in fiscal year 1999. 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 recommendation assumes \$3,200,000 in end-of-year carryover balances for lump-sum payments to public safety officers who are permanently disabled in the line of duty, and \$1,050,000 in end-of-year carryover balances to pay for higher education to dependants of Federal, State, and local public safety officers who are killed or permanently disabled in the line of duty.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The Committee recommends the following general provisions included in previous appropriations acts unless otherwise noted:

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

Section 102 prohibits the use of funds to perform abortions in the Federal Prison System.

Section 103 prohibits the use of the funds provided in this bill to require any person to perform, or facilitate, the performance of an abortion.

Section 104 states that nothing in the previous section removes the obligation of the Director of the Bureau of Prisons to provide escort services to female inmates who seek to obtain abortions outside a Federal facility.

Section 105 allows the Department of Justice to spend up to \$10,000,000 for rewards for information regarding acts of terrorism against U.S. citizens or property at levels not to exceed \$2,000,000 per reward.

Section 106 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 107 is a new provision that merges two Immigration and Naturalization Service fee accounts: legalization and exams.

Section 108 is a new provision that redefines the interest earned on U.S. trustee system fund investments as an offsetting collection.

Section 109 is a new provision that authorizes the Assistant Attorney General for the Office of Justice Programs to have final authority over all grants, cooperative agreements, and contracts for OJP and its component organizations.

The Committee notes the dramatic growth of the Office of Justice Programs since 1995, tripling from \$1,100,000,000 to \$3,300,000,000 in 1998 and greatly increasing the complexity and scope of OJP's programs. The Committee is aware of instances of duplication and overlap among OJP's programs that are rooted in the agency's structure and magnified by its growth. In the interests of insuring good stewardship of taxpayer dollars, this issue must be addressed through a management structure allowing for greater centralization of accountability and responsibility for obligation of all OJP funds.

The Committee's experience with the existing OJP structure of five independent bureaus is that it cannot be as responsive to State and local needs as required to ensure that appropriated funds are used in a planned, comprehensive, and well-coordinated way. Therefore, the Committee directs the Assistant Attorney General for Office of Justice Programs and the Department to develop the elements of a new OJP structure with consolidated authorities. The proposal shall be provided to the Appropriations Committees no later than February 1, 1999.

In the interim, the Committee directs that, through fiscal year 1999, the Assistant Attorney General of OJP shall have final authority to make all OJP grants and enter into cooperative agreements and contracts except those awarded under the provisions of sections 201, 202, 301, and 302 of the Omnibus Crime Control and Safe Streets Act and sections 204(b)(3), 241(e)(1), 243(a)(1), 243(a)(14), and 287A(3) of the Juvenile Justice and Delinquency Prevention Act.

The reason for these exceptions is that the Committee has been advised that in the areas of statistical surveys and the resulting publications, independence is desirable to help ensure the scientific integrity of these functions. This applies to the Bureau of Justice Statistics and the Office of Juvenile Justice and Delinquency Prevention, as well as research and evaluation of the National Institute of Justice and the Office of Juvenile Justice and Delinquency Prevention. The Committee notes that this provision shall have no impact on grants made under the Community Oriented Policing Services Program [COPS].

Section 110 is a new provision that reinstates the 245(i) program.

Section 111 is a new provision which clarifies the term “tribal” for the purpose of making grant awards under programs funded in title I of this act. The term “tribal” shall mean, of or relating to an Indian tribe, as defined in 25 U.S.C. 479a, as any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe.

Section 112 is a new provision that expands the exemption of cruise ship passengers from inspection fees.

Section 113 is a new provision that clarifies the authority of the Federal Prison System to provide telephone services through the commissary trust fund and pay operating costs from the fund.

Section 114 is a new provision which authorizes the Attorney General to make obligations from any funds appropriated for or reimbursed to the counterterrorism programs, projects, or activities of the Department of Justice on an emergency basis without regard to applicable Federal acquisition rules and regulations where there is an exigent need for equipment, related items, and services in support of an ongoing counterterrorism, national security, or computer crime investigation or prosecution and usual Government procurement processes would delay the obtaining of such equipment, related items, and services. In testimony before the Committee, the Attorney General articulated the need for accelerating normal procurement procedures to quickly identify and deploy existing and new technologies and equipment to thwart terrorist threats and respond to terrorist acts. The Committee recognizes that the Department of Justice must be able to rapidly secure existing and new technology to effectively respond to sophisticated cyber, terrorist, and national security threats and acts. It is the intent of the Committee that this authority be exercised only to address exigent case-related circumstances and not be used to bypass for convenience purposes Federal procurement processes. To ensure oversight of this new authority, section 114 requires the Attorney General to immediately notify the Committees on Appropriation of each expenditure under this authority and provide sufficient information to explain the exigent circumstances necessitating the use of this emergency authority.

Section 115 is a new provision which amends the Violent Crime Control and Law Enforcement Act of 1994 by providing additional flexibility to the Federal Bureau of Investigation [FBI] in using funds appropriated under section 21050(b)(1). That section authorizes appropriations for only training. This provision would allow the FBI to use funding appropriated under section 21050(b)(1) for other types of operational support to investigations in Indian country, such as investigative equipment and supplies for safe trails task forces, operational case funds, and forensic services by State crime laboratories, in addition to training of Bureau of Indian Affairs investigators and Indian tribal police officers.

Section 116 is a new provision that repeals automated entry and exit control requirements and extends the schedule for border crossing card implementation.

Section 117 is a new provision which requires the submission of the specific dollar amounts budgeted for counterterrorism within

the Analytical Perspectives Volume beginning with the fiscal year 2000 budget request.

Section 118 is a new provision which requires that a knowing standard for drug diversion be applied before excessive fines could be levied against providers for unintentional paperwork errors.

Section 119 is a new provision which gives judges more discretion by not requiring the imposition of fines for minor record-keeping errors.

Section 120 is a new provision. The Committee directs the General Accounting Office to monitor and report to the Committees on Judiciary and Appropriations about the compliance of the Department of Justice and all U.S. attorneys with the "Guidance on the Use of the False Claims Act in Civil Health Care Matters" issued by the Department of Justice on June 3, 1998, including any revisions to that guidance. These reports shall be submitted to Congress no later than February 1, 1999, and August 2, 1999. The reports shall be prepared in a manner that does not impede the ongoing investigations of the Department of Justice and its preparation shall be consistent with longstanding DOJ and GAO protocols.

The Committee also recommends that the Department of Justice, the Department of Health and Human Services Office of Inspector General, and the Health Care Financing Administration communicate and consult with the health-care-provider community on accurate billing practices, national initiatives, and present and future guidelines.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

The Committee recommends a total of \$4,893,394,000 for the U.S. Trade Representative, the International Trade Commission, and the Department of Commerce for fiscal year 1999. This amount is \$2,899,399,000 below the total request. The fiscal year 1999 request contained advance appropriations for systems acquisitions which the Committee does not recommend. Also, the recommendation is \$577,989,000 above the total amount appropriated for these programs for fiscal year 1998.

TRADE AND INFRASTRUCTURE DEVELOPMENT

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

RELATED AGENCIES

OFFICE OF THE U.S. TRADE REPRESENTATIVE

SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$23,450,000 |
| Budget estimate, 1999 .....    | 24,836,000   |
| Committee recommendation ..... | 24,836,000   |

The Committee recommends an appropriation of \$24,836,000 for the Office of the U.S. Trade Representative [USTR] for fiscal year 1999, which is the requested level. This amount is \$1,386,000 above the fiscal year 1998 appropriation.

With the implementation of several major trade treaties, including the North American Free Trade Agreement [NAFTA] and the Uruguay Round Agreement [URA], the enforcement responsibilities of the USTR have expanded dramatically.

The fiscal year 1998 appropriation for USTR contained funding which permitted the agency to add enforcement personnel to meet these increased requirements. Also, the Committee approved a reprogramming in January 1998 which created a new position, an Assistant U.S. Trade Representative for Africa.

On April 17, 1998, the USTR informed the Committee they did not expect to use all of the funds appropriated for the new enforcement positions in fiscal year 1998 since their recruitment for qualified applicants for some positions has taken longer than anticipated. The USTR requested reprogramming \$1,358,000 of the fiscal year 1998 appropriation of which \$504,000 would be used to fund year 2000 compliance and improved information technology systems. The Committee approved this reprogramming request and

expects USTR to use its fiscal year 1999 appropriation to fully fund the 14 new positions created in the fiscal year 1998 bill. The recommendation also permits the agency to complete its year 2000 compliance with an additional \$504,000 in fiscal year 1999.

#### INTERNATIONAL TRADE COMMISSION

##### SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$41,200,000 |
| Budget estimate, 1999 .....    | 45,500,000   |
| Committee recommendation ..... | 45,500,000   |

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

The Committee recommends an appropriation of \$45,500,000 for the International Trade Commission for fiscal year 1999. The Committee's recommendation is equal to the fiscal year 1999 request and is \$4,300,000 above the fiscal year 1998 appropriation.

The ITC is required by the Uruguay Round Agreements Act to conduct a review of all outstanding antidumping and countervailing duty orders and to determine whether United States industries would be injured if these orders were to be revoked. Beginning in fiscal year 1998, the ITC started reviewing 324 existing orders under this so-called sunset review, and is required, by statute, to complete its work early in calendar year 2001. These sunset reviews will double the workload of the ITC during fiscal years 1999 through 2001.

The Committee is recommending the agency's full request for fiscal year 1999 to enable the agency to hire the necessary staff to accomplish this task. The agency's new caseload is increasing after 2 years of a relatively low number of filings. If the new caseload continues to increase, the ITC may find its resources strained, given the enormous task ahead of it with the sunset review.

#### DEPARTMENT OF COMMERCE

##### INTERNATIONAL TRADE ADMINISTRATION

##### OPERATIONS AND ADMINISTRATION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$283,066,000 |
| Budget estimate, 1999 .....    | 286,452,000   |
| Committee recommendation ..... | 304,167,000   |

The Committee recommends an appropriation of \$304,167,000 for the programs of the Commerce Department's International Trade Administration [ITA]. The amount provided is \$17,715,000 above the request.

The Administration's budget request included an increase of fee collection authority for trade information and promotion services at a level of \$6,000,000. This estimate for fiscal year 1999 is overly optimistic. A major accounting firm did a review of the Administration's proposal and reported that it would be difficult, given the

structure of current promotion service programs, to expect a total of \$6,000,000 in fiscal year 1999. The Committee is recommending a level of \$1,600,000 of increased fees during fiscal year 1999. The Committee expects ITA to continue working on efforts to structure its programs to enable the agency to increase fees for its services in subsequent years. In order to reach an offset of \$6,000,000 in the fiscal year 1999 budget, the Committee recommends taking \$4,400,000 from the agency's foreign national's severance pay account during fiscal year 1999. This \$4,400,000 is shown in the table accompanying this account in the fees line item.

During the past 3 fiscal years, ITA has had an average carryover of \$12,000,000. The Committee estimates ITA will carry over \$29,000,000 from fiscal year 1998. Of this figure, \$21,000,000 is to be transferred from the Agency for International Development [AID]. The Committee directs the Department to use the remaining \$8,000,000 in resources to fund ITA activities in fiscal year 1999.

The Committee directs ITA to use its account established for foreign currency exchange rates. The Committee expects ITA to place in this account any savings in exchange rates for the agency's use when rates are not as favorable. The Committee expects the Department to report on the status of this account in subsequent budget submissions.

The recommended funding levels are reflected in the following table:

ITA FUNDING  
[In thousands of dollars]

|   | 1998 enacted | Budget request | Committee recommendation |
|---|--------------|----------------|--------------------------|
| Trade development .....                   | 58,986       | 48,325         | 69,826                   |
| Market access and compliance .....        | 17,340       | 20,379         | 20,379                   |
| Import Administration .....               | 28,770       | 31,047         | 31,047                   |
| U.S. and Foreign Commercial Service ..... | 171,070      | 174,786        | 177,000                  |
| Administration/executive direction .....  | 11,505       | 11,915         | 11,915                   |
| Fees/pay reforms .....                    |              | (6,000)        | (6,000)                  |
| Carryover .....                           |              |                | (8,000)                  |
| ITA total appropriation .....             | 283,066      |                | 304,167                  |

The funding level recommended by the Committee permits the continuation of current programs within all agencies of the International Trade Administration. The International Trade Administration has responsibility under the Uruguay Round Agreements Act to review all existing orders to determine if they can be eliminated without harm to U.S. corporations.

*Commodity-based international organizations.*—The Committee recommendation provides \$1,501,000 for U.S. membership in nine commodity-based international organizations: the International Copper Study Group, the International Cotton Advisory Committee, the International Lead and Zinc Study Group, the International Natural Rubber Organization, the International Office of the Vine and Wine, the International Rubber Study Group, the International Seed Testing Association, the International Tropical Timber Organization, and the International Grains Council. Pre-

viously, membership dues were paid out of the "Contributions to international organizations" account in title IV. The recommendation reflects exchange rate savings.

During fiscal year 1998, funding was provided for the Access Mexico project to provide assistance to U.S. firms seeking technically accurate information about Mexican environmental laws and regulations. Great progress is being made in this effort. In order to continue this effort and to provide affordable electronic access to this information, the Committee recommends funding of \$255,000.

The recommendation assumes funding the National Textile Center at a level of \$14,000,000. The recommendation also funds the Textile/Clothing Technology Center at \$3,500,000.

The Committee recommends funding the Western Hemisphere Educational and Research Consortium, which consists of five universities, within the U.S. Foreign and Commercial Service [USF&CS] at a level of \$3,000,000. The consortium, in conjunction with the USF&CS, will organize and conduct programs that will advance the strategic and political interests of the United States in the Western Hemisphere.

The Committee is concerned that no remedy exists for domestic producers under our antidumping laws in cases where foreign producers sell through related-party importers in the United States to avoid payment of existing duty orders on their products. The Committee directs the Department of Commerce to provide a report to the Committee describing planned actions to correct this problem. The report should be provided no later than February 1, 1999.

#### EXPORT ADMINISTRATION

##### OPERATIONS AND ADMINISTRATION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$43,900,000 |
| Budget estimate, 1999 .....    | 52,233,000   |
| Committee recommendation ..... | 45,671,000   |

The Committee recommends a fiscal year 1999 appropriation of \$45,671,000 for the Bureau of Export Administration [BXA], which is a \$1,771,000 increase over the fiscal year 1998 appropriation.

BXA is the principal agency involved in the development, implementation, and enforcement of export controls for dual-use technologies and weapons of mass destruction. The Export Enforcement Division [EE] detects, prevents, investigates, and assists in the sanctioning of illegal dual-use exports.

*Counterterrorism activities.*—The Committee recommends \$20,996,000 to support BXA's enforcement responsibilities under the Chemical Weapons Convention Treaty, which was ratified in 1997 by the Senate.

In fiscal year 1998, the Committee provided an appropriation of \$1,900,000 for the agency's implementation of this measure. These funds have not been expended, and the Committee recommendation assumes these funds will be used to support the program in fiscal year 1999. The Committee is aware that an additional \$750,000 will be carried over into fiscal year 1999, and the Committee assumes these funds will also be used to support BXA's enforcement responsibilities.

The fiscal year 1999 recommendation for the Export Enforcement Division is \$21,495,000, which will permit the agency to implement three important counterterrorism initiatives, including additional resources for: encryption control enforcement responsibilities, which were transferred from the Department of State to BXA in 1997; fully staffing field offices, including overseas enforcement support for control of potential dual-use items; and enhanced preventative enforcement to stop illegal shipments from reaching their final destination.

#### ECONOMIC DEVELOPMENT ADMINISTRATION

|                                |                            |
|--------------------------------|----------------------------|
| Appropriations, 1998 .....     | <sup>1</sup> \$361,028,000 |
| Budget estimate, 1999 .....    | 397,969,000                |
| Committee recommendation ..... | 303,240,000                |

<sup>1</sup>Excludes amounts for emergency appropriations.

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

The Committee recommends funding of \$303,240,000 for the programs and administrative expenses of the Economic Development Administration for fiscal year 1999. This is \$94,729,000 below the request and is \$57,788,000 below the fiscal year 1998 level excluding emergency appropriations. The Committee expects EDA to use an estimated \$3,225,000 in funds carried over from fiscal year 1998 to support its programs in fiscal year 1999. Funding amounts for the two appropriations accounts under this heading are displayed below.

#### ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$340,000,000 |
| Budget estimate, 1999 .....    | 368,379,000   |
| Committee recommendation ..... | 280,775,000   |

The Committee recommendation provides total funding of \$280,775,000 for economic development assistance programs [EDAP] in fiscal year 1999. This amount is \$59,225,000 below the fiscal year 1998 level and is \$87,604,000 below the budget request.

The Committee recommendation includes funding of \$74,800,000 for defense economic adjustment. In addition, the Committee recommendation provides \$100,821,000 for public works grants (title I), \$24,000,000 for planning assistance, \$10,500,000 for trade adjustment assistance, and \$70,654,000 for economic adjustment grants (title IX). Language is included in the bill to allow the Secretary of Commerce to provide financial assistance to projects located on military bases that are closed or scheduled for closure. Assistance may be provided prior to the grantee having taken title for the property in question. Identical language has been carried in the bill for the past 5 years. The Secretary is directed to provide a report to the Committee by September 30, 1998, about any anticipated assistance to such facilities during fiscal year 1999. The Committee is aware of several proposals for economic development or adjustment assistance and strongly urges EDA to consider applications for the following proposals within applicable procedures

and guidelines and provide a grant if warranted: (1) a project undertaken by the University of Colorado Health Sciences Center as part of the conversion and redevelopment of the Fitzsimons Army Medical Center; (2) projects proposed by the Alaska Department of Administration; (3) the International Center for Public Health project in New Jersey; (4) the Hispanic Native American Center in New Mexico; (5) the Winchester, NH, tannery project; (6) the Hawaii ornamental tropical fish and plant aquaculture initiative; and (7) a proposal for the Flathead Valley, MT, Community College; (8) the Northwest economic adjustment initiative for Oregon and Washington; (9) the Fort James, WI, paper mill; (10) the Forest Products Center, Vermont; (11) an infrastructure project for Lovelock, NV; (12) infrastructure development project for Grays Harbor, WA; (13) an infrastructure development project for Jefferson County, PA; (14) a project for Conimicut Village, Warwick, RI; (15) an economic initiative in East Bay, Providence RI; and (16) economic development for St. Johnsbury, VT.

The Committee expects EDA to continue its efforts to assist communities impacted by economic dislocations relating to industry downswings as well as to assist communities impacted by downturns due to environmental concerns, for example, the timber and coal industries, or United States-Canadian trade-related issues. The Committee notes that south-central Kentucky has suffered severe economic hardships due, in part, to overseas competition and requests that EDA consider this area for trade adjustment assistance.

The Committee expects EDA to continue and, if possible, expand its university research program during fiscal year 1999. The Committee requests EDA to submit a report with the agency's fiscal year 2000 request reporting on the accomplishments of the university research program.

SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$21,028,000 |
| Budget estimate, 1999 .....    | 29,590,000   |
| Committee recommendation ..... | 22,465,000   |

The Committee recommendation provides \$22,465,000 for the salaries and expenses of the Economic Development Administration [EDA]. The Committee directs EDA to continue to look for ways to streamline central headquarters and regional offices in order to allow for adequate field office staffing. Field representation plays an essential role in EDA's mission and should be maintained whenever possible. The Committee is concerned about a number of economic development representative positions that are unfilled, and urges that these positions be filled in fiscal year 1999.

There is an estimated \$2,422,000 in salaries and expenses carry-over funds from two previous supplemental appropriations. The Committee expects EDA to use this carryover in fiscal year 1999.

## MINORITY BUSINESS DEVELOPMENT AGENCY

## MINORITY BUSINESS DEVELOPMENT

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$25,000,000 |
| Budget estimate, 1999 .....    | 28,087,000   |
| Committee recommendation ..... | 25,276,000   |

The Committee recommends \$25,276,000 for the Minority Business Development Agency [MBDA] in fiscal year 1999. The Committee notes that since its inception in 1969, neither the MBDA nor its predecessor, the Office of Minority Business Enterprise, has ever been authorized.

## 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

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$47,499,000 |
| Budget estimate, 1999 .....    | 53,701,000   |
| Committee recommendation ..... | 49,169,000   |

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

During fiscal year 1999, the Bureau of Economic Analysis [BEA] will embark on an ambitious and necessary effort to update and improve statistical measurements of the U.S. economy and its measurement of international transactions.

BEA's "National economic" account measurements and analyses include the gross domestic product [GDP] and indices of income and tangible wealth.

The Committee recommendation provides funding of \$49,169,000, which is \$1,670,000 more than the level of funding for fiscal year 1998 for economic and statistical analysis programs and is \$4,532,000 less than the administration's request.

## ECONOMICS AND STATISTICS ADMINISTRATION REVOLVING FUND

The Economics 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, foreign business, trade, and economic information. The revolving fund was initially established in fiscal year 1995 with a one-time appropriation of \$1,677,000 to capitalize the fund.

## BUREAU OF THE CENSUS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$693,091,000 |
| Budget estimate, 1999 .....    | 1,187,886,000 |
| Committee recommendation ..... | 1,144,259,000 |

The Committee recommendation provides \$1,144,259,000 for the Bureau of the Census for fiscal year 1999. This amount is an increase of \$451,168,000 above the amount provided for fiscal year 1998 and is \$43,627,000 below the President's request. The Committee's recommendations for the Census Bureau accounts are described in more detail below.

## SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$137,278,000 |
| Budget estimate, 1999 .....    | 160,102,000   |
| Committee recommendation ..... | 141,801,000   |

This account provides for the salaries and expenses associated with the statistical programs of the Bureau of the Census, including measurement of the Nation's economy and the demographic characteristics of the population. These programs are intended to provide a broad base of economic, demographic, and social information used for decisionmaking by governments, private organizations, and individuals. Once again, the Committee emphasizes that the Bureau should make every effort to recover reimbursement for work requested by any other Federal agency or private organization. The Bureau should report to the Appropriations Committees on this issue not later than February 1, 1999.

The Committee recommendation provides \$141,801,000 for the salaries and expenses of the Bureau of the Census for fiscal year 1999. This amount is \$4,523,000 above the fiscal year 1998 appropriation and \$18,301,000 below the fiscal year 1999 request.

## PERIODIC CENSUSES AND PROGRAMS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$555,813,000 |
| Budget estimate, 1999 .....    | 1,027,784,000 |
| Committee recommendation ..... | 1,002,458,000 |

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

The Committee recommends \$1,002,458,000 for periodic censuses and related programs for fiscal year 1999. This amount is \$446,645,000 above the amount provided for fiscal year 1998 and is \$25,326,000 below the budget request.

The Committee recommends the requested level of \$848,503,000 for decennial census activities in fiscal year 1999. The Committee continues to have grave concerns about plans for the decennial census. If significant improvements are not made within the next 9 months, the Committee believes the 2000 census may be at risk of failure. Last November, the Congress directed the Department of Commerce to submit an alternative plan for the decennial census which would not employ sampling.

In April, the Bureau of the Census delivered to Congress a "Status Report on Planning for a Decennial Census in Year 2000 With-

out the Use of Scientific Sampling.” This report contained the Census Bureau’s suggestions for activities that would or may be included in an alternative plan for census 2000. The Bureau estimated that it would need an additional \$276,000,000 above the \$848,503,000 requested for fiscal year 1999 to fund a census plan that does not include sampling. The Bureau provided an inadequate justification for this cost estimate. The Committee does not have sufficient information to reliably estimate the additional cost in fiscal year 1999 for implementing a census with full enumeration.

The Committee is concerned that the basic components for a successful census are not in place. The recent dress rehearsal for the decennial census was conducted in Sacramento, CA, Columbia, SC, and Menominee County, WI. A careful assessment of the dress rehearsal is necessary. Some early reports about the dress rehearsal are not reassuring. For example, the Bureau received two times the estimated number of undeliverable as addressed forms from the Postal Service. The Committee is also concerned that systems were not in place to be tested, which is the whole purpose of the exercise. Software to detect duplicate or fraudulent responses is not yet operational and was not able to be tested in the dress rehearsal. Accurate mailing lists and the ability to detect duplicate or fraudulent census forms are key components in a successful census.

The Bureau is seeking \$241,535,000 in fiscal year 1999, an increase of \$147,368,000 over the fiscal year 1998 appropriation, for address list development. The Bureau has had to reengineer its address list development in the past year. The Bureau originally planned to use the Postal Service’s delivery sequence file [DSF] and merge this with the address file used for the 1990 census. The Bureau then would conduct a limited canvass to ensure the file was accurate and complete. The lists would then be sent to local governments for review and verification. The Bureau found the DSF might not be accurate enough to meet the Bureau’s needs. Also, the ability of local units of governments to expend funds and resources to verify address lists varied. Within the past year, the Bureau has changed its method of building the master address file [MAF].

The GAO found that local units of government are concerned about the quality of the Bureau’s MAF and the maps enumerators are to use in canvassing. During fiscal year 1999, the Bureau plans to work more closely with local units of governments and to provide them with more time to review and verify addresses. As GAO noted about the reengineered address list development, the Bureau will not be able to test its revised approach before implementing it for the 2000 census. A MAF with a significant error rate will drive up the cost of the census. In 1990, inaccuracies in the mailing list resulted in an estimated \$317,000,000 cost for followup work at non-existent or vacant addresses.

The Committee understands that Americans living overseas are not included in the plans for census 2000. The Committee directs the Bureau to work with the Department of State to include Americans living abroad in census 2000.

The General Accounting Office [GAO] has been monitoring the preparations for the decennial census, and the Committee looks forward to receiving the GAO’s analysis of the dress rehearsal and its

recommendations. The Committee also requests GAO to assess the consequences of delaying the scheduled census and provide options to ensure its success. This report should be provided to the Appropriations Committees no later than February 1, 1999.

The Committee's fiscal year 1998 report directed the Bureau to provide quarterly reports on milestones for the implementation of all decennial census projects, including the procurement of services and systems. One such report has been received in fiscal year 1998. The Committee once again directs that such reports be provided quarterly in fiscal year 1999 and has included this request in bill language.

For other programs under this account, the Committee recommends the requested levels of \$51,546,000 for economic censuses; \$2,896,000 for census of governments; \$5,260,000 for intercensal demographic estimates; \$3,955,000 for demographic survey sample redesign; \$8,834,000 for electronic information collection; \$41,742,000 for geographic support; and \$22,748,000 for data processing systems.

The Committee does not recommend the requested \$21,603,000 increase for the continuous measurement program, but includes base funding of \$16,974,000 for this program in fiscal year 1999. In last year's report, the Committee expressed concerns about the design of this program and directed the Bureau to conduct an outside assessment of its methodology. The Committee understands such an assessment is underway. The Committee cannot support an increase in this program until the concerns about its methodology and potential antirural bias are addressed.

NATIONAL TELECOMMUNICATIONS AND INFORMATION  
ADMINISTRATION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$57,550,000 |
| Budget estimate, 1999 .....    | 47,940,000   |
| Committee recommendation ..... | 42,840,000   |

The Committee recommends \$42,840,000 in direct appropriations for the National Telecommunications and Information Administration in fiscal year 1999. This level is \$14,710,000 below the fiscal year 1998 appropriation and \$5,100,000 below the fiscal year 1999 request.

SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$16,550,000 |
| Budget estimate, 1999 .....    | 10,940,000   |
| Committee recommendation ..... | 10,940,000   |

The Committee recommends \$10,940,000 in appropriations for the "Salaries and expenses" appropriation of the National Telecommunications and Information Administration [NTIA]. This amount is the requested level for fiscal year 1999.

The Committee retains language from the 1998 appropriation (Public Law 104-134) allowing the Secretary of Commerce to charge Federal agencies for a portion of the cost of coordination of spectrum management, analysis, and operations.

## PUBLIC BROADCASTING FACILITIES, PLANNING, AND CONSTRUCTION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$21,000,000 |
| Budget estimate, 1999 .....    | 15,000,000   |
| Committee recommendation ..... | 20,900,000   |

The Committee recommends \$20,900,000 for planning and construction grants for public television, radio, and nonbroadcast facilities for fiscal year 1999, which is \$5,900,000 above the requested level. Public broadcasters face a significant challenge in making the transition from analog to digital broadcasting. The cost of this transition is more significant for noncommercial broadcasters.

The Committee expects NTIA to continue to provide assistance for public radio and television stations which are not yet converting to digital broadcasting. Many stations, particularly in rural areas, will need assistance from the fund to continue nondigital broadcasts.

The Committee notes that the Pan-Pacific education and communications experiments by satellite [PEACESAT] is now eligible for funding under this program and urges NTIA to consider making funds available for this purpose.

## INFORMATION INFRASTRUCTURE GRANTS

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$20,000,000 |
| Budget estimate, 1999 .....    | 22,000,000   |
| Committee recommendation ..... | 11,000,000   |

The Committee recommends \$11,000,000 for the Information Infrastructure Grant [IIG] Program in fiscal year 1999, a decrease of \$11,000,000 from the fiscal year 1999 request and \$9,000,000 below the fiscal year 1998 appropriation. The Committee expects NTIA to limit eligibility for this program, which has never been authorized by Congress.

During the past year, the implementation of the universal service provisions of the Telecommunications Act has resulted in the availability of \$1,300,000,000 being administered by the Schools and Libraries Corp. [SLC] and the Rural Health Care Corp. [RHCC] for the same purposes as the IIG Program. Therefore, the Committee directs that elementary and secondary schools or libraries eligible for funding under the universal service provisions should no longer be eligible for IIG funding. In addition, the regional information sharing system [RISS] under the Department of Justice provides funding for law enforcement entities which have traditionally obtained funding from the IIG Program. The Committee recommendation also excludes law enforcement entities eligible for the RISS Program from applying for IIG funds. The Committee expects NTIA to give preference to applications from consortia and for purposes such as public safety or other uses for which there is no other funding source available.

The Committee urges NTIA to consider the following proposals within applicable procedures and guidelines and to provide a grant, if warranted for: a proposal from Marshall University, WV, for the development of an intranet distributed distance education network; a statewide information network at the University of Montana for collecting and disseminating manufacturing technology informa-

tion; the University of Houston Learning and Computation Center; the NH educational technology initiative; and the University of Colorado Health Sciences Center native American telemedicine project.

#### PATENT AND TRADEMARK OFFICE

##### SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$716,000,000 |
| Budget estimate, 1999 .....    | 785,526,000   |
| Committee recommendation ..... | 785,526,000   |

The Patent and Trademark Office [PTO] is charged with administering the patent and trademark laws of the United States. PTO examines patent applications, grants patent protection for qualified inventions, and disseminates technological information disclosed in patents. PTO also examines trademark applications and provides Federal registration to owners of qualified trademarks. Legislation is pending in Congress to establish the Patent and Trademark Office as an independent Government entity.

The President's fiscal year 1999 budget requests no direct appropriation from the Treasury for PTO salaries and expenses. Additionally, the request assumes a rescission of \$116,500,000 which the Committee does not recommend. The President's fiscal year 1999 budget assumes an extension of the patent surcharge, which expires at the end of fiscal year 1998. The Committee recommendation assumes extension of the surcharge, but only upon enactment of authorizing legislation.

The General Services Administration, on behalf of the Patent and Trademark Office, has issued a solicitation for a lease of 2 million occupiable square feet for a consolidated PTO headquarters building. The Committee, in Public Law 105-174, directed the Secretary of Commerce to undertake a review of the project, including an analysis of the costs and benefits of the project, and to report to the Committee by May 15, 1998.

The Committee has reviewed the reports submitted by the Secretary, and does not object to the Secretary's direction that the competitive procurement process should continue. The Committee has also reviewed the business case analysis, which compares the total costs to be incurred by the PTO over the 20-year lease should the PTO stay in its current location versus a consolidated site in Virginia per the solicitation. While the Committee was impressed with the scope and thoroughness of this analysis, the Committee wants assurances that build-out and moving costs will be controlled.

The Committee has included bill language directing that PTO's Federal property management regulation [FPMR] standard level build-out costs will not exceed \$36.69 per occupiable square foot [OSF] in year 2000 dollars for the 1,665,826 OSF of office space planned for the facility, which is the level prescribed in the General Services Administration [GSA] Advanced Acquisition Program; and, that together with the FPMR-standard build-out costs for the 323,290 OSF of special purpose joint-use space, will not in total exceed the \$88,000,000 that will be amortized within the congressionally approved prospectus rental limitation. Further, the Committee

has directed that any mission-related, non-FPMR standard build-out costs shall not exceed \$29,000,000, which is consistent, on a square-foot basis, with such expenditures for other recently consolidated agencies. The Committee expects cost control mechanisms to be put in place by PTO to monitor every aspect of this challenging project, and to provide a quarterly status report to the Committee.

Of the funds made available to the agency in fiscal year 1999, the PTO may make available not more than \$5,000,000 for Inventure Place, an inventor's museum with which the agency already has a relationship. The PTO shall make funds available to Franklin Pierce Law Center to study the feasibility of establishing a centralized intellectual property registry. The study shall assess and define the technical, economic, and legal requirements associated with such a centralized registry.

#### SCIENCE AND TECHNOLOGY

The Committee has included under this section of title II the Department of Commerce agencies involved in technology research and development, scientific assessment and prediction of environmental phenomena, and the administrative and policy functions providing oversight for these activities.

#### TECHNOLOGY ADMINISTRATION

##### UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

##### SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$8,500,000 |
| Budget estimate, 1999 .....    | 9,993,000   |
| Committee recommendation ..... | 9,993,000   |

The Committee recommends the fiscal year 1999 requested funding level of \$9,993,000 for the Office of the Under Secretary/Office of Technology Policy. This amount is \$1,493,000 above the fiscal year 1998 appropriation. The Committee supports the \$2,960,000 request for the Experimental Program to Stimulate Competitive Technology [EPSCoT] Program, which is modeled on, and complements, the innovative and successful National Science Foundation's Experimental Program to Stimulate Competitive Research [EPSCoR]. For the purposes of the EPSCoT Program, the State of New Hampshire shall be eligible for the program. The purpose of the EPSCoR Program is to stimulate quality research in States traditionally underrepresented in Federal research and development funding. EPSCoT shall serve as a technology counterpart to the EPSCoR.

#### NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$677,852,000 |
| Budget estimate, 1999 .....    | 830,041,000   |
| Committee recommendation ..... | 646,650,000   |

The Committee recommends a total of \$646,650,000 for the three appropriations accounts under the National Institute of Standards and Technology [NIST] for fiscal year 1999. This amount is a reduction of \$183,391,000 from the budget request and \$31,202,000

below the amounts appropriated for fiscal year 1998. A description of each account and the Committee recommendation follows:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$276,852,000 |
| Budget estimate, 1999 .....    | 291,636,000   |
| Committee recommendation ..... | 290,636,000   |

The Committee recommends \$290,636,000 for the scientific and technical research and services (core programs) of the National Institute of Standards and Technology [NIST]. The Committee does not approve the requested increase of \$7,000,000 and 33 positions for a new initiative for measurements and standards for climate change. The Committee approves the increased funding for measurements and standards for disaster mitigation and for measurements and standards for international trade. Standards conflicts have been used increasingly to bar U.S. products from export markets. These conflicts are becoming a barrier to trade for many U.S. companies, and NIST is the only Federal agency able to assist U.S. businesses in resolving these conflicts.

An increase of \$5,000,000 is included in the Building and Fire Research Program for a Natural Resource Demonstration Program for the continued research, development, application, and demonstration of new building products, processes, technologies, and methods of construction through the use of underused natural resources and energy-efficient, environmentally sound techniques. Under the Wind Research Program, the Committee recommends an increase of \$1,200,000 to continue funding an existing cooperative agreement between NIST and Texas Tech University.

*Quality Program.*—Within the amounts designated for research support, the Committee recommends funding the Malcolm Baldrige Quality Award at a level of \$5,370,000. The Committee has included bill language making an additional appropriation of \$2,300,000 available for the expansion of the Malcolm Baldrige Quality Award upon enactment of authorizing legislation.

INDUSTRIAL TECHNOLOGY SERVICES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$306,000,000 |
| Budget estimate, 1999 .....    | 366,691,000   |
| Committee recommendation ..... | 299,300,000   |

The Committee recommends \$299,300,000 for the “Industrial technology services” appropriation of the National Institute of Standards and Technology [NIST]. This amount is \$6,700,000 below the current appropriation and \$67,391,000 below the budget request.

*Advanced Technology Program.*—The Committee recommends \$192,500,000 for the Advanced Technology Program [ATP] in fiscal year 1999, which is the fiscal year 1998 appropriated level, and \$67,391,000 below the request. The Committee has been advised by the Department of Commerce that approximately \$23,800,000 from prior-year deobligations and unobligated balances will carry over from fiscal year 1998. The Committee expects these funds to be used during fiscal year 1999. Within the total amount available, \$41,100,000 shall be used for administrative costs and for the Small Business Innovation Research Program. This amount is

\$1,400,000 above the fiscal year 1998 appropriation and \$3,600,000 below the request. The Committee expects NIST to use a portion of these funds to conduct a comprehensive, outside assessment of the ATP Program. Since its inception, \$1,195,206,000 has been obligated by the ATP Program. The administration is requesting \$259,900,000 for this program in fiscal year 1999 and projected increases are expected in annual increments of approximately \$50,000,000 for each year through fiscal year 2003. The program's effectiveness should be assessed before significant increases for new awards are appropriated. While NIST has conducted several internal assessments, including those done by consultants, and some outside case studies of specific years or classes of awards, there has been no comprehensive evaluation of the program. Enough program data has been amassed for an independent, outside assessment by a well-regarded organization with significant business and econometric experience. The Committee expects the assessment to analyze how well the program has reached certain goals established in its authorizing statute, the Technology Competitiveness Act of 1988. Among other goals, the statute expected funding to support projects which are high risk and which have the potential for eventual substantial widespread commercial application and directed that the program focuses on improving the competitive position of the United States and its businesses, gives preferences to discoveries and to technologies that have great economic potential, and avoids providing undue advantage to specific companies. In addition, the assessment should benchmark the ATP experience against similar high-risk, cutting-edge precompetitive research which has had limited or no Federal support during a comparable period and compare their successes in reaching a widespread commercial application. The report should be provided to the appropriate committees no later than February 1, 1999.

The level provided by the Committee for the ATP Program would fully fund the requested level of \$120,000,000 for awards created in fiscal years 1996, 1997, and 1998 and would make \$38,700,000 available for new awards in fiscal year 1999. The amount for new awards is \$55,300,000 less than the request. Pending the completion of the program evaluation and the enactment of legislation reauthorizing the program, the Committee will reevaluate the funding level for new awards in fiscal year 2000.

*Manufacturing Extension Partnership Program.*—The Committee recommends the requested level of \$106,800,000 for the Manufacturing Extension Partnership Program [MEP] in fiscal year 1999. In last year's appropriations report, the Committee expressed concern about those centers which had exceeded their sixth year of Federal funding and whether these centers should now be self-supporting. The Committee asked the Secretary of Commerce for a report outlining the Department's views on the centers and recommendations for assisting MEP centers to become self-supporting. The Secretary of Commerce provided this report to the Committee, and it concluded that some level of Federal support is necessary for the centers to attract funding from State, local, and private sources. The level provided by the Committee in fiscal year 1999 will permit funding for all MEP centers. It is the Committee's understanding that some centers are more productive and effective

than others. In the course of conducting annual, triannual, and re-application reviews, the Committee expects NIST to rigorously evaluate the MEP centers. The Committee directs that NIST provide an annual report to the Committee on the results of its evaluation process, and that NIST form a review panel comprised of knowledgeable and experienced individuals, who are neither employed by the agency nor involved with any of the MEP centers, to evaluate the results of their MEP center review prior to transmitting the final report to Congress. The final report should contain the evaluations of the review panel. This report should be provided to the appropriate committees no later than February 1, 1999.

#### CONSTRUCTION OF RESEARCH FACILITIES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$95,000,000 |
| Budget estimate, 1999 .....    | 56,714,000   |
| Committee recommendation ..... | 56,714,000   |

The Committee recommends the request of \$56,714,000 for NIST's "Construction of research facilities" account. The Committee is not recommending an advance appropriation of \$115,000,000 requested by the agency for fiscal years 2000 through 2002. The agency submitted a facilities improvement plan with its fiscal year 1999 budget request. This plan was submitted in response to the Committee's request in the conference report accompanying the fiscal year 1998 appropriations bill. The fiscal year 1999 request will permit NIST to continue its planned safety, capacity maintenance, and major repairs projects and to begin procurement of an advanced metrology laboratory [AML]. The Committee is concerned about NIST's plans to build a clean room at two different locations. These facilities are expensive and rapidly become obsolete. The agency should consider consolidating at one location all programs requiring regular use of a clean room. The Committee directs NIST to review programs requiring regular clean room use and report to the Committee about the feasibility of program consolidation supporting the construction of a clean room at one site before expending funds for construction at either site. This report should be provided no later than February 1, 1999.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

##### OPERATIONS, RESEARCH, AND FACILITIES

##### (INCLUDING TRANSFERS OF FUNDS)

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1998 .....     | \$2,002,139,000 |
| Budget estimate, 1999 .....    | 4,908,271,000   |
| Committee recommendation ..... | 2,199,366,000   |

The Committee recommends discretionary appropriations of \$1,608,914,000 for operations, research, and facilities for fiscal year 1999. The "Operations, research, and facilities" account of the National Oceanic and Atmospheric Administration [NOAA], encompasses spending for the Agency's five line offices which administer coastal and ocean research programs, fisheries programs, weather forecasting, and atmospheric research. For the "Procurement, acquisition, and construction" account and other NOAA accounts, the Committee recommends an appropriation of \$587,922,000. The

total Committee recommendation for NOAA in fiscal year 1999 is \$2,199,366,000. During a time of continued budgetary constraint, the Committee recommendation continues to make funding for ocean, coastal, fisheries, and atmospheric programs a high priority.

As in past years, the Committee expects NOAA and the Department of Commerce to adhere to the direction given in this section of the Committee report and to observe the reprogramming procedures detailed in section 605 in the general provisions of the accompanying bill.

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

[In thousands of dollars]

|   | 1998 appropriation | 1999 budget request | Committee recommendation |
|---|--------------------|---------------------|--------------------------|
| <b>NATIONAL OCEAN SERVICE</b>                           |                    |                     |                          |
| Navigation services:                                    |                    |                     |                          |
| Mapping and charting .....                              | 30,100             | 30,100              | 32,100                   |
| Address survey backlog/contracts .....                  | 13,900             | 8,500               | 8,500                    |
| Subtotal .....  | 44,000             | 38,600              | 40,600                   |
| Geodesy .....   | 20,700             | 19,159              | 20,159                   |
| SC cooperative geodetic survey .....                    |                    |                     | 500                      |
| Subtotal .....  | 20,700             | 19,159              | 20,659                   |
| Tides and currents data .....                           | 11,350             | 11,000              | 11,000                   |
| Total, navigation services .....                        | 76,050             | 68,759              | 72,259                   |
| Ocean resources conservation and assessment:            |                    |                     |                          |
| Estuarine and coastal assessment .....                  | 2,674              | 2,674               | 2,674                    |
| Oceanic and coastal research .....                      | 7,910              | 7,410               | 7,410                    |
| GLERL .....   |                    | 6,025               | 6,825                    |
| Beaufort/Oxford .....                                   |                    | 2,236               | 2,236                    |
| Ocean assessment program .....                          | 35,300             | 33,075              | 42,201                   |
| Transfer from damage assessment fund .....              | 6,700              | 5,683               | 5,683                    |
| Response and restoration .....                          | 4,000              | 5,500               | 9,174                    |
| Ocean services .....                                    | 2,500              |                     |                          |
| Subtotal .....  | 59,084             | 62,603              | 76,203                   |
| Coastal ocean science: Coastal ocean program .....      | 17,200             | 17,800              | 17,800                   |
| Total, ocean research conservation and assessment ..... | 76,284             | 80,403              | 94,003                   |
| Ocean and coastal management:                           |                    |                     |                          |
| Coastal management:                                     |                    |                     |                          |
| CZM grants .....  | 49,700             | 49,700              | 49,700                   |
| CZM 309 grants .....                                    |                    | 6,000               | 6,000                    |
| Estuarine research reserve system .....                 | 5,650              | 4,300               | 10,500                   |
| CZM program administration .....                        | 4,500              | 4,500               | 4,500                    |
| Nonpoint pollution control .....                        | 1,000              | 6,000               |                          |
| Subtotal .....  | 60,850             | 70,500              | 70,700                   |

[In thousands of dollars]

|  | 1998 appro-<br>priation | 1999 budget<br>request | Committee<br>recommen-<br>dation |
|--|-------------------------|------------------------|----------------------------------|
| Ocean management: Marine sanctuary program .....   | 14,000                  | 13,200                 | 14,250                           |
| Total, ocean and coastal management .....          | 74,850                  | 83,700                 | 84,950                           |
| Acquisition of data .....                          | 14,546                  | 14,546                 | 14,546                           |
| CZM (obligate in CZMF) .....                       | (7,800)                 | (4,000)                | (4,000)                          |
| Total, National Ocean Service .....                | 233,930                 | 243,408                | 261,758                          |
| <b>NATIONAL MARINE FISHERIES SERVICE</b>           |                         |                        |                                  |
| Information collection and analyses:               |                         |                        |                                  |
| Resource information .....                         | 100,550                 | 92,714                 | 106,419                          |
| Antarctic research .....                           | 1,200                   | 1,200                  | 1,200                            |
| Chesapeake Bay studies .....                       | 1,890                   | 1,500                  | 1,890                            |
| Right whale research .....                         | 400                     | 200                    | 200                              |
| MARFIN .....                                       | 3,500                   | 3,000                  | 3,000                            |
| SEAMAP .....                                       | 1,200                   | 1,200                  | 1,200                            |
| Alaskan groundfish surveys .....                   | 950                     | 661                    | 961                              |
| Bering Sea pollock research .....                  | 945                     | 945                    | 945                              |
| West coast groundfish .....                        | 780                     | 780                    | 900                              |
| New England stock depletion .....                  | 1,000                   | 1,000                  | 1,000                            |
| Hawaii stock enhancement plan .....                | 500                     | .....                  | 500                              |
| Yukon River chinook salmon .....                   | 700                     | 700                    | 1,075                            |
| Atlantic salmon research .....                     | 710                     | 710                    | 710                              |
| Gulf of Maine groundfish survey .....              | 567                     | 567                    | 567                              |
| Dolphin/yellowfin tuna research .....              | 250                     | 250                    | 250                              |
| Pacific Salmon Treaty program .....                | 5,587                   | 5,587                  | 7,471                            |
| Hawaiian monk seals .....                          | 550                     | 500                    | 1,000                            |
| Steller sea lion recovery plan .....               | 2,770                   | 1,440                  | 4,770                            |
| Hawaiian sea turtles .....                         | 248                     | 248                    | 300                              |
| Shrimp pathogens .....                             | .....                   | .....                  | 500                              |
| Lobster sampling .....                             | .....                   | .....                  | 100                              |
| Halibut/sablefish .....                            | 1,200                   | 1,200                  | 1,200                            |
| Subtotal .....                                     | 125,497                 | 114,402                | 136,158                          |
| Fishery industry information:                      |                         |                        |                                  |
| Fish statistics .....                              | 13,000                  | 14,500                 | 14,500                           |
| Alaska groundfish monitoring .....                 | 5,500                   | 5,200                  | 6,100                            |
| PACFIN/AKFIN .....                                 | 4,700                   | 3,000                  | 4,700                            |
| Recreational fishery harvest monitoring .....      | 3,900                   | 3,100                  | 3,900                            |
| Subtotal .....                                     | 27,100                  | 25,800                 | 29,200                           |
| Information analyses and dissemination             |                         |                        |                                  |
| Computer hardware and software .....               | 20,900                  | 20,900                 | 20,900                           |
| Computer hardware and software .....               | 4,000                   | 4,000                  | 4,000                            |
| Subtotal .....                                     | 24,900                  | 24,900                 | 24,900                           |
| Total, information, collection, and analyses ..... | 177,497                 | 165,102                | 190,258                          |
| Conservation and management operations:            |                         |                        |                                  |
| Fisheries management programs .....                | 27,450                  | 34,600                 | 34,400                           |
| Columbia River hatcheries .....                    | 12,055                  | 10,300                 | 15,395                           |
| Columbia River endangered species studies .....    | 288                     | 288                    | 288                              |

[In thousands of dollars]

|   | 1998 appro-<br>piation | 1999 budget<br>request | Committee<br>recommen-<br>dation |
|---|------------------------|------------------------|----------------------------------|
| Salmon marking .....                                |                        |                        | 1,800                            |
| Regional councils .....                             | 11,900                 | 12,800                 | 13,200                           |
| International fisheries commissions .....           | 400                    | 400                    | 400                              |
| Management of George's Bank .....                   | 478                    | 478                    | 478                              |
| Pacific tuna management .....                       | 2,300                  | 1,250                  | 2,900                            |
| Subtotal .....                                      | 54,871                 | 60,116                 | 68,861                           |
| Protected species management .....                  | 6,200                  | 6,450                  | 6,950                            |
| Driftnet Act implementation .....                   | 3,278                  | 3,278                  | 3,428                            |
| Marine Mammal Protection Act .....                  | 9,500                  | 9,500                  | 7,583                            |
| Endangered Species Act recovery plan .....          | 20,200                 | 30,200                 | 30,200                           |
| Dolphin encirclement studies .....                  |                        | 3,300                  | 3,300                            |
| Native marine mammals .....                         |                        |                        | 800                              |
| Southeastern sea turtles .....                      |                        |                        | 400                              |
| Observers/training .....                            | 767                    | 350                    | 2,650                            |
| Subtotal .....                                      | 39,945                 | 53,078                 | 55,311                           |
| Habitat conservation .....                          | 8,500                  | 10,700                 | 10,700                           |
| Enforcement and surveillance .....                  | 17,600                 | 18,500                 | 18,500                           |
| Total, conservation and management operations ..... | 120,916                | 142,394                | 153,372                          |
| State and industry assistance programs:             |                        |                        |                                  |
| Interjurisdictional fisheries grants .....          | 2,600                  | 2,600                  | 3,500                            |
| Anadromous grants .....                             | 2,100                  | 2,100                  | 3,000                            |
| Anadromous fishery project .....                    |                        | 258                    |                                  |
| Interstate fish commissions .....                   | 6,750                  | 4,000                  | 8,500                            |
| Subtotal .....                                      | 11,450                 | 8,958                  | 15,000                           |
| Fisheries development program:                      |                        |                        |                                  |
| Product quality and safety .....                    | 10,524                 | 9,824                  | 9,974                            |
| Hawaiian fisheries development .....                | 750                    |                        | 750                              |
| Subtotal .....                                      | 11,274                 | 9,824                  | 10,724                           |
| Total, State and industry assistance programs ..... | 22,724                 | 18,782                 | 25,724                           |
| Acquisition of data .....                           | 25,098                 | 25,098                 | 25,098                           |
| Total, National Marine Fisheries Service .....      | 346,235                | 351,376                | 394,452                          |
| <b>OCEANIC AND ATMOSPHERIC RESEARCH</b>             |                        |                        |                                  |
| Climate and air quality research:                   |                        |                        |                                  |
| Interannual and seasonal climate research .....     | 12,900                 | 12,900                 | 15,900                           |
| Long-term climate and air quality research .....    | 29,402                 | 30,387                 | 30,387                           |
| High-performance computing .....                    | 7,500                  | 12,500                 | 12,500                           |
| Subtotal .....                                      | 36,902                 | 42,887                 | 42,887                           |
| GLOBE .....   | 5,000                  | 6,000                  | 5,000                            |
| Climate and global change .....                     | 60,000                 | 62,000                 | 67,000                           |

[In thousands of dollars]

|   | 1998 appro-<br>piation | 1999 budget<br>request | Committee<br>recommen-<br>dation |
|---|------------------------|------------------------|----------------------------------|
| Subtotal .....                                | 65,000                 | 68,000                 | 72,000                           |
| Total, climate and air quality .....          | 114,802                | 123,787                | 130,787                          |
| Atmospheric programs:                         |                        |                        |                                  |
| Weather research .....                        | 37,413                 | 34,613                 | 36,613                           |
| Wind profiler .....                           | 4,350                  | 4,350                  | 4,350                            |
| Subtotal .....                                | 41,763                 | 38,963                 | 40,963                           |
| Solar-terrestrial services and research ..... | 5,700                  | 6,000                  | 6,000                            |
| Total, atmospheric program .....              | 47,463                 | 44,963                 | 46,963                           |
| Ocean and Great Lakes programs:               |                        |                        |                                  |
| Marine environmental research .....           | 22,976                 | 15,251                 | 23,401                           |
| GLERL .....                                   | 6,000                  |                        |                                  |
| Subtotal .....                                | 28,976                 | 15,251                 | 23,401                           |
| Sea grant: Sea grant college program .....    | 56,000                 | 50,182                 | 56,000                           |
| Undersea research program .....               | 15,500                 | 4,150                  | 15,800                           |
| Total, ocean and Great Lakes programs .....   | 100,476                | 69,583                 | 95,201                           |
| Acquisition of data .....                     | 15,000                 | 12,884                 | 12,884                           |
| Total, oceanic and atmospheric research ..... | 277,741                | 251,217                | 285,835                          |
| <b>NATIONAL WEATHER SERVICE</b>               |                        |                        |                                  |
| Operations and research:                      |                        |                        |                                  |
| Local warnings and forecasts .....            | 324,000                | 353,201                | 357,600                          |
| MARDI .....                                   | 73,674                 | 64,036                 | 64,036                           |
| AHPS .....                                    |                        | 4,200                  | 4,000                            |
| Radiosonde replacement .....                  | 910                    | 4,340                  | 910                              |
| Weather data buoys operations/MAROB .....     |                        | 1,650                  | 1,650                            |
| Susquehanna River Basin flood system .....    | 1,120                  | 619                    | 1,000                            |
| Aviation forecasts .....                      | 35,596                 | 35,596                 | 35,596                           |
| Subtotal .....                                | 435,300                | 463,642                | 464,792                          |
| Central forecast guidance .....               | 29,543                 | 35,574                 | 35,574                           |
| Atmospheric and hydrological research .....   | 2,489                  | 2,964                  | 2,964                            |
| Total, operations and research .....          | 467,332                | 502,180                | 503,330                          |
| Systems acquisition:                          |                        |                        |                                  |
| Public warning and forecast systems:          |                        |                        |                                  |
| NEXRAD .....                                  | 39,591                 | 38,346                 | 38,346                           |
| ASOS .....                                    | 5,341                  | 7,116                  | 7,116                            |
| AWIPS/NOAAPort .....                          |                        | 12,189                 | 12,189                           |
| Computer facility upgrades .....              | 8,000                  | 4,600                  | 4,600                            |

[In thousands of dollars]

|   | 1998 appro-<br>priation | 1999 budget<br>request | Committee<br>recommen-<br>dation |
|---|-------------------------|------------------------|----------------------------------|
| Total, systems acquisition .....  | 52,932                  | 62,251                 | 62,251                           |
| Total, National Weather Service .....   | 520,264                 | 564,431                | 565,581                          |
| <b>NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE</b>            |                         |                        |                                  |
| Satellite observing systems:  |                         |                        |                                  |
| Polar convergence/IPO .....   | 34,000                  |                        |                                  |
| Ocean remote sensing .....  | 4,000                   | 4,000                  | 4,000                            |
| Environmental observing services .....  | 50,347                  | 51,486                 | 54,486                           |
| Total, satellite observing systems .....  | 88,347                  | 55,486                 | 58,486                           |
| Environmental data management systems:  |                         |                        |                                  |
| Environmental services and data information manage-<br>ment .....                 | 27,500                  | 28,550                 | 27,500                           |
| Environmental data systems modernization .....                                    | 16,335                  | 16,335                 | 16,335                           |
| Regional climate centers .....  | 2,500                   |                        | 3,000                            |
| Total, environmental data management systems .....                                | 46,335                  | 44,885                 | 46,835                           |
| Total, National Environmental Satellite, Data, and Infor-<br>mation Service ..... | 134,682                 | 100,371                | 105,321                          |
| <b>PROGRAM SUPPORT</b>  |                         |                        |                                  |
| Administration and services:  |                         |                        |                                  |
| Executive direction and administration .....                                      | 19,200                  | 19,200                 | 19,200                           |
| Systems Acquisition Office [SAO] .....  | 1,420                   |                        | 700                              |
| Subtotal .....  | 20,620                  | 19,200                 | 19,900                           |
| Central administrative support .....  | 31,850                  | 31,850                 | 31,850                           |
| Retired pay commissioned officers .....   | 8,000                   | 7,000                  | 7,000                            |
| Total, administration and services .....  | 60,470                  | 58,050                 | 58,750                           |
| Aircraft services .....   | 10,400                  | 10,500                 | 10,500                           |
| Rent savings .....  | (4,656)                 |                        |                                  |
| Total, program support .....  | 66,214                  | 68,550                 | 69,250                           |
| Fleet planning and maintenance .....  | 13,500                  | 9,600                  | 11,600                           |
| Facilities:   |                         |                        |                                  |
| NOAA facilities maintenance .....   | 1,800                   | 1,800                  | 1,800                            |
| NOAA-wide space planning .....  |                         | 735                    | 735                              |
| Sandy Hook lease .....  | 2,000                   | 2,000                  | 2,000                            |
| Environmental compliance .....  | 2,000                   | 2,000                  | 2,000                            |
| WFO maintenance .....   | 1,000                   | 5,400                  | 5,400                            |
| Columbia River facilities .....   | 4,465                   | 4,465                  | 4,465                            |
| Total, facilities .....   | 11,265                  | 16,400                 | 16,400                           |
| Direct obligations .....  | 1,603,831               | 1,605,353              | 1,710,197                        |

[In thousands of dollars]

|  | 1998 appro-<br>piation | 1999 budget<br>request | Committee<br>recommen-<br>dation |
|--|------------------------|------------------------|----------------------------------|
| Offset for fee collections .....   |                        | (22,281)               | (4,000)                          |
| Total, direct obligations .....  | 1,603,831              | 1,583,072              | 1,706,197                        |
| Reimbursable obligations .....   | 317,015                | 195,767                | 195,767                          |
| Navigation and Magnuson fee collections .....                                    |                        | 22,281                 | 4,000                            |
| New offsetting collections (data sales) .....                                    | 2,400                  | 3,600                  |                                  |
| Anticipated offsetting collections (aerocharts) .....                            | 3000                   |                        |                                  |
| Subtotal .....   | 322,415                | 221,648                | 199,767                          |
| Total obligations .....  | 1,926,246              | 1,804,720              | 1,905,964                        |
| Financing:   |                        |                        |                                  |
| Prior-year recoveries (direct) .....   | (24,000)               | (28,527)               | (28,527)                         |
| Unobligated balance transferred, net .....                                       | (1,500)                | (969)                  | (969)                            |
| Federal ship financing fund expenses .....                                       | (1,700)                |                        |                                  |
| Coastal zone management fund .....   | (7,800)                |                        |                                  |
| New offsetting collections (data sales) .....                                    | (2,400)                | (3,600)                |                                  |
| Federal funds .....  | (172,000)              | (134,927)              | (134,927)                        |
| Non-Federal funds .....  | (145,015)              | (60,840)               | (60,840)                         |
| Offset for fee collections .....   |                        | (22,281)               | (4,000)                          |
| Anticipated offsetting collections (aerocharts) .....                            | (3,000)                |                        |                                  |
| Total budget authority .....   | 1,568,831              | 1,553,576              | 1,676,701                        |
| Discretionary budget authority .....   | 1,568,831              | 1,553,576              | 1,676,701                        |
| Financing from:  |                        |                        |                                  |
| Promote and develop American fisheries .....                                     | (62,381)               | (62,381)               | (63,073)                         |
| Damage assessment and restoration revolving fund .....                           | (5,200)                | (4,714)                | (4,714)                          |
| Net appropriation, operations, research, and facilities ...                      | 1,501,250              | 1,486,481              | 1,608,914                        |
| Anticipated offsetting collections (aerocharts) .....                            | 3,000                  |                        |                                  |
| Gross appropriation, operations, research, and facilities<br>w/collections ..... | 1,504,250              | 1,486,481              | 1,608,914                        |
| OTHER ACCOUNTS   |                        |                        |                                  |
| Procurement, acquisition, and construction [PAC]:                                |                        |                        |                                  |
| Systems acquisition:   |                        |                        |                                  |
| NEXRAD .....   | 6,377                  | 9,170                  | 9,170                            |
| ASOS .....   | 4,494                  | 3,855                  | 3,855                            |
| AWIPS/NOAAPort .....   | 116,910                | 67,667                 | 67,667                           |
| Computer facility upgrades .....   | 5,000                  | 9,900                  | 9,900                            |
| POES K-N' .....  | 82,905                 | 159,917                | 150,000                          |
| Polar convergence (NPOESS) .....   |                        | 64,698                 | 50,000                           |
| GOES I-M .....   | 105,139                | 99,634                 | 75,634                           |
| GOES N-Q .....   | 110,861                | 190,508                | 183,550                          |
| Construction:  |                        |                        |                                  |
| Boulder laboratory—above standard costs .....                                    | 2,900                  | 5,670                  | 5,670                            |
| WFO construction .....   | 13,823                 | 9,526                  | 9,526                            |
| National Centers for Environmental Prediction .....                              |                        | 850                    | 850                              |
| Tiburon/Santa Cruz .....   | 15,200                 | 4,200                  | 4,200                            |
| NERRS construction .....   | 8,000                  |                        | 8,000                            |

[In thousands of dollars]

|  | 1998 appro-<br>priation | 1999 budget<br>request | Committee<br>recommen-<br>dation |
|--|-------------------------|------------------------|----------------------------------|
| Other facilities .....   | 20,000                  | .....                  | 9,900                            |
| Total, procurement, acquisition, and construction obligations .....        | 491,609                 | 625,595                | 587,922                          |
| Deobligations .....  | .....                   | (4,000)                | .....                            |
| Total, procurement, acquisition, and construction .....                    | 491,609                 | 621,595                | 587,922                          |
| Promote and develop fisheries .....  | 4,000                   | 3,353                  | 3,353                            |
| Fishermen's contingency fund .....   | 953                     | 953                    | 953                              |
| Foreign fishing observer fund .....  | 189                     | 189                    | 189                              |
| Damage assessment and restoration revolving fund .....                     | (5,200)                 | (1,500)                | (1,500)                          |
| Fisheries finance program .....  | 338                     | 238                    | 388                              |
| Coastal zone management fund .....   | 7,800                   | 4,000                  | 4,000                            |
| CZMF offsetting collections .....  | (4,736)                 | (4,000)                | (4,000)                          |
| Total, other accounts .....  | 494,953                 | 624,828                | 590,452                          |
| Total, National Oceanic and Atmospheric Administration—all accounts .....  | 2,063,784               | 2,178,404              | 2,268,006                        |
| Total, National Oceanic and Atmospheric Administration discretionary ..... | 2,002,139               | 2,116,670              | 2,199,366                        |

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

#### NATIONAL OCEAN SERVICE

The Committee recommendation provides a total of \$261,758,000 for activities of the National Ocean Service [NOS] for fiscal year 1999, an increase of \$18,350,000 above the request. The request included the assumption of fees to be imposed on navigation services, a proposal which was to be developed in conjunction with the U.S. Coast Guard. The fees, estimated to total \$2,500,000 in fiscal year 1999, would be used to offset NOAA's overall budget authority in fiscal year 1999. The Committee has not received a proposal from the administration in support of this fee initiative, and, therefore, does not recommend its adoption in fiscal year 1999.

For navigation services, the Committee recommends a total of \$72,259,000, an increase of \$3,500,000 over the fiscal year 1999 request and \$3,791,000 below the fiscal year 1998 appropriation. Included in this amount is \$500,000 to continue the South Carolina geodetic survey and \$2,160,000 to establish a joint hydrographic center for the evaluation of innovative equipment and techniques for the acquisition of survey data at the University of New Hampshire, and of which \$160,000 shall be made available to the State of New Hampshire for stream quality monitoring. This funding level also supports the \$1,000,000 for a data survey of Narragansett Bay, to be conducted in conjunction with the Rhode Island Coastal Resources Management Council. The Committee directs NOAA to increase its allocation for shoreline mapping in fiscal year

1999 to \$2,000,000. The Committee thinks shoreline mapping is an important component of nautical maps, and urges the agency to seek increased funding in subsequent fiscal years to eliminate the backlog and then to maintain a regular shoreline mapping schedule. Under the "Ocean resources conservation and assessment" account, the Committee recommends a level of \$94,003,000 to fund pfiesteria and harmful algal blooms research and monitoring, hypoxia research, ecosystem monitoring in south Florida, and other fiscal year 1999 requests supporting clean water initiatives. Included in this funding is \$5,800,000 to support NOAA's cooperative agreement with the Cooperative Institute for Coastal and Estuarine Environmental Technology and \$15,000,000 for the Coastal Services Center. Funding of \$2,000,000 is included to support critical research at the National Coral Reef Institute and to continue Hawaiian coral reef monitoring and assessment by the University of Hawaii. The recommended level also funds the Great Lakes Environmental Research Laboratory at the fiscal year 1998 appropriated level of \$6,825,000.

Under this account, the Committee has created a new line item entitled "Office of Response and Restoration" which will include and consolidate the following lines under the "Ocean resources conservation and assessment" account: estuarine and coastal assessment, \$2,674,000; damage assessment, \$4,500,000; Ocean Pollution Act of 1990, \$1,000,000; and coastal resource coordination, \$1,000,000. The Committee also recommends a \$2,000,000 increase for this new line item. The Committee directs that this additional funding be made available from the damage assessment fund transfer to the "Estuarine and coastal assessment" account. The Committee also directs the Coastal Ocean Program to work with and continue its current levels of support for the Baruch Institute's research and monitoring of small, high-salinity estuaries. The recommended funding level also supports \$1,200,000 for initiation of the competitively approved land use-coastal ecosystem study, a regional ecosystem research and outreach program led by the South Carolina sea grant.

Under the "Ocean and coastal management" account, the Committee recommends a funding level of \$70,700,000. This funding level supports the coastal zone management grants and administration, including an increase in section 309 grants at the requested level. The Committee recommends an increase in the National Estuarine Research Reserve System [NERRS] Program for a total funding level of \$10,500,000 in fiscal year 1999. Of this amount, \$5,000,000 shall be made available for land acquisition at the Great Bay NERRS. The recommendation also provides \$1,200,000 for the South Carolina coastal zone management program to provide technical assistance to a citizen-based clean-water task force including South Carolina State and local governments to preserve the health of estuaries and waterways in Beaufort County. The Committee recommends funding of \$14,250,000 for the Marine Sanctuary Program in fiscal year 1999, of which \$250,000 is provided to begin a demonstration project in Washington State, the Northwest straits local marine conservation initiative, as outlined by the Northwest Straits Citizen's Advisory Commission. The Committee does not recommend funding the proposed increase for sec-

tion 6217 nonpoint pollution control. Funds for this purpose should be made available to the States through the Environmental Protection Agency, which is responsible for the program.

#### NATIONAL MARINE FISHERIES SERVICE

The Committee recommendation provides a total of \$394,702,000 for the programs of the National Marine Fisheries Service [NMFS] for fiscal year 1999, instead of \$351,376,000 as requested. The Committee recommends funding, as shown in the preceding table, for a variety of important research and information programs which are designed to promote a sustainable use of valuable marine resources.

The administration's request for NMFS contained proposed new fees totaling \$19,781,000 in fiscal year 1999. Of this amount, \$4,000,000 are authorized to be collected under the Magnuson-Stevens Act to support the Community and Individual Fishery Quota Program. The Committee directs NOAA to spend these fees to support this program during fiscal year 1999. The Committee recommends \$500,000 for the Hawaiian Community Development Program and fishery demonstration projects for native fisheries development as authorized under the Magnuson-Stevens Act. The remaining fees to be collected were to be derived from an ex-vessel tax on the value of fish caught by commercial fishing vessels. This proposal was not discussed with the industry and was presented to Congress with no details about how the fee mechanism would work, or the impact it would have on the commercial or recreational fishing industries. The Committee does not recommend the imposition of this fee.

The Committee provided direction to NMFS in its fiscal year 1998 appropriations bill to increase full-time equivalents [FTE] within NMFS. The timely implementation of the Magnuson-Stevens Act remains a concern of the Committee, and the distribution of personnel, particularly to field offices outside of Washington, DC, continues to be problematic. The Committee expects a report from NOAA not later than November 30, 1998, detailing the number of NMFS FTE hired within the last 2 fiscal years and their distribution throughout all NMFS locations nationwide.

The Committee is concerned about the implementation of the Magnuson-Stevens Act and directs the General Accounting Office [GAO] to report on the agency's compliance with the requirements of the act. The Committee directs GAO to assess, in particular, compliance with national standard two, which stipulates that "conservation and management measures shall be based on the best scientific information available," and national standard eight, which requires the NMFS to "take into account the importance of fishery resources to fishing communities."

For NMFS resource information programs, the Committee makes several recommendations. Many commercial and recreational information and data collection networks have been funded for several years. The Committee, in the past, has expressed its concern about the accuracy and effectiveness of these data collection efforts. The Committee has urged NMFS to coordinate the techniques used by the agency to collect data on a national basis while continuing to take into account the unique characteristics of regional commercial

and recreational fisheries. Again in fiscal year 1999, the Committee is recommending funding for these networks. The Committee directs NMFS to submit a report on the state of U.S. fishery resources with its fiscal year 2000 budget request. This report shall outline the methodology used by NMFS to collect data on these fisheries and detail the status and trends of the Nation's fishery stocks. The Committee recommends \$4,700,000 for PACFIN/AKFIN, the Pacific/Alaska fishery information network. This amount is equal to the fiscal year 1998 level. The Committee directs NOAA to ensure that Hawaii receives an appropriate share of PACFIN resources.

The Committee has provided \$3,900,000 for the recreational fishing information network [RecFIN] program, and expects that the Pacific, Atlantic, and gulf States shall each receive one-third of these funds, with funding for inshore recreational species assessment and tagging efforts in South Carolina. The Committee expects that \$500,000 will be used to continue the effort to enhance the annual collection and analysis of economic data on marine recreational fishing.

The Committee recommends an increase of \$7,000,000 in the information collection and analyses resource information base programs. The Committee directs that some of these funds be used to implement the Magnuson-Stevens Act off Alaska, including the biennial survey of Gulf of Alaska stocks, in-season fishery monitoring improvements and implementation of the license limitation program. Among the increases recommended within the information collection and analyses resource information programs are \$2,000,000 for the Gulf of Mexico stock enhancement consortium, \$500,000 for the Hawaii stock enhancement plan, \$300,000 for Hawaiian sea turtles, \$100,000 to conduct sampling of the lobster population in State waters in New England, and \$500,000 to conduct research on shrimp pathogens in the southeastern United States. The Committee acknowledges work being done at the Xiphophorus Genetic Stock Center at Southwest Texas State University to improve the understanding of fish genetics and evolution. The Committee urges NMFS to expand its work with the center to benefit commercial fish farming and hatcheries. The Committee recommends funding Chesapeake oyster research at a level of \$750,000 and expects NMFS to request funds in fiscal year 2000 to support continued research on their recovery. Further, the Committee expects at least \$250,000 in Saltonstall-Kennedy funds to be provided to support ongoing efforts by the Interstate Shellfish Sanitation Conference for educational programs associated with vibrio vulnificus. In general, the Committee thinks NMFS should encourage Saltonstall-Kennedy research grants in the area of oyster diseases which are affecting many areas of the coastal United States. The Committee has again provided funds for Alaska groundfish monitoring which should be used in accordance with the fiscal year 1998 report language. The Committee recommendation includes \$2,000,000 for the State of Alaska to develop commercial fisheries near shore, including dive fisheries for urchins, and groundfish fisheries for cod, rockfish, skates, and dogfish. The recommendation also provides \$4,770,000 for Steller sea lion work, of which \$2,770,000 shall be used in accordance with the fiscal year 1998 re-

port language, and of which \$2,000,000 shall be passed through the National Fish and Wildlife Foundation for research, rehabilitation, and education relating to marine mammals, marine birds, and fish in the waters off Alaska. The Committee intends for the \$375,000 increase provided over the fiscal year 1998 appropriation for Yukon River salmon to be provided to the State of Alaska for costs associated with supporting the Federal program, salmon test fisheries, stock identification, habitat, and local knowledge studies. The Committee recommendation has provided an increase in funding for Pacific Salmon Treaty implementation. This effort provides funds to the State of Alaska for its work in monitoring the effects of the decline of Pacific Northwest-origin salmon on the harvest off Alaska of Alaska-origin salmon. Also included in this line item is continued funding at a level of \$1,844,000 for the Chinook Salmon Agreement. The Committee recommends that NMFS make available a total of \$3,200,000 to the base budget of the Northwest Fisheries Science Center to perform west coast groundfish research. The Committee further recommends that west coast groundfish duties currently performed by the Alaska and Southwest Fisheries Science Centers not be shifted to the Northwest center without additional funding in excess of the \$3,200,000 base funding recommended by the Committee. As in past years, the Committee directs the harvest technology unit to provide onsite technical assistance to the National Warmwater Aquaculture Research Center at Stoneville until sufficient harvest technology expertise can be transferred from NMFS to the staff of the center.

The Committee expects NMFS to continue its right whale research and to focus on much-needed gear modification research. The Committee expects NMFS to: fund gear modification research at the level appropriated in fiscal year 1998; provide \$150,000 out of existing funds in the Protected Species Management Base Program; and conduct this research in conjunction with the research being funded in the "Information collection and analyses" account. Not less than \$850,000 is provided within resource information to continue the Marine Resources Monitoring Assessment and Prediction Program [MARMAP] carried out by the South Carolina Division of Marine Resources, and \$300,000 for research on the Charleston bump, an offshore bottom feature which attracts large numbers of fish. Also, the Committee recommendation includes \$3,000,000 for the Marine Fisheries Initiative [MARFIN], of which \$500,000 is for continuing activities in the Northeast.

The Committee recommends \$153,622,000 for NMFS conservation and management operations. The recommendation includes \$34,400,000 for the base Fisheries Management Program. The Committee is concerned about the delay in the implementation of fishery management plans. This increase in base funds is to be used in completing and implementing pending plans. The Committee is concerned that the National Marine Fisheries Service has exceeded the scope of congressional intent in implementing the essential fish habitat provisions of the 1996 Magnuson-Stevens Act. Further, the Committee questions the advisability of providing more funding for essential fish habitat programs in fiscal year 1999 than for the development and implementation of fishery management plans. The Committee directs NMFS to reexamine the scope

of the essential fish habitat regulations and guidelines, and directs GAO to report on the agency's implementation of the fish habitat requirements of the act. In addition, the Committee recommends the creation of a new line, native marine mammal commissions, which consolidates several line items under this account. Included under native marine mammal commissions are current requests for the Alaska Eskimo Whaling Commission (\$400,000), the Beluga Whale Committee (\$200,000), the Harbor Seal Commission (\$100,000), and new funding for the Bristol Bay Native Association (\$100,000). The Committee recommendation funds the requested level for Atlantic salmon recovery and the State of Maine recovery plan. Increases include: \$15,395,000 for Columbia River hatcheries; funding of \$500,000 for swordfish conservation, consistent with recommendations of the International Tropical Tuna Commission; an increase for Pacific tuna management to a level consistent with the fiscal year 1998 appropriation; \$230,000 for a Pacific coral reef fishery management plan; and, \$400,000 for a study of the status and trends of southeastern sea turtles. The Committee recommends an increase above the request for fishery management councils for a total of \$13,200,000. With the passage of the Magnuson-Stevens Act, the regional councils have increased responsibilities which require adequate resources.

Of the base funds requested for northwestern salmon in the protected species line for fiscal year 1999, the Committee directs that \$2,500,000 be made available for additional staff to provide technical support to local and State salmon and steelhead recovery efforts within Washington State. The Committee expects NMFS to coordinate closely with the Washington State Governor's Salmon Recovery Office in the development of State salmon recovery plans. The Committee further directs that an additional \$2,500,000 be allocated to the Northwest Indian Fisheries Commission to facilitate tribal participation in local and state salmon recovery efforts in Washington State.

The Committee directs NMFS to provide Washington State operations and maintenance funding at least equal to what the State received in fiscal year 1998. The Committee directs that: an additional \$525,000 be used for mass marking of coho hatchery salmon; an additional \$774,000 be used for mass marking in Washington State of Lower Columbia River (below Bonneville Dam) chinook hatchery salmon; and additional \$600,000 be used for mass marking in Washington State of Klickitat Upper River bright fall chinook.

Under the "Protected species management" account, the Committee recommends a total of \$55,311,000 for fiscal year 1999. The recommendation includes funding for Driftnet Act implementation and the Marine Mammal Protection Act. The Committee recommends \$3,428,000 for implementation of the High Seas Driftnet Fisheries Enforcement Act, North Pacific Anadromous Stocks Convention Act, Central Bering Sea Fisheries Enforcement Act, and for the expenses of U.S. advisers relating to these matters. Also included under the Driftnet Act implementation is an additional \$150,000 to provide operating costs for the Pacific Rim Fisheries Program, which provides unique information to the Federal and State governments, as well as to the fishing industry, which promotes fish-

eries commerce in Pacific rim countries. The Committee recommends an increase in base funding for California sea lions for a total of \$6,950,000, which includes \$500,000 for the Pacific States Commission's continued funding of research on sea lion interactions. A new line item is created to consolidate observer and observer training funding. The fishery observers/training line includes: \$1,875,000 for North Pacific marine resource observers; \$425,000 for the North Pacific Fishery Observer Training Center; and \$350,000 for east coast observers. Under enforcement and surveillance, the Committee recommends continued support at last year's level for marine forensics and southeast fisheries' law enforcement and the Committee expects continued cooperative laboratory activities between NMFS and State and local governments and the academic community.

The Committee also directs that \$750,000 be transferred from the protected species management program to the Pacific States Marine Fisheries Commission to pursue additional research on the effects California sea lions and harbor seals have on salmon and the west coast ecosystem.

For State and industry programs, the Committee recommends increases of \$900,000 for the interjurisdictional fisheries grants and for anadromous fishery grants. Of the \$8,500,000 provided for the interstate fisheries commissions, \$5,125,000 shall be provided to the Atlantic States Marine Fisheries Commission for the Atlantic Coastal Cooperative Fisheries Management Act, and the remainder shall be provided to each of the three interstate fisheries commissions (including the ASMFC).

The Committee recommends \$10,724,000 for the "Fisheries Development Program" account. Within this amount, the Committee restored funding for the Hawaiian Fisheries Development Program to \$750,000, which is the fiscal year 1998 appropriation, and \$150,000 to the Alaska Fisheries Development Foundation [AFDF] for its operational costs relating to the goals and objectives of the Magnuson-Stevens Act and to the creation of a permanent endowment to provide operational funds for the AFDF. As in prior fiscal years, the Committee expects the Hawaii Stock Enhancement and Hawaiian Fisheries Development Programs to be administered by the Oceanic Institute.

The Committee recognizes that last year the members of the Northwest congressional delegation wrote to the Administration urging that a new agreement on funding for mitigation of the fish and wildlife impacts of the Federal Columbia River Power System [FCRPS] to be executed by April 30, 1998. The Committee commends the Administration for its effort to develop a new agreement for these costs, but at this time one has not been completed. The Committee maintains there is a critical need to extend the memorandum of agreement [MOA] on fish and wildlife funding between Bonneville and other Federal agencies to cover the period beyond 2001. Therefore, the Committee urges the agencies party to the existing MOA to execute a definitive agreement for funding fish and wildlife mitigation during fiscal years 2002–2006 by September 1, 1998.

## OCEANIC AND ATMOSPHERIC RESEARCH

The Committee recommendation includes a total of \$285,835,000 for oceanic and atmospheric research for fiscal year 1999, instead of \$251,217,000 as requested, and \$277,741,000 as funded in fiscal year 1998. In implementing programs within this account, the Committee directs NOAA to maintain or enhance its level of collaboration with the extramural research community. In addition, while all NOAA external research is currently peer reviewed, the Committee encourages NOAA to take steps to ensure that all NOAA research, regardless of who performs it, is subject to periodic peer review.

The Committee recommends a fiscal year 1999 level of \$130,787,000 for climate and air quality research. Within this account, the Committee recommendation provides a funding level of \$15,900,000 for interannual and seasonal climate research. It is the Committee's understanding that NOAA recently reached agreement with the International Hurricane Center to conduct long-term research on the effects of hurricanes, and directs the agency to fund this research as stated in the memorandum of understanding. The Committee recommends providing \$2,000,000 to the Climate Change Research Center at the Institute for the Study of Earth, Oceans, and Space for climate and air quality monitoring and research as well as meteorological and climatological modeling.

The Committee recommends funding for long-term climate and air quality research at a level of \$30,387,000, which is equal to the President's request. The purpose of the research was to detect improvements in air quality as a result of the Clean Air Act amendments. The justification states that the funding increase would enable "NOAA to provide the scientific input for decisions associated with the new air quality ruling recently issued by EPA calling for lower ozone and particulate matter standards." The Environmental Protection Agency has an Office of Research and Development which is charged with conducting such research. If EPA wishes NOAA to conduct research to back its regulations, it shall do so on a reimbursable basis from its own budget. The Committee cautions NOAA not to submit future requests for funds which are inconsistent with the agency's research mission. The Committee recommends the increased request for high-performance computing at a level of \$12,500,000 for fiscal year 1999.

The Committee recommends \$67,000,000 in fiscal year 1999 for the Climate and Global Change Program. The research being conducted under this program has had some exciting results. The funding increase in fiscal year 1999 will augment efforts to develop regional seasonal to interannual forecasts over North America.

During late 1997, NOAA conducted an evaluation of climate models to forecast the direction and variances of severe weather events like El Niño. The additional \$5,000,000 recommended by the Committee would accelerate the refinement of these models, which could result in giving forecasters the ability to predict severe weather events like El Niño and La Nina, which could reduce loss of life as well as economic losses.

The Committee recommends \$5,000,000 for the GLOBE Program in fiscal year 1999, a reduction of \$1,000,000 from the request. For

several years NOAA, along with EPA and the National Science Foundation [NSF], have provided funding for this program. The Committee directs NOAA to submit a report not later than November 30, 1998, on how much all agencies have spent on GLOBE to date and what steps will be taken to make the program self-sustaining by fiscal year 2000. While it is a worthwhile program in the short term, the data collected cannot be incorporated into NOAA's atmospheric research and thus are of limited scientific value for the agency.

For the atmospheric programs, the Committee recommends a level of \$46,963,000, an increase of \$2,000,000 above the request and a decrease of \$500,000 below the fiscal year 1998 appropriation. The Committee recommends funding the fiscal year 1999 request of \$6,000,000 for solar-terrestrial services and research. The Committee expects \$2,000,000 to be used by OAR to incorporate wind-profile data into its operational forecast models and evaluate wind-profile measurements for improving the accuracy of weather forecasts. This data is being collected by NESDIS as a pilot project. The Committee directs that \$2,000,000 be made available to the Science Center for Teaching, Outreach and Research on Meteorology [STORM] for the collection and analysis of weather data in the Midwest.

The Committee recommends a level of \$23,401,000 for the ocean and Great Lakes programs, this is an increase of \$8,150,000 above the request and \$5,575,000 below the fiscal year 1998 appropriation. The Committee has several recommendations within this account: funding the ocean observations, recently transferred from the National Ocean Service, at a level of \$2,950,000, of which \$1,500,000 shall be provided for southeast Atlantic marine monitoring and prediction at the University of North Carolina; \$400,000 for continued hypoxia research; \$2,000,000 for the VENTS Program; \$1,000,000 for National Invasive Species Act implementation; \$850,000 for ballast water research and small boat portage zebra mussel dispersion problems in the Chesapeake and Great Lakes including Lake Champlain; \$1,000,000 for the Gulf of Maine Council; \$2,300,000 for continued Tsunami mitigation planning and research; \$300,000 for the Lake Champlain study; and \$3,600,000 for mariculture research. The Committee recommendation for mariculture assumes continuation of the Open Ocean Aquaculture Program, begun in fiscal year 1998, at a level of \$2,050,000, of which \$50,000 shall be made available to the Island Institute of Maine for support of its program.

The Committee recommends a level of \$56,000,000 for the Sea Grant Program in fiscal year 1999, which is level with the fiscal year 1998 appropriation. The Committee expects funding for aquatic nuisance species research to continue at a level of \$2,800,000 and that the Gulf of Mexico oyster initiative will be funded at last year's appropriation of \$1,000,000.

For the National Undersea Research Program [NURP], the Committee recommends a level of \$15,800,000, an increase of \$300,000 over the fiscal year 1998 appropriation and \$4,450,000 above the fiscal year 1999 request. Included in the fiscal year 1999 recommendation is continued funding for JASON at the fiscal year 1998 levels of \$1,500,000. The Committee expects the funds to be

equally divided between research conducted through east coast NURP centers and through west coast NURP centers including the Hawaii and Pacific center and the west coast and polar regions center. The Committee directs that \$300,000 be used to support the *Aquarius* undersea laboratory.

The Committee recommends funding the Marine Minerals Technology Center, a joint project of the Departments of Natural Resources of Mississippi, Alaska, and Hawaii, at a level of \$1,800,000 in fiscal year 1999.

The Committee notes with concern that NOAA has not met its commitments pursuant to a memorandum of understanding dated June 20, 1994, to provide financial support for the Submarine Arctic Science Program [SCICEX], and suggests that these modest commitments be met as soon as possible.

The Committee has included a general provision which would create a smaller executive committee within the north Pacific research board that would be comprised of a 5-member board and would be responsible for making the decisions of the board. The 19-member board, as a whole, would serve in an advisory capacity to this executive committee.

#### NATIONAL WEATHER SERVICE

The Committee recommendation includes a total of \$650,593,000 for the National Weather Service [NWS] for operations, acquisitions, and research, a decrease of \$4,430,000 below the budget request.

The Committee recommends a total of \$503,330,000 in fiscal year 1999 for NWS operations and research. Of this amount, \$417,237,000 will support local warnings and forecasts. The Committee recommends funding radiosonde replacement at the fiscal year 1998 level of \$910,000. The Committee understands that the NWS wants to replace its current radiosonde program. Few details of this proposed new program were provided in the fiscal year 1999 budget justification. The Committee would be willing to entertain a reprogramming request in fiscal year 1999 for this purpose when requirements for the NWS radiosonde replacement network program are defined. Funds are also requested for an advanced hydrological prediction system in fiscal year 1999. The Committee recommends \$4,000,000 for the AHPS initiative in fiscal year 1999 and \$1,000,000 for the Susquehanna River basin flood system. The Committee recommendation also provides: \$1,650,000 for coastal data buoys; \$35,596,000 for aviation forecasts; \$35,574,000 for central forecast guidance; and, \$2,964,000 for atmospheric and hydrological research. Of the funds provided for operations and research in fiscal year 1999, the Committee directs the NWS to provide \$216,000 to the NOAA Cooperative Institute for Regional Prediction at the University of Utah to begin implementation of data collection and automated weather station installation in preparation for the 2002 Winter Olympic games.

The "1995 Secretary's Report to Congress on Adequacy of NEXRAD Coverage and Degradation of Weather Services" requested further studies of several sites, including Williston, ND, Caribou, ME, and Erie, PA. The review of these sites has been completed, but no funding for mitigation at any of these sites was in-

cluded in the fiscal year 1999 request. Since the transmittal of the agency's request, no budget amendment has been received by the Committee. The Committee has included bill language directing the Secretary to implement the recommendations included in the mitigation report for Erie, PA, Caribou, ME, Williston, ND, and Key West, FL, during fiscal year 1999. The Committee has provided funds to begin mitigation in fiscal year 1999 at these sites. The Committee expects the agency to include funding in subsequent budgets to complete this effort. The Committee further directs the NWS to continue current operations at these locations until the Secretary's mitigation recommendations are completed. In addition, the Committee directs the NWS to make appropriate arrangements to maintain a local presence for the maintenance of Erie, PA, NOAA weather radio antenna.

As in past years, the Committee expects the NWS to maintain and staff the Fort Smith, AR, weather service office [WSO] during fiscal year 1999, and that all available forecasting data will be provided to the WSO for the dissemination of timely tornado warnings. The Committee also directs the NWS to construct a weather warning tower at the Caldwell-Hopkins-Christian county lines in southwestern Kentucky to relay warnings to the public.

The Committee recommends \$398,822 to continue the partnership between the National Weather Service and the Oklahoma Climatological Survey through OK-FIRST. These funds are to be used to prepare OK-FIRST to be transitioned to the National Severe Storms Laboratory [NSSL] to allow development of a nationwide prototype, complete a feasibility study, and perform a proof of concept. The Committee expects the NWS to continue to operate existing radars at these sites through fiscal year 1999. The Committee is also concerned about the Jackson, MS, NEXRAD radar which is experiencing blockage. In the fiscal year 1998 report, the Committee directed NOAA to take steps to mitigate the blockage of this radar. The Committee has been advised that NOAA has not determined the appropriate course of mitigation at Jackson. The Committee directs NOAA to take appropriate steps during fiscal year 1999 to make this radar fully operational.

The Committee recommends a total of \$62,251,000 for systems acquisition in fiscal year 1999. Included in this amount are: \$38,346,000 for the NEXRAD radar system; \$7,116,000 for the advanced surface observing system [ASOS]; and \$4,600,000 for computer facility upgrades. The Committee recommends funds for the advanced weather interactive processing system [AWIPS/NOAAPort] at a level of \$12,189,000.

For the NWS' portion of the "Procurement, acquisition, and construction [PAC]" account, the Committee recommends \$90,592,000. This amount includes: \$9,170,000 for the NEXRAD radar system; \$3,855,000 for the ASOS system; \$67,667,000 for AWIPS/NOAAPort; and \$9,900,000 for computer facilities upgrades.

#### NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE

The Committee recommendation provides funds for the National Environmental Satellite, Data, and Information Service [NESDIS] at a level of \$105,321,000 for fiscal year 1999.

Of the funds made available in this recommendation for fiscal year 1999, \$58,486,000 is for satellite observing systems, an increase of \$3,000,000 above the request and \$29,861,000 below the fiscal year 1998 appropriation. Of this amount, \$4,000,000 is to continue ocean remote sensing; \$51,486,000 is for environmental observing systems; and \$3,000,000 is to continue the wind demonstration pilot project at the Institute for the Study of Earth, Oceans, and Space initiated in fiscal year 1998. The pilot project will continue testing ground-based wind profile systems in New Hampshire, Mississippi, Hawaii, Alaska, and West Virginia. This pilot project shall also include a research program on the use of wind data in weather forecasting. NOAA shall report to the Committee no later than November 30, 1999, on the results of its efforts to develop an interagency program to share the costs of the satellite data acquisition beginning in 2002. Funding for the converged polar-orbiting operational environmental satellite [NPOESS] is transferred from this account to the "Procurement, acquisition, and construction [PAC]" account. The NPOESS converged system is operated by NOAA, the Department of Defense, and the National Aeronautics and Space Administration. Funding for the geostationary operational environmental satellite [GOES] and the current series of polar-orbiting satellites [POES] are also funded in the PAC account.

The Committee recommends fiscal year 1999 funding of \$46,835,000 for environmental data management systems, this amount is \$2,000,000 above the request. Within this account, the Committee recommends a level of \$27,500,000 for data and information services and \$16,335,000 for environmental data systems modernization. The Committee directs that \$3,000,000 from available funds be used to fund regional climate centers. In fiscal year 1998, the Committee transferred these centers from the National Weather Service to NESDIS. The data collected and disseminated by these centers can be of benefit to NESDIS as well as to the NWS.

The Committee recommends a total of \$459,134,000 for the "Procurement, acquisition, and construction [PAC]" account for NESDIS, of which: \$150,000,000 is recommended for the "Polar K-N" and \$183,550,000 for the "GOES N-Q" accounts; polar convergence [NPOESS] is funded at a level of \$50,000,000; and GOES I-M is funded at a level of \$75,634,000.

The Committee is concerned that valuable scientific data and information are being lost from Russian scientists and their archives. The Committee encourages NOAA to support Russian scientists in efforts to rescue and analyze historic Earth and ocean science data and to archive these data in appropriate NOAA and world data centers.

#### PROGRAM SUPPORT

The Committee recommendation provides the requested level of \$69,250,000 for the NOAA program support functions. This level is \$1,620,000 less than current year funding.

The Committee does not concur with the Office of Management and Budget's direction to the Department of Commerce to move the Systems Acquisition Office [SAO] from NOAA to the Department

level. NOAA has several major contracts which are still pending, and the Committee is concerned that moving all personnel to the Department from NOAA may result in a reduced level of attention to details of these contracts, which include completion of the advanced weather interactive processing system [AWIPS] and several satellite systems. The Committee recommends funding NOAA's SAO at a level of \$700,000 in fiscal year 1999. NOAA's budget request assumes approval of the NOAA Corps disestablishment legislative package. If this legislation is not approved by the end of the 105th Congress, the Committee directs the Department to submit a report for submission with the fiscal year 2000 request addressing the future of the NOAA Corps. The fiscal year 1999 bill maintains the ceiling on NOAA Corps officers at the fiscal year 1998 level, and directs NOAA to make no further reductions in the Corp and to lift its hiring freeze.

#### COASTAL ZONE MANAGEMENT FUND

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$7,800,000 |
| Budget estimate, 1999 .....    | 4,000,000   |
| Committee recommendation ..... | 4,000,000   |

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

The Committee recommendation includes \$4,000,000, as requested, from the coastal zone management [CZM] fund for CZM program management and other purposes authorized by section 308 of the Coastal Zone Management Act [CZMA].

#### FLEET MAINTENANCE AND PLANNING

|                                |                        |
|--------------------------------|------------------------|
| Appropriations, 1998 .....     | \$13,500,000           |
| Budget estimate, 1999 .....    | <sup>1</sup> 9,600,000 |
| Committee recommendation ..... | 11,600,000             |

<sup>1</sup>For comparison this report displays the administration's request using the current appropriations account structure.

The Committee recommendation provides an appropriation of \$11,600,000 for the "Fleet maintenance and planning" account, which replaces the former "Fleet modernization, shipbuilding, and conversion" account. This is a decrease of \$1,900,000 from the fiscal year 1998 appropriation.

The Committee recommendation includes \$2,000,000 for the renovation and maintenance of the NOAA T-AGOS vessel *Relentless*. This former Navy vessel is being converted to perform fishery and marine mammal surveys in the Gulf of Mexico.

#### FACILITIES

The Committee recommends a total of \$16,400,000 for NOAA facilities during fiscal year 1999. This account includes: facilities maintenance funding and space planning; the lease on a facility at Sandy Hook, NJ; environmental compliance; Weather Forecast Office maintenance; and Columbia River facilities.

PROCUREMENT, ACQUISITION, AND CONSTRUCTION

Funding for the “Procurement, acquisition, and construction [PAC]” account has been described in the narrative regarding systems acquisition projects associated with the major line offices of NOAA, for example, the National Weather Service and the National Environmental Satellite, Data, and Information Service. The Committee is recommending a total of \$549,776,000 for the acquisition of systems for these line offices.

For the “Construction” account, the Committee recommends a total of \$38,146,000 of which: \$5,670,000 is for above-standard costs of the Boulder laboratory; \$9,526,000 is for Weather Forecast Office construction; \$850,000 is for the National Centers for Environmental Prediction; \$4,200,000 is to complete the new Santa Cruz laboratory; \$8,000,000 is for National Estuarine Research Reserve Sanctuary construction; \$3,000,000 is for equipment, such as the sea water system and piping, necessary to complete the Fort Johnson Marine Environmental Laboratory; and \$1,500,000 is available for the Outer Banks Community Foundation on the condition that these funds are matched by a non-Federal source. Within the funds provided for the Pribilof Islands cleanup, \$900,000 shall be used for the construction of an outfall pipe on St. George. Within PAC funds, the Committee is providing \$1,500,000 which is intended for the lease payment for the Near Island facility. Within the amounts provided for NERRS construction, the Committee intends: that \$1,500,000 be used for the modernization of the Kasitsna Bay Laboratory and the construction of offices to serve as the headquarters of the Kachemak Bay NERR; and \$1,500,000 for land acquisition in the ACE basin. Within funds provided under the PAC account, the Committee recommends \$3,000,000 for New York facilities, including \$1,000,000 for the Botanical Gardens and \$2,000,000 for the Long Island Aquarium at Bay Shore.

FISHERMEN’S CONTINGENCY FUND

|                                |           |
|--------------------------------|-----------|
| Appropriations, 1998 .....     | \$953,000 |
| Budget estimate, 1999 .....    | 953,000   |
| Committee recommendation ..... | 953,000   |

The Committee recommends the requested amount of \$953,000 for the fishermen’s contingency fund, which is at the level appropriated for fiscal year 1998.

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

guage which provides that the sums necessary to eliminate the insufficiency may be derived from the general fund of the Treasury.

#### FOREIGN FISHING OBSERVER FUND

|                                |           |
|--------------------------------|-----------|
| Appropriations, 1998 .....     | \$189,000 |
| Budget estimate, 1999 .....    | 189,000   |
| Committee recommendation ..... | 189,000   |

The Committee recommends \$189,000 for the foreign fishing observer fund for fiscal year 1999.

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

#### FISHERIES FINANCE PROGRAM ACCOUNT

|                                |           |
|--------------------------------|-----------|
| Appropriations, 1998 .....     | \$338,000 |
| Budget estimate, 1999 .....    | 238,000   |
| Committee recommendation ..... | 388,000   |

The Committee recommendation provides \$388,000 for the fisheries finance program account. This amount is \$150,000 above the fiscal year 1999 request, and \$50,000 above the fiscal year 1998 appropriation. Of the increase, \$100,000 is provided for entry level and small vessel IFQ obligation guarantees in the halibut and sablefish fisheries off Alaska pursuant to section 1104A(a)(7) of the Merchant Marine Act of 1936. These funds are provided in order for IFQ loans to be provided in accordance with section 303(d)(4) of the Magnuson-Stevens Act and section 108(g) of the Sustainable Fisheries Act. The remaining \$50,000 shall be used to cover the subsidy rate for debt obligation of \$5,000,000 for the Pacific groundfish fishery under section 303 of the Magnuson-Stevens Act, which created a mechanism to assist industry-funded vessel buy-back programs. This \$50,000 shall be made available upon the approval of an industry-funded buy-back plan being received through a referendum conducted pursuant to section 312 of the Magnuson-Stevens Act.

#### GENERAL ADMINISTRATION

##### SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$27,490,000 |
| Budget estimate, 1999 .....    | 32,187,000   |
| Committee recommendation ..... | 31,765,000   |

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

The Committee recommendation provides \$31,765,000 for the Commerce Department's "Salaries and expenses" appropriation for fiscal year 1999. The Committee provides a \$1,000,000 increase for this account. The Department, at OMB's direction, sought to move the Systems Acquisition Office [SAO] from NOAA to the Department level in the fiscal year 1999 request. The Committee thinks NOAA must retain some of these systems acquisition oversight functions, given the number of major contracts currently pending

in the agency. The Committee is aware, however, that the Department has major contracts to monitor in relation to the decennial census, and does provide an increase to allow the Department to move some personnel from NOAA for this purpose. The Committee reminds the Department that the NOAA SAO was created in the early 1990's due to serious cost overruns on a major satellite contract. Thus, the Committee strongly recommends permitting NOAA to retain some of these functions.

OFFICE OF THE INSPECTOR GENERAL

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$20,140,000 |
| Budget estimate, 1999 .....    | 21,662,000   |
| Committee recommendation ..... | 20,662,000   |

This appropriation account provides for salaries and expenses of the Office of the Inspector General in support of its efforts to enhance efficiency and detect fraud, waste, and abuse in Commerce Department programs and operations.

The Committee recommends \$20,662,000 for the Commerce Department's Office of the Inspector General for fiscal year 1999.

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 103-317). Sections 201 through 207 are continuations of language included in previous appropriations acts.

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

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

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

Section 204 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 requires that any costs related to personnel actions incurred by a department or agency funded in title II of the accompanying act be absorbed within the total budgetary resources available to such department or agency.

Section 207 was included in Public Law 104-208, the Omnibus Consolidated Appropriations Act, 1997, allowing the Secretary to

award contracts for certain mapping and charting activities in accordance with the Federal Property and Administrative Services Act.

Section 208 would create a smaller executive committee within the North Pacific Research Board that would be comprised of five board members and would be responsible for making the decisions of the board. The 19-member board, as a whole, would serve in an advisory capacity to this executive committee.

### TITLE III—THE JUDICIARY

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

The Committee recommends a total of \$3,607,586,000 for fiscal year 1999 for the judiciary. The recommendation is \$143,951,000 above the fiscal year 1998 appropriation and \$199,274,000 below the fiscal year 1999 request. The Committee is aware that a total of \$318,805,000 in fees, reimbursables, and carryover is available in various accounts across the title.

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

#### SUPREME COURT OF THE UNITED STATES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$32,645,000 |
| Budget estimate, 1999 .....    | 36,966,000   |
| Committee recommendation ..... | 36,930,000   |

The Committee recommends a total of \$36,930,000 for the Supreme Court of the United States for fiscal year 1999. The total amount is provided in two separate appropriation accounts as follows:

#### SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$29,245,000 |
| Budget estimate, 1999 .....    | 31,095,000   |
| Committee recommendation ..... | 31,059,000   |

The Committee recommends \$31,059,000 for fiscal year 1999 for the salaries and expenses of the Justices, their supporting personnel, and the costs of operating the Supreme Court, excluding the care of the building and grounds. The recommendation is \$1,814,000 above the fiscal year 1998 appropriation and \$36,000 below the fiscal year 1999 request. A cost-of-living adjustment for the Justices is addressed by section 304.

#### CARE OF THE BUILDING AND GROUNDS

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$3,400,000 |
| Budget estimate, 1999 .....    | 5,871,000   |
| Committee recommendation ..... | 5,871,000   |

The Committee recommends \$5,871,000 for fiscal year 1999 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 \$2,471,000 above the fiscal year 1998 appropriation and identical to the fiscal year 1999 request.

## U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT

## SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$15,575,000 |
| Budget estimate, 1999 .....    | 16,828,000   |
| Committee recommendation ..... | 15,631,000   |

The Committee recommends \$15,631,000 for fiscal year 1999 for the salaries and expenses of the U.S. Court of Appeals for the Federal Circuit. The recommendation is \$56,000 above the fiscal year 1998 appropriation and \$1,197,000 below the fiscal year 1999 request. The reduction in this account is done without prejudice. Certain mandatory increases for judicial officers are provided. A cost-of-living adjustment for the judges is addressed by section 304.

## U.S. COURT OF INTERNATIONAL TRADE

## SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$11,449,000 |
| Budget estimate, 1999 .....    | 11,822,000   |
| Committee recommendation ..... | 11,483,000   |

The Committee recommends \$11,483,000 for fiscal year 1999 for the salaries and expenses of the U.S. Court of International Trade. The recommendation is \$34,000 above the fiscal year 1998 appropriation and \$339,000 below the fiscal year 1999 request. The reduction in this account is done without prejudice. Certain mandatory increases for judicial officers are provided. A cost-of-living adjustment for the judges is addressed by section 304. The Committee is aware that carryover funds are available to address critical automation requirements.

## COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

## SALARIES AND EXPENSES

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1998 .....     | \$2,722,400,000 |
| Budget estimate, 1999 .....    | 3,008,723,000   |
| Committee recommendation ..... | 2,808,516,000   |

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

The Committee recommends a total of \$2,808,516,000 for fiscal year 1999 for salaries and expenses of the Courts of Appeals, District Courts, and Other Judicial Services. The recommendation is \$86,116,000 above the fiscal year 1998 appropriation and \$200,207,000 below the fiscal year 1999 request. The recommendation reflects a refinement of anticipated funding requirements. In addition, as noted at the beginning of the title, the Committee understands that up to \$318,805,000 in carryover, reimbursables, and fees will be available to apply to this account, if necessary. Certain mandatory increases for judicial officers are provided. A cost-of-living adjustment for judges is addressed by section 304.

The Committee recommendations are displayed in the following table:

*Courts of appeals, district courts, and other judicial services*

[In thousands of dollars]

|  | <i>Committee<br/>recommendation</i> |
|--|-------------------------------------|
| Appeals court:                                     |                                     |
| Judicial officers:                                 |                                     |
| Article III judges:                                |                                     |
| Active .....                                       | 24,108                              |
| Senior .....                                       | 16,715                              |
| Court staff:                                       |                                     |
| Article III judges' staff .....                    | 44,257                              |
| Circuit executives .....                           | 15,417                              |
| Clerks offices .....                               | 28,131                              |
| Staff and preargument attorneys .....              | 31,339                              |
| Librarians .....                                   | 12,298                              |
| Bankruptcy appellate panels .....                  | 1,730                               |
| National integrated bankruptcy system [NIBS] ..... | 604                                 |
| Subtotal .....                                     | <u>174,599</u>                      |
| District courts:                                   |                                     |
| Judicial officers:                                 |                                     |
| Article III judges:                                |                                     |
| Active .....                                       | 92,298                              |
| Senior .....                                       | 54,830                              |
| Magistrate judges .....                            | 64,124                              |
| Court of Federal claims judges .....               | 2,135                               |
| Court staff:                                       |                                     |
| Article III judges' staff .....                    | 126,214                             |
| Magistrate judges' staff .....                     | 43,962                              |
| Federal claims judges' staff .....                 | 2,346                               |
| District executives .....                          | 722                                 |
| Clerks offices .....                               | 261,996                             |
| Court reporters .....                              | 40,239                              |
| Court interpreters .....                           | 5,324                               |
| Subtotal .....                                     | <u>694,190</u>                      |
| Bankruptcy courts:                                 |                                     |
| Judicial officers: Bankruptcy judges .....         | 49,812                              |
| Court staff:                                       |                                     |
| Bankruptcy judges' staff .....                     | 29,903                              |
| Clerks .....                                       | 223,768                             |
| Bankruptcy administrators .....                    | 3,116                               |
| Subtotal .....                                     | <u>306,599</u>                      |
| Probation/pretrial services:                       |                                     |
| Investigations and supervision .....               | 472,675                             |
| Drug dependent offenders .....                     | 32,516                              |
| Mental health .....                                | 2,773                               |
| Subtotal .....                                     | <u>507,964</u>                      |
| Services, supplies, and equipment .....            | <u>484,096</u>                      |
| Rental payment to GSA .....                        | <u>650,205</u>                      |
| Fiscal year 1999 initiatives:                      |                                     |
| Courtroom technology .....                         | 2,612                               |
| Courtroom utilization study .....                  | 3,000                               |

|                               | <i>Committee<br/>recommendation</i> |
|-------------------------------|-------------------------------------|
| State Justice Institute ..... | 7,150                               |
| Subtotal .....                | 12,762                              |
| <hr/>                         |                                     |
| Spending reductions:          |                                     |
| Judges' travel .....          | 2,340                               |
| Section 304 .....             | 6,797                               |
| Subtotal .....                | 9,137                               |
| <hr/>                         |                                     |
| Total, courts .....           | 2,808,516                           |

The Committee recommendations are displayed in more detail in the following paragraphs.

*Courtroom technology.*—U.S. attorneys, in cooperation with a number of courts, have been experimenting with portable, off-the-shelf video and computer equipment for courtroom proceedings. Besides improving the presentation of evidence, the equipment rapidly accelerated the pace of trials. Users found that they saved the equivalent of 1 trial day in every 5 using video and computer equipment. The impact this could have on backlogs common to Federal court dockets is profound. Within available funds, the Committee recommendation includes \$2,612,000 for courtroom technology. The amount provided is for pilot projects in 10 districts or circuits. To ensure hardware and software standardization, the Administrative Office of the U.S. Courts [AO] is directed to coordinate its investments with the Executive Office of the U.S. Attorneys [EOUSA]. The Committee expects the AO to report to the Committees on Appropriations on its courtroom technology efforts not later than February 1, 1999.

*Courtroom utilization study.*—The Judiciary is seeking \$500,000,000 in new courtroom space in fiscal year 1999 at the very time when the Appropriations Committee is struggling to provide adequate funds to maintain current services across the Government. Before undertaking a major construction program, the Committee believes that a thorough and objective analysis of courtroom sharing should be conducted. At a minimum, the study should examine: (1) existing courtroom sharing systems and data; (2) current and projected caseloads; (3) current and projected judgeships and staffing levels; (4) costs and benefits of altering the courtroom per judge ratio; (5) prioritization of new and expanded court construction requests based on clearly defined measures of need; (6) costs and benefits of funding court space versus other Federal space requirements; and (7) development of a facilities management plan that can be incorporated into the courthouse planning process. Within available funds, the Committee recommends \$3,000,000 for this study with the expectation that it will be undertaken by a competitively selected contractor. The Committee directs the contractor to consult with the Committees on Appropriations, the Administrative Office of the U.S. Courts, the Office of Management and Budget, and the General Services Administration on developing the parameters of the study.

*Spending decreases.*—The Committee recommendation holds court support to fiscal year 1998 funding levels, with further ad-

justments noted below. The reductions in this account are made without prejudice.

*Judges' travel.*—A recent General Accounting Office report raised questions about the propriety of judges' travel. At the same time, videoconferencing equipment is increasingly widespread and the Federal Judicial Center has inaugurated its distance learning program. The Committee recommendation reduces judges' travel funds by 20 percent from fiscal year 1998 levels.

*Automation.*—There is no staff model for law clerks and secretaries, and judicial conference staffing standards have not been updated since 1979. This lapse fails to account for the marked increases in office productivity and efficiency attributable to automation. Similarly, electronic filing and other automation advances have revolutionized clerks' offices. Finally, online services and computer literate chambers staff have radically altered the need for library services. The Committee recommendation adjusts downward the request for support staff to reflect modern capabilities and requirements.

The Committee supports efforts of the judiciary to make information available to the public electronically, and expects that available balances from public access fees in the judiciary automation fund will be used to enhance availability of public access.

The Committee has added a new provision in the bill concerning the State Justice Institute.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$2,450,000 |
| Budget estimate, 1999 .....    | 2,515,000   |
| Committee recommendation ..... | 2,515,000   |

The Committee recommends a reimbursement of \$2,515,000 for fiscal year 1999 from the special fund to cover expenses of the claims court associated with processing cases under the National Childhood Vaccine Injury Act of 1986. The recommendation is \$65,000 above the fiscal year 1998 appropriation and identical to the fiscal year 1999 request.

DEFENDER SERVICES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$329,529,000 |
| Budget estimate, 1999 .....    | 360,952,000   |
| Committee recommendation ..... | 360,952,000   |

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

The Committee recommends \$360,952,000 for fiscal year 1999 for defender services. The recommendation is \$31,423,000 above the fiscal year 1998 appropriation and identical to the fiscal year 1999 request. In addition, as noted at the beginning of the the title, the Committee understands that up to \$318,805,000 in carryover, reimbursables, and fees will be available to apply to this account, if necessary.

*Capital representations.*—Alarmed by the disproportionate claim on limited resources being made by a small but growing number of capital representations, the fiscal year 1998 conference report di-

rected the Administrative Office of the U.S. Courts [AO] to undertake a study to identify the reasons for cost growth in defender services and to offer solutions for containing costs. The study found that, "the average annual cost per [capital] representation ran 25 to 40 times the average annual cost of a noncapital representation." The result is that, "while capital and capital habeas cases comprise only 1 percent of representations, they account for almost 15 percent of total program costs and over 30 percent of the increase in [defender services] costs." The Committee directs the AO to report quarterly, beginning December 1, 1998, on its success in implementing the cost containment recommendations included in the study. In addition, the Committee directs the AO to report on the costs and benefits of reviving postconviction defender organizations at the State or Federal level not later than December 31, 1998.

#### FEEES OF JURORS AND COMMISSIONERS

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$64,438,000 |
| Budget estimate, 1999 .....    | 68,173,000   |
| Committee recommendation ..... | 68,721,000   |

The Committee recommends \$68,721,000 for fiscal year 1999 for the fees and allowances of grand and petit jurors and for the compensation of land commissioners and jury commissioners. The recommendation is \$4,283,000 above the fiscal year 1998 appropriation and \$548,000 above the fiscal year 1999 request. The recommendation reflects a refined estimate of requirements and fully funds fees of jurors.

#### COURT SECURITY

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$167,214,000 |
| Budget estimate, 1999 .....    | 179,055,000   |
| Committee recommendation ..... | 176,873,000   |

This account provides for the necessary expenses of security and protective services for the U.S. courts in courtrooms and adjacent areas. Funds under this account may be used directly or transferred to the U.S. Marshals Service, which has been delegated authority for the contracting of guard services and the acquisition of security equipment.

The Committee recommends \$176,873,000 for fiscal year 1999 for court security. The recommendation is \$9,659,000 above the fiscal year 1998 appropriation and \$2,182,000 below the fiscal year 1999 request. The recommendation reflects a refined estimate by the U.S. Marshals Service of court security requirements and fully funds court security personnel and equipment. The amount provided includes one additional court security officer for the U.S. Court of Appeals for the Federal Circuit.

#### ADMINISTRATIVE OFFICE OF THE U.S. COURTS

##### SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$52,000,000 |
| Budget estimate, 1999 .....    | 56,156,000   |
| Committee recommendation ..... | 54,682,000   |

This appropriation provides funds for the administration and management of the U.S. courts, including the probation and bankruptcy systems, but excluding the Supreme Court.

The Committee recommends \$54,682,000 for fiscal year 1999 for the salaries and expenses of the Administrative Office of the U.S. Courts [AO]. The recommendation is \$2,682,000 above the fiscal year 1998 appropriation and \$1,474,000 below the fiscal year 1999 request. The recommendation provides most of the requested base adjustments for this account.

#### FEDERAL JUDICIAL CENTER

##### SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$17,495,000 |
| Budget estimate, 1999 .....    | 18,470,000   |
| Committee recommendation ..... | 17,716,000   |

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 recommends \$17,716,000 for fiscal year 1999 for the salaries and expenses of the Federal Judicial Center. The recommendation is \$221,000 above the fiscal year 1998 appropriation and \$754,000 below the fiscal year 1999 request. The recommendation provides the requested base adjustments for this account.

#### JUDICIAL RETIREMENT FUNDS

##### PAYMENT TO JUDICIARY TRUST FUNDS

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$34,200,000 |
| Budget estimate, 1999 .....    | 37,300,000   |
| Committee recommendation ..... | 37,300,000   |

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

The Committee recommends \$37,300,000 for fiscal year 1999 for the payment to the judicial officers' retirement fund, the judicial survivors' annuities fund, and the claims court judges' retirement fund. The recommendation is \$3,100,000 above the fiscal year 1998 appropriation and identical to the fiscal year 1999 request.

#### U.S. SENTENCING COMMISSION

##### SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$9,240,000 |
| Budget estimate, 1999 .....    | 9,900,000   |
| Committee recommendation ..... | 9,374,000   |

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

The Committee recommends \$9,374,000 for fiscal year 1999 for the salaries and expenses of the U.S. Sentencing Commission. The recommendation is \$134,000 above the fiscal year 1998 appropriation and \$526,000 below the fiscal year 1999 request. The recommendation provides the requested base adjustments for this account.

#### GENERAL PROVISIONS—THE JUDICIARY

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

Section 301 permits funds 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 permits up to 10 percent of any appropriation made available for fiscal year 1999 to be transferred between judiciary appropriation accounts with the proviso that no appropriation shall be decreased by more than 10 percent or increased by more than 20 percent by any such transfer. In addition, the language provides that any such transfer shall be treated as a reprogramming of funds under section 605 in the general provisions 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 limits official reception and representation expenses incurred by the Judicial Conference of the United States to no more than \$10,000.

Section 304 authorizes a cost-of-living adjustment for Justices and judges in fiscal year 1999.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCIES

DEPARTMENT OF STATE

The Committee recommends a total of \$4,501,628,000 for fiscal year 1999 for the Department of State. The recommendation is \$467,378,000 above the fiscal year 1998 appropriation and \$264,880,000 above the fiscal year 1999 request.

Historically, the Department has emphasized staffing levels at the expense of investments in technology and infrastructure. The Committee recommendation continues the reversal of this trend. Technology and infrastructure accounts have received the maximum funding deemed prudent.

*Government Performance and Review Act.*—The Committee recommends no changes within the bill based on the performance plans which are a result of the Government Performance and Review Act. The General Accounting Office found that the Department's plan falls short of providing the information needed to support decisionmaking. The plan did not provide a clear description of expected results, how the goals are to be achieved, and what level of resources are required. These same weaknesses were identified in the Department's strategic plan issued on September 27, 1997. The Committee expects the Department to address these issues. The Committee urges the Department to follow the recommendations of the General Accounting Office in preparation of its fiscal year 2000 plan. Next year, the Department will have had 2 years to implement and perfect its plan. The Committee will use this plan in making recommendations for fiscal year 2000.

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1998 .....     | \$1,730,000,000 |
| Budget estimate, 1999 .....    | 1,691,282,000   |
| Committee recommendation ..... | 1,685,794,000   |

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

The Committee recommends \$1,685,794,000 for fiscal year 1999 for diplomatic and consular programs. The recommendation is \$44,206,000 below the fiscal year 1998 appropriation and \$5,488,000 below the fiscal year 1999 request. Within the amount provided, the Committee recommendation includes \$250,000 to support the United States' Chairmanship of the Arctic Council,

\$40,000 for the Bering Straits Commission, \$500,000 for the Multilateral High Level Conference, and \$500,000 for the National Law Center for Inter-American Free Trade.

The Committee recommendations are displayed in the following table:

*Diplomatic and consular programs*

[In thousands of dollars]

|   | <i>Committee<br/>recommendation</i> |
|---|-------------------------------------|
| Office of the Secretary .....                               | 18,987                              |
| Personnel complements [long-term training] .....            | 13,886                              |
| Political-military affairs .....                            | 25,987                              |
| Office of Protocol .....                                    | 4,970                               |
| Oceans/international environmental/scientific affairs ..... | 12,179                              |
| Office of the Legal Adviser .....                           | 21,731                              |
| Economic and business affairs .....                         | 17,918                              |
| Intelligence and research .....                             | 27,195                              |
| African affairs .....                                       | 143,651                             |
| Near Eastern affairs .....                                  | 95,684                              |
| East Asian and Pacific affairs .....                        | 144,759                             |
| South Asian affairs .....                                   | 31,712                              |
| Inter-American affairs .....                                | 161,105                             |
| European and Canadian affairs .....                         | 353,645                             |
| International organization affairs .....                    | 37,949                              |
| Bureau of Consular Affairs .....                            | 42,741                              |
| Office of Finance and Management Policy .....               | 9,340                               |
| FSN separation liability trust fund .....                   | 5,958                               |
| Office of Medical Services .....                            | 15,664                              |
| Foreign Service Institute .....                             | 54,956                              |
| Democracy, human rights, and labor .....                    | 6,259                               |
| Office of Administration .....                              | 100,921                             |
| Diplomatic security .....                                   | 144,267                             |
| International criminal justice .....                        | 978                                 |
| Counterterrorism R&D .....                                  | 1,800                               |
| Diplomatic telecommunications .....                         | 43,077                              |
| Office of Chief Information Officer .....                   | 60,373                              |
| Population, refugees, and migration .....                   | 626                                 |
| Office of Foreign Missions .....                            | 3,075                               |
| Post assignment travel .....                                | 64,401                              |
| CSRS/FERS transition .....                                  | 15,000                              |
| ICASS shortfall .....                                       | 5,000                               |
| Total, diplomatic and consular programs .....               | 1,685,794                           |

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

*China 2000.*—This initiative is designed to bolster our diplomatic presence in China after years of neglect. The Committee recommendation includes \$6,000,000 for China 2000, as requested. The Committee presumes that the entire amount will be dedicated to language training, infrastructure improvements, and repair of U.S. facilities in China. The Department is cautioned not to send personnel to China without prior language training, including junior officers and employees in nonlanguage designated positions. The Committee expects to be consulted prior to the release of these funds.

*Overseas staffing.*—Committee recommendation lifts the hiring freeze in place for the last several years and includes \$6,870,000 for 64 additional overseas positions, all dedicated to diplomatic and consular relations. The Committee expects to be consulted prior to the deployment of these new employees. No funds may be spent for

nonreimbursable details, details to nongovernmental organizations, or details as faculty advisers until the Secretary certifies that Embassy manning is at 100 percent of the requirements set by the overseas staffing model.

*Spending decreases.*—The Committee recommendation holds Washington-based bureaus and department leadership in overseas bureaus to fiscal year 1998 funding levels, and eliminates funding for two new starts: support to diplomatic operations and antiterrorism emergency fund. The latter is a contingency fund. The Committee recommendation also eliminates funding for public and legislative affairs outside of the bureaus immediately responsible for those activities. The Department's share of the Presidential Advisory Commission on Holocaust Assets in the United States has been accommodated by adjusting the budget of the Bureau of Economic and Business Affairs.

*Continuing language education.*—Language skills are central to the effectiveness of State Department employees abroad, regardless of assignment. As important, language skills ensure dependents are not overwhelmed by feelings of isolation and alienation, resulting in lowered post morale. The Committee is aware that posts are eliminating continuing language education programs as an austerity measure. Within available funds, the Committee recommendation assumes \$5,000,000 is available only for continuing language education programs for both employees and dependents at posts worldwide. Language classes should also be open to non-State Department (Federal) employees on a space available, reimbursable basis. The Committee looks forward to a final accounting of how these funds were distributed and would welcome a reprogramming if the funds provided prove inadequate to the task.

*Census 2000.*—The Committee understands that Americans living overseas are not included in the plans for census 2000. The Committee directs the Department to provide the necessary information to the Bureau of the Census so that Americans living abroad may be contacted for participation in census 2000.

*International Cooperative Administrative Support Services [ICASS] Program.*—The Committee understands that the participation of the Foreign Agricultural Service [FAS] in the ICASS program has not been funded. If this is the case, the Department of State, through individual Ambassadors, is directed to prohibit FAS personnel from using Department facilities or housing for the purposes of carrying out their duties. FAS staff shall be welcome at posts only when the Department of Agriculture abides by the terms of the ICASS program.

The Committee has continued language in the bill, requested by the administration, which: (1) permits up to \$4,000,000 in amounts made available in the "Diplomatic and consular programs" account to be transferred to the "Emergencies in the Diplomatic and Consular Service" account for evacuations and terrorism rewards; (2) extends MRV fees; (3) provides that 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; and (4) provides that 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. A new provision provides additional resources to the East-West Center, also funded elsewhere in this title.

SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$363,513,000 |
| Budget estimate, 1999 .....    | 367,778,000   |
| Committee recommendation ..... | 349,474,000   |

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

The Committee recommends \$349,474,000 for fiscal year 1999 for salaries and expenses. The recommendation is \$14,039,000 below the fiscal year 1998 appropriation and \$18,304,000 below the fiscal year 1999 request. With the exceptions noted below, funding in this account is equal to fiscal year 1998 levels. This action is taken without prejudice.

The Committee recommendations are displayed in the following table:

*Salaries and expenses*

[In thousands of dollars]

|  | <i>Committee<br/>recommendation</i> |
|--|-------------------------------------|
| Legislative affairs .....                        | 4,549                               |
| Personnel complements (long-term training) ..... | 12,099                              |
| Office of Public Affairs .....                   | 9,976                               |
| Management .....                                 | 3,889                               |
| Bureau of Personnel .....                        | 44,846                              |
| Office of Secretary .....                        | 19,413                              |
| Office of Finance and Management Policy .....    | 34,460                              |
| Office of Administration .....                   | 104,267                             |
| Diplomatic security .....                        | 78,409                              |
| Office of Chief Information Officer .....        | 37,566                              |
| <br>Total, salaries and expenses .....           | <br>349,474                         |

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

*Spending increases.*—The Committee recommendation fully funds long-term training. Department leadership funding in the Offices of Chief Information Officer and Finance and Management Policy is equal to fiscal year 1998 levels, but other mandatory increases are provided. Of the funds provided for legislative affairs, \$200,000 is only for travel.

*Main State renovation.*—The Committee recommendation transfers funding for main State renovation from the Office of Administration to security and maintenance of U.S. missions.

CAPITAL INVESTMENT FUND

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$86,000,000 |
| Budget estimate, 1999 .....    | 118,340,000  |
| Committee recommendation ..... | 118,340,000  |

This account provides resources for desperately needed investments in information and communications systems. The Department's information systems are totally inadequate to meet critical mission requirements. Overseas, about 55 percent of radio equip-

ment, 45 percent of computer equipment, and 45 percent of telephone systems are obsolete.

The Committee recommends \$118,340,000 for fiscal year 1999 for the capital investment fund. The recommendation is \$32,340,000 above the fiscal year 1998 appropriation and identical to the fiscal year 1999 request.

The Committee is concerned about the ability of the State Department to bring its financial, accounting, real property management, and logistics systems into year 2000 compliance by December 31, 1999. The Committee would welcome, if necessary, a reprogramming of funds to ensure that upgrades to the Department of State's core management systems are completed in time.

The Committee recommendations are displayed in the following table:

| <i>Capital investment fund</i>              |                                     |
|---|-------------------------------------|
| [In thousands of dollars]                   |                                     |
|   | <i>Committee<br/>recommendation</i> |
| Technology infrastructure:                  |                                     |
| Year 2000 compliance .....                  | 9,031                               |
| Computer modernization .....                | 36,731                              |
| Core management systems .....               | 9,074                               |
| Messaging: cables/e-mail .....              | 13,700                              |
| Subtotal .....                              | 68,536                              |
| <hr/>                                       |                                     |
| Diplomatic Telecommunications Service ..... | 18,340                              |
| Applications and software development ..... | 27,364                              |
| Training and project management .....       | 4,100                               |
| <hr/>                                       |                                     |
| Total, capital investment fund .....        | 118,340                             |

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

*Computer modernization.*—The Department has embarked upon a two-part strategy for addressing year 2000 compliance. One part involves replacing proprietary, obsolete legacy systems. This is doubly beneficial in that: (1) exorbitant costs to modify and maintain antiquated systems are avoided, and (2) operational effectiveness and productivity are improved. The Committee recommendation recognizes this initiative as the single most important in the State Department's request.

*Applications and software development.*—The second part of the year 2000 compliance strategy involves adapting software, where cost effective, in high-end systems with prohibitive replacement costs. These critical systems include personnel, finance, real property management, and logistics, and will serve both the State Department and, where feasible, the U.S. Information Agency.

*Training and program management.*—New equipment is worthless unless the user is fully trained. Similarly, proper management and scheduling can significantly reduce the disruptiveness of installations on post activities. State will install new unclassified systems in over 80 posts in fiscal year 1999, down from 100 posts in fiscal year 1998, and will accelerate the modernization of classified systems.

## OFFICE OF INSPECTOR GENERAL

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$27,495,000 |
| Budget estimate, 1999 .....    | 28,717,000   |
| Committee recommendation ..... | 27,495,000   |

The Committee recommends \$27,495,000 for fiscal year 1999 for the Office of the Inspector General. The recommendation is identical to the fiscal year 1998 appropriation and \$1,222,000 below the fiscal year 1999 request.

## REPRESENTATION ALLOWANCES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$4,200,000 |
| Budget estimate, 1999 .....    | 4,300,000   |
| Committee recommendation ..... | 6,500,000   |

Representation allowances: (1) provide partial reimbursement to Foreign Service officers for expenditures incurred in their official capacities abroad in establishing and maintaining relations with officials of foreign governments and appropriate members of local communities, and (2) fund representation functions conducted by senior administration officials in support of U.S. foreign policy goals.

The Committee recommends \$6,500,000 for fiscal year 1999 for representation allowances. The recommendation is \$2,300,000 above the fiscal year 1998 appropriation and \$2,200,000 above the fiscal year 1999 request. The increase in this account is attributable to the transfer of representation funds previously provided under emergencies in the Diplomatic and Consular Service to this account. The Committee recommendation consolidates all representation funding in this account.

## PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$7,900,000 |
| Budget estimate, 1999 .....    | 8,100,000   |
| Committee recommendation ..... | 7,900,000   |

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

The Committee recommends \$7,900,000 for fiscal year 1999 for protection of foreign missions and officials. The recommendation is identical to the fiscal year 1998 appropriation and \$200,000 below the fiscal year 1999 request.

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

## SECURITY AND MAINTENANCE OF U.S. MISSIONS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$404,000,000 |
| Budget estimate, 1999 .....    | 640,800,000   |
| Committee recommendation ..... | 550,832,000   |

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

The Committee recommends \$550,832,000 for fiscal year 1999 for security and maintenance of U.S. missions. The recommendation is \$146,832,000 above the fiscal year 1998 appropriation and \$89,968,000 below the fiscal year 1999 request. As in the past, funds shall be disbursed only after consultation with the Committees on Appropriations.

The Committee recognizes that the family is instrumental in assuring the efficiency, productivity, and morale of overseas employees. Personnel distracted by chronic housing problems are not focused on advancing U.S. interests abroad. The Committee believes that it can best support the families of overseas employees, and the employees themselves, by ensuring that every post has adequate housing and recreational facilities.

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

*Security and maintenance of U.S. missions*

[In thousands of dollars]

|   | <i>Committee<br/>recommendation</i> |
|---|-------------------------------------|
| Capital Program:  |                                     |
| Housing:  |                                     |
| Acquisition: Vladivostok, Russia .....                  | 14,000                              |
| Design/construction:                                    |                                     |
| Berlin, Germany .....                                   | 11,500                              |
| Shanghai, China .....                                   | 27,400                              |
| Subtotal, housing .....                                 | <u>52,900</u>                       |
| Facilities:   |                                     |
| Construction: Shenyang, China—recreation facility ..... | 300                                 |
| Design:   |                                     |
| Beijing, China—chancery .....                           | 14,500                              |
| Berlin, Germany—chancery .....                          | 10,000                              |
| Repair/renovation: Main State .....                     | 7,561                               |
| Subtotal, facilities .....                              | <u>32,361</u>                       |
| Leasehold Program .....                                 | <u>119,898</u>                      |
| Functional programs:                                    |                                     |
| Buyout of uneconomic leases .....                       | 42,650                              |
| Physical security upgrade .....                         | 17,800                              |
| Safety and fire programs .....                          | 8,505                               |
| Energy, conservation, and investment .....              | 3,700                               |
| Power Support Program .....                             | 5,291                               |
| Seismic Program .....                                   | 675                                 |
| Post communications support .....                       | 15,000                              |
| Environmental services .....                            | 2,670                               |
| Maintenance of buildings .....                          | 66,225                              |
| Facility rehabilitation .....                           | 64,450                              |

|  | <i>Committee<br/>recommendation</i> |
|--|-------------------------------------|
| Facility maintenance assistance .....            | 40,122                              |
| Interior planning, design, and furnishings ..... | 8,877                               |
| Program execution .....                          | 32,079                              |
| Construction security .....                      | 18,284                              |
| Subtotal .....                                   | 326,328                             |
| Administration .....                             | 19,345                              |
| Total, security and maintenance .....            | 550,832                             |

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

*China.*—The Committee recommendation provides \$27,400,000 to construct high quality, Western-style houses in Shanghai. The Committee recommendation also provides \$14,500,000 to build a new chancery in Beijing on the Liang Ma He site. Because the construction contract for the chancery will not be awarded until well into fiscal year 2000, funding for fiscal year 1999 has been limited to design. The Committee fully expects the State Department to request construction funding next year, barring an unforeseen delay in the schedule. Finally, the Committee recommendation provides \$300,000 for a small recreation facility in Shenyang. The Committee recommendation assumes that land parcels in Shenyang and Guangzhou will be acquired in fiscal year 1999 using available resources.

*Germany.*—The Committee recommends \$11,500,000 for the repair and renovation of housing in Berlin, including 37 houses in the Pueckler complex and 2 other houses that suffered severe water damage. Repairs to the remaining Pueckler houses, villas, and the so-called Duck Pond houses shall be funded out of available resources. The Committee expects the Embassy in Bonn to have transferred the maintenance and repair personnel necessary to undertake the housing renovations not later than October 1, 1998. The Committee recommendation also provides \$10,000,000 for the Berlin chancery. Because the construction contract for the chancery will not be awarded until well into fiscal year 2000, funding for fiscal year 1999 has been limited to design. The Committee fully expects the State Department to request construction funding next year, barring some unforeseen schedule delay.

*Facility rehabilitation.*—Well maintained plumbing, electrical, heating, air-conditioning, facades, and windows must be replaced on a cyclical basis. Presently, the Department has a backlog of 77 major rehabilitation projects totaling \$290,000,000. The fiscal year 1999 request would partially fund 31 projects. There is no greater priority in this account than guarding the massive investment the American taxpayers have made in overseas facilities. The Committee recommendation provides \$64,450,000 for facility rehabilitation as the downpayment on a 5-year plan to totally eliminate the backlog of major rehabilitation projects. The Committee expects State to budget accordingly in the out-years.

*Facility maintenance assistance.*—An aggressive preventive maintenance program ensures maximum return on taxpayer investment in overseas facilities. The Committee recommendation provides \$40,122,000 for facility maintenance assistance to expand

both State's preventive maintenance program and the successful facility maintenance specialist program.

*Buyout of uneconomic leases.*—High lease costs are a drain on Department resources. The Committee supports efforts by State to selectively acquire properties in cities with volatile rental markets, thus generating significant out-year savings. The Committee recommendation provides \$42,650,000 for opportunity purchases.

*Post communications support.*—This subaccount funds the replacement of obsolete telephone equipment with year 2000 compliant systems at U.S. Government-owned and long-term leased facilities overseas. At present, State has unfunded requirements at 47 priority posts totaling \$68,000,000. The fiscal year 1999 request would fund telephone upgrades at four posts, a pace of modernization that is unacceptably slow. Therefore, the Committee recommendation provides \$15,000,000 to accelerate telephone installations overseas.

*Marine security guards.*—The Committee recommendation does not include funding to expand the number of Embassies with marine security guards. Instead, the requested amount of \$12,800,000 shall only be used to repair and improve existing marine houses and posts. The funds required to implement the expansion of a 24-hour marine presence to an additional 11 Embassies shall be derived from available resources.

*Overseas real estate.*—Contrary to expectation, State has shown marked improvement in its asset management program. The Committee commends the Department and looks forward to continued prompt disposal of excess real estate when market conditions permit.

*Main State renovation.*—The Committee recommendation transfers \$7,561,000 for main State renovation from salaries and expenses to this account.

The Committee recommendation 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. A new provision gives the Department the authority to spend security and maintenance funds on main State renovation.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$5,500,000 |
| Budget estimate, 1999 .....    | 5,500,000   |
| Committee recommendation ..... | 3,500,000   |

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

The Committee recommends \$3,500,000 for fiscal year 1999 for emergencies in the Diplomatic and Consular Service. The rec-

ommendation is \$2,000,000 below the fiscal year 1998 appropriation and the fiscal year 1999 request.

Previously, the representation expenses of senior administration officials were paid out of this account. The Committee recommendation consolidates all representation funding under representation allowances. The reduction from the request for the "Emergencies in the Diplomatic and Consular Service" account reflects this transfer of resources. The remaining funds are intended for emergencies.

The Committee has continued a provision permitting up to \$1,000,000 to be transferred from this account to the "Repatriation loans program" account to ensure an adequate level of resources is available for loans to American citizens in distress. The Committee also has continued a provision under the "Diplomatic and consular affairs" account permitting up to \$4,000,000 to be transferred from that account to the "Emergencies in the Diplomatic and Consular Service" account to ensure adequate funds are available for evacuations and terrorism rewards.

#### REPATRIATION LOANS PROGRAM ACCOUNT

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$1,200,000 |
| Budget estimate, 1999 .....    | 1,200,000   |
| Committee recommendation ..... | 1,000,000   |

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

The Committee recommends \$1,000,000 for fiscal year 1999 for the "Repatriation loans program" account as authorized by 22 U.S.C. 2671. The recommendation is \$200,000 below the fiscal year 1998 appropriation and the fiscal year 1999 request.

Too often, the repatriation loans program provides a free ticket home for those showing poor judgment. The Committee has neither the desire nor the resources to subsidize irresponsibility when less than 20 percent of loans are ever repaid. The Committee strongly endorses efforts by consular services to limit assistance only to victims of unforeseen circumstances or travelers whose mental instability presents a risk to themselves or others.

The Committee has continued a provision under emergencies in the Diplomatic and Consular Service permitting up to \$1,000,000 to be transferred from that account to the Repatriation Loans Program to ensure an adequate level of resources is available for citizens in distress.

#### PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$14,000,000 |
| Budget estimate, 1999 .....    | 16,426,000   |
| Committee recommendation ..... | 14,490,000   |

The Taiwan Relations Act requires that programs concerning Taiwan be carried out by the American Institute in Taiwan [AIT] 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.

The Committee recommends \$14,490,000 for fiscal year 1999 for payment to the American Institute in Taiwan. The recommendation is \$490,000 above the fiscal year 1998 appropriation and \$1,936,000 below the fiscal year 1999 request. The Committee recommendation assumes that \$11,200,000 in fees and reimbursements will be available to the Institute.

An inspector general [IG] audit of the AIT released March 1998 highlighted serious financial and management shortcomings. The IG report described a budget in disarray. The Committee will consider providing additional funds for the AIT only after all issues raised by the IG are satisfactorily resolved.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY  
FUND

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$129,935,000 |
| Budget estimate, 1999 .....    | 132,500,000   |
| Committee recommendation ..... | 132,500,000   |

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

The Committee recommends \$132,500,000 for fiscal year 1999 for payment to the Foreign Service retirement and disability fund. The recommendation is \$2,565,000 above the fiscal year 1998 appropriation and identical to the fiscal year 1999 request.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

The Committee recommendations described below continue to adhere strictly to the bipartisan agreement made last year on United Nations reform and funding.

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$955,515,000 |
| Budget estimate, 1999 .....    | 930,773,000   |
| Committee recommendation ..... | 1,131,718,000 |

The Committee recommends \$1,131,718,000 for fiscal year 1999 for payment of the obligations of U.S. membership in international organizations, including arrearages, as authorized by conventions, treaties, or specific acts of Congress. The recommendation is \$176,203,000 above the fiscal year 1998 appropriation and \$200,945,000 above the fiscal year 1999 request.

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

*Contributions to international organizations*

[In thousands of dollars]

|   | <i>Committee<br/>recommendation</i> |
|---|-------------------------------------|
| United Nations and affiliated agencies:         |                                     |
| Food and Agriculture Organization .....         | 80,975                              |
| International Atomic Energy Agency .....        | 48,587                              |
| International Civil Aviation Organization ..... | 14,248                              |

|  | <i>Committee<br/>recommendation</i> |
|--|-------------------------------------|
| International Labor Organization .....   | 59,824                              |
| International Maritime Organization .....  | 1,086                               |
| International Telecommunications Union .....   | 6,635                               |
| United Nations—Regular .....   | 297,048                             |
| United Nations—War Crimes Tribunal .....   | 25,000                              |
| Universal Postal Union .....   | 1,210                               |
| World Health Organization .....  | 104,036                             |
| World Intellectual Property Organization .....   | 1,089                               |
| World Meteorological Organization .....  | 10,677                              |
| Subtotal .....   | <u>650,415</u>                      |
| Inter-American organizations:  |                                     |
| Inter-American Indian Institute .....  | 66                                  |
| Inter-American Institute for Cooperation on Agriculture .....                            | 15,043                              |
| Organization of American States .....  | 50,964                              |
| Pan American Health Organization .....   | 47,931                              |
| Pan American Institute of Geography and History .....                                    | 477                                 |
| Subtotal .....   | <u>114,481</u>                      |
| Regional organizations:  |                                     |
| Asia-Pacific Economic Cooperation .....  | 850                                 |
| Colombo Plan Council for Technical Cooperation .....                                     | 12                                  |
| North Atlantic Assembly .....  | 693                                 |
| North Atlantic Treaty Organization .....   | 45,927                              |
| Organization for Economic Cooperation and Development .....                              | 52,703                              |
| South Pacific Commission .....   | 1,230                               |
| Subtotal .....   | <u>101,415</u>                      |
| Other international organizations:   |                                     |
| Customs Cooperation Council .....  | 3,457                               |
| International Agency for Research on Cancer .....  | 1,512                               |
| International Bureau/Publication of Customs Tariffs .....                                | 103                                 |
| International Bureau of Weights and Measures .....                                       | 838                                 |
| International Center/Study of Preservation and Restoration of<br>Cultural Property ..... | 581                                 |
| International Hydrographic Organization .....  | 96                                  |
| International Office of Epizootics .....   | 73                                  |
| International Organization of Legal Metrology .....                                      | 117                                 |
| International Union/Conservation of Nature and Natural Re-<br>sources .....              | 265                                 |
| Organization for the Prevention of Chemical Weapons .....                                | 16,256                              |
| World Trade Organization/General Agreement on Tariffs and<br>Trade .....                 | 12,461                              |
| ICC organizations .....  | 1,223                               |
| Subtotal .....   | <u>36,982</u>                       |
| Subtotal, current year assessments .....   | <u>903,293</u>                      |
| Arrears .....  | <u>254,000</u>                      |
| Spending reductions:   |                                     |
| Exchange rate savings .....  | 14,075                              |
| U.N. buydown .....   | 11,500                              |
| Subtotal .....   | <u>25,575</u>                       |
| Total, international organizations .....   | 1,131,718                           |

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

*U.N. reform.*—The Committee recommendation includes \$254,000,000 for arrears, subject to authorization and the terms of the fiscal year 1998 budget resolution.

*Spending decreases.*—The recommendation assumes exchange rate savings due to the continuing strength of the U.S. dollar, savings realized from withdrawal from the Interparliamentary Union and the Bureau of International Expositions, and savings attributable to unneeded dues for the International Seabed Authority and the International Tribunal of the Law of the Sea, neither of which is expected to be approved by the Senate before fiscal year 2000. In addition, the Committee directs the Department to provide \$11,500,000 out of funds made available in fiscal year 1998 for peacekeeping to partially prepay U.N. regular budget assessments for calendar year 1998.

*Excessive administrative overhead.*—The Committee is aware of an international organization receiving U.S. dues with an astonishing 85 percent overhead rate. Funds for international organizations may only be released upon certification by the State Department to the Committees on Appropriations that overhead costs account for no more than 15 percent of the total budget of a given international organization. The Committee expects the certification process to be completed not later than December 31, 1998. The certification should include a listing of what is considered overhead. In addition, the Committee recommendation imposes prorated reductions on U.S. assessments to international organizations with overhead rates over 15 percent. This is in anticipation of a reduction in dues as administrative costs are trimmed to meet certification requirements.

*Commodity-based international organizations.*—Previously, funding was provided in this account for U.S. membership in the following nine commodity-based international organizations: the International Copper Study Group, the International Cotton Advisory Committee, the International Lead and Zinc Study Group, the International Natural Rubber Organization, the International Office of the Vine and Wine, the International Rubber Study Group, the International Seed Testing Association, the International Tropical Timber Organization, and the International Grains Council. This year, the Committee recommendation provides funding for the above organizations under the International Trade Administration in title II.

*Law-based international organizations.*—Previously, funding was provided in this account for U.S. membership in three law-based international organizations: the Hague Conference on Private International Law, the International Bureau of the Permanent Court of Arbitration, and the International Institute for the Unification of Private Law. This year, the Committee recommendation provides funding for the above organizations under general legal activities in title I.

#### CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$256,000,000 |
| Budget estimate, 1999 .....    | 231,000,000   |
| Committee recommendation ..... | 431,093,000   |

The Committee recommends \$431,093,000 for fiscal year 1999 for U.S. payments for contributions for international peacekeeping activities, including arrearages. The recommendation is \$175,093,000 above the fiscal year 1998 appropriation and \$200,093,000 above the fiscal year 1999 request. The Committee is aware that \$20,907,000 in prior year unencumbered balances are available to this account.

The Committee recommendations by mission are displayed in the following table:

*Contributions for international peacekeeping activities*

[In thousands of dollars]

|  | <i>Committee<br/>recommendation</i> |
|--|-------------------------------------|
| U.N. Disengagement Observer Force—UNDOF .....  | 8,000                               |
| U.N. Interim Force in Lebanon—UNIFIL .....   | 29,900                              |
| U.N. Iraq/Kuwait Observer Mission—UNIKOM .....   | 5,000                               |
| U.N. Angola Verification Mission .....   | 13,700                              |
| U.N. Mission in Western Sahara—MINURSO .....   | 23,600                              |
| U.N. operations in the former Yugoslavia:  |                                     |
| U.N. Protection Force in Yugoslavia—UNPROFOR .....   | 48,000                              |
| U.N. Preventive Deployment Force—UNPREDEP/former Yugo-<br>slavia Republic of Macedonia—FYROM ..... | 12,000                              |
| U.N. Mission in Bosnia/Herzegovina—UNMIBH/U.N. Mission<br>of Observers Prevlaka—UNMOP .....        | 45,000                              |
| Subtotal, former Yugoslavia .....  | 105,000                             |
| U.N. Force in Cyprus—UNFICYP .....   | 7,000                               |
| U.N. Observer Mission in Georgia—UNOMIG .....  | 8,300                               |
| U.N. Mission of Observers to Tajikistan—UNMOT .....  | 3,000                               |
| War Crimes Tribunals—Yugoslavia, Rwanda, and Iraq .....  | 24,000                              |
| U.N. Observer Group in Sierra Leone .....  | 3,500                               |
| Subtotal .....   | 231,000                             |
| Spending decreases: Unencumbered balances .....  | 20,907                              |
| Arrears .....  | 221,000                             |
| Total, peacekeeping .....  | 431,093                             |

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

*U.N. reform.*—The Committee recommendation includes \$221,000,000 for arrears, subject to authorization and the terms of the fiscal year 1998 budget resolution.

*War crimes.*—The United Nations anticipated a surge in caseload before the Yugoslavia and Rwanda war crimes tribunals in fiscal year 1999, necessitating still greater increases over fiscal year 1998 for additional judges, staff, and courtrooms. As yet, the surge has failed to materialize, and the United Nations cannot spend the funds provided. In fact, the Department sought to reprogram funds out of the war crimes tribunal account for other peacekeeping missions. The Committee recommendation of \$24,000,000 for the war crimes tribunals provides a substantial cushion should additional accused war criminals be apprehended or turn themselves in to authorities. Of the amount provided, \$5,000,000 is available only to establish a war crime tribunal to review atrocities committed by Iraq's military and security forces against Kurds and Shiites.

*Cost sharing.*—The Committee notes that the nations most immediately benefiting from the U.N. Iraq/Kuwait Observer Mission and the U.N. Force in Cyprus bear a large percentage of the operational costs. The Committee urges the State Department to pursue similar cost-sharing arrangements with other states benefiting from U.N. peacekeeping missions, particularly those of an extended duration.

*New assessments.*—The United Nations is seeking to establish a Rapidly Deployable Mission Headquarters [RDMHQ] to hasten and smooth the initial phases of a peacekeeping operation. Voluntary contributions for the RDMHQ have fallen so short of initial expectations that the United Nations is now proposing that it be funded through an invisible tax on peacekeeping missions. If approved, the RDMHQ would have access to an unlimited stream of funds beyond congressional control. In the past, similar situations have led to unrestrained bureaucratic growth. The Committee directs the State Department to block any effort to convert RDMHQ funding from a voluntary to an assessed contribution.

#### INTERNATIONAL CONFERENCES AND CONTINGENCIES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     |             |
| Budget estimate, 1999 .....    | \$1,223,000 |
| Committee recommendation ..... |             |

The Committee does not recommend separate funding to finance the U.S. participation in multilateral intergovernmental conferences and contributions to new or provisional international organizations for fiscal year 1999. The Committee recommendation continues language under the “Contributions to international organizations” account to allow the transfer of up to \$1,223,000 to this account for the purpose of providing such funds.

#### INTERNATIONAL COMMISSIONS

##### INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$23,953,000 |
| Budget estimate, 1999 .....    | 26,304,000   |
| Committee recommendation ..... | 23,953,000   |

The Committee recommends \$23,953,000 for fiscal year 1999 for the International Boundary and Water Commission, United States and Mexico [IBWC]. The recommendation is identical to the fiscal year 1998 appropriation and \$2,351,000 below the fiscal year 1999 request. The total amount provided includes \$17,490,000 for salaries and expenses and \$6,463,000 for construction.

#### SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$17,490,000 |
| Budget estimate, 1999 .....    | 19,179,000   |
| Committee recommendation ..... | 17,490,000   |

The Committee recommends \$17,490,000 for fiscal year 1999 for the “Salaries and expenses” account. The recommendation is identical to the fiscal year 1998 appropriation and \$1,689,000 below the fiscal year 1999 request.

## CONSTRUCTION

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$6,463,000 |
| Budget estimate, 1999 .....    | 7,125,000   |
| Committee recommendation ..... | 6,463,000   |

The Committee recommends \$6,463,000 for fiscal year 1999 for construction. The recommendation is identical to the fiscal year 1998 appropriation and \$662,000 below the fiscal year 1999 request. The Committee recommendation provides \$2,000,000 for the Rio Grande canalization project.

## AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$5,490,000 |
| Budget estimate, 1999 .....    | 5,867,000   |
| Committee recommendation ..... | 5,490,000   |

The Committee recommends \$5,490,000 for fiscal year 1999 to fund the U.S. share of expenses of the International Boundary Commission [IBC], the International Joint Commission [IJC], and the Border Environment Cooperation Commission [BECC]. The recommendation is identical to the fiscal year 1998 appropriation and \$377,000 below the fiscal year 1999 request. The Committee recommendation provides \$3,432,000 for the IJC. The IJC is directed to develop the necessary mechanism for monitoring and accurately assessing existing diversions and consumptive uses of Great Lakes water in line with the recommendations in its own report, "Great Lakes Diversions and Consumptive Uses."

## INTERNATIONAL FISHERIES COMMISSIONS

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$14,549,000 |
| Budget estimate, 1999 .....    | 14,549,000   |
| Committee recommendation ..... | 14,549,000   |

The Committee recommends \$14,549,000 for fiscal year 1999 to fund the U.S. share of the expenses of international fisheries commissions; participation in the International Council for the Exploration of the Sea; participation in the North Pacific Marine Sciences Organization; travel expenses of the U.S. commissioners and their advisors; and salaries of non-Government employees of the Pacific Salmon Commission for days actually worked as commissioners and panel members and alternates. The recommendation is identical to the fiscal year 1998 appropriation and the fiscal year 1999 request. The recommendation provides \$9,353,000 for the Great Lakes Fishery Commission, as requested, including \$8,724,000 for the sea lamprey operations and research program, of which not less than \$1,000,000 shall be used to treat the St. Mary's River in Michigan.

## OTHER

## PAYMENT TO THE ASIA FOUNDATION

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$8,000,000 |
| Budget estimate, 1999 .....    | 15,000,000  |
| Committee recommendation ..... |             |

The Committee does not recommend funding for fiscal year 1999 for the Asia Foundation. The recommendation is \$8,000,000 less

than the fiscal year 1998 appropriation and \$15,000,000 less than the fiscal year 1999 request.

The Asia Foundation is a nongovernmental grantmaking organization that Congress has repeatedly urged to aggressively pursue private funds to support its activities. The Committee believes that the time has come for the Asia Foundation to graduate from public support.

As a means of balancing the Beijing Government's assertion that it speaks for all Chinese, the Committee urges the State Department to consider supporting the work of the National Committee on United States-China Relations. The National Committee's experience, depth of associations, and activities make it a unique national resource. In particular, the National Committee's ties to Taiwan and Hong Kong could bring an increasingly ignored perspective to the forefront of United States policy considerations in East Asia.

## RELATED AGENCIES

### ARMS CONTROL AND DISARMAMENT AGENCY

#### ARMS CONTROL AND DISARMAMENT ACTIVITIES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$41,500,000 |
| Budget estimate, 1999 .....    | 43,400,000   |
| Committee recommendation ..... | 43,400,000   |

The Arms Control and Disarmament Agency [ACDA] advises and assists the President, the National Security Council, the Secretary of State, and other senior Government officials on arms control matters. On April 18, 1997, the White House announced that ACDA would be merged with the State Department within 1 year. Since then, the ACDA Director has also been named as the Acting Under Secretary of State for Arms Control and International Security in anticipation of consolidation.

The Committee recommends \$43,400,000 for fiscal year 1999 for ACDA. The recommendation is \$1,900,000 above the fiscal year 1998 appropriation and identical to the fiscal year 1999 request. Within available resources, \$765,000 is available only to install or upgrade international monitoring systems in Alaska, including primary seismic and infrasound stations at Eielson AFB, auxiliary seismic stations on Kodiak and Attu Islands, and radionuclide stations at Sand Point and Salchaket.

The Indo-Pakistani nuclear standoff makes clear that moral suasion has little effect on nations that feel threatened. The Committee urges ACDA to focus on more productive ways of managing the proliferation and control of nuclear arsenals.

### U.S. INFORMATION AGENCY

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1998 .....     | \$1,105,858,000 |
| Budget estimate, 1999 .....    | 1,119,300,000   |
| Committee recommendation ..... | 1,051,801,000   |

The Committee recommends \$1,051,801,000 for fiscal year 1999 for the U.S. Information Agency [USIA] to carry out the information, educational, and cultural exchange activities of the Agency, including support of the East-West and North/South Centers and

the National Endowment for Democracy, and international broadcasting operations. The recommendation also provides for the Eisenhower Exchange Fellowship Program Trust Fund and the Israeli-Arab Scholarship Endowment Fund. The recommendation is \$54,057,000 below the fiscal year 1998 appropriation and \$67,499,000 below the fiscal year 1999 request.

On June 2, 1998, USIA and the State Department announced a series of steps to begin the integration of the two agencies. The details of the Committee's recommendations for the nine USIA accounts are outlined in the following paragraphs.

#### INTERNATIONAL INFORMATION PROGRAMS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$427,097,000 |
| Budget estimate, 1999 .....    | 461,728,000   |
| Committee recommendation ..... | 427,097,000   |

The Committee recommends \$427,097,000 for fiscal year 1999 for international information programs. The recommendation is identical to the fiscal year 1998 appropriation and \$34,631,000 below the fiscal year 1999 request. Within available resources, USIA is directed to establish a full-fledged information resource center in Guangzhou, China.

The Committee recommendation includes the following limitations on the use of funds which have been 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, 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.

#### TECHNOLOGY FUND

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$5,050,000 |
| Budget estimate, 1999 .....    | 5,050,000   |
| Committee recommendation ..... | 5,050,000   |

This account helps to modernize USIA's nonbroadcasting computer and telecommunications infrastructure. This account largely replaces an investment strategy that had relied heavily on available end-of-year funds.

The Committee recommends \$5,050,000 for fiscal year 1999 for the technology fund. The recommendation is identical to the fiscal year 1998 appropriation and the fiscal year 1999 request.

#### EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$197,731,000 |
| Budget estimate, 1999 .....    | 199,024,000   |
| Committee recommendation ..... | 205,024,000   |

The Committee recommends \$205,024,000 for fiscal year 1999 for educational and cultural exchange programs. The recommendation

is \$7,293,000 above the fiscal year 1998 appropriation and is \$6,000,000 above the fiscal year 1999 request.

The Committee notes that fiscal year 1999 funding for exchange programs in the New Independent States [NIS] of the former Soviet Union is provided under the Foreign Operations appropriations bill.

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

*Cultural and Educational Exchanges*

[In thousands of dollars]

|   | <i>Committee<br/>recommendation</i> |
|---|-------------------------------------|
| Academic programs:  |                                     |
| Fulbright Program:  |                                     |
| Students, scholars, teachers .....                          | 96,546                              |
| Hubert H. Humphrey Fellowship Program .....                 | 5,000                               |
| Subtotal .....  | <u>101,546</u>                      |
| Other academic programs:                                    |                                     |
| Study of the United States .....                            | 2,202                               |
| College and University Affiliations Program .....           | 1,549                               |
| Educational advising and student services .....             | 3,097                               |
| English language programs .....                             | 2,479                               |
| Council of American Overseas Research Centers [CAORC] ..... | 300                                 |
| Subtotal .....  | <u>9,627</u>                        |
| Other special academic programs:                            |                                     |
| Edmund S. Muskie Fellowship Program .....                   | 3,253                               |
| American overseas research centers .....                    | 1,700                               |
| South Pacific exchanges .....                               | 750                                 |
| Subtotal .....  | <u>5,703</u>                        |
| Subtotal, academic .....                                    | <u>116,876</u>                      |
| Professional and cultural programs:                         |                                     |
| International Visitors Program .....                        | 41,270                              |
| Citizen Exchange Program .....                              | 15,983                              |
| Subtotal .....  | <u>57,253</u>                       |
| Other professional and cultural programs:                   |                                     |
| Mike Mansfield fellowships programs .....                   | 2,600                               |
| United States/Mexico Conflict Resolution Center .....       | 750                                 |
| Institute for Representative Government .....               | 510                                 |
| 1999 Women's World Cup .....                                | 3,500                               |
| Special Olympics .....                                      | 2,000                               |
| Subtotal .....  | <u>9,360</u>                        |
| Subtotal, professional and cultural programs .....          | <u>66,613</u>                       |
| Exchanges support:  |                                     |
| Employee compensation and benefits .....                    | 19,319                              |
| Program direction and administration .....                  | 2,216                               |
| Subtotal .....  | <u>21,535</u>                       |
| Total, cultural and educational exchanges .....             | 205,024                             |

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

*Special Olympics.*—The amount provided for the Special Olympics is to be allocated to the organizing committees for the 1999 Summer World Special Olympics games and the 2001 Winter World Special Olympics games.

*Reprioritization.*—The Committee recommendation defers or reduces funding for the following exchange programs: the Cambodia, Tibet, and East Timor exchanges; the disability exchange clearinghouse; the Near and Middle East Research and Training Act program; the Congress-Bundestag youth exchange; and the East European executive education program; the students, scholars, and teachers portion of the Fulbright Program; and the Muskie Fellowship Program.

The Committee supports citizen exchange initiatives that are targeted specifically toward young political leaders. The American Council of Young Political Leaders [ACYPL] has provided outstanding programming in this arena for more than 30 years. The Committee urges USIA to increase the funding level for ACYPL in order to provide resources for the continuation of ACYPL's exchanges.

As in the past, the Committee expects to be consulted prior to the release of funds.

#### EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

##### EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

|                                |           |
|--------------------------------|-----------|
| Appropriations, 1998 .....     | \$570,000 |
| Budget estimate, 1999 .....    | 600,000   |
| Committee recommendation ..... | 525,000   |

The Committee recommends \$525,000 for an appropriation of interest and earnings in the Eisenhower Exchange Fellowship Program Trust Fund, authorized by the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101-454). The recommendation is \$45,000 below the fiscal year 1998 appropriation, \$75,000 less than the fiscal year 1999 request, and reflects a refined estimate of interest and earnings available for fiscal year 1999.

The Eisenhower Exchange Fellowship Act of 1990 authorized a permanent endowment for the Eisenhower Exchange Fellowship Program. The act established the Eisenhower Exchange Fellowship Program Trust Fund in the U.S. Treasury for these purposes. A total of \$7,500,000 has been provided to establish a permanent endowment for the program, from which interest and earnings in the fund are appropriated to Eisenhower Exchange Fellowships, Inc.

#### ISRAELI-ARAB SCHOLARSHIP PROGRAM

|                                |           |
|--------------------------------|-----------|
| Appropriations, 1998 .....     | \$400,000 |
| Budget estimate, 1999 .....    | 400,000   |
| Committee recommendation ..... | 350,000   |

The Committee recommends language in the accompanying bill which will appropriate interest and earnings of the Israeli-Arab Scholarship Endowment Fund estimated to be \$350,000 for fiscal year 1999. The recommendation reflects a refined budget estimate and is \$50,000 less than the fiscal year 1998 appropriation and the fiscal year 1999 request.

A permanent endowment of \$4,978,500 for the fund was established in fiscal year 1992 with funds made available to the U.S. 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

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$364,415,000 |
| Budget estimate, 1999 .....    | 365,986,000   |
| Committee recommendation ..... | 332,915,000   |

This account funds the operating and engineering costs of Voice of America [VOA], Radio Free Europe/Radio Liberty [RFE/RL], Radio Free Asia [RFA], Worldnet Television, and the Broadcasting Board of Governors [BBG].

The Committee recommends \$332,915,000 for fiscal year 1999 for U.S. international broadcasting operations. Since the Committee rejects the proposal in the budget request to fund broadcasting to Cuba within this account, the figures listed above represent funding levels for non-Cuba broadcasting operations. The recommendation is \$31,500,000 below the fiscal year 1998 appropriation and \$33,071,000 below the fiscal year 1999 request.

The Committee is concerned with the execution of the fiscal year 1998 broadcasting budget: (1) as much as \$12,516,000 may expire; (2) \$6,394,000 cannot be accounted for; and (3) \$12,100,000 will carry over. The Committee recommendation holds broadcasting operations to last year's level, with a few exceptions and adjustments described below. This recommendation is intended to stabilize the broadcasting budget.

The Committee recommendations are displayed in the following table:

[In thousands of dollars]

|  | <i>Committee<br/>recommendation</i> |
|--|-------------------------------------|
| Broadcasting Board of Governors:           |                                     |
| International Broadcasting Bureau .....    | 1,400                               |
| Voice of America .....                     | 101,459                             |
| Worldnet Television and Film Service ..... | 19,993                              |
| Engineering and technical operations ..... | 114,256                             |
| Program support .....                      | 13,250                              |
| Administrative support .....               | 12,854                              |
| Subtotal .....                             | <u>263,212</u>                      |
| Independent grantee organizations:         |                                     |
| Radio Free Europe/Radio Liberty .....      | 69,969                              |
| Radio Free Asia .....                      | 19,400                              |
| Subtotal .....                             | <u>89,369</u>                       |
| Fiscal year 1999 initiatives:              |                                     |
| Uyghur broadcasting .....                  | 2,447                               |
| Macedonian broadcasting .....              | 200                                 |
| Subtotal .....                             | <u>2,647</u>                        |
| Spending reductions:                       |                                     |
| Carryover .....                            | 12,100                              |

|  |                                     |
|--|-------------------------------------|
|  | <i>Committee<br/>recommendation</i> |
| Exchange rate savings .....                        | 1,172                               |
| Undistributed reduction .....                      | 6,394                               |
|  | <hr/>                               |
| Subtotal .....                                     | 19,666                              |
|  | <hr/>                               |
| Total, international broadcasting operations ..... | 332,915                             |

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

*Tactical broadcasting fund.*—The Committee has not provided for this contingency fund.

*China.*—Of the funds made available for Radio Free Europe, \$2,447,000 is for the expansion of the Kazak and Kyrgyz services to include Uyghur programming targeted at Turkic language minorities in northwest China.

*Macedonia.*—Of the funds made available for Radio Free Europe, \$200,000 is for the expansion of the South Slavic service to include programming for Macedonia.

*Public-private financing.*—Under the terms of the United States International Broadcasting Act of 1994 (title III of Public Law 103–236), public financing of Radio Free Asia [RFA] will end on September 30, 1998, with the possibility of a 1-year waiver, and public financing of Radio Free Europe/Radio Liberty [RFE/RL] will end on December 31, 1999. As part of the fiscal year 1999 budget request, the President exercised his right to extend public support for RFA for one last year. The Committee is alarmed by the apparent failure of the Broadcasting Board of Governors [BBG] to prepare for the coming transition of both RFA and RFE/RL to private financing. The Committee directs the BBG to provide the Committees on Appropriations with the transition plans for RFA and RFE/RL not later than February 1, 1999.

*Consolidation.*—Currently, each arm of the International Broadcasting Bureau has its own congressional liaison. The result is a proliferation of uncoordinated broadcasting initiatives that are both duplicative and profligate. The Committee directs the Broadcasting Board of Governors [BBG] to centralize legislative liaison operations under itself. The BBG shall provide a report to the Appropriations Committees on the consolidation effort no later than October 1, 1998.

BROADCASTING TO CUBA

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$22,095,000 |
| Budget estimate, 1999 .....    | 22,704,000   |
| Committee recommendation ..... | 22,095,000   |

This account funds the operating and engineering costs of Radio and Television Marti.

The Committee recommends \$22,095,000 for fiscal year 1999 for broadcasting to Cuba. The recommendation is identical to the fiscal year 1998 appropriation and \$609,000 below the fiscal year 1999 request.

## RADIO CONSTRUCTION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$40,000,000 |
| Budget estimate, 1999 .....    | 25,308,000   |
| Committee recommendation ..... | 13,245,000   |

This account funds necessary maintenance, improvements, replacements, and repairs of broadcasting sites; satellite and terrestrial program feeds; and engineering support activities, broadcast facility leases, and land rentals.

The Committee recommends \$13,245,000 for fiscal year 1999 for radio construction. The recommendation is \$26,755,000 below the fiscal year 1998 appropriation and \$12,063,000 below the fiscal year 1999 request. The Committee is aware that \$12,063,000 in carryover is available in this account.

*Digital project.*—The Committee understands that the International Broadcasting Bureau’s conversion from analog to digital equipment has been beset by problems. In particular, the software contractor developing a successor to the system for news and programming [SNAP] has experienced serious schedule delays. The Committee directs that a quarterly report be provided on the progress of converting from analog to digital technology.

## EAST-WEST CENTER

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$12,000,000 |
| Budget estimate, 1999 .....    | 5,000,000    |
| Committee recommendation ..... | 12,000,000   |

The Committee recommends \$12,000,000 for fiscal year 1999 for the East-West Center. The recommendation is identical to the fiscal year 1998 appropriation and \$7,000,000 above the fiscal year 1999 request. The Committee is aware that another \$13,000,000 is available to the Center from the “Diplomatic and consular programs” account.

## NORTH/SOUTH CENTER

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$1,500,000 |
| Budget estimate, 1999 .....    | 2,500,000   |
| Committee recommendation ..... | 3,000,000   |

The Committee recommends \$3,000,000 for fiscal year 1999 for the North/South Center. The recommendation is \$1,500,000 above the fiscal year 1998 appropriation and \$500,000 above the fiscal year 1999 request.

## NATIONAL ENDOWMENT FOR DEMOCRACY

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$30,000,000 |
| Budget estimate, 1999 .....    | 31,000,000   |
| Committee recommendation ..... | 30,500,000   |

The Committee recommends \$30,500,000 for fiscal year 1999 for the National Endowment for Democracy [NED]. The recommendation is \$500,000 above the fiscal year 1998 appropriation and \$500,000 below the fiscal year 1999 request.

## GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCIES

The Committee recommends the following general provisions included in the previous appropriations act:

Section 401 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 permits up to 10 percent of any appropriation made available in the bill for the Department of State and the U.S. Information Agency to be transferred between their respective appropriations. The language also provides that no appropriation shall be decreased by more than 10 percent or increased by more than 20 percent by any such transfer. In addition, the language provides that any transfer pursuant to this subsection shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 403 links United States arrears payments to the United Nations to United States costs incurred while enforcing U.N. sanctions against Iraq.

Section 404 prohibits the use of Department of State or USIA funds to support the Palestinian Broadcasting Corp.

Section 405 continues, with modifications, language regarding Vietnam.

TITLE V—RELATED AGENCIES  
DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$138,825,000 |
| Budget estimate, 1999 .....    | 188,203,000   |
| Committee recommendation ..... | 177,468,000   |

The Maritime Administration [MarAd] in the Department of Transportation is responsible for administering several programs for the maritime industry relating to U.S. foreign and domestic commerce, and for national defense purposes.

The Committee recommendation provides a total of \$177,468,000 for the Maritime Administration for fiscal year 1999. The Committee's recommendations for specific accounts within the Maritime Administration are described in more detail below.

The Committee is concerned about conflicting views within the administration with regard to the existing authority of the Maritime Administration to scrap ships. The agency has the authority to dispose of excess title IX and Department of Defense vessels and to use the proceeds from the scrap value of these vessels to support a number of worthwhile programs, including State maritime schools. Barring passage of legislation which changes existing MarAd policy, the Committee recommends that the agency continue exercising its existing statutory authority to scrap obsolete, excess vessels.

OPERATING-DIFFERENTIAL SUBSIDIES

(APPROPRIATION TO LIQUIDATE CONTRACT AUTHORITY)

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$51,030,000 |
| Budget estimate, 1999 .....    |              |
| Committee recommendation ..... |              |

The Committee does not recommend any funding for this program, consistent with the fiscal year 1999 request. The program is currently in contract liquidation, and thus no new funds were requested or are necessary.

MARITIME SECURITY PROGRAM

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$35,500,000 |
| Budget estimate, 1999 .....    | 97,650,000   |
| Committee recommendation ..... | 97,650,000   |

The Committee recommends \$97,650,000 for the new Maritime Security Program. The MSP program request is \$62,150,000 above the fiscal year 1998 appropriation because the number of U.S.-flag vessels participating in the program is increasing from 29 to 45

ships, and the number of mariners serving on these ships will increase from 1,450 to 2,200.

OPERATIONS AND TRAINING

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$67,600,000 |
| Budget estimate, 1999 .....    | 70,553,000   |
| Committee recommendation ..... | 69,818,000   |

This account funds operations of the Maritime Administration [MarAd], the U.S. Merchant Marine Academy, and provides grants to State maritime academies.

The Committee recommends an appropriation of \$69,818,000 to fund programs under this account. This amount is a reduction of \$735,000 from the budget request.

The Committee recommendation includes \$39,265,000 for the U.S. Merchant Marine Academy and State maritime schools. Of this amount \$32,515,000 is for the U.S. Merchant Marine Academy, with the remainder being used for the support of State maritime schools. The Committee funds the State maritime schools at the requested fiscal year 1999 level of \$6,750,000. The Committee notes that MarAd anticipates making \$2,000,000 in Ready Reserve funds available in fiscal year 1999 for State maritime school ship repair which, in addition to the \$4,500,000 included in the recommendation will make \$6,500,000 available for this purpose. The MarAd fiscal year 1999 request begins a 4-year phaseout of the student incentive payments [SIP]. These payments are used to help students at maritime schools defray the cost of their education. The Committee is concerned about this phaseout, and understands the U.S. Navy may be willing to assume the cost of continuing the SIP Program. The Committee expects MarAd to report on the willingness of the Navy to pay for the program, and if not, what justification the agency can provide for continuing the SIP phaseout when the fiscal year 2000 budget is transmitted to the Committee.

The accompanying bill includes no funds for the Ready Reserve Force [RRF] for fiscal year 1999. In fiscal year 1996 funding for this account was transferred to the Department of Defense. Management of the program remains with MarAd, and the agency is reimbursed by the Department of Defense for its services. These reimbursements are reflected in MarAd's "Vessel operations revolving fund" account.

MARITIME GUARANTEED LOAN PROGRAM

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$35,725,000 |
| Budget estimate, 1999 .....    | 20,000,000   |
| Committee recommendation ..... | 10,000,000   |

The Maritime Guaranteed Loan Program (title XI) provides subsidies for guaranteed loans for purchasers of vessels built in U.S. shipyards.

The Committee is providing \$10,000,000 for the Maritime Guaranteed Loan Program for fiscal year 1999. This amount is below the original fiscal year 1999 request of \$16,000,000 and \$29,725,000 below the fiscal year 1998 appropriation. On June 8, 1998, the Administration forwarded to Congress a budget amendment requesting a reduction of \$10,000,000 from the original request due to the revised estimate of available balances from prior-

year authority. The Committee recommendation reflects the budget amendment's revised request for fiscal year 1999 plus administrative expenses of \$4,000,000.

ADMINISTRATIVE PROVISIONS

Several administrative provisions are included involving Government property controlled by MarAd, the accounting for certain funds received by MarAd, and a prohibition on obligations from the MarAd construction fund. These provisions have been carried in appropriations acts for the Maritime Administration for several years.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE  
ABROAD

SALARIES AND EXPENSES

|                                |           |
|--------------------------------|-----------|
| Appropriations, 1998 .....     | \$250,000 |
| Budget estimate, 1999 .....    | 250,000   |
| Committee recommendation ..... | 250,000   |

The Committee recommends \$250,000 for the expenses of the Commission for the Preservation of America's Heritage Abroad. This amount is the same as the budget request and the fiscal year 1998 funding level. 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 Committee directs the Commission to focus on completing the Rumania and Ukraine surveys. Furthermore, the Committee recommendation provides funds for upgrades in equipment and for the creation of a website. Commission reports that have been printed at least once should be posted to the web in lieu of reprinting.

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

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$8,740,000 |
| Budget estimate, 1999 .....    | 11,000,000  |
| Committee recommendation ..... | 8,900,000   |

The Committee recommends \$8,900,000 for the salaries and expenses of the Commission on Civil Rights. The amount recommended is \$2,100,000 less than the budget request and is \$160,000 less than the current year appropriation.

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; (3) a limitation of four full-time positions under schedule C of the Excepted Service exclusive of one special assistant for each Commissioner; and (4) a prohibition on hiring any additional Senior Executive Service personnel.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE  
SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$1,090,000 |
| Budget estimate, 1999 .....    | 1,090,000   |
| Committee recommendation ..... | 1,159,000   |

The Committee recommends an increase in funding for the Commission on Security and Cooperation in Europe (Helsinki Commission) to provide for salary adjustments made in fiscal year 1998. The fiscal year 1999 amount is \$69,000 above the President's request and the fiscal year 1998 funding level. The Committee understands that the Commission will realize \$87,500 in carryover funds.

The Helsinki 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

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$242,000,000 |
| Budget estimate, 1999 .....    | 279,000,000   |
| Committee recommendation ..... | 253,580,000   |

The Committee recommends \$253,580,000 for the Equal Employment Opportunity Commission in fiscal year 1999. This amount is \$25,420,000 less than the request and \$11,580,000 above the fiscal year 1998 appropriation.

The Committee expects the EEOC to use some of the increase to expand its use of alternative dispute resolution techniques. The Committee also includes an increase of \$1,580,000 which will permit the agency to fund fair employment practices agencies [FEPA's] at a level of \$29,080,000. This should permit funding a total of 50,573 charge resolutions at a rate of \$575. The State and local agencies have experienced an increase in the number of cases, and funding for these agencies has not increased significantly for several years. The Committee expects the agency to use its anticipated fiscal year 1998 carryover funds and the remainder not used for the above purposes to modernize its computer systems.

The Committee is aware of several high profile cases involving the EEOC which have been the subject of media stories. The Committee is aware that some stories have not accurately described the facts of these cases. The EEOC cannot, by law, publicly discuss cases which are unresolved.

The Committee is concerned about the priorities and litigation practices of the EEOC and recommends that the EEOC allocate more of its limited public resources to investigating and resolving actual claims of discrimination filed by employees and applicants. The Committee directs the EEOC to report to Congress on or before March 1, 1999, on the Commission's allocation and expenditure of funds provided in this act.

There is concern about two pilot projects, each costing \$100,000, being run by two private sector groups. These pilot projects are addressing the issue of employment discrimination and the possibility of using testers in such cases. Testers are individuals who go into

companies or agencies and apply for jobs. These individuals try to determine whether a pattern of discrimination or harassment exists in these instances. The EEOC says that the agency has only a few tester cases pending. The EEOC is directed to provide the Committee with a report on the completion and the findings of the two pilot projects. The Committee directs the EEOC not to pursue any policy which would use testers as a standard practice.

#### FEDERAL COMMUNICATIONS COMMISSION

##### SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$186,514,000 |
| Budget estimate, 1999 .....    | 212,977,000   |
| Committee recommendation ..... | 197,921,000   |

The Committee recommends a total program level of \$197,921,000 for the salaries and expenses of the Federal Communications Commission [FCC], of which \$172,523,000 is to be derived from collection of existing section 9 fees. The remaining \$25,398,000 would be provided from direct appropriations.

The FCC is an independent agency charged with regulating interstate and foreign communications including radio, television, wire, wireless, cable, and satellite.

The General Services Administration [GSA] provided funds totaling \$17,590,000 to the FCC in March 1998 to permit the agency to plan for a move. In May 1998, the GSA rescinded these funds from the FCC. The Committee's recommendation does not include a repayment of any funds to GSA and does not include the cost of the higher rent that will be charged should the FCC move to a new site. Should the FCC move, the Committee will consider a reprogramming request for these funds.

#### FEDERAL MARITIME COMMISSION

##### SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$14,000,000 |
| Budget estimate, 1999 .....    | 14,500,000   |
| Committee recommendation ..... | 14,300,000   |

The Federal Maritime Commission [FMC] is an independent regulatory agency charged with administering several laws relating to the waterborne domestic and foreign offshore commerce of the United States.

The Committee recommends an appropriation of \$14,300,000 for the salaries and expenses of the Federal Maritime Commission.

#### FEDERAL TRADE COMMISSION

##### SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$106,500,000 |
| Budget estimate, 1999 .....    | 112,867,000   |
| Committee recommendation ..... | 111,867,000   |

The Federal Trade Commission [FTC] administers a variety of Federal antitrust and consumer protection laws. Activities in the antitrust area include detection and elimination of illegal collusion, anticompetitive mergers, unlawful single-firm conduct, and injuri-

ous vertical agreements. In addressing fraud and other consumer concerns, the FTC regulates advertising practices, service industry practices, marketing practices, and credit practices.

The Committee recommends total budget authority of \$111,867,000 for the salaries and expenses of the Federal Trade Commission for fiscal year 1999. The recommended amount of budget authority is \$1,000,000 below the fiscal year 1999 request and is \$5,364,000 above current year funding. Of this amount, \$18,700,000 is to be derived from prior-year unobligated fee collections and \$90,000,000 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 \$3,167,000. The Committee also expects the FTC to use an additional \$11,000,000 of fiscal year 1998 carryover funds to increase consumer fraud and Internet fraud monitoring activities as well as provide a modest increase for staff needed to handle the increased number of filings at the agency. These additional requirements are outlined in greater detail below.

The Committee expects the FTC to give highest priority to the timely review and processing of premerger notification filings under the Hart-Scott-Rodino Act. Increasing globalization of business has resulted in an increase in mergers. The Commission's merger transaction workload has increased dramatically, with a 143-percent increase in filings from fiscal year 1991 to fiscal year 1997. In fiscal year 1998, premerger filings are almost double the number in fiscal year 1997. The request includes a \$3,055,000 increase for the Commission to effectively handle this additional workload.

The Committee has become increasingly concerned about the dramatic increase in Internet fraud, in addition to a longstanding concern about telemarketing fraud, particularly with the elderly as targets. A reprogramming approved by the Committee in fiscal year 1997 permitted the FTC to implement a consumer sentinel consumer fraud data base system. Consumer Sentinel is accessible via the Internet by law enforcement officials on the State and local level in the United States and Canada upon request. It has permitted the expeditious dissemination of data on fraudulent schemes being conducted in both countries. The FTC has been tracking fraudulent schemes being promoted over the Internet and has filed over 30 Internet fraud suits. Information comes into the FTC at its Consumer Response Center, which is co-located in the offices of the consumer sentinel system.

The Committee recommends an additional \$1,579,000 for the acceleration and expansion of the Consumer Sentinel consumer fraud data base. This would permit the agency to expand the number of law enforcement entities using the system; incorporate more complaint data from other Federal, State, and nongovernment sources; and, add features like court-order tracking to assist in prosecution of cases. The FTC's Consumer Response Center is the first point-of-contact for consumers wishing to report fraud or other consumer complaints to the Federal Government. The Committee recommends \$2,500,000 for a toll-free number to make it easier for citizens, and particularly the elderly, to contact the Government with consumer complaints. Since Internet fraud is a relatively new

area, and growing dramatically, the Committee recommends \$2,840,000 to assist the FTC in its enforcement activities. All of these activities complement each other, and the Committee believes this funding should result in aggressive and effective enforcement of consumer protections on the National, State, and local levels.

The Committee notes that the FTC regulation addressing funeral director and funeral-service practices does not include cemeteries, or other third-party merchandise sellers. In order to ensure consumers receive accurate, itemized price information and disclosure about burial or funeral goods, the FTC is directed to provide a report to the Committee not later than March 31, 1999, on the sales, marketing, price disclosure, and other consumer practices of all persons, partnerships, corporations, or nonprofit organizations that sell burial or funeral products to the public and are not currently covered by the regulation.

Also, the Committee is concerned about recent press reports that the Federal Trade Commission has utilized its resources to create and disseminate to lawyers who practice before it a document describing the Commission's views about a major antitrust action against the Intel Corp. currently pending before the agency. Although the Committee has not received the Commission's review of this matter, the document may contain potentially confidential information. While the Committee understands the need for the Commission to explain its position to the public on certain matters, the Committee also believes that the Commission should review its policy with respect to consulting private attorneys with matters before the agency.

The current policy raises potential questions of conflict of interest and could place private attorneys in an awkward position should they choose to disagree publicly with the Commission. The Commission should take the necessary steps to ensure that their actions toward private attorneys do not create a potential conflict of interest in the future. The Commission should also take steps to ensure that confidential information and admissions disclosed in private negotiations with potential or current antitrust litigants not be disclosed to the public.

Finally, the FTC is directed to undertake a study, out of funds provided, to investigate issues raised by the introduction of alcohol advertising on television and radio, in particular the potential impact on young people who view the advertising in shaping their attitudes or behavior with respect to alcohol.

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 1998, and (6) prohibits the use of funds to implement section 151 of the Federal Deposit Insurance Corporation Improvements Act of 1991. The Committee has retained bill language making funds appropriated from the Treasury for the FTC available until expended.

NATIONAL GAMBLING IMPACT STUDY COMMISSION

|                                |             |
|--------------------------------|-------------|
| Appropriations 1998 .....      | \$1,000,000 |
| Budget estimate 1999 .....     |             |
| Committee recommendation ..... |             |

For fiscal year 1999, no funds were requested for this effort.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$283,000,000 |
| Budget estimate, 1999 .....    | 340,000,000   |
| Committee recommendation ..... | 300,000,000   |

The Committee recommends a total of \$300,000,000 for fiscal year 1999 for the provision of civil legal services. The recommendation is \$17,000,000 above the fiscal year 1998 appropriation and \$40,000,000 below the fiscal year 1999 request. The Committee recommendation includes \$288,700,000 for basic field programs, to be used for competitively awarded grants and contracts, \$300,000 for grantees pursuing litigation associated with *Aguilar v. United States*, \$8,985,000 for management and administration, and \$2,015,000 for the Office of the Inspector General.

ADMINISTRATIVE PROVISIONS

The Committee recommendation continues the administrative provisions contained in the fiscal year 1998 appropriations act (Public Law 104-208) regarding operation of this program to provide basic legal services to poor individuals, including provisions relating to distribution of funding by formula according to the number of poor people residing in an area, with adjustments for certain isolated States and territories, and for native American communities.

In addition, the Committee recommendation continues all administrative provisions restricting the use of Legal Service Corporation funds. As in the past, grantees must agree not to engage in litigation and related activities with respect to a variety of matters including (1) redistricting; (2) class action suits; (3) representation of illegal aliens; (4) political activities; (5) collection of attorneys fees; (6) abortion; (7) prisoner litigation; (8) welfare reform; (9) representation of charged drug dealers during eviction proceedings; and (10) solicitation of clients. The Committee recommendation also continues the exception to the restrictions in a case where there is imminent threat of physical harm to the client or prospective client.

The Committee recommendation also clarifies that the transition for cases involving attorneys fees remains in effect, and extends the language providing for the manner in which LSC grantees are audited, and the manner in which they contract with certified public accountants for financial and compliance audits.

Finally, the Committee recommendation continues last year's provisions on recompetition and debarment.

MARINE MAMMAL COMMISSION  
SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$1,185,000 |
| Budget estimate, 1999 .....    | 1,240,000   |
| Committee recommendation ..... | 1,240,000   |

The recommendation provides \$1,240,000 for the Marine Mammal Commission in fiscal year 1999. This is \$55,000 above the fiscal year 1998 appropriation and at the level requested for fiscal year 1999.

COMMISSION ON OCEAN POLICY

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | .....       |
| Budget estimate, 1999 .....    | .....       |
| Committee recommendation ..... | \$3,500,000 |

The Committee recommends that \$3,500,000 be appropriated in fiscal year 1999 for the Commission on Ocean Policy. In November 1996 the Senate passed legislation directing the President to establish a 16-member Commission on Ocean Policy, similar to the 1966 Stratton Commission, to examine ocean and coastal activities and to report to Congress with its recommendations within 18 months. In developing its recommendations for such a policy, the Commission will, relative to ocean and coastal activities: (1) review existing U.S. regulations, and practices; (2) assess investment in existing and planned facilities and equipment; (3) review existing and planned activities of Federal agencies and departments and suggest reforms, if appropriate; (4) suggest mechanisms to address interrelationships among such activities; and (7) identify new technological or market opportunities which could contribute to the objectives of the act.

SECURITIES AND EXCHANGE COMMISSION  
SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$315,000,000 |
| Budget estimate, 1999 .....    | 118,098,000   |
| Committee recommendation ..... | 341,098,000   |

The Securities and Exchange Commission [SEC] is an independent agency responsible for administering many of the Nation's laws regulating the areas of securities and finance.

The Committee recommendation provides total budget (obligational) authority of \$341,098,000 for the Securities and Exchange Commission for fiscal year 1999. The recommended amount of budget authority is equal to the fiscal year 1999 total operating level request and is \$26,098,000 above fiscal year 1998 funding level.

The recommendation reduces the section 6(b) registration fees to a pro rata rate of \$278 per \$1,000,000 (roughly one thirty-sixth of 1 percent) for fiscal year 1999. In fiscal year 1998, the fee rate was one thirty-fourth of 1 percent. The recommendation assumes that \$341,098,000 in fees collected in fiscal 1999 will be available as off-setting collections.

For fiscal year 1999, as during the current year, the Committee continues to emphasize the importance of the Office of Economic Analysis within the Commission and expects that adequate funds will be provided in order to carry out these important functions. The Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for the rental of space; (2) makes up to \$3,000 available for official reception and representation expenses; (3) makes up to \$10,000 available for a permanent secretariat for the International Organization of Securities Commissions; and (4) makes up to \$100,000 available for governmental and regulatory officials.

*Sales on the Internet.*—The Committee is concerned about fraud related to stock transactions and advertising and sales of products via the Internet. The Committee is pleased with the effective efforts being made by the SEC and the FTC in investigating and helping to stop such illegal activities and practices. We request that the two agencies continue to work together and continue to take cooperative efforts to further enhance both agencies’ programs in this area.

*Mutual fund investors.*—Surveys indicate that while mutual fund investors anticipate returns of over 20 percent per year, only 8 percent completely understand the expenses mutual funds charge. The Committee commends the Chairman of the Commission for his effort to educate investors. The Committee agrees that small investors must be educated on the risk of the stock markets. The SEC’s efforts to simplify fund documents provides better communication to all investors. Also, the series of town meeting the SEC has held continues to provide unbiased information to the investor. Finally, the need to provide full disclosure on the cost of mutual fund services is a needed change in the way fund managers work with the small investor. The Committee urges the SEC to continue its work in these efforts.

SMALL BUSINESS ADMINISTRATION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$716,132,000 |
| Budget estimate, 1999 .....    | 724,424,000   |
| Committee recommendation ..... | 613,616,000   |

The Small Business Administration [SBA] is an independent agency created in 1953 to administer a group of Federal programs and policies focused on the Nation’s small businesses.

The Committee recommends total funding of \$613,616,000 for the Small Business Administration. This amount is a decrease of \$102,516,000 from the fiscal year 1998 enacted amount and a decrease of \$110,808,000 from the budget request. This amount is distributed among the five SBA appropriation accounts as described below.

*Government Performance and Results Act.*—The Committee recommends no changes within the bill based on the performance plans which are a result of the Government Performance and Results Act. However, the General Accounting Office has found that the SBA performance plan is inadequate. The SBA must better portray how its strategies and resources will help achieve the agencies goals. The Committee is not confident that the information provided will accurately assess SBA’s performance. The Committee di-

rects that the fiscal year 2000 request be linked to the performance plan. The Committee will use this plan as a guide for SBA fiscal year 2000 funding. Agencies will have had 2 years to implement and perfect their plans.

#### SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$254,200,000 |
| Budget estimate, 1999 .....    | 281,100,000   |
| Committee recommendation ..... | 265,000,000   |

The Committee recommendation provides a direct appropriation of \$265,000,000 for the salaries and expenses of the Small Business Administration. This amount is \$10,800,000 above the fiscal year 1998 appropriation. 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.

For the SBA's noncredit programs funded under this account, the Committee recommends \$85,000,000 for small business development centers, an increase of \$9,200,000 above the request. The Committee has provided adequate funding to permit SBA to continue funding all SBDC's at a minimum level of \$500,000. The Committee directs the SBA to work with the small business development centers and to make funds available, if warranted, for SBDC's collocated in Manufacturing Extension Program facilities. Congress directs the SBA to count all non-Federal dollars obtained by an SBDC, regardless of whether those dollars have been targeted for a specific purpose, toward that SBDC's non-Federal matching dollar requirement. In addition, the Committee directs SBA to spend \$1,500,000 for the expansion of the international trade data network [ITDN] and the conversion of the ITDN to an Internet-based website to assist SBDC's in gaining direct access to this network. The Committee supports the fiscal year 1999 request of \$3,500,000 for SCORE, \$9,000,000 for the women's business centers, and \$600,000 for the Women's Council. The Committee also supports \$1,000,000 for the women's business census. The Committee directs the SBA to provide \$2,000,000 for technical assistance to the 23 States that receive the fewest small business innovation research grants. Consistent with the language contained in Public Law 105-135, section 501, the Committee directs that the SBA make awards to States which have received fewer than \$5,000,000 in SBIR awards in fiscal year 1995. These eligible States could receive not more than \$100,000 with a \$50,000 State match for efforts such as outreach to small businesses, assistance in applying for awards, and establishing performance goals.

The Committee expressed its opposition in its fiscal year 1998 report to an attempt by the agency to redirect the 7(j) program. In fiscal year 1999, the SBA is once again attempting to change this program. The Committee rejects the \$6,900,000 increase in this program. The SBA should not redirect this program from its original purpose, which is to make quality, postgraduate business education opportunities available to minorities.

The Committee supports a level of \$22,000,000 for microloan technical assistance, an increase of \$5,500,000 above the fiscal year

1999 request; \$500,000 for Pro-Net, \$500,000 for the Regulatory Fairness Board, and \$4,000,000 for the HubZones Program. Of the funds requested for special initiatives, the Committee recommends no more than \$8,000,000 for the agency's improved portfolio management, an amount \$4,000,000 below the request. In fiscal year 1998, the agency informed the Committee it would need \$16,000,000 for this purpose, of which \$8,000,000 was provided in fiscal year 1998.

## OFFICE OF INSPECTOR GENERAL

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1998 .....     | \$10,000,000 |
| Budget estimate, 1999 .....    | 11,300,000   |
| Committee recommendation ..... | 10,500,000   |

The Committee recommends \$10,500,000 for the Office of Inspector General of the Small Business Administration. This amount is a \$500,000 increase over current funding.

## BUSINESS LOANS PROGRAM ACCOUNT

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$275,232,000 |
| Budget estimate, 1999 .....    | 262,724,000   |
| Committee recommendation ..... | 240,816,000   |

The Committee recommends \$240,816,000 for the business loans program account for guaranteed business loans, including \$94,000,000 for administrative expenses related to this account. The amount provided for administrative expenses may be transferred to and merged with SBA salaries and expenses to cover the common overhead expenses associated with business loans.

As required by the Federal Credit Reform Act of 1990, the Congress is required to provide 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.

*Business loan guarantees.*—For business loan guarantees, the Committee recommends a total of \$146,816,000 for fiscal year 1999. For the 7(a) program, the Committee recommends a total of \$139,000,000, which is \$14,000,000 below the request for fiscal year 1999.

The Committee is concerned that the 7(a) program is rapidly expanding. Five years ago, the program level was \$3,000,000,000. The program level request for fiscal year 1999 is \$11,000,000,000. The Committee's recommendation of \$139,000,000 will support a \$10,000,000,000 program level in fiscal year 1999. The Committee directs the SBA to transfer the \$19,600,000 in projected fiscal year 1998 unobligated balances in the 7(a) business loans program in addition to a fiscal year 1999 appropriation of \$119,400,000.

The Committee recommends a level of \$8,900,000 for the Small Business Investment Company [SBIC] debenture guarantees, which will provide a program level of \$645,000,000. This level is an increase of \$1,115,000 above the fiscal year 1999 request. The Administration projected carryover in this program at the end of fiscal year 1998. The Committee understands that all funds for this program will be expended in fiscal year 1998. The Committee also rec-

ommends a level of \$14,700,000 for SBIC participating securities which will provide a program level of \$800,000,000 in fiscal year 1999. The Committee also expects the SBA to continue to sell 5-year commitments for leverage to the SBIC's.

The Committee recommends a program level of \$40,000,000 for the microloan direct loans in fiscal year 1999, which is supported by an appropriation of \$3,816,000. No funds were requested for the Microloan Guarantee Program in fiscal year 1999, and the Committee assumes any demand for the program will be funded from unobligated balances carried over from fiscal year 1998. Now that the Microloan Program is a permanent initiative within the Small Business Administration, the Committee recommends that the SBA consider the important role statewide intermediaries can play in making the program more efficient and beneficial to the communities they serve.

DISASTER LOANS PROGRAM ACCOUNT

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1998 .....     | \$173,200,000 |
| Budget estimate, 1999 .....    | 166,000,000   |
| Committee recommendation ..... | 94,000,000    |

The Administration did not submit a request for the Disaster Loan Program. Instead an assumption of an increase in the interest rate on these loans to 5.93 percent was included. This effort would require passage of legislation. This Committee will not pass such legislation, and directs the Administration to submit a budget for the Disaster Loan Program that continues to provide low-interest loans for those in need. The Administration knows that an increase in the disaster loan interest rate is unacceptable to Congress. It is unconscionable that the SBA has submitted a request for a 10-percent increase in the salaries and expenses for the Disaster Loan Program, while at the same time requesting a substantial interest rate increase on loans for those who have been devastated by disasters. The Committee will expeditiously consider a revised budget for this program as soon as it is provided by the Administration. In order to continue to provide prompt response in disaster situations, the Committee has provided \$94,000,000 for the salaries and expenses of the Disaster Loan Program in this bill.

SURETY BOND GUARANTEES REVOLVING FUND

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$3,500,000 |
| Budget estimate, 1999 .....    | 3,300,000   |
| Committee recommendation ..... | 3,300,000   |

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, or performance bond to a small business concern.

The Committee recommends an appropriation of \$3,300,000 for additional capital for the surety bond guarantees revolving fund. This amount is equal to the budget request.

ADMINISTRATIVE PROVISIONS

The Committee wishes to underscore the reprogramming requirements outlined in section 605. This recommendation includes an

administrative provision in the bill language, as in last year's bill, providing the authority to transfer funds between the Small Business Administration's appropriations accounts. The language provides that no account may be decreased by more than 5 percent or increased by more than 10 percent. The language also makes the transfers subject to the Committee's standard reprogramming procedures. In addition, a reprogramming notification is required in any proposed organization, whether or not funding transfers will be associated with the proposed reorganization.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1998 .....     | \$6,850,000 |
| Budget estimate, 1999 .....    | 12,000,000  |
| Committee recommendation ..... | 6,850,000   |

The Committee recommends \$6,850,000 for fiscal year 1999 for the State Justice Institute [SJI]. The recommendation is identical to the fiscal year 1998 appropriation and \$5,150,000 below the fiscal year 1999 request. The Committee is aware that \$7,150,000 is available to the Institute from the "Courts of appeals, district courts, and other judicial services" account.

## TITLE VI—GENERAL PROVISIONS

The Committee recommends the following general provisions for the departments and agencies funded in the accompanying bill. Sections 601 through 615 have been included in previous Department of Commerce, Justice, and State, the Judiciary, and related agencies appropriations acts.

Section 601 prohibits any appropriation act from being used for publicity or propaganda purposes not authorized by law.

Section 602 prohibits any appropriation contained in the act from remaining available for obligation beyond the current year unless expressly so provided.

Section 603 provides that the expenditure for any appropriation contained in the act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection except where otherwise provided under existing law or under existing Executive order pursuant to existing law.

Section 604 provides that if any provision of the 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 such provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 605 stipulates Committee policy concerning the reprogramming of funds. Section 605(a) prohibits the reprogramming of funds which: (1) create new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates offices or employees; (5) reorganizes offices, programs, or activities; (6) contracts out or privatizes any function or activity presently performed by Federal employees—unless the Appropriations Committees of the House and Senate are notified 15 days in advance.

Section 605(b) prohibits a reprogramming of funds in excess of \$1,000,000 or 20 percent, whichever is more, that (1) augments existing programs, projects, or activities; (2) reduces by 20 percent funding for any existing program, project, or activity, or numbers of personnel by 20 percent as approved by Congress; or (3) results from any general savings due to a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress unless the Appropriations Committees of the House and Senate are notified 15 days in advance.

Section 606 prohibits construction, repair, overhaul, conversion, or modernization of NOAA ships outside of the United States.

Section 607 addresses the purchase of American-made products.

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 reli-

gion similar to proposed guidelines published by the EEOC in October 1993.

Section 609 prohibits the use of funds to provide certain amenities and personal comforts in the Federal prison system.

Section 610 provides that any closing or downsizing costs incurred by a Department or agency funded under this act resulting from funding reductions in the act shall be absorbed within the budgetary resources available to the Department or agency. The language also provides transfer of authority between appropriation accounts to carry out the provision subject to the reprogramming procedures outlined in section 605 of this act.

Section 611 limits the availability of pornography to Federal prisoners.

Section 612 limits funding under the local law enforcement block grant to 90 percent to an entity that does not provide public safety officers injured in the line of duty, and as a result separated or retired from their jobs, with health insurance benefits equal to the insurance they received while on duty.

Section 613 prohibits funds from being used to issue a visa to any alien involved in extrajudicial and political killings in Haiti.

Section 614 is intended to address concerns about overcapacity in the Nation's commercial fisheries by limiting the ability of new large fishing vessels to enter the fisheries without first obtaining the approval of the appropriate regional fishery management council. It is also intended to prevent new individual fishing quotas [IFQ] from being issued to non-U.S. citizens and non-U.S. entities after the expiration of the present national moratorium on IFQ's. Last, it would begin in 1999 and for a period of 3 years to reduce the catch of a number of foreign-built, foreign-owned factory trawlers that were able to enter the U.S. fisheries of the North Pacific under a loophole in the 1987 Commercial Fishing Industry Vessel Anti-Reflagging Act. The Committee expects that these provisions would be revisited and modified or repealed as part of comprehensive legislation which has been proposed to address overcapacity, the foreign control of U.S.-flag fishing vessels.

Section 614(a)(1) is similar to the prohibition on large fishing vessels included in section 616 of the fiscal year 1998 act. It would prevent any fishing vessels over 165 feet, 750 tons, or 3,000 shaft horsepower that did not have a fishery endorsement on September 25, 1997, from being eligible to receive a permit or authorization that would allow the vessel to fish (harvest or process) in fisheries within the exclusive economic zone [EEZ] of the United States, unless the appropriate regional fishery management council makes an exception after the date of the enactment of the act to allow the vessel to fish. A fishing vessel above the thresholds that did have a fishery endorsement on September 25, 1997 (the control date in legislation pending before the Congress) would lose its eligibility if the fishery endorsement became ineffective at any time thereafter (except where the vessel is sold in whole or in part, and the endorsement lapses only during the time necessary to transfer the endorsement to the new owner(s)). Subsection (a)(2) would prevent any fishing vessel above the thresholds from fishing (harvesting or processing) in any of the Atlantic mackerel or herring fisheries off the east coast—even if it had a fishery endorsement on Septem-

ber 25, 1997—unless the appropriate fishery management council recommends, and the Secretary approves, a fishery management plan or amendment that specifically allows the vessel to engage in fishing in those fisheries.

In recent years, concerns have arisen in a number of fully utilized fisheries and fisheries that do not have fishery management plans about the entry of large vessels, including in the Atlantic mackerel and herring fisheries, and the scallop, crab, and pollock fisheries off Alaska. Section (a) would prevent this from happening anymore unless the appropriate regional fishery management council has approved the entry into the fisheries of the vessel. The provision would provide a specific safeguard for the pollock and crab fisheries of the North Pacific by preventing more than a dozen former U.S.-flag fishing vessels that have reflagged to fish in the EEZ of Russia from reentering the U.S. fisheries. Paragraph (3) of subsection (a) would specifically exempt the vessels in the menhaden fishery, which occurs primarily inside the inner boundary of the U.S. EEZ, from the prohibition. In applying the prohibition only to fisheries within the U.S. EEZ—except territories—the prohibition also would not apply to vessels in a number of tuna fisheries.

Subsection (b) would prevent the Secretary of Commerce from issuing any new individual fishing quotas to any individual who is not a citizen of the United States or to any entity in which less than 75 percent of the controlling interest is owned by citizens of the United States once the statutory IFQ moratorium ends in the year 2000. The Maritime Administration, which has considerable expertise in determining U.S. control of entities, would be required to determine that entities comply with the controlling interest standard before the Secretary could issue any IFQ's to an entity, and would apply section 2(c) of the Shipping Act of 1916, in making such determinations. Legislation is pending in the Congress to prohibit vessels whose owners do not meet this standard from receiving a fishery endorsement. In addition, the Congress called on the National Academy of Sciences in the 1996 Sustainable Fisheries Act to analyze imposing such a standard on individual fishing quotas. The Committee intends to prevent the issuance of IFQ's to individuals or entities who do not meet the standard pending a decision by Congress at least with respect to the fundamental issue of the controlling interest standard for fishery endorsements, which could preclude the use of any such IFQ's.

Section 615 prohibits the use of funds for oversight of the rerun of the Teamsters election.

Section 616 reduces expenditures for the Commission on Preservation of America's Heritage Abroad.

Section 617 ends the requirement that the Japan-United States Friendship Commission must invest portions of the trust fund in Japan, thus allowing the Commission to take advantage of favorable interest rates.

Section 618 directs the Secretary of Commerce, in consultation with the Secretaries of State and Treasury, to conduct a study on: taxation of the Internet; the effect taxation may have on the development of the Internet; and the ramifications taxation may have on international trade using the Internet.

Section 619 would allow a higher rate of interest to be earned through outside investments of the settlement funds resulting from the *Exxon Valdez* oilspill. The *Exxon Valdez* oilspill [EVOS] trustees would remain free to decide whether to use this new authority. The section specifies that the interest on investments received under authority of this section must be used to support marine research and economic restoration projects for the fishing industry and local fishermen. If the trustees chose to use this authority, an additional \$20,000,000 to \$30,000,000 could be generated for research and restoration between 1998 and 2001. This is within the scope of the court settlement; similar activities have been approved by trustees in the past. The amendment further requires the trustees to present legislation to Congress by 2001 establishing a new organization that would take over administration of the remaining funds after the scheduled payments from Exxon are complete. This provision also is consistent with comments from the public suggesting that an independent science-oriented board should control the process of funding science projects, rather than trustees who represent agencies that may be seeking project funding.

TITLE VII—RESCISSIONS  
DEPARTMENT OF JUSTICE  
GENERAL ADMINISTRATION  
WORKING CAPITAL FUND

(RESCISSION)

The Committee recommends a rescission of \$45,326,000 from the unobligated balances available in the Department's working capital fund [WCF]. As of June 19, 1998, Department officials estimated that in excess of \$45,326,000 of unobligated balances are available within the WCF.

FEDERAL BUREAU OF INVESTIGATION

(RESCISSION)

The Committee recommends a rescission of \$6,000,000 from the unobligated balances available in the Federal Bureau of Investigation's [FBI] fiscal year 1996 "Construction" account; \$4,178,000 in the FBI's fiscal year 1998 "Legal attaché" account; \$4,000,000 in the FBI's fiscal year 1998 "Construction" account; \$2,000,000 in the FBI's fiscal year 1996 "Violent Crime Reduction Program" account; \$300,000 in the FBI's fiscal year 1997 "Violent Crime Reduction Program" account; and \$6,400,000 in the FBI's no year "Salaries and expenses" account.

DEPARTMENT OF COMMERCE

(RESCISSION)

The Committee recommends a rescission of \$915,000 from unobligated balances available to the U.S. Travel and Tourism Administration, and \$1,175,000 from unobligated balances available to the Endowment for Children's Educational TV.

COMPLIANCE WITH PARAGRAPH 7, RULE XVI OF THE  
STANDING RULES OF THE SENATE

Rule XVI, paragraph 7 requires that every report on a general appropriation bill filed by the Committee must identify items of appropriation not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.

The following appropriations have not been authorized either in whole or in part and fall under this rule:

Title I—Department of Justice: General administration, salaries and expenses; administrative review and appeals, Office of the Inspector General; United States Parole Commission, salaries and expenses; general legal activities, salaries and expenses; National Childhood Vaccine Injury Act; Antitrust Division, salaries and expenses; U.S. attorneys, salaries and expenses; Foreign Claims Settlement Commission; fees and expenses of witnesses; Federal Bureau of Investigation, salaries and expenses; Drug Enforcement Administration, salaries and expenses; Drug Enforcement Administration, construction; Immigration and Naturalization Service, salaries and expenses; Federal Prison System, salaries and expenses; Federal Prison System, building and facilities; Federal Prison Industries, Inc.; limitation on administrative expenses; Federal Prison Industries Inc.; juvenile justice programs; juvenile justice delinquency prevention; State and local law enforcement assistance block grants; Weed and Seed Program; Missing Children's Program; and Victims of Child Abuse Act Program.

Title II—Department of Commerce and related agencies: Office of the U.S. Trade Representative, salaries and expenses; International Trade Commission, salaries and expenses; Export Administration, operations and administration; International Trade Administration, operations and administration; economic development assistance programs; Patent and Trademark Office; National Institute of Standards and Technology, scientific and technical research and services; NIST industrial technology services; NIST construction of research facilities; National Oceanic and Atmospheric Administration operations, research, and facilities; NOAA construction; and Minority Business Development Agency.

Title IV—Department of State and related agencies: Diplomatic and consular services, Maui Pacific Center, salaries and expenses; capital investment fund; Office of Inspector General; representation allowances; 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 com-

missions (except the Border Environment Cooperation Commission); international fisheries commissions; Asia Foundation; Arms Control and Disarmament Agency; U.S. Information Agency, salaries and expenses; technology fund; educational and cultural exchange programs; international broadcasting operations; broadcasting to Cuba; radio construction; and East-West Center.

Title V—Related agencies: Department of Transportation; Maritime Administration, operations and training; Commission on Civil Rights; Federal Communications Commission (except offsetting fee collections); Legal Services Corporation; and Securities and Exchange Commission.

COMPLIANCE WITH PARAGRAPH 7(C), RULE XXVI OF THE  
STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, the Committee ordered reported en bloc, S. 2260, an original Commerce, Justice, State, the judiciary, and related agencies appropriations bill, 1999, and S. 2237, an original Interior and related agencies appropriations bill, 1999, both subject to amendment and both subject to appropriate scorekeeping, by a recorded vote of 27–0, a quorum being present. The vote was as follows:

| Yeas             | Nays |
|------------------|------|
| Chairman Stevens |      |
| Mr. Cochran      |      |
| Mr. Domenici     |      |
| Mr. Bond         |      |
| Mr. Gorton       |      |
| Mr. McConnell    |      |
| Mr. Burns        |      |
| Mr. Shelby       |      |
| Mr. Gregg        |      |
| Mr. Bennett      |      |
| Mr. Campbell     |      |
| Mr. Craig        |      |
| Mr. Faircloth    |      |
| Mrs. Hutchison   |      |
| Mr. Byrd         |      |
| Mr. Inouye       |      |
| Mr. Hollings     |      |
| Mr. Leahy        |      |
| Mr. Bumpers      |      |
| Mr. Lautenberg   |      |
| Mr. Harkin       |      |
| Ms. Mikulski     |      |
| Mr. Reid         |      |
| Mr. Kohl         |      |
| Mrs. Murray      |      |
| Mr. Dorgan       |      |
| Mrs. Boxer       |      |

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE  
STANDING RULES OF THE SENATE

Paragraph 12 of the rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include “(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee.”

In compliance with this rule, the following changes in existing law proposed to be made by this bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in italic; and existing law in which no change is proposed is shown in roman.

**TITLE 8—ALIENS AND NATIONALITY**

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**CHAPTER 12—IMMIGRATION AND NATIONALITY**

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**SUBCHAPTER II—IMMIGRATION**

\*           \*           \*           \*           \*           \*           \*

**PART V—ADJUSTMENT AND CHANGE OF STATUS**

\*           \*           \*           \*           \*           \*           \*

**§ 1255. Adjustment of status of nonimmigrant to that of person admitted for permanent residence**

**(a) Status as person admitted for permanent residence on application and eligibility for immigrant visa**

The status of an alien who was inspected and admitted or paroled into the United States may be adjusted by the Attorney General, in his discretion and under such regulations as he may prescribe, to that of an alien lawfully admitted for permanent residence if (1) the alien makes an application for such adjustment, (2) the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent residence, and (3) an immigrant visa is immediately available to him at the time his application is filed.

**(b) Record of lawful admission for permanent residence; reduction of preference visas**

Upon the approval of an application for adjustment made under subsection (a) of this section, the Attorney General shall record the alien’s lawful admission for permanent residence as of the date the order of the Attorney General approving the application for the ad-

justment of status is made, and the Secretary of State shall reduce by one the number of the preference visas authorized to be issued under sections 1152 and 1153 of this title within the class to which the alien is chargeable for the fiscal year then current.

**(c) Alien crewmen, aliens continuing or accepting unauthorized employment, and aliens admitted in transit without visa**

Subsection (a) of this section shall not be applicable to (1) an alien crewman; (2) [subject to subsection (k) of this section,] an alien (other than an immediate relative as defined in section 1151(b) of this title or a special immigrant described in section 1101(a)(27)(H), (I), (J), or (K) of this title) who hereafter continues in or accepts unauthorized employment prior to filing an application for adjustment of status or who is in unlawful immigration status on the date of filing the application for adjustment of status or who has failed (other than through no fault of his own or for technical reasons) to maintain continuously a lawful status since entry into the United States; or (3) any alien admitted in transit without visa under section 1182(d)(4)(C) of this title; (4) an alien (other than an immediate relative as defined in section 1151(b) of this title who was admitted as a nonimmigrant visitor without a visa under section 1182(l) or section 1187 of this title; (5) an alien who was admitted as a nonimmigrant described in section 1101(a)(15)(S) of this title, (6) an alien who is deportable under section 1227(a)(4)(B) of this title; (7) any alien who seeks adjustment of status to that of an immigrant under section 1153(b) of this title and is not in a lawful nonimmigrant status; or (8) any alien who was employed while the alien was an unauthorized alien, as defined in section 1324a(h)(3) of this title, or who has otherwise violated the terms of a nonimmigrant visa.

**(d) Alien admitted for permanent residence on conditional basis; fiancée or fiancé of citizen**

The Attorney General may not adjust, under subsection (a) of this section, the status of an alien lawfully admitted to the United States for permanent residence on a conditional basis under section 1186a of this title. The Attorney General may not adjust, under subsection (a) of this section, the status of a nonimmigrant alien described in section 1101(a)(15)(K) of this title (relating to an alien fiancée or fiancé or the minor child of such alien) except to that of an alien lawfully admitted to the United States on a conditional basis under section 1186a of this title as a result of the marriage of the nonimmigrant (or, in the case of a minor child, the parent) to the citizen who filed the petition to accord that alien's nonimmigrant status under section 1101(a)(15)(K) of this title.

**(e) Restrictions on adjustment of status based on marriages entered while in exclusion or deportation proceedings; bona fide marriage exception**

(1) Except as provided in paragraph (3), an alien who is seeking to receive an immigrant visa on the basis of a marriage which was

entered into during the period described in paragraph (2) may not have the alien's status adjusted under subsection (a) of this section.

(2) The period described in this paragraph is the period during which administrative or judicial proceedings are pending regarding the alien's right to be admitted or remain in the United States.

(3) Paragraph (1) and section 1154(g) of this title shall not apply with respect to a marriage if the alien establishes by clear and convincing evidence to the satisfaction of the Attorney General that the marriage was entered into in good faith and in accordance with the laws of the place where the marriage took place and the marriage was not entered into for the purpose of procuring the alien's admission as an immigrant and no fee or other consideration was given (other than a fee or other consideration to an attorney for assistance in preparation of a lawful petition) for the filing of a petition under section 1154(a) of this title or 1184(d) of this title with respect to the alien spouse or alien son or daughter. In accordance with regulations, there shall be only one level of administrative appellate review for each alien under the previous sentence.

**(f) Limitation on adjustment of status**

The Attorney General may not adjust, under subsection (a) of this section, the status of an alien lawfully admitted to the United States for permanent residence on a conditional basis under section 1186b of this title.

**(g) Special immigrants**

In applying this section to a special immigrant described in section 1101(a)(27)(K) of this title, such an immigrant shall be deemed, for purposes of subsection (a) of this section, to have been paroled into the United States.

**(h) Application with respect to special immigrants**

In applying this section to a special immigrant described in section 1101(a)(27)(J) of this title—

(1) such an immigrant shall be deemed, for purposes of subsection (a), to have been paroled into the United States; and

(2) in determining the alien's admissibility as an immigrant—

(A) paragraphs (4), (5)(A), and (7)(A) of section 1182(a) of this title shall not apply, and

(B) the Attorney General may waive other paragraphs of section 1182(a) of this title (other than paragraphs (2)(A), (2)(B), (2)(C) (except for so much of such paragraph as related to a single offense of simple possession of 30 grams or less of marijuana), (3)(A), (3)(B), (3)(C), and (3)(E)) in the case of individual aliens for humanitarian purposes, family unity, or when it is otherwise in the public interest.

The relationship between an alien and the alien's natural parents or prior adoptive parents shall not be considered a factor in making a waiver under paragraph (2)(B). Nothing in this subsection or section 1101(a)(27)(J) of this title shall be construed as authorizing an alien to apply for admission or be admitted to the United States

in order to obtain special immigrant status described in such section.

**(i) Adjustment of status of certain aliens physically present in United States**

(1) Notwithstanding the provisions of subsections (a) and (c) of this section, an alien physically present in the United States *who—*

(A) **who—**

**[(i)]** entered the United States without inspection; or

**[(ii)]** (B) is within one of the classes enumerated in subsection (c) of this section**;** and

**[(B)]** who is the beneficiary (including a spouse or child of the principal alien, if eligible to receive a visa under section 1153(d) of this title) of—

**[(i)]** a petition for classification under section 1154 of this title that was filed with the Attorney General on or before January 14, 1998; or

**[(ii)]** an application for a labor certification under section 1182(a)(5)(A) of this title that was filed pursuant to the regulations of the Secretary of Labor on or before such date**;**

may apply to the Attorney General for the adjustment of his or her status to that of an alien lawfully admitted for permanent residence. The Attorney General may accept such application only if the alien remits with such application a sum equalling \$1,000 as of the date of receipt of the application, but such sum shall not be required from a child under the age of seventeen, or an alien who is the spouse or unmarried child of an individual who obtained temporary or permanent resident status under section 1160 or 1255a of this title or section 202 of the Immigration Reform and Control Act of 1986 at any date, *who—*

(i) as of May 5, 1988, was the unmarried child or spouse of the individual who obtained temporary or permanent resident status under section 1160 or 1255a of this title or section 202 of the Immigration Reform and Control Act of 1986;

(ii) entered the United States before May 5, 1988, resided in the United States on May 5, 1988, and is not a lawful permanent resident; and

(iii) applied for benefits under section 301(a) of the Immigration Act of 1990. The sum specified herein shall be in addition to the fee normally required for the processing of an application under this section.

(2) Upon receipt of such an application and the sum hereby required, the Attorney General may adjust the status of the alien to that of an alien lawfully admitted for permanent residence if—

(A) the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent residence; and

(B) an immigrant visa is immediately available to the alien at the time the application is filed.

(3)(A) The portion of each application fee (not to exceed \$200) that the Attorney General determines is required to process an application under this section and is remitted to the Attorney General pursuant to paragraphs (1) and (2) of this subsection shall be dis-

posed of by the Attorney General as provided in subsections (m), (n), and (o) of section 1356 of this title.

(B) Any remaining portion of such fees remitted under such paragraphs shall be deposited by the Attorney General into the **[Breached Bond/Detention Fund established under section 1356(r)]** *Immigration Detention and Naturalization Activity Account established under section 286(s)* of this title.

**(j) Adjustment to permanent resident status**

(1) If, in the opinion of the Attorney General—

(A) a nonimmigrant admitted into the United States under section 1101(a)(15)(S)(i) of this title has supplied information described in subclause (I) of such section; and

(B) the provision of such information has substantially contributed to the success of an authorized criminal investigation or the prosecution of an individual described in subclause (III) of that section,

the Attorney General may adjust the status of the alien (and the spouse, married and unmarried sons and daughters, and parents of the alien if admitted under that section) to that of an alien lawfully admitted for permanent residence if the alien is not described in section 1182(a)(3)(E) of this title.

(2) If, in the sole discretion of the Attorney General—

(A) a nonimmigrant admitted into the United States under section 1101(a)(15)(S)(ii) of this title has supplied information described in subclause (I) of such section, and

(B) the provision of such information has substantially contributed to—

(i) the prevention or frustration of an act of terrorism against a United States person or United States property, or

(ii) the success of an authorized criminal investigation of, or the prosecution of, an individual involved in such an act of terrorism, and

(C) the nonimmigrant has received a reward under section 2708(a) of Title 22,

the Attorney General may adjust the status of the alien (and the spouse, married and unmarried sons and daughters, and parents of the alien if admitted under such section) to that of an alien lawfully admitted for permanent residence if the alien is not described in section 1182(a)(3)(E) of this title.

(3) Upon the approval of adjustment of status under paragraph (1) or (2), the Attorney General shall record the alien's lawful admission for permanent residence as of the date of such approval and the Secretary of State shall reduce by one the number of visas authorized to be issued under sections 1151(d) of this title and 1153(b)(4) of this title for the fiscal year then current.

**[(k) Inapplicability of certain provisions for certain employment-based immigrants**

[An alien who is eligible to receive an immigrant visa under paragraph (1), (2), or (3) of section 1153(b) of this title (or, in the case of an alien who is an immigrant described in section 1101(a)(27)(C) of this title, under section 1153(b)(4) of this title)

may adjust status pursuant to subsection (a) of this section and notwithstanding subsection (c)(2), (c)(7), and (c)(8) of this section, if—

[(1) the alien, on the date of filing an application for adjustment of status, is present in the United States pursuant to a lawful admission;

[(2) the alien, subsequent to such lawful admission has not, for an aggregate period exceeding 180 days—

[(A) failed to maintain, continuously, a lawful status;

[(B) engaged in unauthorized employment; or

[(C) otherwise violated the terms and conditions of the alien’s admission.]

\* \* \* \* \*

SUBCHAPTER II—IMMIGRATION

\* \* \* \* \*

PART IX—MISCELLANEOUS

\* \* \* \* \*

§ 1356. Disposition of monies collected under the provisions of this subchapter

(a) \* \* \*

\* \* \* \* \*

(s) IMMIGRATION DETENTION AND NATURALIZATION ACTIVITY ACCOUNT.—

(1) ESTABLISHMENT.—There is established in the general fund of the Treasury a separate account which shall be known as the “Immigration Detention And Naturalization Activity Account”. Notwithstanding any other section of this title, there shall be deposited as offsetting receipts into the Immigration Detention And Naturalization Activity Account amounts described in section 245(i)(3)(B) to remain available until expended.

(2) USES OF THE ACCOUNT.—

(A) IN GENERAL.—The Secretary of the Treasury shall refund out of the Immigration Detention And Naturalization Activity Account to any appropriation the amount paid out of such appropriation for expenses incurred by the Attorney General for the detention of aliens, for construction relating to such detention, and for activities relating to the naturalization of citizens.

(B) QUARTERLY REFUNDS; ADJUSTMENTS.—The amounts that are required to be refunded under subparagraph (A) shall be refunded at least quarterly on the basis of estimates made by the Attorney General of the expenses referred to in subparagraph (A). Proper adjustments shall be made in the amounts subsequently refunded under subparagraph (A) to the extent prior estimates were in excess of, or less than, the amount required to be refunded under subparagraph (A).

(C) ESTIMATES IN BUDGET REQUESTS.—The amounts required to be refunded from the Immigration Detention And

*Naturalization Activity Account for fiscal year 1999 or any fiscal year thereafter shall be refunded in accordance with estimates made in the budget request of the Attorney General for that fiscal year. Any proposed changes in the amounts designated in such budget requests shall only be made after notification to the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of Public Law 104-134.*

(3) ANNUAL REPORTS.—The Attorney General shall annually submit to Congress a report setting forth—

(A) the financial condition of the Immigration Detention And Naturalization Activity Account for the current fiscal year, including beginning account balance, revenues, withdrawals, and ending account balance; and

(B) projections for revenues, withdrawals, and the beginning and ending account balances for the next fiscal year.

\* \* \* \* \*

**TITLE 16—CONSERVATION**

\* \* \* \* \*

**CHAPTER 1A—HISTORIC SITES, BUILDINGS, OBJECTS, AND ANTIQUITIES**

**SUBCHAPTER I—GENERAL PROVISIONS**

\* \* \* \* \*

**§ 469j. Commission for the Preservation of America’s Heritage Abroad**

**(a) Purpose**

\* \* \* \* \*

**(d) Membership**

(1) The Commission shall consist of [21] 15 members appointed by the President, [7] 5 of whom shall be appointed after consultation with the Speaker of the House of Representatives and [7] 5 of whom shall be appointed after consultation with the President pro tempore of the Senate.

\* \* \* \* \*

**(e) Meetings**

The Commission shall meet at least once every [three] six months.

\* \* \* \* \*

**TITLE 22—FOREIGN RELATIONS AND INTERCOURSE**

\* \* \* \* \*

**CHAPTER 44—JAPAN-UNITED STATES FRIENDSHIP**

\* \* \* \* \*

**§ 2905. Administrative powers of Commission**

In order to carry out its functions under this chapter, the Commission is authorized to—

(1) \* \* \*

\* \* \* \* \*

(4) direct the Secretary of the Treasury to make expenditure of the income of the Fund, any amount of the contributions deposited in the Fund from nonappropriated sources pursuant to paragraph (2) or (3) of this section, and not to exceed 5 percent annually of the principal of the total amount appropriated to the Fund to carry out the purposes of this chapter, including the payment of Commission expenses if [needed, except that any amounts expended from amounts appropriated to the Fund under section 2902(e)(1) of this title shall be expended in Japan or for not more than 50 percent of administrative expenses in the United States] *needed*;

\* \* \* \* \*

**§ 2906. Management of the Friendship Trust Fund**

**(a) Constituent amounts**

\* \* \* \* \*

**(b) Investments by Secretary of Treasury in authorized obligations; issuance of obligations and special obligations; conditions of acquisition**

It shall be the duty of the Secretary of the Treasury (hereafter referred to as the “Secretary”) to invest such portion of the Fund as is not, in the judgment of the Commission, required to meet current withdrawals. [Such investment of amounts authorized to be appropriated under section 2902(d) of this title may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.] *Such investment may be made in only interest-bearing obligations of the United States, in obligations guaranteed as to both principal and interest by the United States, in interest-bearing obligations of Japan, or in obligations guaranteed as to both principal and interest by Japan.* For such purposes, the obligations may be acquired (1) on original issue at the issue price, or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under chapter 31 of Title 31, are hereby extended to authorize the issuance at par of special obligations exclusively to the Fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States issued during the preceding two years then forming part of the public debt; except that where such average rate is not a multiple of one-eighth of 1 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum next lower than such average rate. Such special obligations shall be issued only if the Secretary determines that the purchase of other interest-bearing obligations of the

United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest.

\* \* \* \* \*

**TITLE 28—JUDICIARY AND JUDICIAL PROCEDURE**

\* \* \* \* \*

**CHAPTER 39—UNITED STATES TRUSTEES**

\* \* \* \* \*

**§ 589a. United States Trustee System Fund**

(a) There is hereby established in the Treasury of the United States a special fund to be known as the “United States Trustee System Fund” (hereinafter in this section referred to as the “Fund”). Monies in the Fund shall be available to the Attorney General without fiscal year limitation in such amounts as may be specified in appropriations Acts for the following purposes in connection with the operations of United States trustees—

- (1) salaries and related employee benefits;
- (2) travel and transportation;
- (3) rental of space;
- (4) communication, utilities, and miscellaneous computer charges;
- (5) security investigations and audits;
- (6) supplies, books, and other materials for legal research;
- (7) furniture and equipment;
- (8) miscellaneous services, including those obtained by contract; and
- (9) printing.

(b) For the purpose of recovering the cost of services of the United States Trustee System, there shall be deposited as offsetting collections to the appropriation “United States Trustee System Fund”, to remain available until expended, the following—

- (1) 23.08 percent of the fees collected under section 1930(a)(1) of this title;
- (2) one-half of the fees collected under section 1930(a)(3) of this title;
- (3) one-half of the fees collected under section 1930(a)(4) of this title;
- (4) one-half of the fees collected under section 1930(a)(5) of this title;
- (5) 100 percent of the fees collected under section 1930(a)(6) of this title;
- (6) three-fourths of the fees collected under the last sentence of section 1930(a) of this title;
- (7) the compensation of trustees received under section 330(d) of title 11 by the clerks of the bankruptcy courts; **[and]**
- (8) excess fees collected under section 586(e)(2) of this title **[.]**; *and*
- (9) *interest earned on Fund investments.*

(c) Amounts in the Fund which are not currently needed for the purposes specified in subsection (a) shall be kept on deposit or invested in obligations of, or guaranteed by, the United States.

(d) The Attorney General shall transmit to the Congress, not later than 120 days after the end of each fiscal year, a detailed report on the amounts deposited in the Fund and a description of expenditures made under this section.

(e) There are authorized to be appropriated to the Fund for any fiscal year such sums as may be necessary to supplement amounts deposited under subsection (b) for the purposes specified in subsection (a).

\* \* \* \* \*

IMMIGRATION AND NATIONALITY ACT

(e) LIMITATIONS OF FEES.—

(1) No fee shall be charged under subsection (d) for immigration inspection or preinspection provided in connection with the arrival of any passenger, other than aircraft passengers, whose journey originated in the following:

- (A) Canada,
- (B) Mexico,
- (C) a *State*, territory or possession of the United States,

or

(D) any adjacent island (within the meaning of section 101(b)(5)).

\* \* \* \* \*

OMNIBUS CONSOLIDATED APPROPRIATIONS ACT, 1997, PUBLIC LAW 104-208

**DIVISION C—ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996**

SEC. 1. \* \* \*

\* \* \* \* \*

SEC. 104. **IMPROVEMENT IN BORDER CROSSING IDENTIFICATION CARD.**

(a) **IN GENERAL.**—Section 101(a)(6) (8 U.S.C. 1101(a)(6)) is amended by adding at the end the following: “Such regulations shall provide that (A) each such document include a biometric identifier (such as the fingerprint or handprint of the alien) that is machine readable and (B) an alien presenting a border crossing identification card is not permitted to cross over the border into the United States unless the biometric identifier contained on the card matches the appropriate biometric characteristic of the alien.”.

(b) **EFFECTIVE DATES.**—

(1) **CLAUSE A.**—Clause (A) of the sentence added by the amendment made by subsection (a) shall apply to documents issued on or after 18 months after the date of the enactment of this Act.

[(2) CLAUSE B.—Clause (B) of such sentence shall apply to cards presented on or after 3 years after the date of the enactment of this Act.]

(2) CLAUSE B.—*Clause (B) of such sentence shall apply as follows:*

(A) *As of October 1, 2000, to not less than 25 percent of the border crossing identification cards in circulation as of April 1, 1998.*

(B) *As of October 1, 2001, to not less than 50 percent of such cards in circulation as of April 1, 1998.*

(C) *As of October 1, 2002, to not less than 75 percent of such cards in circulation as of April 1, 1998.*

(D) *As of October 1, 2003, to all such cards in circulation as of April 1, 1998.*

(3) *If the Secretary of State and the Attorney General jointly determine that sufficient capacity exists to replace border crossing identification cards in advance of any of the deadlines otherwise provided for under paragraph (2), the Secretary and the Attorney General may by regulation advance such deadlines.*

\* \* \* \* \*

**[SEC. 110. AUTOMATED ENTRY-EXIT CONTROL SYSTEM.**

[(a) SYSTEM.—Not later than 2 years after the date of the enactment of this Act, the Attorney General shall develop an automated entry and exit control system that will—

[(1) collect a record of departure for every alien departing the United States and match the records of departure with the record of the alien's arrival in the United States; and

[(2) enable the Attorney General to identify, through on-line searching procedures, lawfully admitted nonimmigrants who remain in the United States beyond the period authorized by the Attorney General.

[(b) REPORT.—

[(1) DEADLINE.—Not later than December 31 of each year following the development of the system under subsection (a), the Attorney General shall submit an annual report to the Committees on the Judiciary of the House of Representatives and of the Senate on such system.

[(2) INFORMATION.—The report shall include the following information:

[(A) The number of departure records collected, with an accounting by country of nationality of the departing alien.

[(B) The number of departure records that were successfully matched to records of the alien's prior arrival in the United States, with an accounting by the alien's country of nationality and by the alien's classification as an immigrant or nonimmigrant.

[(C) The number of aliens who arrived as nonimmigrants, or as a visitor under the visa waiver program under section 217 of the Immigration and Nationality Act, for whom no matching departure record has been obtained through the system or through other means as of the end of the alien's authorized period of stay, with an accounting

by the alien's country of nationality and date of arrival in the United States.

[(c) USE OF INFORMATION ON OVERSTAYS.—Information regarding aliens who have remained in the United State beyond their authorized period of stay identified through the system shall be integrated into appropriate data bases of the Immigration and Naturalization Service and the Department of State, including those used at ports of entry and at consular offices.]

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DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES  
 APPROPRIATIONS ACT, 1998, PUBLIC LAW 105-83

\* \* \* \* \*

SEC. 401. (a) \* \* \*

\* \* \* \* \*

(e) MARINE RESEARCH ACTIVITIES.—(1) \* \* \*

\* \* \* \* \*

(4)(A) \* \* \*

\* \* \* \* \*

(B) Grant recommendations and other decisions of the Board shall be by [majority vote, with each member] *the majority vote of the board members under paragraphs (3)(A), (F), and (G), the board member representing academia under paragraph (3)(K), and one of the board members under paragraph (3)(L) [as identified by the Governor], with each such member having one vote.* The Board shall establish written criteria for the submission of grant requests through a competitive process and for deciding upon the award of grants. Grants shall be recommended by the Board on the basis of merit in accordance with the priorities established by the Board. The Secretary shall provide the Board such administrative and technical support as is necessary for the effective functioning of the Board. The Board shall be considered an advisory panel established under section 302(g) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) for the purposes of section 302(i)(1) of such Act, and the other procedural matters applicable to advisory panels under section 302(i) of such Act shall apply to the Board to the extent practicable. Members of the Board may be reimbursed for actual expenses incurred in performance of their duties for the Board. Not more than 5 percent of the funds provided to the Secretary of Commerce under paragraph (1) may be used to provide support for the Board and administer grants under this subsection.

\* \* \* \* \*

## BUDGETARY IMPACT OF BILL

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

[In millions of dollars]

|   | Budget authority     |                | Outlays              |                     |
|---|----------------------|----------------|----------------------|---------------------|
|   | Committee allocation | Amount of bill | Committee allocation | Amount of bill      |
| Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts for 1999: Subcommittee on Commerce, Justice, and State, the Judiciary, and Related Agencies: |                      |                |                      |                     |
| Defense discretionary .....   | 335                  | 335            | 326                  | <sup>1</sup> 320    |
| Nondefense discretionary .....  | 26,300               | 26,775         | 25,825               | 26,285              |
| Violent crime reduction fund .....  | 5,524                | 5,514          | 4,688                | 4,688               |
| Mandatory .....   | 554                  | 538            | 555                  | 555                 |
| Projections of outlays associated with the recommendation:  |                      |                |                      |                     |
| 1999 .....  |                      |                |                      | <sup>2</sup> 21,933 |
| 2000 .....  |                      |                |                      | 6,292               |
| 2001 .....  |                      |                |                      | 3,203               |
| 2002 .....  |                      |                |                      | 1,349               |
| 2003 and future years .....   |                      |                |                      | 131                 |
| Financial assistance to State and local governments for 1999 .....  | NA                   | 4,756          | NA                   | 826                 |

<sup>1</sup> Includes outlays from prior-year budget authority.

<sup>2</sup> Excludes outlays from prior-year budget authority.

NA: Not applicable.

Note.—Consistent with the funding recommended in the bill for the United Nations arrearages and in accordance with section 314(b)(4) of the Congressional Budget Act of 1974, the Committee anticipates that the Budget Committee will file a revised section 302(a) allocation for the Committee on Appropriations reflecting an upward adjustment of \$475,000,000 in budget authority and \$475,000,000 in outlays.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1999

| Item   | 1998 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) |                 |
|--|--------------------|-----------------|--------------------------|--|-----------------|
|  |                    |                 |                          | 1998 appropriation                                     | Budget estimate |
| <b>TITLE I—DEPARTMENT OF JUSTICE</b>               |                    |                 |                          |  |                 |
| General Administration                             |                    |                 |                          |  |                 |
| Salaries and expenses .....                        | \$76,199,000       | \$89,488,000    | \$76,199,000             | .....  | -\$13,289,000   |
| Joint automated booking system .....               | .....              | .....           | 10,000,000               | + \$10,000,000   | + 10,000,000    |
| Narrowband communications (crime trust fund) ..... | .....              | 85,894,000      | .....                    | .....  | - 85,894,000    |
| Non-crime .....                                    | .....              | .....           | .....                    | .....  | .....           |
| Counterterrorism fund .....                        | 52,700,000         | 61,703,000      | 19,999,000               | - 32,701,000   | - 41,704,000    |
| 1st Responder grants .....                         | .....              | .....           | 174,000,000              | + 174,000,000  | + 174,000,000   |
| Telecommunications carrier compliance fund .....   | .....              | 50,000,000      | .....                    | .....  | - 50,000,000    |
| Defense function .....                             | .....              | 50,000,000      | .....                    | .....  | - 50,000,000    |
| Administrative review and appeals:                 |                    |                 |                          |  |                 |
| Direct appropriation .....                         | 70,007,000         | 79,685,000      | 41,858,000               | - 28,149,000   | - 37,827,000    |
| Crime trust fund .....                             | 59,251,000         | 65,178,000      | .....                    | - 59,251,000   | - 65,178,000    |
| Total, Administrative review and appeals .....     | 129,258,000        | 144,863,000     | 41,858,000               | - 87,400,000   | - 103,005,000   |
| Office of Inspector General .....                  | 33,211,000         | 34,610,000      | 33,211,000               | .....  | - 1,399,000     |
| Total, General administration .....                | 291,368,000        | 516,558,000     | 355,267,000              | + 63,899,000   | - 161,291,000   |
| Appropriations .....                               | (232,117,000)      | (365,486,000)   | (355,267,000)            | (+ 123,150,000)  | (- 10,219,000)  |
| Crime trust fund .....                             | (59,251,000)       | (151,072,000)   | .....                    | (- 59,251,000)   | (- 151,072,000) |
| United States Parole Commission                    |                    |                 |                          |  |                 |
| Salaries and expenses .....                        | 5,009,000          | 7,621,000       | 7,969,000                | + 2,960,000  | + 348,000       |

| Legal Activities                                      |  |               |               |               |              |              |  |  |
|---|--|---------------|---------------|---------------|--------------|--------------|--|--|
| General legal activities:                             |  |               |               |               |              |              |  |  |
| Direct appropriation                                  |  | 444,200,000   | 477,328,000   | 485,511,000   | +41,311,000  | +8,183,000   |  |  |
| Crime trust fund                                      |  | 7,969,000     | 8,183,000     |               | -7,969,000   | -8,183,000   |  |  |
| Total, General legal activities                       |  | 452,169,000   | 485,511,000   | 485,511,000   | +33,342,000  |              |  |  |
| Vaccine injury compensation trust fund (permanent)    |  | 4,028,000     | 4,028,000     | 4,028,000     |              |              |  |  |
| Independent counsel (permanent, indefinite)           |  | 9,500,000     | 9,500,000     | 9,500,000     |              |              |  |  |
| Antitrust Division                                    |  | 93,495,000    | 98,275,000    | 98,275,000    | +4,780,000   |              |  |  |
| Offsetting fee collections—carryover                  |  | -18,000,000   | -11,687,000   | -11,687,000   | +6,313,000   |              |  |  |
| Offsetting fee collections—current year               |  | -70,000,000   |               | -86,588,000   | -16,588,000  | -86,588,000  |  |  |
| Direct appropriation                                  |  | 5,495,000     | 86,588,000    |               | -5,495,000   | -86,588,000  |  |  |
| Offsetting fee collections                            |  |               | -86,588,000   |               |              | +86,588,000  |  |  |
| United States Attorneys:                              |  |               |               |               |              |              |  |  |
| Direct appropriation                                  |  | 972,460,000   | 1,052,993,000 | 1,083,642,000 | +111,182,000 | +30,649,000  |  |  |
| Crime trust fund                                      |  | 62,828,000    | 54,000,000    |               | -62,828,000  | -54,000,000  |  |  |
| Total, United States Attorneys                        |  | 1,035,288,000 | 1,106,993,000 | 1,083,642,000 | +48,354,000  | -23,351,000  |  |  |
| United States Trustee Program                         |  | 114,248,000   | 130,437,000   | 108,248,000   | -6,000,000   | -22,189,000  |  |  |
| Offsetting fee collections                            |  | -114,248,000  |               | -100,000,000  | +14,248,000  | -100,000,000 |  |  |
| Direct appropriation                                  |  |               | 130,437,000   | 8,248,000     | +8,248,000   | -122,189,000 |  |  |
| Offsetting fee collections                            |  |               | -130,437,000  |               |              | +130,437,000 |  |  |
| Foreign Claims Settlement Commission                  |  | 1,226,000     | 1,335,000     | 1,227,000     | +1,000       | -108,000     |  |  |
| United States Marshals Service:                       |  |               |               |               |              |              |  |  |
| Direct appropriation                                  |  | 467,833,000   | 486,436,000   | 501,752,000   | +33,919,000  | +15,316,000  |  |  |
| Crime trust fund                                      |  | 25,553,000    | 26,407,000    |               | -25,553,000  | -26,407,000  |  |  |
| Construction  |  |               | 6,300,000     | 4,000,000     | +4,000,000   | -2,300,000   |  |  |
| Justice prisoner and alien transportation system fund |  |               | 10,000,000    | 10,000,000    | +10,000,000  |              |  |  |
| Total, United States Marshals Service                 |  | 493,386,000   | 529,143,000   | 515,752,000   | +22,366,000  | -13,391,000  |  |  |
| Federal Prisoner Detention                            |  | 405,262,000   | 450,848,000   | 407,018,000   | +1,756,000   | -43,830,000  |  |  |
| Fees and expenses of witnesses                        |  | 75,000,000    | 95,000,000    | 95,000,000    | +20,000,000  |              |  |  |
| Community Relations Service                           |  | 5,319,000     | 8,899,000     | 5,319,000     |              | -3,580,000   |  |  |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1999—Continued

| Item  | 1998 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) |                 |
|---|--------------------|-----------------|--------------------------|--|-----------------|
|   |                    |                 |                          | 1998 appropriation                                     | Budget estimate |
| Assets forfeiture fund .....                                | 23,000,000         | 23,000,000      | 23,000,000               |  |                 |
| Total, Legal activities .....                               | 2,509,673,000      | 2,714,257,000   | 2,638,245,000            | + 128,572,000  | - 76,012,000    |
| Appropriations .....  | (2,413,323,000)    | (2,625,667,000) | (2,638,245,000)          | (+ 224,922,000)  | (+ 12,578,000)  |
| Crime trust fund .....                                      | (96,350,000)       | (88,590,000)    | .....                    | (- 96,350,000)   | (- 88,590,000)  |
| Radiation Exposure Compensation                             |                    |                 |                          |  |                 |
| Administrative expenses .....                               | 2,000,000          | 2,000,000       | 2,000,000                | .....  | .....           |
| Payment to radiation exposure compensation trust fund ..... | 4,381,000          | 11,717,000      | .....                    | - 4,381,000  | - 11,717,000    |
| Total, Radiation Exposure Compensation .....                | 6,381,000          | 13,717,000      | 2,000,000                | - 4,381,000  | - 11,717,000    |
| Interagency Law Enforcement                                 |                    |                 |                          |  |                 |
| Interagency crime and drug enforcement .....                | 294,967,000        | 304,014,000     | 294,967,000              | .....  | - 9,047,000     |
| Federal Bureau of Investigation                             |                    |                 |                          |  |                 |
| Salaries and expenses .....                                 | 2,445,471,000      | 2,584,885,000   | 2,240,777,000            | - 204,694,000  | - 344,108,000   |
| Counterintelligence and national security .....             | 221,050,000        | 170,283,000     | 233,473,000              | + 12,423,000   | + 63,190,000    |
| FBI Fingerprint identification .....                        | 84,400,000         | 47,800,000      | 47,800,000               | - 36,600,000   | .....           |
| Subtotal .....  | 2,750,921,000      | 2,802,968,000   | 2,522,050,000            | - 228,871,000  | - 280,918,000   |
| Crime trust fund .....                                      | 179,121,000        | 215,356,000     | 433,124,000              | + 254,003,000  | + 217,768,000   |
| Construction .....  | 44,506,000         | 14,146,000      | 1,287,000                | - 43,219,000   | - 12,859,000    |
| Total, Federal Bureau of Investigation .....                | 2,974,548,000      | 3,032,470,000   | 2,956,461,000            | - 18,087,000   | - 76,009,000    |
| Appropriations .....  | (2,795,427,000)    | (2,817,114,000) | (2,523,337,000)          | (- 272,090,000)  | (- 293,777,000) |

|   | (179,121,000)   | (215,356,000)   | (433,124,000)   | (+ 254,003,000) | (+ 217,768,000) |
|---|-----------------|-----------------|-----------------|-----------------|-----------------|
| Crime trust fund .....                              |                 |                 |                 |                 |                 |
| Drug Enforcement Administration                     |                 |                 |                 |                 |                 |
| Salaries and expenses .....                         | 782,109,000     | 841,970,000     | 863,764,000     | + 81,655,000    | + 21,794,000    |
| Diversion control fund .....                        | - 58,268,000    | - 76,710,000    | - 61,710,000    | - 3,442,000     | + 15,000,000    |
| Direct appropriation .....                          | 723,841,000     | 765,260,000     | 802,054,000     | + 78,213,000    | + 36,794,000    |
| Crime trust fund .....                              | 403,537,000     | 405,000,000     | 407,000,000     | + 3,463,000     | + 2,000,000     |
| Construction .....                                  | 8,000,000       | 8,000,000       | 8,000,000       |                 |                 |
| Total, Drug Enforcement Administration .....        | 1,135,378,000   | 1,178,260,000   | 1,217,054,000   | + 81,676,000    | + 38,794,000    |
| Appropriations .....                                | (731,841,000)   | (773,260,000)   | (810,054,000)   | (+ 78,213,000)  | (+ 36,794,000)  |
| Crime trust fund .....                              | (403,537,000)   | (405,000,000)   | (407,000,000)   | (+ 3,463,000)   | (+ 2,000,000)   |
| Immigration and Naturalization Service              |                 |                 |                 |                 |                 |
| Salaries and expenses .....                         | 1,657,886,000   | 1,867,353,000   | 1,169,317,000   | - 488,569,000   | - 698,036,000   |
| Immigration initiative (crime trust fund) .....     | 608,206,000     | 738,000,000     | 1,099,667,000   | + 491,461,000   | + 361,667,000   |
| Subtotal, Direct and crime trust fund .....         | 2,266,092,000   | 2,605,353,000   | 2,268,984,000   | + 2,892,000     | - 336,369,000   |
| Fee accounts:                                       |                 |                 |                 |                 |                 |
| Immigration legalization fund .....                 | (1,259,000)     | (998,000)       | (998,000)       | (- 261,000)     |                 |
| Immigration user fee .....                          | (426,622,000)   | (486,071,000)   | (444,290,000)   | (+ 17,668,000)  | (- 41,781,000)  |
| Land border inspection fund .....                   | (3,043,000)     | (3,275,000)     | (3,275,000)     | (+ 232,000)     |                 |
| Immigration examinations fund .....                 | (785,342,000)   | (826,402,000)   | (905,700,000)   | (+ 120,358,000) | (+ 79,298,000)  |
| Breach bond fund .....                              | (235,272,000)   | (144,870,000)   | (201,995,000)   | (- 33,277,000)  | (+ 57,125,000)  |
| Immigration enforcement fines .....                 | (3,800,000)     | (3,800,000)     | (4,050,000)     | (+ 250,000)     | (+ 250,000)     |
| Subtotal, Fee accounts .....                        | (1,455,338,000) | (1,465,416,000) | (1,560,308,000) | (+ 104,970,000) | (+ 94,892,000)  |
| Construction .....                                  | 75,959,000      | 118,170,000     | 110,251,000     | + 34,292,000    | - 7,919,000     |
| Total, Immigration and Naturalization Service ..... | (3,797,389,000) | (4,188,939,000) | (3,939,543,000) | (+ 142,154,000) | (- 249,396,000) |
| Appropriations .....                                | (1,733,845,000) | (1,985,523,000) | (1,279,568,000) | (- 454,277,000) | (- 705,955,000) |
| Crime trust fund .....                              | (608,206,000)   | (738,000,000)   | (1,099,667,000) | (+ 491,461,000) | (+ 361,667,000) |
| (Fee accounts) .....                                | (1,455,338,000) | (1,465,416,000) | (1,560,308,000) | (+ 104,970,000) | (+ 94,892,000)  |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1999—Continued

| Item  | 1998 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) |                 |
|---|--------------------|-----------------|--------------------------|--|-----------------|
|   |                    |                 |                          | 1998 appropriation                                     | Budget estimate |
| Federal Prison System   |                    |                 |                          |  |                 |
| Salaries and expenses .....   | 2,911,642,000      | 3,006,494,000   | 2,999,956,000            | + 88,314,000   | - 6,538,000     |
| Prior year carryover .....  | - 90,000,000       | - 90,000,000    | - 90,000,000             | .....  | .....           |
| Direct appropriation .....  | 2,821,642,000      | 2,916,494,000   | 2,909,956,000            | + 88,314,000   | - 6,538,000     |
| Crime trust fund .....  | 26,135,000         | 26,559,000      | 9,559,000                | - 16,576,000   | - 17,000,000    |
| Subtotal, Salaries and expenses .....   | 2,847,777,000      | 2,943,053,000   | 2,919,515,000            | + 71,738,000   | - 23,538,000    |
| Buildings and facilities .....  | 255,133,000        | 413,997,000     | 379,197,000              | + 124,064,000  | - 34,800,000    |
| Transfer from D.C. bill (Public Law 105-100) .....                                    | 302,000,000        | .....           | .....                    | - 302,000,000  | .....           |
| Subtotal, Buildings and facilities .....  | 557,133,000        | 413,997,000     | 379,197,000              | - 177,936,000  | - 34,800,000    |
| Federal Prison Industries, Incorporated (limitation on administrative expenses) ..... | (3,266,000)        | (3,266,000)     | (3,266,000)              | .....  | .....           |
| Total, Federal Prison System .....  | 3,404,910,000      | 3,357,050,000   | 3,298,712,000            | - 106,198,000  | - 58,338,000    |
| Office of Justice Programs  |                    |                 |                          |  |                 |
| Justice assistance .....  | 173,600,000        | 307,711,000     | 170,151,000              | - 3,449,000  | - 137,560,000   |
| State and local law enforcement assistance:   |                    |                 |                          |  |                 |
| Direct appropriations:  |                    |                 |                          |  |                 |
| Byrne grants (discretionary) .....  | 46,500,000         | .....           | 47,000,000               | + 500,000  | + 47,000,000    |
| Byrne grants (formula) .....  | 462,500,000        | .....           | 505,000,000              | + 42,500,000   | + 505,000,000   |
| Subtotal, Direct appropriations .....   | 509,000,000        | .....           | 552,000,000              | + 43,000,000   | + 552,000,000   |

|   |               |               |               |  |  |  |  |               |
|---|---------------|---------------|---------------|--|--|--|--|---------------|
| Crime trust fund:                             |               |               |               |  |  |  |  |               |
| Byrne grants (discretionary)                  | 42,500,000    | 47,750,000    |               |  |  |  |  | -47,750,000   |
| Byrne grants (formula)                        | 523,000,000   | 505,000,000   |               |  |  |  |  | -505,000,000  |
| Local law enforcement block grant             | (20,000,000)  |               | 500,000,000   |  |  |  |  | +500,000,000  |
| Boys and Girls clubs (earmark)                | 250,000,000   |               | (40,000,000)  |  |  |  |  | (+40,000,000) |
| Juvenile crime block grant                    |               |               | 100,000,000   |  |  |  |  | +100,000,000  |
| Youth violence courts                         |               | 50,000,000    |               |  |  |  |  | -50,000,000   |
| Juvenile prosecutor program                   |               | 100,000,000   |               |  |  |  |  | -100,000,000  |
| Community prosecutors program                 |               | 50,000,000    |               |  |  |  |  | -50,000,000   |
| Drug intervention treatment program           |               | 85,000,000    |               |  |  |  |  | -85,000,000   |
| Indian tribal courts program                  |               | 10,000,000    |               |  |  |  |  |               |
| Juvenile drug prevention program              |               | 5,000,000     |               |  |  |  |  |               |
| Drug courts                                   | 30,000,000    | 30,000,000    | 40,000,000    |  |  |  |  | -5,000,000    |
| Upgrade criminal history records              | 45,000,000    | 45,000,000    | 45,000,000    |  |  |  |  | +10,000,000   |
| State prison grants                           | 720,500,000   | 711,000,000   | 711,000,000   |  |  |  |  |               |
| State criminal alien assistance program       | 420,000,000   | 350,000,000   | 350,000,000   |  |  |  |  |               |
| Violence Against Women grants                 | 270,750,000   | 282,750,000   | 282,750,000   |  |  |  |  | +12,000,000   |
| State prison drug treatment                   | 63,000,000    | 72,000,000    | 63,000,000    |  |  |  |  | -9,000,000    |
| DNA identification grants                     |               | 15,000,000    | 15,000,000    |  |  |  |  |               |
| Counterterrorism technologies                 |               | 10,000,000    |               |  |  |  |  | -10,000,000   |
| Grants to firefighters                        |               | 5,000,000     |               |  |  |  |  | -5,000,000    |
| Other crime control programs                  | 17,650,000    | 7,900,000     | 7,900,000     |  |  |  |  |               |
| Subtotal, Crime trust fund                    | 2,382,400,000 | 2,369,400,000 | 2,124,650,000 |  |  |  |  | -244,750,000  |
| Total, State and local law enforcement        | 2,891,400,000 | 2,369,400,000 | 2,676,650,000 |  |  |  |  | +307,250,000  |
| Weed and seed program fund                    |               |               |               |  |  |  |  |               |
| Crime trust fund                              | 33,500,000    |               | 40,000,000    |  |  |  |  | +40,000,000   |
| Community oriented policing services          | 1,400,000,000 | 1,400,000,000 | 1,400,000,000 |  |  |  |  | -40,000,000   |
| Police corps                                  | 30,000,000    | 20,000,000    | 40,000,000    |  |  |  |  | +20,000,000   |
| Total, Community oriented policing services   | 1,430,000,000 | 1,420,000,000 | 1,440,000,000 |  |  |  |  | +20,000,000   |
| Juvenile crime control and prevention program | 238,672,000   | 277,950,000   | 284,597,000   |  |  |  |  | +6,647,000    |
| Public safety officers benefits program:      |               |               |               |  |  |  |  |               |
| Death benefits                                | 31,003,000    | 32,059,000    | 31,809,000    |  |  |  |  | -250,000      |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1999—Continued

| Item   | 1998 appropriation | Budget estimate  | Committee recommendation | Senate Committee recommendation compared with (+ or -) |                 |
|--|--------------------|------------------|--------------------------|--|-----------------|
|  |                    |                  |                          | 1998 appropriation                                     | Budget estimate |
| Federal law enforcement dependents assistance .....  | 2,000,000          | 250,000          | .....                    | - 2,000,000  | - 250,000       |
| Total, Public safety officers benefits program ..... | 33,003,000         | 32,309,000       | 31,809,000               | - 1,194,000  | - 500,000       |
| Total, Office of Justice Programs .....              | 4,800,175,000      | 4,447,370,000    | 4,643,207,000            | - 156,968,000  | + 195,837,000   |
| Appropriations .....                                 | (987,775,000)      | (617,970,000)    | (1,078,557,000)          | (+ 90,782,000)   | (+ 460,587,000) |
| Crime trust fund .....                               | (3,812,400,000)    | (3,829,400,000)  | (3,564,650,000)          | (- 247,750,000)  | (- 264,750,000) |
| General Provisions                                   |                    |                  |                          |  |                 |
| Trustee system fund interest .....                   | .....              | .....            | 6,000,000                | + 6,000,000  | + 6,000,000     |
| Total, title I, Department of Justice .....          | 17,764,460,000     | 18,294,840,000   | 17,799,117,000           | + 34,657,000   | - 495,723,000   |
| Appropriations .....                                 | (12,579,460,000)   | (12,840,863,000) | (12,285,117,000)         | (- 294,343,000)  | (- 555,746,000) |
| Crime trust fund .....                               | (5,185,000,000)    | (5,453,977,000)  | (5,514,000,000)          | (+ 329,000,000)  | (+ 60,023,000)  |
| (Limitation on administrative expenses) .....        | (3,266,000)        | (3,266,000)      | (3,266,000)              | .....  | .....           |
| TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES |                    |                  |                          |  |                 |
| TRADE AND INFRASTRUCTURE DEVELOPMENT                 |                    |                  |                          |  |                 |
| Office of the United States Trade Representative     |                    |                  |                          |  |                 |
| Salaries and expenses .....                          | 23,450,000         | 24,836,000       | 24,836,000               | + 1,386,000  | .....           |
| International Trade Commission                       |                    |                  |                          |  |                 |
| Salaries and expenses .....                          | 41,200,000         | 45,500,000       | 45,500,000               | + 4,300,000  | .....           |
| Total, Related agencies .....                        | 64,650,000         | 70,336,000       | 70,336,000               | + 5,686,000  | .....           |

|   |             |               |               |               |              |
|---|-------------|---------------|---------------|---------------|--------------|
| <b>DEPARTMENT OF COMMERCE</b>                     |             |               |               |               |              |
| International Trade Administration                |             |               |               |               |              |
| Operations and administration .....               | 283,066,000 | 292,452,000   | 310,167,000   | + 27,101,000  | + 17,715,000 |
| Offsetting fee collections .....                  |             | - 6,000,000   | - 6,000,000   | - 6,000,000   |              |
| Direct appropriation .....                        | 283,066,000 | 286,452,000   | 304,167,000   | + 21,101,000  | + 17,715,000 |
| Export Administration                             |             |               |               |               |              |
| Operations and administration .....               | 42,000,000  | 48,356,000    | 43,794,000    | + 1,794,000   | - 4,562,000  |
| CWC enforcement .....                             | 1,900,000   | 3,877,000     | 1,877,000     | - 23,000      | - 2,000,000  |
| Total, Export Administration .....                | 43,900,000  | 52,233,000    | 45,671,000    | + 1,771,000   | - 6,562,000  |
| Economic Development Administration               |             |               |               |               |              |
| Economic development assistance programs .....    | 340,000,000 | 368,379,000   | 280,775,000   | - 59,225,000  | - 87,604,000 |
| Salaries and expenses .....                       | 21,028,000  | 29,590,000    | 22,465,000    | + 1,437,000   | - 7,125,000  |
| Total, Economic Development Administration .....  | 361,028,000 | 397,969,000   | 303,240,000   | - 57,788,000  | - 94,729,000 |
| Minority Business Development Agency              |             |               |               |               |              |
| Minority business development .....               | 25,000,000  | 28,087,000    | 25,276,000    | + 276,000     | - 2,811,000  |
| Total, Trade and Infrastructure Development ..... | 777,644,000 | 835,077,000   | 748,690,000   | - 28,954,000  | - 86,387,000 |
| <b>ECONOMIC AND INFORMATION INFRASTRUCTURE</b>    |             |               |               |               |              |
| Economic and Statistical Analysis                 |             |               |               |               |              |
| Salaries and expenses .....                       | 47,499,000  | 53,701,000    | 49,169,000    | + 1,670,000   | - 4,532,000  |
| Bureau of the Census                              |             |               |               |               |              |
| Salaries and expenses .....                       | 137,278,000 | 160,102,000   | 141,801,000   | + 4,523,000   | - 18,301,000 |
| Periodic censuses and programs .....              | 555,813,000 | 1,027,784,000 | 1,002,458,000 | + 446,645,000 | - 25,326,000 |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1999—Continued

| Item   | 1998 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) |                 |
|--|--------------------|-----------------|--------------------------|--|-----------------|
|  |                    |                 |                          | 1998 appropriation                                     | Budget estimate |
| Total, Bureau of the Census .....  | 693,091,000        | 1,187,886,000   | 1,144,259,000            | + 451,168,000  | - 43,627,000    |
| National Telecommunications and Information Administration                       |                    |                 |                          |  |                 |
| Salaries and expenses .....  | 16,550,000         | 10,940,000      | 10,940,000               | - 5,610,000  | .....           |
| Public telecommunications facilities and digital broadcasting applications ..... | 21,000,000         | 15,000,000      | 20,900,000               | - 100,000  | + 5,900,000     |
| Information infrastructure grants .....  | 20,000,000         | 22,000,000      | 11,000,000               | - 9,000,000  | - 11,000,000    |
| Total, National Telecommunications and Information Administration .....          | 57,550,000         | 47,940,000      | 42,840,000               | - 14,710,000   | - 5,100,000     |
| Patent and Trademark Office  |                    |                 |                          |  |                 |
| Salaries and expenses .....  | 716,000,000        | 724,526,000     | 785,526,000              | + 69,526,000   | + 61,000,000    |
| Offsetting fee collections .....   | - 664,000,000      | - 654,000,000   | - 654,000,000            | + 10,000,000   | .....           |
| Prior year fee funding .....   | .....              | - 65,868,000    | - 65,868,000             | - 65,868,000   | .....           |
| Offsetting fee collections—carryover .....                                       | - 25,000,000       | .....           | - 65,658,000             | - 40,658,000   | - 65,658,000    |
| Subtotal .....   | (27,000,000)       | (4,658,000)     | .....                    | (- 27,000,000)   | (- 4,658,000)   |
| Rescission .....   | .....              | - 116,342,000   | .....                    | .....  | + 116,342,000   |
| Total, Patent and Trademark Office .....   | (27,000,000)       | (- 111,684,000) | .....                    | (- 27,000,000)   | (+ 111,684,000) |
| Total, Economic and Information Infrastructure .....                             | 825,140,000        | 1,177,843,000   | 1,236,268,000            | + 411,128,000  | + 58,425,000    |

| SCIENCE AND TECHNOLOGY   |               |               |               |                 |
|--|---------------|---------------|---------------|-----------------|
| Technology Administration  |               |               |               |                 |
| Under Secretary for Technology/Office of Technology Policy                           |               |               |               |                 |
|  | 8,500,000     | 9,993,000     | 9,993,000     | + 1,493,000     |
| Salaries and expenses .....  |               |               |               |                 |
| National Institute of Standards and Technology .....                                 |               |               |               |                 |
| Scientific and technical research and services .....                                 | 276,852,000   | 291,636,000   | 290,636,000   | + 13,784,000    |
| Industrial technology services .....   | 306,000,000   | 366,691,000   | 299,300,000   | - 67,391,000    |
| Construction of research facilities .....  | 95,000,000    | 56,714,000    | 56,714,000    | - 38,286,000    |
| Advance appropriations, fiscal year 2000-2002 .....                                  |               | 115,000,000   |               | - 115,000,000   |
| Total, National Institute of Standards and Technology .....                          | 677,852,000   | 830,041,000   | 646,650,000   | - 31,202,000    |
| National Oceanic and Atmospheric Administration                                      |               |               |               |                 |
| Operations, research, and facilities .....   | 1,512,050,000 | 1,486,481,000 | 1,608,914,000 | + 96,864,000    |
| Aeronautical charting fees .....   |               |               |               |                 |
| New offsetting collections—fisheries fees .....                                      |               | -19,781,000   |               | + 19,781,000    |
| New offsetting collections—navigation fees .....                                     |               | - 2,500,000   |               | + 2,500,000     |
| Offsetting collections—fees .....  | - 3,000,000   |               |               |                 |
| Limited access system administrative fund .....                                      |               | - 3,000,000   | - 3,000,000   |                 |
| IFQ/CDQ offsetting receipts .....  |               | 4,000,000     | 4,000,000     |                 |
| Direct appropriation .....   | 1,509,050,000 | 1,465,200,000 | 1,609,914,000 | + 144,714,000   |
| (By transfer from Promote and Develop Fund) .....                                    | (62,381,000)  | (62,381,000)  | (63,073,000)  | ( + 692,000)    |
| (By transfer from Damage assessment and restoration revolving fund, permanent) ..... | 5,000,000     | 5,000,000     | 4,713,000     | - 287,000       |
| (Damage assessment and restoration revolving fund) .....                             | - 5,000,000   | - 5,000,000   | - 4,713,000   | + 287,000       |
| Total, Operations, research and facilities .....                                     | 1,509,050,000 | 1,465,200,000 | 1,609,914,000 | + 144,714,000   |
| Procurement, acquisition and construction .....                                      | 491,609,000   | 621,595,000   | 587,922,000   | - 33,673,000    |
| Advance appropriations, fiscal year 2000-2011 .....                                  |               | 2,797,815,000 |               | - 2,797,815,000 |
| Coastal zone management fund .....   | (7,800,000)   | (4,000,000)   | (4,000,000)   |                 |
| Mandatory offset .....   | (- 7,800,000) | (- 4,000,000) | (- 4,000,000) |                 |
| Fishermen's contingency fund .....   | 953,000       | 953,000       | 953,000       |                 |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 1999—Continued

| Item   | 1998<br>appropriation | Budget estimate | Committee<br>recommendation | Senate Committee recommendation compared<br>with (+ or -) |                   |
|--|-----------------------|-----------------|-----------------------------|---|-------------------|
|  |                       |                 |                             | 1998<br>appropriation                                     | Budget estimate   |
| Foreign fishing observer fund .....                                | 189,000               | 189,000         | 189,000                     |   |                   |
| Fisheries finance program account .....                            | 338,000               | 238,000         | 388,000                     | + 50,000  | + 150,000         |
| Total, National Oceanic and Atmospheric Administration .....       | 2,002,139,000         | 4,885,990,000   | 2,199,366,000               | + 197,227,000   | - 2,686,624,000   |
| Total, Science and Technology .....                                | 2,688,491,000         | 5,726,024,000   | 2,856,009,000               | + 167,518,000   | - 2,870,015,000   |
| General Administration   |                       |                 |                             |   |                   |
| Salaries and expenses .....  | 27,490,000            | 32,187,000      | 31,765,000                  | + 4,275,000   | - 422,000         |
| Office of Inspector General .....                                  | 20,140,000            | 21,662,000      | 20,662,000                  | + 522,000   | - 1,000,000       |
| Total, General administration .....                                | 47,630,000            | 53,849,000      | 52,427,000                  | + 4,797,000   | - 1,422,000       |
| National Oceanic and Atmospheric Administration                    |                       |                 |                             |   |                   |
| Operations, research and facilities (rescission) .....             | - 20,500,000          |                 |                             | + 20,500,000  |                   |
| United States Travel and Tourism Administration                    |                       |                 |                             |   |                   |
| Salaries and expenses (rescission) .....                           | - 3,000,000           |                 |                             | + 3,000,000   |                   |
| Total, Department of Commerce .....                                | 4,250,755,000         | 7,722,457,000   | 4,823,058,000               | + 572,303,000   | - 2,899,399,000   |
| Total, title II, Department of Commerce and related agencies ..... | 4,315,405,000         | 7,792,793,000   | 4,893,394,000               | + 577,989,000   | - 2,899,399,000   |
| Appropriations .....   | (4,338,905,000)       | (4,996,320,000) | (4,893,394,000)             | (+ 554,489,000)   | (- 102,926,000)   |
| Rescissions .....  | (- 23,500,000)        | (- 116,342,000) |                             | (+ 23,500,000)  | (+ 116,342,000)   |
| Advance appropriations .....                                       |                       | (2,912,815,000) |                             |   | (- 2,912,815,000) |

| (By transfer) .....  | (62,381,000)  | (62,381,000)  | (63,073,000)  | (+ 692,000)   | (+ 692,000)   |
|--|---------------|---------------|---------------|---------------|---------------|
| <b>TITLE III—THE JUDICIARY</b>   |               |               |               |               |               |
| Supreme Court of the United States                                     |               |               |               |               |               |
| Salaries and expenses:   |               |               |               |               |               |
| Salaries of justices .....   | 1,654,000     | 1,690,000     | 1,654,000     |               | — 36,000      |
| Other salaries and expenses .....                                      | 27,591,000    | 29,405,000    | 29,405,000    | + 1,814,000   |               |
| Total, Salaries and expenses .....                                     | 29,245,000    | 31,095,000    | 31,059,000    | + 1,814,000   | — 36,000      |
| Care of the building and grounds .....                                 | 3,400,000     | 5,871,000     | 5,871,000     | + 2,471,000   |               |
| Total, Supreme Court of the United States .....                        | 32,645,000    | 36,966,000    | 36,930,000    | + 4,285,000   | — 36,000      |
| <b>United States Court of Appeals for the Federal Circuit</b>          |               |               |               |               |               |
| Salaries and expenses:   |               |               |               |               |               |
| Salaries of judges .....   | 1,887,000     | 1,943,000     | 1,901,000     | + 14,000      | — 42,000      |
| Other salaries and expenses .....                                      | 13,688,000    | 14,885,000    | 13,730,000    | + 42,000      | — 1,155,000   |
| Total, Salaries and expenses .....                                     | 15,575,000    | 16,828,000    | 15,631,000    | + 56,000      | — 1,197,000   |
| <b>United States Court of International Trade</b>                      |               |               |               |               |               |
| Salaries and expenses:   |               |               |               |               |               |
| Salaries of judges .....   | 1,483,000     | 1,506,000     | 1,488,000     | + 5,000       | — 18,000      |
| Other salaries and expenses .....                                      | 9,966,000     | 10,316,000    | 9,995,000     | + 29,000      | — 321,000     |
| Total, Salaries and expenses .....                                     | 11,449,000    | 11,822,000    | 11,483,000    | + 34,000      | — 339,000     |
| <b>Courts of Appeals, District Courts, and Other Judicial Services</b> |               |               |               |               |               |
| Salaries and expenses:   |               |               |               |               |               |
| Salaries of judges and bankruptcy judges .....                         | 227,674,000   | 238,329,000   | 231,532,000   | + 3,858,000   | — 6,797,000   |
| Other salaries and expenses .....                                      | 2,454,726,000 | 2,710,394,000 | 2,576,984,000 | + 122,258,000 | — 133,410,000 |
| Direct appropriation .....   | 2,682,400,000 | 2,948,723,000 | 2,808,516,000 | + 126,116,000 | — 140,207,000 |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 1999—Continued

| Item   | 1998 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) |                 |
|--|--------------------|-----------------|--------------------------|--|-----------------|
|  |                    |                 |                          | 1998 appropriation                                     | Budget estimate |
| Crime trust fund .....   | 40,000,000         | 60,000,000      | .....                    | -40,000,000  | -60,000,000     |
| Total, Salaries and expenses .....   | 2,722,400,000      | 3,008,723,000   | 2,808,516,000            | +86,116,000  | -200,207,000    |
| Vaccine Injury Compensation Trust Fund .....                                 | 2,450,000          | 2,515,000       | 2,515,000                | +65,000  | .....           |
| Defender services .....  | 329,529,000        | 360,952,000     | 360,952,000              | +31,423,000  | .....           |
| Fees of jurors and commissioners .....                                       | 64,438,000         | 68,173,000      | 68,721,000               | +4,283,000   | +548,000        |
| Court security .....   | 167,214,000        | 179,055,000     | 176,873,000              | +9,659,000   | -2,182,000      |
| Total, Courts of Appeals, District Courts, and Other Judicial Services ..... | 3,286,031,000      | 3,619,418,000   | 3,417,577,000            | +131,546,000   | -201,841,000    |
| Administrative Office of the United States Courts                            |                    |                 |                          |  |                 |
| Salaries and expenses .....  | 52,000,000         | 56,156,000      | 54,682,000               | +2,682,000   | -1,474,000      |
| Federal Judicial Center  |                    |                 |                          |  |                 |
| Salaries and expenses .....  | 17,495,000         | 18,470,000      | 17,716,000               | +221,000   | -754,000        |
| Judicial Retirement Funds  |                    |                 |                          |  |                 |
| Payment to Judiciary Trust Funds .....                                       | 34,200,000         | 37,300,000      | 37,300,000               | +3,100,000   | .....           |
| United States Sentencing Commission  |                    |                 |                          |  |                 |
| Salaries and expenses .....  | 9,240,000          | 9,900,000       | 9,374,000                | +134,000   | -526,000        |
| General Provisions   |                    |                 |                          |  |                 |
| Judges' pay raise .....  | 5,000,000          | .....           | 6,893,000                | +1,893,000   | +6,893,000      |
| Total, title III, the Judiciary .....  | 3,463,635,000      | 3,806,860,000   | 3,607,586,000            | +143,951,000   | -199,274,000    |
| Appropriations .....   | (3,423,635,000)    | (3,746,860,000) | (3,607,586,000)          | (+183,951,000)   | (-139,274,000)  |

|   | (40,000,000)  | (60,000,000)  | (-40,000,000) | (-60,000,000) |
|---|---------------|---------------|---------------|---------------|
| Crime trust fund .....  |               |               |               |               |
| TITLE IV—DEPARTMENT OF STATE  |               |               |               |               |
| Administration of Foreign Affairs   |               |               |               |               |
| Diplomatic and consular programs .....                                      | 1,705,600,000 | 1,664,882,000 | 1,685,094,000 | + 20,212,000  |
| (Transfer out) .....  |               |               | (-4,000,000)  | (-4,000,000)  |
| (Transfer out) .....  |               |               | (-13,000,000) | (-13,000,000) |
| Registration fees .....   | 700,000       | 700,000       | 700,000       |               |
| Security .....  | 23,700,000    | 25,700,000    | -23,700,000   | -25,700,000   |
| Total, Diplomatic and consular programs .....                               | 1,730,000,000 | 1,691,282,000 | 1,685,794,000 | -5,488,000    |
| Salaries and expenses .....   | 363,513,000   | 367,778,000   | 349,474,000   | -18,304,000   |
| Capital investment fund .....   | 86,000,000    | 118,340,000   | 118,340,000   |               |
| Office of Inspector General .....   | 27,495,000    | 28,717,000    | 27,495,000    |               |
| Representation allowances .....   | 4,200,000     | 4,300,000     | 6,500,000     | + 2,200,000   |
| Protection of foreign missions and officials .....                          | 7,900,000     | 8,100,000     | 7,900,000     | -200,000      |
| Security and maintenance of United States missions .....                    | 404,000,000   | 640,800,000   | 550,832,000   | -89,968,000   |
| Emergencies in the diplomatic and consular service .....                    | 5,500,000     | 5,500,000     | 3,500,000     | -2,000,000    |
| By transfer .....   |               |               | (4,000,000)   | (+ 4,000,000) |
| Repatiation Loans Program Account:  |               |               |               |               |
| Direct loans subsidy .....  | 593,000       | 593,000       | 543,000       | -50,000       |
| Administrative expenses .....   | 607,000       | 607,000       | 457,000       | -150,000      |
| Total, Repatriation loans program account .....                             | 1,200,000     | 1,200,000     | 1,000,000     | -200,000      |
| Payment to the American Institute in Taiwan .....                           | 14,000,000    | 16,426,000    | 14,490,000    | + 490,000     |
| Payment to the Foreign Service Retirement and Disability Fund .....         | 129,935,000   | 132,500,000   | 132,500,000   |               |
| Total, Administration of Foreign Affairs .....                              | 2,773,743,000 | 3,014,943,000 | 2,897,825,000 | -117,118,000  |
| International Organizations and Conferences                                 |               |               |               |               |
| Contributions to international organizations, current year assessment ..... | 901,515,000   | 930,773,000   | 877,718,000   | -53,055,000   |
| (Transfer out) .....  |               |               | (-1,223,000)  | (-1,223,000)  |
| Prior year assessment .....   | 54,000,000    |               | 254,000,000   | + 254,000,000 |
| Subtotal .....  | 955,515,000   | 930,773,000   | 1,131,718,000 | + 200,945,000 |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1999—Continued

| Item  | 1998 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) |                 |
|---|--------------------|-----------------|--------------------------|--|-----------------|
|   |                    |                 |                          | 1998 appropriation                                     | Budget estimate |
| Contributions for international peacekeeping activities, current year ..... | 210,000,000        | 231,000,000     | 210,093,000              | + 93,000   | - 20,907,000    |
| Prior year assessment .....   | 46,000,000         | .....           | 221,000,000              | + 175,000,000  | + 221,000,000   |
| Subtotal .....  | 256,000,000        | 231,000,000     | 431,093,000              | + 175,093,000  | + 200,093,000   |
| International conferences and contingencies .....                           | .....              | 1,223,000       | .....                    | .....  | - 1,223,000     |
| (By transfer) .....   | .....              | .....           | 1,223,000                | + 1,223,000  | + 1,223,000     |
| Total, International Organizations and Conferences .....                    | 1,211,515,000      | 1,162,996,000   | 1,562,811,000            | + 351,296,000  | + 399,815,000   |
| International Commissions   |                    |                 |                          |  |                 |
| International Boundary and Water Commission, United States and Mexico:      |                    |                 |                          |  |                 |
| Salaries and expenses .....   | 17,490,000         | 19,179,000      | 17,490,000               | .....  | - 1,689,000     |
| Construction .....  | 6,463,000          | 7,125,000       | 6,463,000                | .....  | - 662,000       |
| American sections, international commissions .....                          | 5,490,000          | 5,867,000       | 5,490,000                | .....  | - 377,000       |
| International fisheries commissions .....                                   | 14,549,000         | 14,549,000      | 14,549,000               | .....  | .....           |
| Total, International commissions .....                                      | 43,992,000         | 46,720,000      | 43,992,000               | .....  | - 2,728,000     |
| Other   |                    |                 |                          |  |                 |
| Payment to the Asia Foundation .....  | 8,000,000          | 15,000,000      | .....                    | - 8,000,000  | - 15,000,000    |
| Total, Department of State .....  | 4,037,250,000      | 4,239,659,000   | 4,504,628,000            | + 467,378,000  | + 264,969,000   |

| RELATED AGENCIES   |                 |                 |                 |                 |                 |
|--|-----------------|-----------------|-----------------|-----------------|-----------------|
| Arms Control and Disarmament Agency                        |                 |                 |                 |                 |                 |
| Arms control and disarmament activities .....              |                 |                 |                 |                 |                 |
| United States Information Agency                           |                 |                 |                 |                 |                 |
| 41,500,000   | 43,400,000      | 43,400,000      | 43,400,000      | + 1,900,000     | .....           |
| 427,097,000  | 461,728,000     | 427,097,000     | 427,097,000     | .....           | - 34,631,000    |
| 5,050,000  | 5,050,000       | 5,050,000       | 5,050,000       | .....           | .....           |
| 197,731,000  | 199,024,000     | 205,024,000     | 205,024,000     | + 7,293,000     | + 6,000,000     |
| 570,000  | 600,000         | 525,000         | 525,000         | - 45,000        | - 75,000        |
| 400,000  | 400,000         | 350,000         | 350,000         | - 50,000        | - 50,000        |
| 364,415,000  | 388,690,000     | 332,915,000     | 332,915,000     | - 31,500,000    | - 55,775,000    |
| 5,000,000  | .....           | .....           | .....           | - 5,000,000     | .....           |
| 22,095,000   | .....           | 22,095,000      | 22,095,000      | .....           | + 22,095,000    |
| 40,000,000   | 25,308,000      | 13,245,000      | 13,245,000      | - 26,755,000    | - 12,063,000    |
| 12,000,000   | 5,000,000       | 12,000,000      | 12,000,000      | .....           | + 7,000,000     |
| .....  | .....           | (13,000,000)    | (13,000,000)    | (+ 13,000,000)  | (+ 13,000,000)  |
| 1,500,000  | 2,500,000       | 3,000,000       | 3,000,000       | + 1,500,000     | + 500,000       |
| 30,000,000   | 31,000,000      | 30,500,000      | 30,500,000      | + 500,000       | - 500,000       |
| 1,105,858,000  | 1,119,300,000   | 1,051,801,000   | 1,051,801,000   | - 54,057,000    | - 67,499,000    |
| Total, United States Information Agency .....              |                 |                 |                 |                 |                 |
| Arms Control and Disarmament Agency                        |                 |                 |                 |                 |                 |
| Arms control and disarmament activities (rescission) ..... |                 |                 |                 |                 |                 |
| - 700,000  | .....           | .....           | .....           | + 700,000       | .....           |
| Total, related agencies .....                              |                 |                 |                 |                 |                 |
| 1,146,658,000  | 1,162,700,000   | 1,095,201,000   | 1,095,201,000   | - 51,457,000    | - 67,499,000    |
| Total, title IV, Department of State .....                 |                 |                 |                 |                 |                 |
| 5,183,908,000  | 5,402,359,000   | 5,599,829,000   | 5,599,829,000   | + 415,921,000   | + 197,470,000   |
| (5,179,608,000)  | (5,402,359,000) | (5,599,829,000) | (5,599,829,000) | (+ 420,221,000) | (+ 197,470,000) |
| (5,000,000)  | .....           | .....           | .....           | (- 5,000,000)   | .....           |
| (- 700,000)  | .....           | .....           | .....           | (+ 700,000)     | .....           |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1999—Continued

| Item   | 1998 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) |                 |
|--|--------------------|-----------------|--------------------------|--|-----------------|
|  |                    |                 |                          | 1998 appropriation                                     | Budget estimate |
| TITLE V—RELATED AGENCIES   |                    |                 |                          |  |                 |
| DEPARTMENT OF TRANSPORTATION   |                    |                 |                          |  |                 |
| Maritime Administration  |                    |                 |                          |  |                 |
| Operating-differential subsidies (liquidation of contract authority) | (51,030,000)       | .....           | .....                    | (-51,030,000)  | .....           |
| Maritime Security Program  | 35,500,000         | 97,650,000      | 97,650,000               | +62,150,000  | .....           |
| Operations and training  | 67,600,000         | 70,553,000      | 69,818,000               | +2,218,000   | -735,000        |
| Maritime Guaranteed Loan (Title XI) Program Account:                 |                    |                 |                          |  |                 |
| Guaranteed loans subsidy   | 32,000,000         | 6,000,000       | 6,000,000                | -26,000,000  | .....           |
| Administrative expenses  | 3,725,000          | 4,000,000       | 4,000,000                | +275,000   | .....           |
| Total, Maritime guaranteed loan program account                      | 35,725,000         | 10,000,000      | 10,000,000               | -25,725,000  | .....           |
| Total, Maritime Administration                                       | 138,825,000        | 178,203,000     | 177,468,000              | +38,643,000  | -735,000        |
| Commission for the Preservation of America's Heritage Abroad         |                    |                 |                          |  |                 |
| Salaries and expenses  | 250,000            | 250,000         | 250,000                  | .....  | .....           |
| Commission on Civil Rights   |                    |                 |                          |  |                 |
| Salaries and expenses  | 8,740,000          | 11,000,000      | 8,900,000                | +160,000   | -2,100,000      |
| Commission on Immigration Reform                                     |                    |                 |                          |  |                 |
| Salaries and expenses  | 459,000            | .....           | .....                    | -459,000   | .....           |
| Commission on Security and Cooperation in Europe                     |                    |                 |                          |  |                 |
| Salaries and expenses  | 1,090,000          | 1,090,000       | 1,159,000                | +69,000  | +69,000         |

|   |               |               |               |              |               |  |  |  |  |
|---|---------------|---------------|---------------|--------------|---------------|--|--|--|--|
| Equal Employment Opportunity Commission         |               |               |               |              |               |  |  |  |  |
| Salaries and expenses .....                     | 242,000,000   | 279,000,000   | 253,580,000   | + 11,580,000 | - 25,420,000  |  |  |  |  |
| Federal Communications Commission               |               |               |               |              |               |  |  |  |  |
| Salaries and expenses .....                     | 186,514,000   | 212,977,000   | 197,921,000   | + 11,407,000 | - 15,056,000  |  |  |  |  |
| Offsetting fee collections—current year .....   | - 162,523,000 | .....         | - 172,523,000 | - 10,000,000 | - 172,523,000 |  |  |  |  |
| Direct appropriation .....                      | 23,991,000    | 212,977,000   | 25,398,000    | + 1,407,000  | - 187,579,000 |  |  |  |  |
| Offsetting collections .....                    | .....         | - 172,523,000 | .....         | .....        | + 172,523,000 |  |  |  |  |
| Federal Maritime Commission                     |               |               |               |              |               |  |  |  |  |
| Salaries and expenses .....                     | 14,000,000    | 14,500,000    | 14,300,000    | + 300,000    | - 200,000     |  |  |  |  |
| Federal Trade Commission                        |               |               |               |              |               |  |  |  |  |
| Salaries and expenses .....                     | 106,500,000   | 112,867,000   | 111,867,000   | + 5,367,000  | - 1,000,000   |  |  |  |  |
| Offsetting fee collections—carryover .....      | - 18,000,000  | - 11,700,000  | - 18,700,000  | - 700,000    | - 7,000,000   |  |  |  |  |
| Offsetting fee collections—current year .....   | - 70,000,000  | .....         | - 90,000,000  | - 20,000,000 | - 90,000,000  |  |  |  |  |
| Direct appropriation .....                      | 18,500,000    | 101,167,000   | 3,167,000     | - 15,333,000 | - 98,000,000  |  |  |  |  |
| Offsetting collections .....                    | .....         | - 86,000,000  | .....         | .....        | + 86,000,000  |  |  |  |  |
| Gambling Impact Study Commission                |               |               |               |              |               |  |  |  |  |
| Salaries and expenses .....                     | 1,000,000     | .....         | .....         | - 1,000,000  | .....         |  |  |  |  |
| Legal Services Corporation                      |               |               |               |              |               |  |  |  |  |
| Payment to the Legal Services Corporation ..... | 283,000,000   | 340,000,000   | 300,000,000   | + 17,000,000 | - 40,000,000  |  |  |  |  |
| Marine Mammal Commission                        |               |               |               |              |               |  |  |  |  |
| Salaries and expenses .....                     | 1,185,000     | 1,240,000     | 1,240,000     | + 55,000     | .....         |  |  |  |  |
| Ocean Policy Commission                         |               |               |               |              |               |  |  |  |  |
| Salaries and expenses .....                     | .....         | .....         | 3,500,000     | + 3,500,000  | + 3,500,000   |  |  |  |  |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 1999—Continued

| Item  | 1998 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) |                 |
|---|--------------------|-----------------|--------------------------|--|-----------------|
|   |                    |                 |                          | 1998 appropriation                                     | Budget estimate |
| Securities and Exchange Commission          |                    |                 |                          |  |                 |
| Salaries and expenses .....                 | 315,000,000        | 118,098,000     | 341,098,000              | + 26,098,000   | + 223,000,000   |
| Offsetting fee collections .....            | - 249,523,000      | .....           | - 341,098,000            | - 91,575,000   | - 341,098,000   |
| Offsetting fee collections—carryover .....  | - 32,000,000       | .....           | .....                    | + 32,000,000   | .....           |
| Current year fees .....                     | .....              | 205,000,000     | .....                    | .....  | - 205,000,000   |
| 1998 fees .....                             | .....              | 18,000,000      | .....                    | .....  | - 18,000,000    |
| Direct appropriation .....                  | 33,477,000         | 341,098,000     | .....                    | - 33,477,000   | - 341,098,000   |
| Offsetting collections .....                | .....              | - 346,000,000   | .....                    | .....  | + 346,000,000   |
| Small Business Administration               |                    |                 |                          |  |                 |
| Salaries and expenses .....                 | 254,200,000        | 281,100,000     | 265,000,000              | + 10,800,000   | - 16,100,000    |
| Office of Inspector General .....           | 10,000,000         | 11,300,000      | 10,500,000               | + 500,000  | - 800,000       |
| Business Loans Program Account:             | .....              | .....           | .....                    | .....  | .....           |
| Direct loans subsidy .....                  | .....              | 5,724,000       | 3,816,000                | + 3,816,000  | - 1,908,000     |
| Guaranteed loans subsidy .....              | 181,232,000        | 163,000,000     | 143,000,000              | - 38,232,000   | - 20,000,000    |
| Administrative expenses .....               | 94,000,000         | 94,000,000      | 94,000,000               | .....  | .....           |
| Total, Business loans program account ..... | 275,232,000        | 262,724,000     | 240,816,000              | - 34,416,000   | - 21,908,000    |
| Disaster Loans Program Account:             | .....              | .....           | .....                    | .....  | .....           |
| Direct loans subsidy .....                  | 23,200,000         | .....           | .....                    | - 23,200,000   | .....           |
| Administrative expenses .....               | 150,000,000        | 166,000,000     | 94,000,000               | - 56,000,000   | - 72,000,000    |
| Total, Disaster loans program account ..... | 173,200,000        | 166,000,000     | 94,000,000               | - 79,200,000   | - 72,000,000    |
| Surety bond guarantees revolving fund ..... | 3,500,000          | 3,300,000       | 3,300,000                | - 200,000  | .....           |

|   |                 |                 |                 |                 |                 |
|---|-----------------|-----------------|-----------------|-----------------|-----------------|
| Total, Small Business Administration .....            | 716,132,000     | 724,424,000     | 613,616,000     | - 102,516,000   | - 110,808,000   |
| State Justice Institute .....                         | 6,850,000       | 12,000,000      | 6,850,000       | .....           | - 5,150,000     |
| Total, title V, Related agencies .....                | 1,489,499,000   | 1,612,426,000   | 1,409,428,000   | - 80,071,000    | - 202,998,000   |
| Appropriations .....                                  | (1,489,499,000) | (1,612,426,000) | (1,409,428,000) | (- 80,071,000)  | (- 202,998,000) |
| (Liquidation of contract authority) .....             | (51,030,000)    | .....           | .....           | (- 51,030,000)  | .....           |
| TITLE VI—GENERAL PROVISIONS                           |                 |                 |                 |                 |                 |
| GOVERNMENT-WIDE                                       |                 |                 |                 |                 |                 |
| Defense function (by transfer) .....                  | (33,169,000)    | .....           | .....           | (- 33,169,000)  | .....           |
| International function (by transfer) .....            | (45,432,000)    | .....           | .....           | (- 45,432,000)  | .....           |
| Domestic function (by transfer) .....                 | (31,061,000)    | .....           | .....           | (- 31,061,000)  | .....           |
| Total, title VI, general provisions .....             | (109,662,000)   | .....           | .....           | (- 109,662,000) | .....           |
| (By transfer) .....                                   | .....           | .....           | .....           | .....           | .....           |
| TITLE VII—RESCISSIONS                                 |                 |                 |                 |                 |                 |
| DEPARTMENT OF JUSTICE                                 |                 |                 |                 |                 |                 |
| General Administration .....                          | - 100,000,000   | - 45,326,000    | - 45,326,000    | + 54,674,000    | .....           |
| Working capital fund (rescission) .....               | .....           | .....           | .....           | .....           | .....           |
| Federal Bureau of Investigation                       |                 |                 |                 |                 |                 |
| Fiscal year 1998 FBI Legal Attaché (rescission) ..... | .....           | .....           | - 4,178,000     | - 4,178,000     | - 4,178,000     |
| Fiscal year 1996 FBI construction (rescission) .....  | .....           | .....           | - 6,000,000     | - 6,000,000     | - 6,000,000     |
| Fiscal year 1998 FBI construction (rescission) .....  | .....           | .....           | - 4,000,000     | - 4,000,000     | - 4,000,000     |
| No Year FBI salaries and expenses (rescission) .....  | .....           | .....           | - 6,400,000     | - 6,400,000     | - 6,400,000     |
| Fiscal year 1996 VCRP (rescission) .....              | .....           | .....           | - 2,000,000     | - 2,000,000     | - 2,000,000     |
| Fiscal year 1997 VCRP (rescission) .....              | .....           | .....           | - 300,000       | - 300,000       | - 300,000       |
| Total, Federal Bureau of Investigation .....          | .....           | .....           | - 22,878,000    | - 22,878,000    | - 22,878,000    |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1998 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1999—Continued

| Item   | 1998 appropriation | Budget estimate  | Committee recommendation | Senate Committee recommendation compared with (+ or -) |                 |
|--|--------------------|------------------|--------------------------|--|-----------------|
|  |                    |                  |                          | 1998 appropriation                                     | Budget estimate |
| DEPARTMENT OF COMMERCE                           |                    |                  |                          |  |                 |
| Fiscal year 1998 Commerce (rescission) .....     |                    |                  | - 2,090,000              | - 2,090,000  | - 2,090,000     |
| Total, title VII, Rescissions .....              | - 100,000,000      | - 45,326,000     | - 70,294,000             | + 29,706,000   | - 24,968,000    |
| TITLE VIII—EMERGENCY SUPPLEMENTAL APPROPRIATIONS |                    |                  |                          |  |                 |
| National Oceanic and Atmospheric Administration  |                    |                  |                          |  |                 |
| Operations, research and facilities .....        |                    |                  |                          |  |                 |
|  | 7,000,000          |                  |                          | - 7,000,000  |                 |
| Grand total:                                     |                    |                  |                          |  |                 |
| New budget (obligational) authority .....        | 32,123,907,000     | 36,863,952,000   | 33,239,060,000           | + 1,115,153,000  | - 3,624,892,000 |
| Appropriations .....                             | (27,018,107,000)   | (28,598,828,000) | (27,793,264,000)         | (+ 775,157,000)  | (- 805,564,000) |
| Emergency appropriations .....                   | (5,000,000)        |                  |                          | (- 5,000,000)  |                 |
| Advance appropriations .....                     |                    | (2,912,815,000)  |                          |  |                 |
| Rescissions .....                                | (- 124,200,000)    | (- 161,668,000)  | (- 68,204,000)           | (+ 55,996,000)   | (+ 93,464,000)  |
| Crime trust fund .....                           | (5,225,000,000)    | (5,513,977,000)  | (5,514,000,000)          | (+ 289,000,000)  | (+ 23,000)      |
| (By transfer) .....                              | (172,043,000)      | (62,381,000)     | (81,296,000)             | (- 90,747,000)   | (+ 18,915,000)  |
| (Limitation on administrative expenses) .....    | (3,266,000)        | (3,266,000)      | (3,266,000)              |  |                 |
| (Liquidation of contract authority) .....        | (51,030,000)       |                  |                          | (- 51,030,000)   |                 |

<sup>1</sup> President's budget proposed \$6,000,000 for State Justice Institute.