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No. 155

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. CULBERSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 9, 2001.

I hereby appoint the Honorable JOHN ABNEY CULBERSON to act as Speaker pro tempore on this day.

DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Reverend David Nuss, Catholic Diocese of Toledo, Toledo, Ohio, offered the following prayer:

Almighty and ever-living God, we do well always and everywhere to give You thanks.

In a former time You chose a people and ascribed a destiny to them. The light of freedom they carried then, burns brightly now, dispelling the darkness and the shadow of death.

Your goodness, O God, has come to pass in every American generation. It happened to our ancestors, who came to this land as if out of the desert into a place of promise. It happens to us still as you guide our Nation into the way of peace.

Lord God, lavish Your blessings today upon all the Members of this venerable Chamber. Protect and inspire our elected Representatives, and all who labor with them and for them so that they may work together for justice and bring forth peace.

We trust in You, all-powerful God, who is and who was until the end of the ages. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the house is requested, a bill of the House of the following title:

H.R. 2883. An Act to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability system, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2883) "An Act to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints from the—

Select Committee on Intelligence: Mr. GRAHAM, Mr. LEVIN, Mr. ROCKEFELLER, Mrs. FEINSTEIN, Mr. WYDEN, Mr. DURBIN, Mr. BAYH, Mr. EDWARDS, Ms. MIKULSKI, Mr. SHELBY, Mr. KYL,

Mr. INHOFE, Mr. HATCH, Mr. ROBERTS, Mr. DEWINE, Mr. THOMPSON, and Mr. LUGAR; and

Committee on Armed Services: Mr. REED, and Mr. WARNER; to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2620) "An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes."

The message also announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested.

S. Con. Res. 81. Concurrent resolution expressing the sense of Congress to welcome the Prime Minister of India, Atal Bihari Vajpayee, on the occasion of his visit to the United States, and to affirm that India is a valued friend and partner and an important ally in the campaign against international terrorism.

APPOINTMENT AS MEMBER TO UNITED STATES-CHINA SECURITY REVIEW COMMISSION

The SPEAKER pro tempore. Without objection, and pursuant to section 1238(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398), the Chair announces the Speaker's appointment of the following member on the part of the House to the United States-China Security Review Commission to fill the existing vacancy thereon:

Mr. Larry M. Wortzel, Alexandria, Virginia.

There was no objection.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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APPOINTMENT OF MEMBER TO NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

The SPEAKER pro tempore. Without objection, and pursuant to 44 United States Code, section 2501, the Chair announces the Speaker's appointment of the following Member of the House to the National Historical Publications and Records Commission:

Mr. BLUNT of Missouri.
There was no objection.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 768. An act to amend the Improving America's Schools Act of 1994 to extend the favorable treatment of need-based educational aid under the antitrust laws, and for other purposes.

CONFERENCE REPORT ON H.R. 2330

Mr. BONILLA submitted the following conference report and statement on the bill (H.R. 2330) "making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes":

CONFERENCE REPORT (H. REPT. 107-275)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2330) "making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

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

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed \$75,000 for employment under 5 U.S.C. 3109, \$2,992,000: Provided, That not to exceed \$11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out section 793(c)(1)(C) of Public Law 104-127: Provided further, That none of

the funds made available by this Act may be used to enforce section 793(d) of Public Law 104-127.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, \$7,704,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$25,000 is for employment under 5 U.S.C. 3109, \$12,869,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, \$7,041,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109, \$10,029,000.

COMMON COMPUTING ENVIRONMENT

For necessary expenses to acquire a Common Computing Environment for the Natural Resources Conservation Service, the Farm and Foreign Agricultural Service and Rural Development mission areas for information technology, systems, and services, \$59,369,000, to remain available until expended, for the capital asset acquisition of shared information technology systems, including services as authorized by 7 U.S.C. 6915-16 and 40 U.S.C. 1421-28: Provided, That obligation of these funds shall be consistent with the Department of Agriculture Service Center Modernization Plan of the county-based agencies, and shall be with the concurrence of the Department's Chief Information Officer.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109, \$5,384,000: Provided, That the Chief Financial Officer shall actively market and expand cross-servicing activities of the National Finance Center.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded by this Act, \$647,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services,

and for the operation, maintenance, improvement, and repair of Agriculture buildings, \$187,647,000, to remain available until expended: Provided, That the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation to cover the costs of new or replacement space for such agency, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601 et seq., and the Resource Conservation and Recovery Act, 42 U.S.C. 6901 et seq., \$15,665,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, \$37,079,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109: Provided, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551-558.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), \$3,243,000, to remain available until expended.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, \$3,718,000: Provided, That these funds may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: Provided further, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry out services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, \$8,894,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed \$2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of

the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, \$70,839,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, including not to exceed \$50,000 for employment under 5 U.S.C. 3109; and including not to exceed \$125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95-452 and section 1337 of Public Law 97-98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$32,627,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, \$573,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, \$67,200,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by 7 U.S.C. 1621-1627, Public Law 105-113, and other laws, \$113,786,000, of which up to \$25,350,000 shall be available until expended for the Census of Agriculture: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$40,000 shall be available for employment under 5 U.S.C. 3109.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, \$979,464,000: Provided, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$115,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed \$375,000, except for greenhouses which shall each be limited to

\$1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed \$750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$375,000, whichever is greater: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center, including an easement to the University of Maryland to construct the Transgenic Animal Facility which upon completion shall be accepted by the Secretary as a gift: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law. None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

In fiscal year 2002, the agency is authorized to charge fees, commensurate with the fair market value, for any permit, easement, lease, or other special use authorization for the occupancy or use of land and facilities (including land and facilities at the Beltsville Agricultural Research Center) issued by the agency, as authorized by law, and such fees shall be credited to this account, and shall remain available until expended for authorized purposes.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, \$118,987,000, to remain available until expended (7 U.S.C. 2209b): Provided, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, \$542,062,000, as follows: to carry out the provisions of the Hatch Act (7 U.S.C. 361a-i), \$180,148,000; for grants for cooperative forestry research (16 U.S.C. 582a-a7), \$21,884,000; for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222), \$34,604,000, of which \$1,507,496 shall be made available only for the purpose of ensuring that each institution shall receive no less than \$1,000,000; for special grants for agricultural research (7 U.S.C. 450i(c)), \$97,008,000; for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)), \$15,206,000; for competitive research grants (7 U.S.C. 450i(b)), \$120,452,000; for the support of animal health and disease programs (7 U.S.C. 3195), \$5,098,000; for supplemental and alternative crops and products (7 U.S.C. 3319d), \$924,000; for grants for research pursuant to the Critical Agricultural Materials Act of 1984 (7 U.S.C. 178) and section 1472 of the Food and Agriculture Act of 1977 (7 U.S.C. 3318), \$720,000, to remain available until expended; for the 1994 research program (7 U.S.C. 301 note), \$998,000, to remain available until expended; for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), \$2,993,000, to remain available until expended (7 U.S.C. 2209b); for higher education challenge grants (7 U.S.C. 3152(b)(1)), \$4,340,000; for a

higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), \$998,000, to remain available until expended (7 U.S.C. 2209b); for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241), \$3,492,000; for non-competitive grants for the purpose of carrying out all provisions of 7 U.S.C. 3242 (Section 759 of Public Law 106-78) to individual eligible institutions or consortia of eligible institutions in Alaska and in Hawaii, with funds awarded equally to each of the States of Alaska and Hawaii, \$2,997,000; for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(h)), \$1,000,000; for aquaculture grants (7 U.S.C. 3322), \$3,996,000; for sustainable agriculture research and education (7 U.S.C. 5811), \$12,500,000; for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321-326 and 328), including Tuskegee University, \$9,479,000, to remain available until expended (7 U.S.C. 2209b); for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103-382, \$1,549,000; and for necessary expenses of Research and Education Activities, of which not to exceed \$100,000 shall be for employment under 5 U.S.C. 3109, \$21,676,000.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products: Provided, That this paragraph shall not apply to research on the medical, biotechnological, food, and industrial uses of tobacco.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103-382 (7 U.S.C. 301 note), \$7,100,000.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa, \$439,473,000, as follows: payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93-471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, \$275,940,000, of which \$3,600,000 may be used to carry out Public Law 107-19; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), \$3,273,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, \$58,566,000; payments for the pest management program under section 3(d) of the Act, \$10,759,000; payments for the farm safety program under section 3(d) of the Act, \$5,250,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University, as authorized by section 1447 of Public Law 95-113 (7 U.S.C. 3222b), \$13,500,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, \$953,000; payments for youth-at-risk programs under section 3(d) of the Act, \$8,481,000; for youth farm safety education and certification extension grants, to be awarded competitively under section 3(d) of the Act, \$499,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, \$4,093,000; payments for Indian reservation agents under section 3(d) of the Act, \$1,996,000; payments for sustainable agriculture programs under section 3(d) of the Act, \$4,750,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101-624 (7 U.S.C. 2661 note, 2662), \$2,622,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321-326 and 328) and Tuskegee University, \$31,181,000, of which \$1,724,884 shall be made available only

for the purpose of ensuring that each institution shall receive no less than \$1,000,000; and for Federal administration and coordination including administration of the Smith-Lever Act, and the Act of September 29, 1977 (7 U.S.C. 341-349), and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301 note), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, \$17,610,000: Provided, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension competitive grants programs, including necessary administrative expenses, as authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626), \$42,853,000, as follows: payments for the water quality program, \$12,971,000; payments for the food safety program, \$14,967,000; payments for the national agriculture pesticide impact assessment program, \$4,531,000; payments for the Food Quality Protection Act risk mitigation program for major food crop systems, \$4,889,000; payments for the crops affected by Food Quality Protection Act implementation, \$1,497,000; payments for the methyl bromide transition program, \$2,498,000; and payments for the organic transition program, \$1,500,000.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service; the Agricultural Marketing Service; and the Grain Inspection, Packers and Stockyards Administration; \$654,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947 (21 U.S.C. 114b-c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Acts of March 2, 1931 (46 Stat. 1468) and December 22, 1987 (101 Stat. 1329-1331) (7 U.S.C. 426-426c); and to protect the environment, as authorized by law, \$620,490,000, of which \$4,096,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions; of which \$77,355,000 shall be used for the boll weevil eradication program for cost share purposes or for debt retirement for active eradication zones: Provided, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$40,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: Provided further, That, in addition, in emergencies which threaten any segment of the agricultural production industry of

this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, and section 102 of the Act of September 21, 1944, and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2002, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

Of the total amount available under this heading in fiscal year 2002, \$84,813,000 shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, \$7,189,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry out services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed \$90,000 for employment under 5 U.S.C. 3109, \$71,430,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$60,596,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: Provided, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating ex-

penses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than \$13,995,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,347,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$25,000 for employment under 5 U.S.C. 3109, \$33,117,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed \$42,463,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: Provided, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, \$476,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed \$50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$715,642,000, of which no less than \$608,730,000 shall be available for Federal food inspection; and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102-237: Provided, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$75,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk

Management Agency, and the Commodity Credit Corporation, \$606,000.

FARM SERVICE AGENCY
SALARIES AND EXPENSES
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, \$939,030,000: Provided, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: Provided further, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$1,000,000 shall be available for employment under 5 U.S.C. 3109.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5101–5106), \$3,493,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, \$100,000, to remain available until expended: Provided, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND
PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928–1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, \$1,146,996,000, of which \$1,000,000,000 shall be for guaranteed loans and \$146,996,000 shall be for direct loans; operating loans, \$2,616,729,000, of which \$1,500,000,000 shall be for unsubsidized guaranteed loans, \$505,531,000 shall be for subsidized guaranteed loans and \$611,198,000 shall be for direct loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$2,000,000; for emergency insured loans, \$25,000,000 to meet the needs resulting from natural disasters; and for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, \$100,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, \$8,366,000, of which \$4,500,000 shall be for guaranteed loans; operating loans, \$175,780,000, of which \$52,650,000 shall be for unsubsidized guaranteed loans and \$68,550,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$118,400; and for emergency insured loans, \$3,362,500 to meet the needs resulting from natural disasters.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$280,595,000, of which \$272,595,000 shall be transferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs: Provided, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 6933), \$74,752,000: Provided, That not to exceed \$700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act, such sums as may be necessary, to remain available until expended (7 U.S.C. 2209b).

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 2002, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11).

OPERATIONS AND MAINTENANCE FOR HAZARDOUS
WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For fiscal year 2002, the Commodity Credit Corporation shall not expend more than \$5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL
RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, \$730,000.

NATURAL RESOURCES CONSERVATION SERVICE
CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$779,000,000, to remain available until expended (7 U.S.C. 2209b), of which not less than \$8,515,000 is for snow survey and water forecasting, and not less than \$9,849,000 is for operation and establishment of the plant materials centers, and of which not less than \$21,500,000 shall be for the grazing lands conservation initiative: Provided, That appropriations here-

under shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed \$250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: Provided further, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$25,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e–2).

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1009), \$10,960,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$110,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1005 and 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, \$106,590,000, to remain available until expended (7 U.S.C. 2209b) (of which up to \$15,000,000 may be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701 and 16 U.S.C. 1006a)): Provided, That not to exceed \$45,514,000 of this appropriation shall be available for technical assistance: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$200,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That not to exceed \$1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93–205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

WATERSHED REHABILITATION PROGRAM

For necessary expenses to carry out rehabilitation of structural measures, in accordance with section 14 of the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001 et seq.), as amended by section 313 of Public Law 106–472, November 9, 2000 (16 U.S.C. 1012), and in accordance with the provisions of laws relating to the activities of the Department, \$10,000,000, to remain available until expended.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C.

1010-1011; 76 Stat. 607); the Act of April 27, 1935 (16 U.S.C. 590a-f); and the Agriculture and Food Act of 1981 (16 U.S.C. 3451-3461), \$48,048,000, to remain available until expended (7 U.S.C. 2209b): Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$50,000 shall be available for employment under 5 U.S.C. 3109.

FORESTRY INCENTIVES PROGRAM

For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized by the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, \$6,811,000, to remain available until expended, as authorized by that Act.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, \$623,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM (INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E-H, 381N, and 381O of the Consolidated Farm and Rural Development Act, \$806,557,000, to remain available until expended, of which \$83,545,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which \$646,512,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act; and of which \$76,500,000 shall be for the rural business and cooperative development programs described in sections 381E(d)(3) and 310B(f) of such Act: Provided, That of the total amount appropriated in this account, \$24,000,000 shall be for loans and grants to benefit Federally Recognized Native American Tribes, including grants for drinking water and waste disposal systems pursuant to section 306C of such Act, of which \$4,000,000 shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of the Consolidated Farm and Rural Development Act, and of which \$250,000 shall be available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: Provided further, That of the amount appropriated for rural community programs, \$6,000,000 shall be available for a Rural Community Development Initiative: Provided further, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: Provided further, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: Provided further, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: Provided further, That of the amount appropriated for the rural business and cooperative development programs, not to exceed \$500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development; and

\$2,000,000 shall be for grants to Mississippi Delta Region counties: Provided further, That of the amount appropriated for rural utilities programs, not to exceed \$20,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C of such Act; not to exceed \$24,000,000 shall be for water and waste disposal systems for rural and native villages in Alaska pursuant to section 306D of such Act, with up to one percent available to administer the program and up to one percent available to improve interagency coordination may be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses"; not to exceed \$17,465,000, shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, of which \$5,250,000 shall be for Rural Community Assistance Programs; and not to exceed \$11,000,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That of the total amount appropriated, not to exceed \$37,624,000 shall be available through June 30, 2002, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which \$1,163,000 shall be for the rural community programs described in section 381E(d)(1) of such Act, of which \$27,431,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act, and of which \$9,030,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: Provided further, That of the amount appropriated for rural community programs, not to exceed \$25,000,000 shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (P.L. 106-387), with five percent for administration and capacity building in the State rural development offices: Provided further, That of the amount appropriated \$30,000,000 shall be to provide grants in rural communities with extremely high energy costs: Provided further, That any prior year balances for high cost energy grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 901(19)) shall be transferred to and merged with the "Rural Utilities Service, High Energy Costs Grants" account: Provided further, That of the funds appropriated by this Act to the Rural Community Advancement Program for guaranteed business and industry loans, funds may be transferred to direct business and industry loans as deemed necessary by the Secretary and with prior approval of the Committees on Appropriations of both Houses of Congress.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; \$133,722,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$1,000,000 may be used for employment under 5 U.S.C. 3109: Provided further, That not more than \$10,000 may be expended to provide modest nonmonetary awards to non-USA employees: Provided further, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$4,217,816,000 for loans to section 502 borrowers, as determined by the Secretary, of which \$1,079,848,000 shall be for direct loans, and of which \$3,137,968,000 shall be for unsubsidized guaranteed loans; \$32,324,000 for section 504 housing repair loans; \$114,068,000 for section 515 rental housing; \$99,770,000 for section 538 guaranteed multi-family housing loans; \$5,090,000 for section 524 site loans; \$11,778,000 for credit sales of acquired property, of which up to \$1,778,000 may be for multi-family credit sales; and \$5,000,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$182,274,000 of which \$142,108,000 shall be for direct loans, and of which \$40,166,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, \$10,386,000; section 515 rental housing, \$48,274,000; section 538 multi-family housing guaranteed loans, \$3,921,000; section 524 site loans, \$28,000; multi-family credit sales of acquired property, \$750,000; and section 523 self-help housing land development loans, \$254,000: Provided, That of the total amount appropriated in this paragraph, \$11,656,000 shall be available through June 30, 2002, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$422,241,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

Of the amounts made available under this heading in chapter 1 of title II of Public Law 106-246 (114 Stat. 540) for gross obligations for principal amount of direct loans authorized by title V of the Housing Act of 1949 for section 515 rental housing, the Secretary of Agriculture may use up to \$5,986,197 for rental assistance agreements described in the item relating to "Rental Assistance Program" in such chapter: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Control Act of 1985, as amended.

In making available for occupancy dwelling units in housing that is provided with funds made available under the heading referred to in the preceding paragraph, the Secretary of Agriculture may give preference to prospective tenants who are residing in temporary housing provided by the Federal Emergency Management Agency as a result of an emergency.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, \$701,004,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: Provided, That of this amount, not more than \$5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed \$10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than

purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: Provided further, That agreements entered into or renewed during fiscal year 2002 shall be funded for a 5-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$35,000,000, to remain available until expended (7 U.S.C. 2209b): Provided, That of the total amount appropriated, \$1,000,000 shall be available through June 30, 2002, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1490e, and 1490m, \$38,914,000, to remain available until expended: Provided, That of the total amount appropriated, \$1,200,000 shall be available through June 30, 2002, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

FARM LABOR PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, \$31,431,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), \$38,171,000.

For the cost of direct loans, \$16,494,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which \$1,724,000 shall be for Federally Recognized Native American Tribes and of which \$3,449,000 shall be for Mississippi Delta Region counties (as defined by Public Law 100-460): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That of the total amount appropriated, \$2,730,000 shall be available through June 30, 2002, for the cost of direct loans for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, \$3,733,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$14,966,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, \$3,616,000.

Of the funds derived from interest on the cushion of credit payments in fiscal year 2002, as authorized by section 313 of the Rural Electrification Act of 1936, \$3,616,000 shall not be obligated and \$3,616,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consoli-

dated Farm and Rural Development Act (7 U.S.C. 1932), \$7,750,000, of which \$2,500,000 shall be available for cooperative agreements for the appropriate technology transfer for rural areas program: Provided, That not to exceed \$1,497,000 of the total amount appropriated shall be made available to cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, minority producers and whose governing board and/or membership is comprised of at least 75 percent minority.

RURAL EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES GRANTS

For grants in connection with a second round of empowerment zones and enterprise communities, \$14,967,000, to remain available until expended, for designated rural empowerment zones and rural enterprise communities, as authorized by the Tarpayer Relief Act of 1997 and the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277).

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND

TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT (INCLUDING TRANSFER OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, \$121,107,000; municipal rate rural electric loans, \$500,000,000; loans made pursuant to section 306 of that Act, rural electric, \$2,700,000,000; Treasury rate direct electric loans, \$750,000,000; 5 percent rural telecommunications loans, \$74,827,000; cost of money rural telecommunications loans, \$300,000,000; and loans made pursuant to section 306 of that Act, rural telecommunications loans, \$120,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of rural electric loans, \$3,689,000, and the cost of telecommunication loans, \$2,036,000: Provided, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$36,000,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL TELEPHONE BANK PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out its authorized programs. During fiscal year 2002 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be \$174,615,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), \$3,737,000.

In addition, for administrative expenses, including audits, necessary to carry out the loan programs, \$3,082,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

For the principal amount of direct distance learning and telemedicine loans, \$300,000,000; and for the principal amount of broadband telecommunication loans, \$80,000,000.

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., \$49,441,000,

to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas: Provided, That \$22,500,000 may be available for the continuation of a pilot project for a loan and grant program to finance broadband transmission and local dial-up Internet service in areas that meet the definition of "rural area" used for the Distance Learning and Telemedicine Program authorized by 7 U.S.C. 950aaa: Provided further, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

LOCAL TELEVISION LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For gross obligations for the principal amount of guaranteed loans, as authorized by Title X of Public Law 106-553 for the purpose of facilitating access to signals of local television stations for households located in nonserved areas and underserved areas, \$258,065,000.

For the cost of guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, \$20,000,000.

In addition, for administrative expenses necessary to carry out the guaranteed loan program, \$2,000,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, \$587,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$10,087,246,000, to remain available through September 30, 2003, of which \$4,914,788,000 is hereby appropriated and \$5,172,458,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That of the funds made available under this heading, \$500,000 shall be for a School Breakfast Program startup grant pilot program for the State of Wisconsin: Provided further, That up to \$4,507,000 shall be available for independent verification of school food service claims.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$4,348,000,000, to remain available through September 30, 2003: Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That of the total amount available, the Secretary shall obligate \$10,000,000 for the farmers' market nutrition program within 45 days of the enactment of this Act, and up to an additional \$15,000,000 for the farmers' market nutrition program upon a determination by the Secretary that funds are available to meet caseload requirements: Provided further, That notwithstanding section 17(h)(10)(A) of such Act, \$10,000,000 shall be available for the purposes specified in section 17(h)(10)(B), and up to an additional \$4,000,000 shall be available for the purposes specified in section 17(h)(10)(B) upon a determination by the

Secretary that funds are available to meet case-load requirements: Provided further, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: Provided further, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), \$22,991,986,000, of which \$2,000,000,000 shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That of the funds made available under this heading and not already appropriated to the Food Distribution Program on Indian Reservations (FDPIR) established under section 4(b) of the Food Stamp Act of 1977 (7 U.S.C. 2013(b)), not to exceed \$3,000,000 shall be used to purchase bison meat for the FDPIR from producer-owned cooperative organizations: Provided further, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: Provided further, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: Provided further, That of funds that may be reserved by the Secretary for allocation to State agencies under section 16(h)(1) of such Act to carry out Employment and Training programs, not more than \$145,000,000 made available in previous years may be obligated in fiscal year 2002: Provided further, That funds made available for Employment and Training under this heading shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act: Provided further, That funds provided under this heading may be used to procure food coupons necessary for program operations in this or subsequent fiscal years until electronic benefit transfer implementation is complete.

COMMODITY ASSISTANCE PROGRAM (INCLUDING RESCISSION)

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) and the Emergency Food Assistance Act of 1983, \$152,813,000, to remain available through September 30, 2003: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: Provided further, That of the total amount available, the Secretary shall provide \$10,000,000 for senior farmers' market activities: Provided further, That notwithstanding section 5(a)(2) of the Agriculture and Consumer Protection Act of 1973 (Public Law 93-86; 7 U.S.C. 612c note), \$20,820,000 of this amount shall be available for administrative expenses of the commodity supplemental food program: Provided further, That \$3,300,000 of unobligated balances available at the beginning of fiscal year 2002 are hereby rescinded.

FOOD DONATIONS PROGRAMS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973; special assistance for the nuclear affected islands as authorized by section 103(h)(2) of the Compacts of Free Association Act of 1985; and section 311 of the Older Americans Act of 1965, \$150,749,000, to remain available through September 30, 2003.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, \$127,546,000, of which \$5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp benefit delivery, and assisting in the prevention, identification, and prosecution of fraud and other violations of law and of which not less than \$6,500,000 shall be available to improve integrity in the Food Stamp and Child Nutrition programs: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$150,000 shall be available for employment under 5 U.S.C. 3109.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE SALARIES AND EXPENSES (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$121,813,000: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: Provided further, That none of the funds appropriated in this account may be used to pay the salaries and expenses of personnel to disburse funds to any rice trade association under the market access program or the foreign market development program at any time when the applicable international activity agreement for such program is not in effect.

None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of agreements under the Agricultural Trade Development and Assistance Act of 1954, and the Food for Progress Act of 1985, including the cost of modifying credit arrangements under said Acts, \$126,409,000, to remain available until expended.

In addition, for administrative expenses to carry out the credit program of title I, Public Law 83-480, and the Food for Progress Act of 1985, to the extent funds appropriated for Public Law 83-480 are utilized, \$2,005,000, of which \$1,033,000 may be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which \$972,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL GRANTS (INCLUDING TRANSFERS OF FUNDS)

For ocean freight differential costs for the shipment of agricultural commodities under title I of the Agricultural Trade Development and Assistance Act of 1954 and under the Food for Progress Act of 1985, \$20,277,000, to remain available until expended: Provided, That funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean

freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

PUBLIC LAW 480 TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, \$850,000,000, to remain available until expended, for commodities supplied in connection with dispositions abroad under title II of said Act.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, \$4,014,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which \$3,224,000 may be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which \$790,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; \$1,345,386,000, of which not to exceed \$161,716,000 to be derived from prescription drug user fees authorized by 21 U.S.C. 379(h), including any such fees assessed prior to the current fiscal year but credited during the current year, in accordance with section 736(g)(4), shall be credited to this appropriation and remain available until expended: Provided, That fees derived from applications received during fiscal year 2002 shall be subject to the fiscal year 2002 limitation: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: Provided further, That of the total amount appropriated: (1) \$312,049,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) \$352,647,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which no less than \$13,207,000 shall be available for grants and contracts awarded under section 5 of the Orphan Drug Act (21 U.S.C. 360ee); (3) \$155,875,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$82,967,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) \$179,521,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) \$37,082,000 shall be for the National Center for Toxicological Research; (7) \$29,798,000 shall be for Rent and Related activities, other than the amounts paid to the General Services Administration, of which \$4,000,000 for costs related to occupancy of new facilities at

White Oak, Maryland, shall remain available until September 30, 2003; (8) \$105,116,000 shall be for payments to the General Services Administration for rent and related costs; and (9) \$90,331,000 shall be for other activities, including the Office of the Commissioner; the Office of Management and Systems; the Office of the Senior Associate Commissioner; the Office of International and Constituent Relations; the Office of Policy, Legislation, and Planning; and central services for these offices: Provided further, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263(b) may be credited to this account, to remain available until expended.

In addition, export certification user fees authorized by 21 U.S.C. 381 may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, \$34,281,000, to remain available until expended (7 U.S.C. 2209b).

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed \$25,000 for employment under 5 U.S.C. 3109, \$70,700,000, including not to exceed \$2,000 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$36,700,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for fiscal year 2002 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 379 passenger motor vehicles, of which 378 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

SEC. 703. Not less than \$1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by sections 1 and 10 of the Act of June 29, 1935 (7 U.S.C. 427, 427i; commonly known as the Bankhead-Jones Act), subtitle A of title II and section 302 of the Act of August 14, 1946 (7 U.S.C. 1621 et seq.), and chapter 63 of title 31, United States Code, shall be available for contracting in accordance with such Acts and chapter.

SEC. 704. The Secretary of Agriculture may transfer unobligated balances of funds appropriated by this Act or other available unobligated balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture: Provided, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: Pro-

vided further, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 705. New obligatory authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, emerging plant pests, integrated systems acquisition project, boll weevil program, up to 25 percent of the screwworm program, and up to \$2,000,000 for costs associated with collocating regional offices: Food Safety and Inspection Service, field automation and information management project; Cooperative State Research, Education, and Extension Service, funds for competitive research grants (7 U.S.C. 450i(b)), funds for the Research, Education and Economics Information System (REEIS), and funds for the Native American Institutions Endowment Fund; Farm Service Agency, salaries and expenses funds made available to county committees; Foreign Agricultural Service, middle-income country training program and up to \$2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service.

SEC. 706. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 707. Not to exceed \$50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to section 606C of the Act of August 28, 1954 (7 U.S.C. 1766b).

SEC. 708. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 709. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 710. None of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 19 percent of total Federal funds provided under each award: Provided, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 711. Notwithstanding any other provision of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 712. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal year 2002 shall remain available until expended to cover obligations made in fiscal year 2002 for the following accounts: the Rural Development Loan Fund program account; the Rural Telephone Bank program account; the Rural Electrifica-

tion and Telecommunications Loans program account; the Local Television Loan Guarantee program; the Rural Housing Insurance Fund program account; and the Rural Economic Development Loans program account.

SEC. 713. Notwithstanding chapter 63 of title 31, United States Code, marketing services of the Agricultural Marketing Service; the Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; and the food safety activities of the Food Safety and Inspection Service may use cooperative agreements to reflect a relationship between the Agricultural Marketing Service; the Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; or the Food Safety and Inspection Service and a state or cooperator to carry out agricultural marketing programs, to carry out programs to protect the nation's animal and plant resources, or to carry out educational programs or special studies to improve the safety of the nation's food supply.

SEC. 714. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

SEC. 715. Of the funds made available by this Act, not more than \$1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 716. None of the funds appropriated by this Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SEC. 717. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 718. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 719. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 720. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in

fiscal year 2002, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2002, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(c) The Secretary of Agriculture shall notify the Committees on Appropriations of both Houses of Congress before implementing a program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

SEC. 721. With the exception of funds needed to administer and conduct oversight of grants awarded and obligations incurred prior to enactment of this Act, none of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out section 793 of Public Law 104-127, the Fund for Rural America (7 U.S.C. 2204f).

SEC. 722. With the exception of funds needed to administer and conduct oversight of grants awarded and obligations incurred prior to enactment of this Act, none of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out the provisions of section 401 of Public Law 105-185, the Initiative for Future Agriculture and Food Systems (7 U.S.C. 7621).

SEC. 723. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out a conservation farm option program, as authorized by section 1240M of the Food Security Act of 1985 (16 U.S.C. 3839bb).

SEC. 724. None of the funds made available to the Food and Drug Administration by this Act shall be used to reduce the Detroit, Michigan, Food and Drug Administration District Office below the operating and full-time equivalent staffing level of July 31, 1999; or to change the Detroit District Office to a station, residence post or similarly modified office; or to reassign residence posts assigned to the Detroit District Office: Provided, That this section shall not apply to Food and Drug Administration field laboratory facilities or operations currently located in Detroit, Michigan, except that field laboratory personnel shall be assigned to locations in the general vicinity of Detroit, Michigan, pursuant to cooperative agreements between the

Food and Drug Administration and other laboratory facilities associated with the State of Michigan.

SEC. 725. None of the funds appropriated by this Act or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2003 appropriations Act.

SEC. 726. None of the funds made available by this Act or any other Act may be used to close or relocate a state Rural Development office unless or until cost effectiveness and enhancement of program delivery have been determined.

SEC. 727. Of any shipments of commodities made pursuant to section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)), the Secretary of Agriculture shall, to the extent practicable, direct that tonnage equal in value to not more than \$25,000,000 shall be made available to foreign countries to assist in mitigating the effects of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome on communities, including the provision of—

(1) agricultural commodities to—
(A) individuals with Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome in the communities, and
(B) households in the communities, particularly individuals caring for orphaned children; and

(2) agricultural commodities monetized to provide other assistance (including assistance under microcredit and microenterprise programs) to create or restore sustainable livelihoods among individuals in the communities, particularly individuals caring for orphaned children.

SEC. 728. In addition to amounts otherwise appropriated or made available by this Act, \$2,496,000 is appropriated for the purpose of providing Bill Emerson and Mickey Leland Hunger Fellowships through the Congressional Hunger Center.

SEC. 729. Hereafter, refunds or rebates received on an on-going basis from a credit card services provider under the Department of Agriculture's charge card programs may be deposited to and retained without fiscal year limitation in the Department's Working Capital Fund established under 7 U.S.C. 2235 and used to fund management initiatives of general benefit to the Department of Agriculture bureaus and offices as determined by the Secretary of Agriculture or the Secretary's designee.

SEC. 730. Notwithstanding section 412 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736f) any balances available to carry out title III of such Act as of the date of enactment of this Act, and any recoveries and reimbursements that become available to carry out title III of such Act, may be used to carry out title II of such Act.

SEC. 731. Section 375(e)(6)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008)(e)(6)(B)) is amended by striking "\$25,000,000" and inserting "\$26,000,000".

SEC. 732. None of the funds appropriated or made available by this Act shall be used to issue a proposed rule for which the comment period would close prior to September 30, 2002, final, or interim final rule pursuant to notice and comment rulemaking in relation to any change or modification of the definition of "animal" in existing regulations pursuant to the Animal Welfare Act.

SEC. 733. Notwithstanding any other provision of law, the City of Cabot, Arkansas, the City of Berlin, New Hampshire, and the City of Coachella, California, shall be eligible for loans and grants provided through the Rural Community Advancement Program.

SEC. 734. Notwithstanding any other provision of law, the Secretary shall consider the City of Casa Grande, Arizona, as meeting the requirements of a rural area in section 520 of the Housing Act of 1949 (42 U.S.C. 1490).

SEC. 735. Of the funds made available under section 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), the Secretary may use up to \$5,000,000 for administrative costs associated with the distribution of commodities.

SEC. 736. Notwithstanding any other provision of law, the Secretary may transfer up to \$13,000,000 in funds provided for the Environmental Quality Incentives Program authorized by Chapter 4, Subtitle D, Title XII of the Food Security Act of 1985, for technical assistance to implement the Conservation Reserve Program authorized by subchapter B, Chapter 1, Title XII of the Food Security Act of 1985, with funds to remain available until expended.

SEC. 737. Notwithstanding any other provision of law, the City of St. Joseph, Missouri, shall be eligible for grants and loans administered by the rural development mission area of the Department of Agriculture relating to an application submitted to the Department by a farmer-owned cooperative, a majority of whose members reside in a rural area, as determined by the Secretary, and for the purchase and operation of a facility beneficial to the purpose of the cooperative.

SEC. 738. Notwithstanding any other provision of law, the Secretary of Agriculture shall consider the City of Hollister, California, as meeting the requirements of a rural area for the purposes of housing programs in the rural development mission areas of the Department of Agriculture.

SEC. 739. None of the funds appropriated or otherwise made available by this Act may be used to maintain, modify, or implement any assessment against agricultural producers as part of a commodity promotion, research, and consumer information order, known as a check-off program, that has not been approved by the affected producers in accordance with the statutory requirements applicable to the order.

SEC. 740. None of the funds made available to the Food and Drug Administration by this Act shall be used to close or relocate, or to plan to close or relocate, the Food and Drug Administration Division of Drug Analysis (recently renamed the Division of Pharmaceutical Analysis) in St. Louis, Missouri, except that funds could be used to plan a possible relocation of this Division within the city limits of St. Louis, Missouri.

SEC. 741. MARKET LOSS ASSISTANCE FOR APPLE PRODUCERS (a) ASSISTANCE AVAILABLE.—The Secretary of Agriculture shall use \$75,000,000 of funds of the Commodity Credit Corporation to make payments as soon as possible after the date of the enactment of this Act to apple producers to provide relief for the loss of markets for their 2000 crop.

(b) PAYMENT BASIS.—The amount of the payment to a producer under subsection (a) shall be made on a per pound basis equal to each qualifying producer's 2000 production of apples, except that the Secretary shall not make payments for that amount of a particular farm's apple production that is in excess of 20,000,000 pounds.

(c) DUPLICATIVE PAYMENTS.—A producer shall be ineligible for payments under this section with respect to a market loss for apples to the extent of that amount that the producer received as compensation or assistance for the same loss under any other Federal program, other than under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(d) OTHER TERMS AND CONDITIONS.—The Secretary shall not establish any terms or conditions for producer eligibility, such as limits

based upon gross income, other than those specified in this section.

(e) **APPLICABILITY.**—This section applies only with respect to the 2000 crop of apples and producers of that crop.

SEC. 742. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the “Buy American Act”).

SEC. 743. Section 17(a)(2)(B) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(a)(2)(B)) is amended by striking “2001” and inserting “2002”.

SEC. 744. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance in the amount of \$150,000 to the Mallard Pointe project in Madison County, Mississippi.

SEC. 745. Notwithstanding any other provision of law, the Secretary of Agriculture shall, in cooperation with the State of Illinois, develop and implement a pilot project utilizing conservation programs of the Department of Agriculture for soil, water, wetlands, and wildlife habitat enhancement in the Illinois River Basin: Provided, That no funds shall be made available to carry out this section unless they are expressly provided for a program in this Act or any other Act for obligation in fiscal year 2002: Provided further, That any conservation reserve program enrollments made pursuant to this section shall be subject to section 734 of this Act.

SEC. 746. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide \$250,000 for a wetlands restoration and water conservation project in the vicinity of Jamestown, Rhode Island.

SEC. 747. Notwithstanding any other provision of law, \$3,000,000 shall be made available from funds under the rural business and cooperative development programs of the Rural Community Advancement Program for a grant for an integrated ethanol plant, feedlot, and animal waste digestion unit, to the extent matching funds from the Department of Energy are provided if a commitment for such matching funds is made prior to July 1, 2002: Provided, That such funds shall be released to the project after the farmer-owned cooperative equity is in place, and a formally executed commitment from a qualified lender based upon receipt of necessary permits, contract, and other appropriate documentation has been secured by the project.

SEC. 748. Hereafter, notwithstanding any other provision of law, the Administrator of the Rural Utilities Service shall use the authorities provided in the Rural Electrification Act of 1936 to finance the acquisition of existing generation, transmission and distribution systems and facilities serving high cost, predominantly rural areas by entities capable of and dedicated to providing or improving service in such areas in an efficient and cost effective manner.

SEC. 749. Notwithstanding subsection (f) of section 156 of the Agricultural Market Transition Act (7 U.S.C. 7272(f)), any assessment imposed under that subsection for marketings of raw cane sugar or beet sugar for the 2002 fiscal year shall not be required to be remitted to the Commodity Credit Corporation before September 2, 2002.

SEC. 750. Notwithstanding any other provision of law, the Secretary of Agriculture, acting through the Natural Resources Conservation Service, shall provide financial assistance from available funds from the Emergency Watershed Protection Program in Arkansas, in an amount not to exceed \$400,000 for completion of the current construction phase of the Kuhn Bayou (Point Remove) Project.

SEC. 751. (a) **TEMPORARY USE OF EXISTING PAYMENTS TO STATES TABLE.**—Notwithstanding section 101(a)(1) of the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393; 16 U.S.C. 500 note), for the

purpose of making the fiscal year 2001 payments under section 102 of such Act to eligible States and eligible counties, the full payment amount for each eligible State and eligible county shall be deemed to be equal to the full payment amount calculated for that eligible State or eligible county in the Forest Service document entitled “P.L. 106–393, Secure Rural Schools and Community Self-Determination Act” and dated July 31, 2001, subject to the adjustment required by section 101(b) of such Act.

(b) **REVISION OF TABLE.**—For the purpose of making payments under section 102 of such Act to eligible States and eligible counties for fiscal years 2002 through 2006, as required by section 101(a)(1) of such Act, the Secretary of Agriculture shall revise the table referred to in subsection (a) to accurately reflect, to the maximum extent practicable, each eligible State’s and eligible county’s historic share of the 25-percent payments and safety net payments made for the fiscal years of the eligibility period.

(c) **REPORTING REQUIREMENT.**—Not later than March 1, 2002, the Secretary of Agriculture shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Agriculture of the House of Representatives a report containing the revisions made to the table referred to in subsection (a), as required by subsection (b).

(d) **ADDITIONAL ELIGIBLE COUNTY ELECTION.**—Notwithstanding section 102(b)(2) of such Act, if the revision pursuant to subsection (b) of the table referred to in subsection (a) results in a reduced full payment amount for an eligible county that elected under section 102(b) of such Act to receive the full payment amount, the eligible county shall have a 90-day period, beginning on the date the revised table is first available to the public, during which to reconsider and change its election. The eligible county shall notify the Secretary of Agriculture of any change in its election before the end of such period. If an eligible county elects under this subsection to receive the 25-percent payment in place of the full payment amount, the election shall be effective for one year.

(e) **TREATMENT OF CERTAIN MINERAL LEASING RECEIPTS.**—(1) An eligible county that elects under section 102(b) of such Act to receive its share of an eligible State’s full payment amount shall continue to receive its share of any payments made to that State from a lease for mineral resources issued by the Secretary of the Interior under the last paragraph under the heading “FOREST SERVICE.” in the Act of March 4, 1917 (Chapter 179; 16 U.S.C. 520).

(2) Section 6(b) of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 355(b)) is amended by inserting after the first sentence the following new sentence: “The preceding sentence shall also apply to any payment to a State derived from a lease for mineral resources issued by the Secretary of the Interior under the last paragraph under the heading ‘FOREST SERVICE.’ in the Act of March 4, 1917 (Chapter 179; 16 U.S.C. 520).”

(f) **DEFINITIONS.**—In this section, the terms “eligible State”, “eligible county”, “eligibility period”, “full payment amount”, “25-percent payment”, and “safety net payments” have the meanings given such terms in section 3 of such Act, and the term “such Act” means the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393; 16 U.S.C. 500 note).

SEC. 752. **ALASKA PERMANENT FUND.** Section 501(b) of the Housing Act of 1949 (42 U.S.C. 1471) is amended in paragraph (5)—

(1) by striking “(5)” and inserting “(5)(A)”; and

(2) by adding at the end the following:

“(B) For purposes of this title, for fiscal years 2002 and 2003, the term ‘income’ does not include dividends received from the Alaska Permanent Fund by a person who was under the age of 18 years when that person qualified for the dividend.”.

SEC. 753. Hereafter, any provision of any Act of Congress relating to colleges and universities eligible to receive funds under the Act of August 30, 1890, including Tuskegee University, shall apply to West Virginia State College at Institute, West Virginia: Provided, That the Secretary may waive the matching funds’ requirement under section 1449 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222d) for fiscal year 2002 for West Virginia State College if the Secretary determines the State of West Virginia will be unlikely to satisfy the matching requirement.

SEC. 754. Notwithstanding any other provision of law, the Secretary, acting through the Natural Resources Conservation Service, shall provide financial and technical assistance relating to the Tanana River bordering the Big Delta State Historical Park.

SEC. 755. None of the funds appropriated or otherwise made available by this Act to the Food and Drug Administration shall be used to allow admission of fish or fish products labeled wholly or in part as “catfish” unless the products are taxonomically from the family Ictaluridae.

SEC. 756. The Secretary of Agriculture is authorized to accept any unused funds transferred to the Alaska Railroad Corporation for avalanche control and retransfer up to \$499,000 of such funds as a direct lump sum payment to the City of Valdez to construct an avalanche control wall to protect a public school.

SEC. 757. The Secretary of Agriculture may use not more than \$5,000,000 of funds of the Commodity Credit Corporation to pay claims of crop damage, upon consultation with the Secretary of the Interior, that resulted from the Bureau of Land Management’s use of herbicides during the 2001 calendar year in the State of Idaho: Provided, That if the amount provided in this section is not sufficient to pay all approved claims the Secretary of Agriculture shall reduce all approved claims on a pro rata basis related to the degree of loss in production: Provided further, That nothing in this section shall be construed to constitute an admission of liability by the United States arising from the use by the Bureau of Land Management of the herbicide Oust: Provided further, That the issuance of regulations promulgated pursuant to this section shall be made without regard to: (1) the notice and comment provisions of section 553 of title 5, United States Code; (2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and (3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”): Provided further, That in carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 758. **PILOT PROGRAM FOR ENROLLMENT OF WETLAND AND BUFFER ACREAGE IN CONSERVATION RESERVE.** (a) **IN GENERAL.**—Section 1231(h)(4)(B) of the Food Security Act of 1985 (16 U.S.C. 3831(h)(4)(B)) is amended by inserting “(which may include emerging vegetation in water)” after “vegetative cover”.

(b) **CONFORMING AMENDMENT.**—Section 1232(a)(4) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(4)) is amended by inserting “(which may include emerging vegetation in water)” after “vegetative cover”.

SEC. 759. **SPECIALITY CROPS.** (a) **GRADING OF TOBACCO.**—

(1) **IN GENERAL.**—Not later than March 31, 2002, the Secretary of Agriculture (referred to in this section as the “Secretary”) shall conduct referenda among producers of each kind of tobacco that is eligible for price support under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.) to determine whether such producers favor the mandatory grading of that kind of tobacco by the Secretary.

(2) **MANDATORY GRADING.**—

(A) **IN GENERAL.**—If the Secretary determines that mandatory grading is favored by a

majority of the producers of a kind of tobacco voting in the referendum, the Secretary is authorized and directed to ensure that the kind of tobacco is graded at the time of sale effective for the 2002 and subsequent marketing years.

(B) FEES.—To the maximum extent practicable, the Secretary shall establish, collect, and use fees for the grading of tobacco required under this subsection in the same manner as user fees for the grading of tobacco sold at auction authorized under the Tobacco Inspection Act (7 U.S.C. 511 et seq.).

(3) JUDICIAL REVIEW.—A determination by the Secretary under this subsection shall not be subject to judicial review.

(b) QUOTA REDUCTION FOR CONSERVATION RESERVE ACREAGE.—

(1) IN GENERAL.—Section 1236 of the Food Security Act of 1985 (16 U.S.C. 3836) is amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b), (c), and (d) as subsections (a), (b), and (c), respectively;

(C) in subsection (b) (as so redesignated), by striking “subsection (b)” and inserting “subsection (a)”;

(D) in subsection (c) (as so redesignated), by striking “subsection (c)” and inserting “subsection (b)”.

(2) CONFORMING AMENDMENT.—Section 1232(a)(5) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(5)) is amended by striking “section 1236(d)” and inserting “section 1236(c)”.

(3) APPLICATION.—The amendments made by this subsection shall apply beginning with the 2002 crop.

(c) HORSE BREEDER LOANS.—

(1) DEFINITION OF HORSE BREEDER.—In this subsection, the term “horse breeder” means a person that, as of the date of enactment of this Act, derives more than 70 percent of the income of the person from the business of breeding, boarding, raising, training, or selling horses, during the shorter of—

(A) the 5-year period ending on January 1, 2001; or

(B) the period the person has been engaged in such business.

(2) LOAN AUTHORIZATION.—The Secretary shall make loans to eligible horse breeders to assist the horse breeders for losses suffered as a result of mare reproductive loss syndrome.

(3) ELIGIBILITY.—A horse breeder shall be eligible for a loan under this subsection if the Secretary determines that, as a result of mare reproductive loss syndrome—

(A) during the period beginning January 1 and ending October 1 of any of calendar years 2000, 2001, or 2002—

(i) 30 percent or more of the mares owned by the horse breeder failed to conceive, miscarried, aborted, or otherwise failed to produce a live healthy foal; or

(ii) 30 percent or more of the mares boarded on a farm owned, operated, or leased by the horse breeder failed to conceive, miscarried, aborted, or otherwise failed to produce a live healthy foal;

(B) the horse breeder is unable to meet the financial obligations, or pay the ordinary and necessary expenses, of the horse breeder incurred in connection with breeding, boarding, raising, training, or selling horses; and

(C) the horse breeder is not able to obtain sufficient credit elsewhere, in accordance with subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.).

(4) AMOUNT.—

(A) IN GENERAL.—Subject to subparagraph (B), the amount of a loan made to a horse breeder under this subsection shall be determined by the Secretary on the basis of the amount of losses suffered by the horse breeder, and the financial needs of the horse breeder, as a result of mare reproductive loss syndrome.

(B) MAXIMUM AMOUNT.—The amount of a loan made to a horse breeder under this subsection shall not exceed the maximum amount of an emergency loan under section 324(a) of the

Consolidated Farm and Rural Development Act (7 U.S.C. 1964(a)).

(5) TERM.—

(A) IN GENERAL.—Subject to subparagraph (B), the term for repayment of a loan made to a horse breeder under this subsection shall be determined by the Secretary based on the ability of the horse breeder to repay the loan.

(B) MAXIMUM TERM.—The term of a loan made to a horse breeder under this subsection shall not exceed 20 years.

(6) INTEREST RATE.—The interest rate for a loan made to a horse breeder under this subsection shall be the interest rate for emergency loans prescribed under section 324(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1964(b)(1)).

(7) SECURITY.—A loan to a horse breeder under this subsection shall be made on the security required for emergency loans under section 324(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1964(d)).

(8) APPLICATION.—To be eligible to obtain a loan under this subsection, a horse breeder shall submit an application for the loan to the Secretary not later than September 30, 2002.

(9) FUNDING.—The Secretary shall carry out this subsection using funds made available to make emergency loans under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.).

(10) TERMINATION.—The authority provided by this subsection to make a loan terminates effective September 30, 2003.

SEC. 760. During fiscal year 2002, subsection (a)(2) of section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) shall be applied as though the term “and potatoes” read as follows: “, potatoes, and sweet potatoes”.

SEC. 761. CITRUS CANKER ERADICATION. (a) IN GENERAL.—Section 810 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (114 Stat. 1549A–52) is amended—

(1) in subsection (a) by striking “The” and inserting “Subject to subsection (e), the”; and

(2) in subsection (c), by striking “2001” and inserting “2002”.

(b) EFFECTIVE DATE.—The amendments in subsection (a) shall take effect as if enacted on September 30, 2001.

SEC. 762. Section 306(a)(20) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(20)) is amended by adding at the end the following new subparagraph:

“(E) RURAL BROADBAND.—Notwithstanding subparagraph (C), the Secretary may make grants to state agencies for use by regulatory commissions in states with rural communities without local dial-up Internet access or broadband service to establish a competitively, technologically neutral grant program to telecommunications carriers or cable operators that establish common carrier facilities and services which, in the commission’s determination, will result in the long-term availability to such communities of affordable broadband services which are used for the provision of high speed Internet access.”.

SEC. 763. In accordance with the Farmland Protection Program, a total of \$720,000 shall be made available to purchase conservation easements or other interests in land, not to exceed 235 acres, in Adair, Green, and Taylor Counties, Kentucky: Provided, That \$490,000 of this amount shall be from funds made available to the Conservation Reserve Enhancement Program for the State of Kentucky.

SEC. 764. Notwithstanding any other provision of law, the City of Caldwell, Idaho, shall be eligible for grants and loans administered by the Rural Housing Service of the United States Department of Agriculture for a period not to exceed one year from the date of enactment of this Act.

SEC. 765. Section 8c(1) of the Agricultural Marketing Agreement Act of 1937 is amended by adding the following provision at the end of the penultimate sentence:

“The Secretary is authorized to implement a producer allotment program and a handler withholding program under the cranberry marketing order in the same crop year through informal rulemaking based on a recommendation and supporting economic analysis submitted by the Cranberry Marketing Committee. Such recommendation and analysis shall be submitted by the Committee no later than March 1 of each year.”.

SEC. 766. Section 11(f) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1759a(f)) is amended by—

(1) in paragraph (1)(E), by striking “2001” and inserting “2003”; and

(2) in paragraph (2)—

(A) by striking subparagraph (A) and inserting the following:

“(A) IN GENERAL.—The Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate—

“(i) not later than January 1, 2003, an interim report on the activities of the State agencies receiving grants under this subsection; and

“(ii) not later than January 1, 2004, a final report on the activities of the State agencies receiving grants under this subsection.”; and

(B) in subparagraph (B), by striking “report” and inserting “reports”.

SEC. 767. Notwithstanding any other provision of law, the City of Mt. Vernon, Washington, shall be eligible for grants and loans administered by the Rural Housing Service of the United States Department of Agriculture for a period not to exceed one year from the date of enactment of this Act.

SEC. 768. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to DuPage County, Illinois, from funds available for the Watershed and Flood Prevention Operations program, not to exceed \$1,400,000.

SEC. 769. Notwithstanding any other provision of law, from funds previously appropriated for Watershed and Flood Prevention Operations of the Natural Resource and Conservation Service, the Secretary of Agriculture shall provide technical and financial assistance, but not to exceed \$1,000,000, in connection with a lake level stabilization project carried out as part of local efforts to restore and repair watersheds damaged by the 2001 tornado and storms in Burnett and Washburn Counties, Wisconsin: Provided, That the Secretary shall waive the cost share requirement of the local sponsors of such efforts in Burnett and Washburn Counties, Wisconsin.

SEC. 770. Notwithstanding any other provision of law, from the funds appropriated to the Rural Utilities Service by this Act, any current Rural Utilities Service borrower within 100 miles of New York City shall be eligible for additional financing, refinancing, collateral flexibility, and deferrals on an expedited basis without regard to population limitations for any financially feasible telecommunications, energy or water project that assists endeavors related to the rehabilitation, prevention, relocation, site preparation, or relief efforts resulting from the terrorist events of September 11, 2001.

SEC. 771. Section 17(r)(5) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(r)(5)) is amended—

(1) by striking “six” and inserting “seven”; and

(2) by striking “four” and inserting “five”; and

(3) by inserting “Illinois,” after the first instance of “States shall be”.

SEC. 772. (a) EXTENSION.—Section 141 of the Agricultural Market Transition Act (7 U.S.C. 7251) is amended—

(1) in subsection (b), by adding at the end the following new paragraph:

“(5) During the period beginning on January 1, 2002, and ending on May 31, 2002, \$9.90.”; and

(2) in subsection (h), by striking "December 31, 2001" both places it appears and inserting "May 31, 2002".

(b) CONFORMING AMENDMENT.—Section 142 of the Agricultural Market Transition Act (7 U.S.C. 7252) is repealed.

SEC. 773. The Secretary shall transfer to the Southern Minnesota Beet Sugar Co-op, refined sugar, acquired by the Commodity Credit Corporation, in the amount of 10,000 tons to compensate sugar producers in Minnesota for losses incurred beyond those that may be compensated under existing programs administered by the Secretary: Provided, That this amount of sugar shall be provided in installments starting on the day that is 30 days after the date of enactment of this Act and on the first day of each of the following 7 months after that day.

SEC. 774. (a) DEFINITIONS.—In this section:

(1) The term "eligible person" means a person that—

(A) owns a farm for which, irrespective of temporary transfers or undermarketings, a basic quota or allotment for eligible tobacco is established for the 2001 crop year under part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.);

(B) controls the farm from which, under the quota or allotment for the relevant period, eligible tobacco is marketed, could have been marketed, or can be marketed, taking into account temporary transfers; or

(C) grows, could have grown, or can grow eligible tobacco that is marketed, could have been marketed, or can be marketed under the quota or allotment for the 2001 crop year, taking into account temporary transfers.

(2) The term "eligible tobacco" means each of the following kinds of tobacco:

(A) Fire-cured tobacco, comprising types 22 and 23.

(B) Dark air-cured tobacco, comprising types 35 and 36.

(C) Virginia sun-cured tobacco, comprising type 37.

(b) PAYMENTS.—Not later than March 31, 2002, the Secretary of Agriculture (referred to in this section as the "Secretary") shall use funds of the Commodity Credit Corporation to make payments under this section.

(c) POUNDAGE PAYMENT QUANTITIES.—For the purposes of this section, in the case of each kind of eligible tobacco, individual tobacco quotas and allotments shall be converted to poundage payment quantities by multiplying—

(1) the number of acres that may, irrespective of temporary transfers or undermarketings, be devoted, without penalty, to the production of the kind of tobacco under the allotment under part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) for the 2001 crop year; by

(2)(A) in the case of fire-cured tobacco (types 22 and 23), 2,601 pounds per acre;

(B) in the case of dark air-cured tobacco (types 35 and 36), 2,337 pounds per acre; and

(C) in the case of Virginia sun-cured tobacco (type 37), 1,512 pounds per acre.

(d) AVAILABLE PAYMENT AMOUNTS.—In the case of each kind of eligible tobacco, the available payment amount for pounds of a payment quantity under subsection (c) shall be equal to 10 cents per pound.

(e) DIVISION OF PAYMENTS AMONG ELIGIBLE PERSONS.—Payments available with respect to a pound of payment quantity, as determined under subsection (d), shall be made available to eligible persons in accordance with this subsection. In the case of payments made available in a State under this section for each kind of eligible tobacco, the Secretary shall distribute (as determined by the Secretary)—

(1) 33⅓ percent of the payments to eligible persons that are owners described in subsection (a)(1)(A);

(2) 33⅓ percent of the payments to eligible persons that are controllers described in subsection (a)(1)(B); and

(3) 33⅓ percent of the payments to eligible persons that are growers described in subsection (a)(1)(C).

(f) STANDARDS.—In carrying out this section, the Secretary shall use, to the maximum extent practicable, the same standards for payments that were used for making payments under section 204(b) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1421 note; Public Law 106-224).

(g) JUDICIAL REVIEW.—A determination by the Secretary under this section shall not be subject to judicial review.

(h) REGULATIONS.—As soon as practicable after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this section. The promulgation of the regulations and administration of this section shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act").

(i) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out subsection (h), the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 775. The Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i) is amended:

(1) in subsection (b)(3) by adding at the end the following:

"(G) Grants may be awarded to improve research capabilities in States (as defined in the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended) in which institutions have been less successful in receiving funding under this subsection, based on a three-year rolling average of funding levels."; and

(2) in subsections (b)(10)(C) by striking "and (F) of paragraph (3) for awarding grants in" and inserting ", (F), and (G) of paragraph (3) for".

SEC. 776. None of the funds made available in this Act may be used to pay the salaries of personnel of the Department of Agriculture who carry out the programs authorized by section 524(a) of the Federal Crop Insurance Act (7 U.S.C. 1524) in excess of a total of \$4,000,000 for all such programs for fiscal year 2002.

SEC. 777. Section 501 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1737) is amended—

(1) in the section heading, by inserting "JOHN OGONOWSKI" before "FARMER-TO-FARMER PROGRAM"; and

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

"(d) DESIGNATION OF PROGRAM.—The program of farmer-to-farmer assistance authorized by this section shall be known and designated as the 'John Ogonowski Farmer-to-Farmer Program'."

This Act may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002".

And the Senate agree to the same.

HENRY BONILLA,
JAMES T. WALSH,
JACK KINGSTON,
TOM LATHAM,
JO ANN EMERSON,
VIRGIL H. GOODE, JR.,
RAY LAHOOD,
C.W. BILL YOUNG,
MARCY KAPTUR,
ROSA L. DELAURO,

MAURICE D. HINCHEY,
SAM FARR,
ALLEN BOYD,
DAVID R. OBEY,

Managers on the Part of the House.

HERB KOHL,
TOM HARKIN,
BYRON L. DORGAN,
DIANNE FEINSTEIN,
RICHARD J. DURBIN,
TIM JOHNSON,
ROBERT C. BYRD,
THAD COCHRAN,
ARLEN SPECTER,
CHRISTOPHER S. BOND,
MITCH MCCONNELL,
CONRAD BURNS,
LARRY CRAIG,
TED STEVENS,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

CONGRESSIONAL DIRECTIVES

The statement of the managers remains silent on provisions that were in both the House and Senate bills that remain unchanged by this conference agreement, except as noted in this statement of the managers.

The conferees agree that executive branch wishes cannot substitute for Congress' own statements as to the best evidence of congressional intentions—that is, the official reports of the Congress. The conferees further point out that funds in this Act must be used for the purposes for which appropriated, as required by section 1301 of title 31 of the United States Code, which provides: "Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law."

The House and Senate report language that is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein.

In cases in which the House or the Senate have directed the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations.

The conferees encourage the consideration of grant and loan applications for various entities. The conferees expect the Department only to approve those applications judged meritorious when subjected to the established review process.

TITLE I—AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

The conference agreement provides \$2,992,000 for the Office of the Secretary as proposed by the Senate instead of \$3,015,000 as proposed by the House.

The conferees strongly support the extension of the Global Food for Education Initiative program for fiscal year 2002. While both the House and Senate Committee reports demonstrated strong support for the program, the Department has still not announced its intentions for fiscal year 2002.

The conferees urge the Secretary in the strongest possible terms to use available authorities to continue the Global Food for Education Initiative for fiscal year 2002.

The Secretary shall report to the Committees on Appropriations no later than March 1, 2002 on USDA's plans for the National Finance Center.

The conferees have recommended \$40,000,000 under "Agricultural Research Service, Buildings and Facilities" to incrementally fund a long-term project for consolidation and replacement of laboratory facilities in Ames, IA. In addition, the President has proposed \$14,081,000 for the Animal and Plant Health Inspection Service for relocation of facilities in Ames, IA, and this proposal will be considered in subsequent appropriations action related to emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States. The conferees are concerned about the management of this very substantial effort involving two agencies of the Department and, therefore, direct the Office of the Secretary to submit a report to the Committees on Appropriations by March 1, 2002, that will include current estimates of full costs and the proposed construction schedule for this project as well as the Department's management plan for coordinating the efforts of ARS and APHIS in the performance of this long range construction program.

The conferees are seriously concerned that domestic lamb prices have fallen by 50 percent or more since June 2001, causing sheep producers to incur unprecedented losses which are unexplained by historic pricing patterns. The conferees direct the Secretary to conduct a study of lamb prices in the U.S. including comparison of live lamb prices to carcass and boxed lamb prices for 2001, determination of the spreads between these categories, and documentation of what market factors are affecting and establishing live lamb and carcass prices since January. A report on this study shall be submitted to the Committees on Appropriations and Agriculture by February 1, 2002, and this report should also include the degree and influence, if any, that imports, concentration, and mandatory price reporting have had on the lamb market this year as compared to the past five years.

The conferees strongly encourage the Secretary, in direct consultation with the wheat industry, to review the need for regulating Karnal bunt as a pest. The conferees are also concerned with the financial impacts incurred by producers and handlers as a result of Karnal bunt and direct the Secretary to continue compensation activities with all affected entities.

The conferees are concerned with the severe drought conditions along the U.S./Mexico border in the area of the Rio Grande watershed and Mexico's continuing failure to meet its water obligations to the area as delineated in the 1944 water treaty. The conferees are concerned with Mexico's lack of progress in implementing a repayment plan for its water deficit under this treaty, and the resulting negative effect on U.S. agricultural production. The conferees direct the Secretary to provide a report to the Committees on Appropriations of the House and Senate by March 1, 2002, detailing the value of the annual loss of U.S. agricultural production resulting from this deficit and the Department's authorities and plans to assist agricultural interests in the Rio Grande watershed with the financial ramifications of Mexico's water debt.

Ohio School Food Service Authorities continue to work with other State agencies and the Department to develop an inspection system that ensures safety while maximizing the number of eligible children receiving the

benefit of the program. The conferees direct the Department to continue to work towards developing a pilot project for school food safety inspections in Ohio, and to keep the Committees advised of any action on this matter.

The conferees are aware that certain states have meat and poultry inspection standards that are as stringent as Federal standards, and that those states would like to be able to ship state-inspected meat interstate. The conferees encourage the Department to consider developing a limited pilot project that would allow for such shipment, involving the state of Ohio. The conferees direct the Department to provide a report to the Committees on Appropriations before the fiscal year 2003 appropriations hearings regarding the feasibility of such a pilot project, including the legal requirements and a proposed design.

EXECUTIVE OPERATIONS CHIEF ECONOMIST

The conference agreement provides \$7,704,000 for the Chief Economist as proposed by the House instead of \$7,648,000 as proposed by the Senate.

NATIONAL APPEALS DIVISION

The conference agreement provides \$12,869,000 for the National Appeals Division as proposed by the House instead of \$12,766,000 as proposed by the Senate.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

The conference agreement provides \$7,041,000 for the Office of Budget and Program Analysis as proposed by the House instead of \$6,978,000 as proposed by the Senate.

OFFICE OF THE CHIEF INFORMATION OFFICER

The conference agreement provides \$10,029,000 for the Office of the Chief Information Officer instead of \$10,325,000 as proposed by the House and \$10,261,000 as proposed by the Senate.

COMMON COMPUTING ENVIRONMENT

The conferees do not agree that within the amount appropriated for common computing environment, \$4,500,000 is for data storage infrastructure hardware and software, and of which \$1,500,000 is for the same data storage technology for the combined administrative management system (CAMS) as proposed by the House. The conferees do not direct the use of a specific amount within the \$4,500,000 available for data storage infrastructure, but note that it should be used for coordination with CAMS as proposed by the Senate.

OFFICE OF THE CHIEF FINANCIAL OFFICER

The conference agreement provides \$5,384,000 for the Office of the Chief Financial Officer as proposed by the House instead of \$5,335,000 as proposed by the Senate.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

The conference agreement provides \$647,000 for the Office of the Assistant Secretary for Administration as proposed by the Senate instead of \$652,000 as proposed by the House.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

The conference agreement provides \$187,647,000 for agriculture buildings and facilities and rental payments instead of \$177,647,000 as proposed by the House and \$187,581,000 as proposed by the Senate.

The conferees expect that in the event an agency within the Department should require modification of space needs, any transfers of funds for such modification should occur only between the agency requiring the modification and this account. The conferees also note that such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account.

The conference agreement provides \$31,438,000 for buildings operations as proposed by the House, and \$25,943,000 for the Strategic Space Plan as proposed by the Senate.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides \$37,079,000 for Departmental Administration as proposed by the Senate instead of \$37,398,000 as proposed by the House.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

The conference agreement provides \$3,243,000 for Outreach for Socially Disadvantaged Farmers instead of \$2,993,000 as proposed by the House and \$3,493,000 as proposed by the Senate.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

The conference agreement provides \$3,718,000 for the Office of the Assistant Secretary for Congressional Relations as proposed by the House instead of \$3,684,000 as proposed by the Senate.

The conference agreement allows funds to be transferred to the agencies, but does not prescribe the amount of funds to be transferred. The conferees direct the Department, within 30 days of enactment, to notify the Committees on the allocation of these funds, including an explanation for any agency-by-agency distribution of these funds.

OFFICE OF COMMUNICATIONS

The conference agreement provides \$8,894,000 for the Office of Communications as proposed by the Senate instead of \$8,975,000 as proposed by the House.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides \$70,839,000 for the Office of the Inspector General as proposed by the Senate instead of \$71,429,000 as proposed by the House.

OFFICE OF THE GENERAL COUNSEL

The conference agreement provides \$32,627,000 for the Office of the General Counsel as proposed by the Senate instead of \$32,937,000 as proposed by the House.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

The conference agreement provides \$573,000 for the Office of the Under Secretary for Research, Education and Economics as proposed by the Senate instead of \$578,000 as proposed by the House.

ECONOMIC RESEARCH SERVICE

The conference agreement provides \$67,200,000 for the Economic Research Service as proposed by the Senate instead of \$67,620,000 as proposed by the House.

The conferees provide \$9,195,000 for food program studies and evaluations under ERS, as proposed by the House, instead of \$9,168,000 as proposed by the Senate.

The conferees direct that funding provided for food program studies and evaluations work must be used in accordance with the statutes governing Federal nutrition assistance programs. These statutes, Section 17 of the Food Stamp Act of 1977, Section 6 of the Richard B. Russell National School Lunch Act, and Section 17 of the Child Nutrition Act of 1966, authorize the use of funds to evaluate and improve the effectiveness of Federal nutrition assistance programs.

NATIONAL AGRICULTURAL STATISTICS SERVICE

The conference agreement provides \$113,786,000 for the National Agricultural Statistics Service as proposed by the Senate instead of \$114,546,000 as proposed by the House. Within that amount, the conferees make available \$25,350,000 for the Census of Agriculture as proposed by the Senate instead of \$25,456,000 as proposed by the House.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

The conference agreement provides \$979,464,000 for Agricultural Research Service, Salaries and Expenses, instead of \$971,365,000 as proposed by the House and \$999,438,000 as proposed by the Senate.

The conference agreement continues the fiscal year 2001 level of funding for all research projects proposed to be terminated in the President's budget and for salaries and administrative expenses of the Agricultural Research Service. With respect to additional funding for various research activities, as specified in either the House or Senate reports accompanying the fiscal year 2002 appropriations bill, the conference agreement provides eighty percent of the increase provided. Where increased funding is provided by both the House and Senate for the same research activity, the conference agreement provides funding at eighty percent of the higher level.

The conferees expect that research objectives related to woody genomics and breeding for the Southeast will be coordinated with the priorities of the Floriculture and Nursery Research Initiative as well as associated industry input. Further, the conferees expect that close cooperation will be established and maintained among the nursery and floral industry, the Agricultural Research Service, the University of Tennessee, and the Tennessee State University/ARS Nursery Crop Research Station in McMinnville to avoid duplication of effort.

Increased funding provided by the conference agreement for residue management in sugarcane is to be carried out at the Houma, LA, worksite.

Funding provided by the conference agreement for biobased products and bioenergy in New Orleans, LA, may be used for Nicholls State University to develop methods of using agricultural byproducts to decrease electricity costs.

Increased funding provided by the conference agreement for Formosan subterranean termite research is available to expand the test area to a larger portion of the French Quarter of New Orleans, LA, and for detection and eradication research using directed energy technologies.

The conference agreement includes an increase above the fiscal year 2001 level for Tropical and Subtropical Agricultural Research at the U.S. Pacific Basin Agricultural Research Center in Hawaii. The conferees direct the ARS to redirect existing funds allocated to the University of Hawaii related to Non-Toxic Control of Tephritid and Other Insects and Environmental Effects of Tephritid Fruit Fly Control and Eradication in order to make additional funds available in conjunction with the Center and the University of Hawaii at Hilo and the University of Hawaii at Manoa.

The conferees direct the Agricultural Research Service to submit a feasibility study to the Committees on Appropriations by March 1, 2002, on facility needs at the Woodward, OK, location, including the need for a conference center, and its plans to meet those requirements.

BUILDINGS AND FACILITIES

The conference agreement provides \$118,987,000 for the Agricultural Research Service, Buildings and Facilities, instead of \$78,862,000 as proposed by the House and \$99,625,000 as proposed by the Senate.

The following table reflects the conference agreement:

Arizona, Maricopa: U.S. Arid Land Agricultural Research Center	\$8,400,000
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California:

Western Human Nutrition Research Center, Davis	5,000,000
Western Regional Research Center, Albany District of Columbia: U.S. National Arboretum	3,800,000
Hawaii, Hilo: Pacific Basin Agriculture Research Center	4,600,000
Idaho, Aberdeen: Advanced Genetics Laboratory	3,000,000
Illinois, Peoria: National Center for Agricultural Utilization Research	500,000
Iowa, Ames: National Animal Disease Center	6,500,000
Kansas, Manhattan: Grain Marketing and Production Research Center	40,000,000
Maine, Orono/Franklin: Northeast Marine Cold Water Marine Aquaculture Center	3,000,000
Maryland: National Agricultural Library	3,000,000
Beltsville Agricultural Research Center	1,800,000
Minnesota, St. Paul: Cereal Disease Laboratory	300,000
Mississippi: Horticultural Laboratory for the Gulf Coast, Poplarville	800,000
National Biological Control Laboratory, Stoneville	8,400,000
New Mexico, Las Cruces: Jornado Experimental Range Management Research Laboratory	475,000
New York: Plum Island Animal Disease Center ...	3,762,000
Oklahoma, Woodward: Southern Plains Range Research Station	1,500,000
Pennsylvania, Philadelphia: Eastern Regional Research Center	5,000,000
South Carolina, Charleston: U.S. Vegetable Laboratory	4,500,000
South Dakota, Brookings: Northern Grain Insects Research Laboratory	850,000
Utah, Logan: Poisonous Plant Research Laboratory	5,600,000
West Virginia, Leetown: National Center for Cool and Cold Water Aquaculture	2,200,000
Wisconsin, Madison: Cereal Crops Research Laboratory	3,000,000
Total	118,987,000

The conference agreement includes a direction to the ARS to conduct and provide to the Committees a feasibility study by March 1, 2002, on the establishment of a Center for Renewable Resources at Morgantown, West Virginia, instead of Jackson's Mill, West Virginia, as proposed by the Senate.

The conferees are aware of facility needs associated with the Human Nutrition Center in Grand Forks, North Dakota, and that an opportunity now exists for the acquisition of realty in the vicinity of the Center. The conferees direct the agency to proceed with acquisition of this property from within available funds of the Center.

COOPERATIVE STATE RESEARCH, EDUCATION,
AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

The conference agreement provides \$542,062,000 for research and education activi-

ties instead of \$507,452,000 as proposed by the House and \$542,842,000 as proposed by the Senate.

The following table reflects the conference agreement:

Research and education activities

[In thousands of dollars]

	Conference agreement
Research Activities:	
Payments under the Hatch Act	\$180,148
Cooperative Forestry Research (McIntire-Stennis)	21,884
Payments to 1890 Colleges and Tuskegee University	34,604
Special Research Grants (P.L. 89- 106):	
Advanced genetic technologies (KY)	600
Advanced spatial technologies (MS)	978
Aegilops cylindricum (jointed goatgrass) (WA)	367
Agricultural diversification (HI)	128
Agricultural diversity/Red River Corridor (MN, ND)	400
Agriculture-based industrial lubricants (IA)	0
Agriculture water usage (GA) ...	293
Agroecology (MD)	400
Air quality (TX)	640
Alliance for food protection (GA, NE)	293
Alternative crops for arid lands (TX)	100
Alternative nutrient management (VT)	186
Alternative salmon products (AK)	631
Alternative uses for tobacco (MD)	360
Animal science food safety consortium (AR, IA, KS)	1,598
Apple fire blight (MI, NY)	489
Aquaculture (AR)	232
Aquaculture (FL)	490
Aquaculture (ID, WA)	600
Aquaculture (LA)	322
Aquaculture (MS)	579
Aquaculture (NC)	293
Aquaculture (VA)	100
Aquaculture product and marketing development (WV)	733
Armillaria root rot (MI)	160
Asparagus technology and production (WA)	260
Babcock Institute (WI)	588
Beef technology transfer (MO) ..	294
Biomass-based energy research (OK, MS)	960
Biotechnology (NC)	306
Blocking anhydrous methamphetamine production (IA)	242
Bovine tuberculosis (MI)	318
Brucellosis vaccine (MT)	485
Center for rural studies (VT)	240
Chesapeake Bay agroecology (MD)	280
Citrus canker (FL)	490
Citrus tristeza	725
Competitiveness of agriculture products (WA)	665
Cool season legume research (ID, WA)	321
Cotton fiber quality (GA)	400
Cranberry/blueberry (MA)	172
Cranberry/blueberry disease and breeding (NJ)	216
Crop diversification (MO, ND) ..	800
Crop genomics (MS)	640
Crop integration and production (SD)	200
Dairy and meat goat research (TX)	63
Dairy farm profitability (PA) ...	294

Conference agreement		Conference agreement		Conference agreement	
Delta rural revitalization (MS)	201	Meadowfoam (OR)	293	Sustainable agriculture systems (NE)	59
Designing foods for health (TX)	690	Michigan biotechnology consortium	481	Sustainable beef supply (MT) ...	1,000
Diaprepes/root weevil (FL)	400	Midwest Advanced Food Manufacturing Alliance	452	Sustainable engineered materials from renewable resources (VA)	400
Drought mitigation (NE)	196	Midwest agricultural products (IA)	632	Sustainable pest management for dryland wheat (MT)	452
Ecosystems (AL)	489	Midwest poultry consortium (IA)	400	Swine and other animal waste management (NC)	489
Efficient irrigation (NM, TX) ...	1,176	Milk safety (PA)	600	Synthetic gene technology (OH)	168
Environmental biotechnology (RI)	400	Minor use animal drugs (IR-4) ..	588	Technological development of renewable resources (MO)	294
Environmental horticulture (FL)	400	Molluscan shellfish (OR)	391	Tillage, silviculture, waste management (LA)	400
Environmental research (NY) ...	391	Montana Sheep Institute	400	Tomato wilt virus (GA)	244
Environmental risk factors/cancer (NY)	222	Multi-commodity research (OR) ..	356	Tri-state joint peanut research (AL)	600
Environmentally-safe products (VT)	240	Multi-cropping strategies for aquaculture (HI)	124	Tropical aquaculture (FL)	194
Exotic pest diseases (CA)	1,600	National beef cattle genetic evaluation consortium (NY) ..	343	Tropical and subtropical research/T STAR	8,000
Expanded wheat pasture (OK) ...	286	National biological impact assessment program	248	Value-added product development from agricultural resources (MT)	324
Farm injuries and illnesses (NC)	278	Nematode resistance genetic engineering (NM)	147	Value-added products (IL)	120
Feed barley for rangeland cattle (MT)	833	Nevada arid rangelands initiative (NV)	400	Viticulture consortium (NY, CA, PA)	1,600
Feedstock conversion (SD)	560	New crop opportunities (AK)	485	Water conservation (KS)	79
Fish and shellfish technologies (VA)	465	New crop opportunities (KY)	735	Water use efficiency and water quality enhancements (GA) ...	480
Floriculture (HI)	400	Non-food uses of agricultural products (NE)	64	Weed control (ND)	426
Food and Agriculture Policy Research Institute (IA, MO) ..	1,000	Nursery, greenhouse, turf specialties (AL)	320	Wetland plants (LA)	587
Food irradiation (IA)	245	Oil resources from desert plants (NM)	196	Wheat genetic research (KS) ...	255
Food Marketing Policy Center (CT)	484	Organic waste utilization (NM) ..	100	Wheat sawfly research (MT)	505
Food processing center (NE)	42	Oyster post harvest treatment (FL)	400	Wood utilization (AK, ID, ME, MI, MN, MS, NC, OR, TN)	5,670
Food quality (AK)	342	Ozone air quality (CA)	400	Wool research (TX, MT, WY)	294
Food safety (AL)	608	Pasture and forage research (UT)	244	Subtotal, Special Grants	97,008
Food safety (OK)	400	Peach tree short life (SC)	175		
Food safety research consortium (NY)	800	Pest control alternatives (SC) ..	280	Improved pest control:	
Food safety risk assessment (ND)	800	Phytophthora root rot (NM)	135	Emerging pests/critical issues ..	200
Food security (WA)	400	Phytoremediation plant research (OH)	280	Expert IPM decision support system	177
Food Systems Research Group (WI)	490	Pierce's disease (CA)	1,960	Integrated pest management ...	2,725
Forages for advancing livestock production (KY)	367	Plant, drought, and disease resistance gene cataloging (NM) ..	244	IR-4 minor crop pest management	10,485
Forestry (AR)	512	Potato research	1,568	Pest management alternatives	1,619
Generic commodity promotions, research and evaluation (NY)	194	Precision agriculture (KY)	733		
Global change/ultraviolet radiation	1,402	Preharvest food safety (KS)	208	Subtotal, Improved pest control	15,206
Grain sorghum (KS)	104	Preservation and processing research (OK)	221		
Grass seed cropping systems for sustainable agriculture (ID, OR, WA)	414	Protein utilization (IA)	186	National Research Initiative (NRI) competitive grants	120,452
Hoop barns (IA)	200	Rangeland ecosystems (NM)	320		
Human nutrition (IA)	463	Red snapper research (AL)	960	Animal health and disease (sec. 1433)	5,098
Human nutrition (LA)	800	Regional barley gene mapping project	760	Alternative crops:	
Human nutrition (NY)	609	Regionalized implications of farm programs (MO, TX)	287	Canola	693
Hydroponic tomato production (OH)	100	Ruminant nutrition consortium (MT, ND, SD, WY)	400	Hesperaloe and other natural products from desert plants ...	231
Illinois-Missouri Alliance for Biotechnology	1,214	Rural Development Centers (PA, IA, ND, MS, OR, LA)	560	Critical Agricultural Materials Act	720
Improved dairy management practices (PA)	389	Rural Policies Research Institute (NE, IA, MO)	1,040	1994 Institutions research program	998
Improved early detection of crop diseases (NC)	194	Russian wheat aphid (CO)	320	Institution challenge grants	4,340
Improved fruit practices (MI) ...	239	Satsuma orange research (AL) ..	800	Graduate fellowships grants	2,993
Increasing shelf life of agricultural commodities (ID)	640	Seafood and aquaculture harvesting, processing, and marketing (MS)	298	Multicultural scholars program ..	998
Infectious disease research (CO) ..	640	Seafood harvesting, processing, and marketing (AK)	1,142	Hispanic education partnership grants	3,492
Institute for Food Science & Engineering (AR)	1,222	Seafood safety (MA)	400	Capacity building grants (1890 institutions)	9,479
Integrated production systems (OK)	176	Small fruit research (OR, WA, ID)	392	Payments to the 1994 Institutions	1,549
Intelligent quality sensor for food safety (ND)	360	Soil and environmental quality (DE)	120	Alaska Native-serving and Native Hawaiian-serving Institutions education grants	2,997
International arid lands consortium	484	Southwest consortium for plant genetics and water resources ..	392	Secondary agriculture education ..	1,000
Iowa Biotechnology Consortium	1,530	Soybean cyst nematode (MO) ...	686	Sustainable agriculture research and education/SARE	12,500
Livestock and Dairy Policy (NY, TX)	558	Soybean research (IL)	800	Aquaculture centers (sec. 1475) ...	3,996
Livestock genome sequencing (IL)	400	STEEP—water quality in the Pacific Northwest	588		
Lowbush blueberry research (ME)	254	Sustainable agriculture (CA) ...	400	Federal Administration:	
Maple research (VT)	120	Sustainable agriculture (MI)	435	Agriculture-based industrial lubricants (IA)	360
		Sustainable agriculture and natural resources (PA)	123	Agriculture development in the American Pacific	552

	<i>Conference agreement</i>
Agriculture waste utilization (WV)	600
Agriculture water policy (GA) ..	600
Alternative fuels characteriza- tion laboratory (ND)	294
Animal waste management (OK)	320
Aquaculture (OH)	400
Biotechnology (MS)	680
Botanical research (UT)	640
Center for Agricultural and Rural Development (IA)	600
Center for Innovative Food Technology (OH)	765
Center for North America Stud- ies (TX)	200
Cotton research (TX)	880
Data Information System	2,078
Feed efficiency (WV)	160
Fruit and vegetable market analysis (AZ, MO)	340
Geographic information system	1,199
Germplasm development in for- age grasses (OH)	100
Livestock marketing informa- tion center (CO)	196
Mariculture (NC)	360
Mississippi Valley State Uni- versity	633
National Center for Peanut Competitiveness (GA)	391
Office of Extramural Programs	439
Pay costs and FERS	1,386
Peer Panels	342
PM-10 air quality study (WA) ...	426
Precision agriculture/Tennessee valley research and extension center (AL)	480
Produce pricing (AZ)	76
Salmon quality standards (AK)	120
Shrimp aquaculture (AZ, HI, LA, MA, MS, SC, TX)	4,214
Sustainable agriculture devel- opment (OH)	490
Urban silviculture (NY)	232
Water pollutants (WV)	206
Water quality (IL)	341
Water quality (ND)	417
Wetland plants (WV)	160
 Subtotal, Federal Adminis- tration	 21,676
 Total, Research and Edu- cation Activities	 542,062

The conference agreement does not include bill language which provides funds for payments to land-grant colleges of which \$998,000 shall be made available to West Virginia State College in Institute, West Virginia, as proposed by the House.

The conference agreement includes bill language which provides funds for payments to land-grant colleges of which \$1,507,496 shall be made available only for the purpose of ensuring that each institution shall receive no less than \$1,000,000 as proposed by the Senate.

The conference agreement does not include bill language regarding a grant for Oklahoma State University and its industrial partners to develop chemical and biological sensors as proposed by the Senate.

The conference agreement does not include bill language regarding the Environmental Biotechnology initiative at the University of Rhode Island as proposed by the Senate.

The conference agreement does not include bill language regarding grants for authorized competitive research programs related to enhancement of the nitrogen-fixing ability and efficiency of plants as proposed by the House.

The conference agreement includes bill language which provides \$2,997,000 to indi-

vidual eligible institutions or consortia of institutions in Alaska and Hawaii instead of \$2,993,000 for such purposes as proposed by the House and \$3,000,000 as proposed by the Senate.

It is the intent of the conferees that the funds provided for wood utilization research be distributed to existing centers on a basis proportionate to each center's share of the fiscal year 2001 total program funding.

The conference agreement includes \$1,199,000 for the Geographic Information System Program. The conferees expect that the amount provided shall be made available for program activities of entities in the same areas as the fiscal year 2001 level on a proportional basis and that program management costs will be kept at a minimum and any remaining funds will be distributed to the sites.

EXTENSION ACTIVITIES

The conference agreement provides \$439,473,000 for extension activities instead of \$436,029,000 as proposed by the House and \$433,546,000 as proposed by the Senate.

The following table reflects the conference agreement:

<i>Extension activities</i>	<i>Conference agreement</i>
[In thousands of dollars]	
Smith-Lever sections 3(b) and 3(c)	\$275,940
Smith-Lever section 3(d):	
Farm safety	5,250
Food and nutrition education ...	58,566
Indian reservation agents	1,996
Pest management	10,759
Rural development centers	953
Sustainable agriculture	4,750
Youth at risk	8,481
Youth farm safety education and certification	499
Renewable Resources Extension Act	4,093
1890 Colleges and Tuskegee Uni- versity	31,181
1890 facilities grants	13,500
Rural health and safety edu- cation	2,622
Extension services at the 1994 in- stitutions	3,273
 Subtotal	 421,863

Federal Administration:

Ag in the classroom	600
Agricultural telecommuni- cations (NY)	339
Avian conservation (PA)	320
Beef producers improvement (AR)	193
Botanical garden initiative (IL)	232
Conservation technology trans- fer (WI)	490
Dairy education (IA)	232
Delta Teachers Academy	0
Diabetes detection, prevention (WA)	906
Efficient irrigation (NM, TX) ...	1,960
Extension specialist (MS)	100
Family farm beef industry net- work (OH)	1,372
Food Animal Residue Avoid- ance Database/FARAD	800
Food product development (AK)	280
Health education leadership (KY)	800
Income enhancement dem- onstration (OH)	241
Integrated cow/calf manage- ment (IA)	294
Iowa vitality center	280
National Center for Agriculture Safety (IA)	196
Pilot technology transfer (WI)	160
Pilot technology transfer (OK, MS)	319

	<i>Conference agreement</i>
Potato pest management (WI) ..	396
Range improvement (NM)	240
Rural development (AK)	637
Rural development (NM)	363
Rural rehabilitation (GA)	240
Urban horticulture (WI)	200
Wood biomass as an alternative farm product (NY)	193
General administration and pay	5,227

Total, Federal Administra- tion	17,610
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Total, Extension Activities ...	439,473
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The conference agreement includes language which permits \$3,600,000 of the amount available under Smith-Lever 3(b) and 3(c) to provide funding for the National 4-H Program Centennial Initiative as proposed by the Senate.

The conference agreement does not include bill language which provides funds for payments to land-grant colleges of which \$998,000 shall be made available to West Virginia State College in Institute, West Virginia, as proposed by the House.

The conference agreement includes bill language which provides funds for payments to land-grant colleges of which \$1,724,884 shall be made available only for the purpose of ensuring that each institution shall receive no less than \$1,000,000 as proposed by the Senate.

The conference agreement provides \$5,250,000 for farm safety, of which \$4,050,000 is for the AgrAbility project.

INTEGRATED ACTIVITIES

The conference agreement provides \$42,853,000 for integrated activities instead of \$43,355,000 as proposed by the House and \$42,350,000 as proposed by the Senate.

The following table reflects the conference agreement:

<i>Integrated activities</i>	<i>Conference agreement</i>
[In thousands of dollars]	
Integrated Research, Education and Extension Competitive Grants Program:	
Water Quality	\$12,971
Food Safety	14,967
Pesticide Impact Assessment ...	4,531
Crops at Risk from FQPA Im- plementation	1,497
FQPA Risk Mitigation Program for Major Food Crop Systems	4,889
Methyl Bromide Transition Program	2,498
Organic Transition Program	1,500
 Total, Integrated Activities ..	 42,853

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

The conference agreement provides \$654,000 for the Office of the Under Secretary for Marketing and Regulatory Programs as proposed by the Senate instead of \$660,000 as proposed by the House.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

The conference agreement provides \$620,490,000, of which \$84,813,000 is derived from agricultural quarantine inspection user fees, for the Animal and Plant Health Inspection Service (APHIS) instead of \$587,386,000 as proposed by the House and \$602,754,000 as proposed by the Senate.

The following table reflects the conference agreement:

Animal and Plant Health Inspection Service
(In thousands of dollars)

	Conference agreement
Pest and Disease Exclusion:	
Agricultural quarantine inspection	\$47,254
User fees	84,813
Subtotal, AQI	132,067
Cattle ticks	6,232
Foot-and-mouth disease	3,839
Fruit fly exclusion and detection	36,818
Import-export	8,132
Screwworm	30,557
Trade issues resolution management	11,367
Tropical bont tick	415
Total, Pest and Disease Exclusion	229,427
Plant and Animal Health Monitoring:	
Animal health monitoring and surveillance	70,931
Animal and plant health regulatory enforcement	8,101
Emergency management system	4,044
Pest detection	6,844
Total, Plant and Animal Health Monitoring	89,920
Pest and Disease Management:	
Aquaculture	1,130
Biological control	8,759
Boll Weevil	77,355
Brucellosis	9,800
Chronic wasting disease	
Emerg. plant pests	43,130
Golden nematode	810
Gypsy moth	4,559
Imported fire ant	2,868
John's disease	3,000
Noxious weeds	1,255
Pink bollworm	1,866
Pseudorabies	4,151
Scrapie	3,119
Tuberculosis	8,694
Wildlife services operations	49,071
Witchweed	1,520
Total, Pest and Disease Management	221,087
Animal Care:	
Animal welfare	15,167
Horse protection	415
Total, Animal Care	15,582
Scientific and Technical Services:	
Biotechnology and environmental protection	10,516
Integrated systems acquisition project	1,748
Plant methods	5,118
Veterinary biologics	11,763
Veterinary diagnostics	18,278
Wildlife services methods development	12,955
Total, Scientific and Technical Services	60,378
Contingency fund	4,096
Pay parity	
Total, Salaries and Expenses	620,490

Fruit fly exclusion and detection.—The conference agreement includes funds to address

the inequity in the distribution of funds for fruit fly trapping in California and Florida by increasing the California program by \$4,000,000 as proposed by the Senate instead of \$2,000,000 as proposed by the House.

Animal health monitoring and surveillance.—The conference agreement provides an increase of \$2,429,000 for the animal health monitoring and surveillance (AHM&S) program instead of \$1,229,000 as proposed by the Senate.

The conference agreement includes an additional \$300,000 for the National Poultry Improvement Plan instead of \$750,000 as proposed by the House and the fiscal year 2001 level of funding as proposed by the Senate.

The conference agreement includes a \$750,000 increase for a cooperative agreement with the Wisconsin Livestock Identification Consortium for a pilot project instead of \$1,000,000 as proposed by the House and \$500,000 as proposed by the Senate.

The conference agreement includes \$100,000 to develop a bio-security demonstration and outreach program in cooperation with the Vermont Department of Agriculture and the University of Vermont College of Agriculture instead of \$200,000 as proposed by the Senate.

The conference agreement includes an increase of \$750,000 to implement a program for chronic wasting disease under the AHM&S line item instead of \$1,000,000 for a new line item as proposed by the Senate.

Animal and plant health regulatory and enforcement.—The conference agreement includes an increase of \$1,852,000 for the animal and plant health regulatory and enforcement program as proposed by the Senate instead of \$1,000,000 as proposed by the House.

The conferees direct the agency to include animal welfare violations and related enforcement responses in the agency's annual report to Congress.

Emergency Management System.—The conference agreement provides an increase of \$1,000,000 for the Emergency Management System instead of \$2,000,000 as proposed by the House.

Boll weevil.—The conference agreement provides \$77,355,000 for boll weevil instead of \$33,931,000 as proposed by the House and \$79,157,000 as proposed by the Senate.

Brucellosis.—The conference agreement includes the fiscal year 2001 level of funding for the Greater Yellowstone Interagency Brucellosis Committee as proposed by the Senate instead of \$600,000 as proposed by the House.

Emerging plant pests.—The conference agreement includes \$43,130,000 for the emerging plant pests program instead of \$48,515,000 as proposed by the House and \$28,557,000 as proposed by the Senate. Within this total, the conferees expect that \$3,618,000 be provided for the base program. In addition to funds made available from the Commodity Credit Corporation, the conferees direct that of this appropriation, no less than \$8,500,000 be provided for activities regarding the glassy-winged sharpshooter; and no less than \$31,030,000 be provided to combat emergency outbreaks of citrus canker in Florida, the Asian long-horned beetle in New York and Illinois (of which no less than \$1,500,000 shall be for activities in the area of Chicago, Illinois), plum pox virus, and Mormon crickets and grasshoppers, of which \$500,000 shall be for Utah.

The conferees direct the Secretary of Agriculture to continue to use the authority provided in this bill to transfer funds from the Commodity Credit Corporation for the arrest and eradication of animal and plant pests and diseases that threaten American agriculture.

Golden nematode.—The conference agreement provides an increase of \$200,000 for golden nematode instead of \$400,000 as proposed by the House.

Imported fire ant.—The conference agreement includes \$2,868,000, of which \$45,000 is for New Mexico, for imported fire ants instead of \$2,118,000 as proposed by the House and \$3,618,000 as proposed by the Senate.

Noxious weeds.—The conference agreement includes an increase of \$125,000 in association with the Nez-Perce Bio-Control Center instead of \$250,000 as proposed by the Senate.

Pink bollworm.—The conference agreement provides an increase of \$250,000 over fiscal year 2001 for pink bollworm activities instead of \$455,000 as proposed by the Senate.

Tuberculosis.—The conference agreement provides an increase of \$3,231,000 for tuberculosis eradication activities instead of \$6,463,000 as proposed by the Senate.

Wildlife services operations.—The conference agreement provides an increase of \$300,000 for predator control activities in Montana, Wyoming, and Idaho instead of \$500,000 proposed by the House and Senate.

The conference agreement provides \$300,000 above the fiscal year 2001 funding level for the South Dakota Department of Game and Fish instead of \$500,000 as proposed by the Senate.

The conference agreement provides \$125,000 for a cost sharing beaver control program in Louisiana instead of \$250,000 as proposed by the Senate.

The conference agreement provides \$8,250,000 for a rabies control program instead of \$16,500,000 as proposed by the House and \$4,600,000 as proposed by the Senate. The conferees expect the agency to direct funds to Texas, West Virginia, Ohio, New York, Vermont, Wyoming, and other states.

The conference agreement continues support for blackbird control activities in North Dakota, South Dakota, and Louisiana and, in addition, provides an increase of \$240,000 for completion of an environmental impact statement necessary for a baiting program scheduled to begin in March of 2002.

Animal welfare.—The conference agreement includes an increase of \$2,400,000 for animal welfare as proposed by the House instead of \$1,627,000 as proposed by the Senate, and directs APHIS to hire an additional 14 inspectors and support staff so that the overall number of inspections can increase, and those facilities that are in non-compliance may be re-inspected more frequently. The conferees encourage the Secretary to use any additional funds made available during fiscal year 2001 for these activities to increase program effectiveness as quickly as possible, and remind the Secretary of Agriculture of the request for information on this subject in Senate Report 107-33.

Integrated systems acquisition project.—The conference agreement provides an increase of \$750,000 for the integrated systems acquisition project instead of \$1,000,000 as proposed by the House.

Veterinary biologics.—The conference agreement provides an increase of \$1,036,000 for the Center for Veterinary Biologics instead of \$1,186,000 as proposed by the Senate.

Wildlife services methods development.—The conference agreement provides an increase of \$1,500,000 for wildlife services methods development, of which \$1,000,000 is to address infrastructure deficiencies at NWRC, and \$500,000 is for non-lethal predator control methods of which \$50,000 is for work at the Monell Center in Pennsylvania.

Avocados.—The conferees do not include House language directing the agency to report to the Congress prior to publishing any rules expanding the approved areas or lengthening time periods for importation of Mexican avocados. Those rules are in the process of being promulgated. The conferees direct APHIS to report to the Committees on Appropriations on the status of Mexican avocado imports, including any problems in pest

surveys, and oversight by APHIS personnel, including the diversion of Mexican avocados to other than approved destinations.

The conferees have been made aware of reports regarding captive polar bears recently imported in the United States and request APHIS to report back to the Committees on Appropriations by January 1, 2002 on this matter.

The conferees are concerned about the spread of West Nile Virus in Illinois and expect APHIS to work with the State of Illinois and the University of Illinois on cooperative ways to conduct research, monitor, and respond to the outbreak, including using contingency funds for these efforts.

The conferees encourage APHIS, in order to strengthen protections of U.S. meat and poultry supply, to expedite the development of its automated database system to track imported meat and animal product shipments and its Automated Manifest System, designed to automatically target shipments for hold.

BUILDINGS AND FACILITIES

The conference agreement provides \$7,189,000 for Animal and Plant Health Inspection Service Buildings and Facilities as proposed by the House instead of \$5,189,000 as proposed by the Senate.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

The conference agreement provides \$71,430,000 for the Agricultural Marketing Service as proposed by the Senate instead of \$71,774,000 as proposed by the House. The total amount includes \$5,980,000 for the Livestock Mandatory Price Reporting Program as proposed by the Senate instead of \$5,900,000 as proposed by the House.

The conferees expect the Microbiological Data Program to produce national, consistent, and statistically reliable data that may be used for research and risk analysis purposes by federal agencies such as USDA, FDA, and CDC, state health departments, researchers, and other stakeholders. The Agricultural Marketing Service is encouraged to contract for the data collection with organizations that have demonstrated research and technical competence, and that are not barred by statute from administering a blinded microbiological survey program for fruits and vegetables. In order to ensure that the data collected will be useful, and to avoid duplication of effort, the conferees expect AMS to hold a public meeting, within 60 days of enactment, to present a detailed data collection proposal and seek input from all interested parties.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

The conference agreement provides \$13,995,000 for Funds for Strengthening Markets, Income and Supply as proposed by the House instead of \$13,874,000 as proposed by the Senate.

GRAIN INSPECTION, PACKERS, AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides \$33,117,000 for the Grain Inspection, Packers and Stockyards Administration as proposed by the House instead of \$34,000,000 as proposed by the Senate.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

The conference agreement provides \$476,000 for the Office of the Under Secretary for Food Safety as proposed by the Senate instead of \$481,000 as proposed by the House.

FOOD SAFETY AND INSPECTION SERVICE

The conference agreement provides \$715,642,000 for the Food Safety and Inspec-

tion Service instead of \$720,652,000 as proposed by the House and \$715,747,000 as proposed by the Senate.

The conference agreement includes \$608,730,000 for federal food inspection.

The conference agreement provides an increase of \$100,000 over the fiscal year 2002 budget request for activities related to the Codex Alimentarius.

The conference agreement includes the following amounts, which fully fund food inspection activities at the requested level.

Food safety and inspection service, funding by activity

(\$000)

<i>FSIS activity</i>	<i>Conference agreement</i>
Federal Food Inspection	\$608,730
Import-Export Inspection	12,127
Laboratory Services	36,548
FAIM	8,005
Grants	42,517
Special Assistance to States	5,220
Codex	2,495
	<hr/>
	715,642
	<hr/>
Food Safety Inspection:	
Federal	638,513
State	47,418
International	15,344
FAIM	11,872
Codex	2,495
	<hr/>
	715,642

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

The conference agreement provides \$606,000 for the Office of the Under Secretary for Farm and Foreign Agricultural Services as proposed by the Senate instead of \$611,000 as proposed by the House.

FARM SERVICE AGENCY SALARIES AND EXPENSES

The conference agreement provides \$939,030,000 for the Farm Service Agency as proposed by the Senate instead of \$945,993,000 as proposed by the House.

STATE MEDIATION GRANTS

The conference agreement provides \$3,493,000 for State Mediation Grants instead of \$2,993,000 as proposed by the House and \$3,993,000 as proposed by the Senate.

DAIRY INDEMNITY PROGRAM

The conference agreement provides \$100,000 for the Dairy Indemnity Program as proposed by both the House and the Senate, and includes bill language that provides by reference the guidelines for making indemnity payments as proposed by the House.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

The following table reflects the conference agreement:

Farm Ownership Loans:	
Direct	(\$146,996,000)
Subsidy	3,866,000
Guaranteed	(1,000,000,000)
Subsidy	4,500,000
Farm Operating Loans:	
Direct	(611,198,000)
Subsidy	54,580,000
Unsubsidized guaranteed	(1,500,000,000)
Subsidy	52,650,000
Subsidized guaranteed	(505,531,000)
Subsidy	68,550,000
Indian Tribe Land Acquisition Loans	(2,000,000)
Subsidy	118,400
Emergency Disaster Loans	(25,000,000)
Subsidy	3,362,500
Boll Weevil Eradication Loans	(100,000,000)

The conference agreement includes bill language that breaks out the direct loan and subsidy amounts as proposed by the House.

The conference agreement provides \$280,595,000 for administrative expenses of which \$272,595,000 shall be transferred to the Farm Service Agency for this purpose as proposed by the Senate instead of \$282,769,000 for administrative expenses of which \$274,769,000 shall be transferred as proposed by the House.

The conference agreement includes bill language providing that the Committees on Appropriations are to be notified at least 15 days in advance of any transfer of funds as proposed by the House instead of language requiring prior approval as proposed by the Senate.

RISK MANAGEMENT AGENCY

The conference agreement provides \$74,752,000 for the Risk Management Agency (RMA) instead of \$75,142,000 as proposed by the House and \$73,752,000 as proposed by the Senate.

CORPORATIONS

COMMODITY CREDIT CORPORATION FUND

OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

The conference agreement includes the account heading "(Limitation on Expenses)" as proposed by the Senate. The House had no such heading.

TITLE II—CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

The conference agreement provides \$730,000 for the Office of the Under Secretary for Natural Resources and Environment as proposed by the Senate instead of \$736,000 as proposed by the House.

NATURAL RESOURCES AND CONSERVATION SERVICE

CONSERVATION OPERATIONS

The conference agreement provides \$779,000,000 for Conservation Operations instead of \$782,762,000 as proposed by the House and instead of \$807,454,000 as proposed by the Senate, of which not less than \$8,515,000 is for snow survey and water forecasting as proposed by the Senate instead of \$7,137,000 as proposed by the House; not less than \$9,849,000 is for operation and establishment of plant materials centers as proposed by the Senate instead of \$9,349,000 as proposed by the House; and, not less than \$21,500,000 for the grazing lands conservation initiative instead of \$20,000,000 as proposed by the House and \$23,000,000 as proposed by the Senate.

The conference agreement does not provide \$30,500,000 for conservation reserve program (CRP) technical assistance as proposed by the House; nor do the conferees include House language directing the Secretary to spend up to \$8,500,000 from CCC Section 11 for CRP technical assistance. The conference agreement includes a provision that allows the Secretary to transfer up to \$13,000,000 from the environmental quality incentives program for CRP technical assistance instead of \$26,000,000 as proposed by the Senate. The conferees note that the CCC Section 11 cap was recently revised upwards from \$36,208,700 to \$56,102,700. The conferees strongly encourage the Secretary, in addition to the funds available for transfer from the environmental quality incentives program, to use CCC Section 11 funds to ensure that CRP technical assistance is fully funded in fiscal year 2002.

In addition to the items in the House and Senate reports that are not changed by the conference agreement, funding is included for the following items: \$300,000 for the Sand

Mountain Water Quality Project (AL); \$150,000 for the Central Alabama/Birmingham Water Quality Initiative; \$200,000 for the Gulf Coast Water Quality/conservation initiative (AL); Juneau and Glennallen Offices (AK) \$250,000; \$500,000 to staff each Soil and Water Conservation District (AK); \$375,000 for the Little Red River Irrigation Project (AR); \$125,000 for the Walnut Bayou Irrigation Project (AR); \$150,000 for the Upper Petit Jean Watershed Project (AR); \$375,000 for agriculture enhancement/open space (CA); Manatee Agriculture Reuse System (FL) \$500,000; Georgia Agricultural Water Conservation Initiative \$500,000; Little Wood River Irrigation District Delivery System (ID) \$500,000; conversion to sprinkler irrigation (ID) \$500,000; Hungry Canyon/Loess Hills Erosion Control (IA) \$800,000; \$200,000 for CEMSA with Iowa Soybean Association; Soil erosion control/soil survey (KY) \$1,700,000; Golden Meadows PMC (LA) \$344,000; Barataria-Terrebonne National Estuary Program (LA) \$125,000; Lyon Canyon Creek Drainage Improvement-Tailorsville (MS) \$400,000; Cattle and nutrient management (MS) \$475,000; Chickasaw River-Quitman Planning and Design (MS) \$75,000; Choctaw County Feasibility Study for surface impoundment (MS) \$75,000; Mill Creek Watershed channel modification—Magee (MS) \$900,000; Jamie Whitten PMC (MS) \$275,000; Wildlife Management Institute (MS) \$5,609,000, an increase of \$900,000; Lake Tahoe Basin Soil Conservation Project (CA/NV) \$350,000; Westchester County SWCD (NY) \$325,000; \$200,000 for the refinement, integration, and implementation of computer tools to improve nutrient management planning on dairy farms (NY); \$130,000 for a cooperative agreement with Pace University (NY); Red River Flood Prevention/Environmental Research Center (ND) \$700,000; Oregon Garden, Silverton (OR) \$325,000; Advanced Wetland Plant Research-Hillsboro (OR) \$125,000; study to characterize land use change—Clemson University (SC) \$550,000; GIS based model (SC) \$600,000; field office telecommunications pilot program (TX) \$3,000,000; and Great Lakes Basin Program for Soil and Erosion Sediment \$1,250,000.

The conferees provide \$100,000 for the Weed It Now initiative in the southern Taconic Mountains of Massachusetts, New York and Connecticut.

The conferees provide \$3,000,000, the same amount as fiscal year 2001, for matching funds to the National Fish and Wildlife Foundation. This Federal financial assistance shall be advanced without regard to when expenses are incurred for projects on or benefiting the mission of the Natural Resources Conservation Service.

The conferees continue funding for the Texas plant materials centers at not less than the fiscal year 2001 funding levels.

The conference agreement provides \$250,000 as proposed by the Senate instead of \$150,000 as proposed by the House, for a cooperative agreement with the Wisconsin State Department of Agriculture to expand the Wisconsin grazing lands initiative to augment the funding that this initiative is receiving through the environmental quality incentives program.

The conference agreement provides \$5,000,000, the same as fiscal year 2001, for the continued implementation and acceleration of pilot projects for innovative technology systems resulting in a 75 percent reduction in nutrients of wastewater discharged by animal feeding operations to be managed by Farm Pilot Project Coordination, Inc. The Secretary is directed to release these funds after submitting a report to the Committees on Appropriations that a satisfactory cooperative agreement between the NRCS and Farm Pilot Project Coordination, Inc. has been consummated.

The conference agreement does not include \$1,250,000 for the Seward/Resurrection River North Forest Acres (AK) as proposed by the Senate, or \$1,500,000 for field telecommunications pilot program (NM) as proposed by the House.

WATERSHED SURVEYS AND PLANNING

The conference agreement provides \$10,960,000 for Watershed Surveys and Planning as proposed by the Senate instead of \$11,030,000 as proposed by the House.

WATERSHED AND FLOOD PREVENTION OPERATIONS

The conference agreement provides \$106,590,000 for Watershed and Flood Prevention Operations instead of \$111,143,000 as proposed by the House and \$100,413,000 as proposed by the Senate. The conference agreement includes \$15,000,000 for watersheds authorized under the Flood Control Act of 1936 as proposed by the Senate instead of \$10,000,000 as proposed by the House.

The conferees provide funds for continuing work in connection with the Hickory Creek, Marthasville, West Fork of Big Creek, East Fork of Grand River, McKenzie Creek, Upper Locust Creek, Troublesome Creek, and East Yellow Creek, Missouri.

The conferees provide funds for the following projects in Mississippi: to finish the installation of the remaining channel work on Coonewah Creek, Lee County; for flood control in the Pearl River Basin, Dry Creek watershed, Marion County; for installation of grade stabilization structures in the Skuna River; to provide bank stabilization structures in the Strayhorn Creek Watershed; and for the study, planning and design of flood water retarding structures in the Pellaphalia Creek Watershed, Carthage.

WATERSHED REHABILITATION PROGRAM

The conference agreement includes a new account for the Watershed Rehabilitation Program and provides \$10,000,000 as proposed by the Senate. The House had a similar provision under Watershed Flood Prevention Operations. The conferees expect that priorities under this program be given only to those structures which pose the highest risk to life and property.

RESOURCE CONSERVATION AND DEVELOPMENT

The conference agreement provides \$48,048,000 for Resource Conservation and Development as proposed by the Senate instead of \$48,361,000 as proposed by the House.

The conference agreement includes funds to maintain funding for the eight councils that were funded out of the Fund for Rural America in fiscal year 2001. The conferees provide \$1,125,000 for pay cost as proposed by the Senate instead of \$1,438,000 as proposed by the House. The conference agreement includes \$1,000,000 to bring the per council allocation closer to the \$161,000 level recommended by USDA, and \$3,000,000 to fund the maximum number of pending applications for new councils that the \$3,000,000 will allow.

FORESTRY INCENTIVES PROGRAM

The conference agreement provides \$6,811,000 for the Forestry Incentives Program instead of \$7,811,000 as proposed by the Senate.

The conferees note authorization under the Forestry Incentives Program for removal and site preparation for replanting on private lands which may serve to reduce the potential of wildfires and directs the agency, where appropriate, to provide resources for that purpose, utilizing flexibility regarding minimum productivity requirements.

TITLE III—RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

The conference agreement provides \$623,000 for the Office of the Under Secretary for Rural Development as proposed by the Senate instead of \$628,000 as proposed by the House.

The conferees expect the Department to give consideration to the following requests for assistance from rural development programs: community facilities grant for the transfer of the Audubon Sugar Institute at the Louisiana State University Agricultural Center; funding for the International Agri-Center, Inc. in Tulare, California; assistance from the distance learning and telemedicine program to the Commonwealth of Kentucky for the Kentucky Telehealth Network, to expand telemedicine services in rural Kentucky; funding for a feasibility study of the Public Market project in Springfield, MA; assistance from community facilities loan and grant programs to build a Regional Health Center by the Community Medical Centers of Fresno, CA; assistance from the rural business opportunity grant program for the Appalachian Information Technology Partnership (WV); assistance for the Women in Technology Project, Hawaii and Wisconsin; assistance to deal with the deteriorating situation that exists within the Pascoag Utility District, RI, due to contamination of the District's groundwater; assistance to the City of Nanticoke, PA for a Downtown Redevelopment Initiative; assistance for the development of sewer service in Kinsman Township, OH; assistance for a wastewater treatment upgrade in Columbiana, OH; a guaranteed business and industry loan for Fayette, AL; Montana Rural Business Accelerator, MT; and assistance for extension of water lines in Lake Milton and Craig Beach, OH.

The conferees note the important work provided through the National Rural Development Partnership, and its associated State Rural Development Councils, and encourage the Department to continue support for these efforts from within available funds.

RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement provides \$806,557,000 for the Rural Community Advancement Program (RCAP) instead of \$767,465,000 as proposed by the House and \$1,004,125,000 as proposed by the Senate.

The conference agreement does not include Senate language that specifies program levels within the total made available under the RCAP for assistance to Federally Recognized Native American Tribes. The conferees are aware of housing, utility, business opportunity, and educational infrastructure needs and direct the Department to allocate program benefits in a manner that best serves the requirements of this population, but expect that up to \$4,000,000 shall be available for community facilities grants to tribal colleges.

The conference agreement adopts Senate language providing \$24,000,000 for rural and native villages in Alaska.

The conference agreement adopts Senate language providing for up to one percent of funds provided for water and waste disposal systems in Alaska for program administration and up to one percent to improve inter-agency coordination instead of one percent as proposed by the House.

The conference agreement provides \$17,465,000 for technical assistance grants for rural water and waste systems.

The conferees provide bill language that of the funds provided for technical assistance for rural water and waste systems, \$5,250,000

be designated for Rural Community Assistance Programs.

The conference agreement adopts language setting aside \$11,000,000 for the circuit rider program and expects that this will provide sufficient funds for a third circuit rider in approximately 15 states, including Mississippi.

The conference agreement adopts Senate language setting aside \$25,000,000 for facilities in rural communities with extreme unemployment and severe economic depression.

The conference agreement adopts Senate language setting aside \$30,000,000 for grants in rural communities with extremely high-energy costs.

The conference agreement adopts Senate language allowing funds provided for guaranteed business and industry loans to be transferred for direct business and industry loans as deemed necessary by the Secretary.

The conferees are aware that raw sewage is spilling into the Talkeetna River, Alaska, and threatens to contaminate the City of Talkeetna's drinking water supply because the sewer system has failed. Within the funds provided for water and waste disposal systems for rural and native villages in Alaska, the managers expect adequate funds to be made available to make emergency and permanent repairs to bring the system into compliance with applicable federal and state clean water requirements.

The following table indicates the distribution of funding for the RCAP:

Community Facilities	\$83,545,000
Business-Cooperative Development	76,500,000
Water and Waste	646,512,000
Total	806,557,000
Federally Recognized Native American Tribes	24,000,000
Rural Community Development Initiative	6,000,000
Technical Assistance for Rural Transportation	500,000
Mississippi Delta	2,000,000
Colonias	20,000,000
Alaska Villages	24,000,000
Technical Assistance	17,465,000
Circuit Rider	11,000,000
EZ/EC and REAP	37,624,000
Economic impact initiative grants.	25,000,000
High energy costs grants..	30,000,000

RURAL DEVELOPMENT SALARIES AND EXPENSES

The conference agreement provides \$133,722,000 for Rural Development Salaries and Expenses as proposed by the Senate instead of \$134,733,000 as proposed by the House.

The conferees have provided \$200,000, within available funds, for the Alaska State office to maintain existing field offices, to establish an Assistant State Director position and new field offices to be collocated to the maximum extent possible with the Natural Resources Conservation Service. A staffing plan for the Alaska State office should be submitted by the Rural Development Agency to the Committees on Appropriations no later than December 15, 2001.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

The conference agreement provides a total subsidy of \$245,887,000 for activities under the Rural Housing Insurance Fund Program Account instead of \$243,887,000 as proposed by the House and \$247,887,000 as proposed by the Senate. The conference agreement provides for an estimated loan program level of \$4,485,846,000 instead of \$4,470,648,000 as proposed by the House and \$4,501,044,000 as proposed by the Senate.

The conference agreement adopts Senate language providing for a transfer of \$422,241,000 to salaries and expenses instead of \$422,910,000 as proposed by the House.

The conference agreement adopts House language that allows up to \$5,986,197 to be transferred from the section 515 rental housing program to the rental assistance program for emergency designations.

The conferees are aware of the storm damage that occurred in Oklahoma on October 9, 2001, and urge the Secretary to give high priority to section 502 loan and grant applications for housing reparations.

The following table indicates loan and subsidy levels provided in the conference agreement:

Rural Housing Insurance Fund Program Account:	
Loan authorizations:	
Single family (sec. 502)	(\$1,079,848,000)
Unsubsidized guaranteed	(3,137,968,000)
Rental housing (sec. 515)	(114,068,000)
Multi-family housing guarantees (sec. 538)	(99,770,000)
Housing repair (sec. 504)	(32,324,000)
Credit sales of acquired property	(11,778,000)
Site loans (sec. 524)	(5,090,000)
Self-help housing land development fund	(5,000,000)
Total, Loan authorizations	(4,485,846,000)
Loan subsidies:	
Single family (sec. 502)	142,108,000
Unsubsidized guaranteed	40,166,000
Rental housing (sec. 515)	48,274,000
Multi-family housing guarantees (sec. 538)	3,921,000
Housing repair (sec. 504)	10,386,000
Credit sales of acquired property	750,000
Site loans (sec. 524)	28,000
Self-help housing land development fund	254,000
Total, Loan subsidies	245,887,000

RHIF administration expenses (transfer to RD) ... 422,241,000

RENTAL ASSISTANCE PROGRAM

The conference agreement provides \$701,004,000 for the Rental Assistance Program instead of \$693,504,000 as proposed by the House and \$708,504,000 as proposed by the Senate.

MUTUAL AND SELF-HELP HOUSING GRANTS

The conference agreement provides \$35,000,000 for Mutual and Self-Help Housing Grants as proposed by the Senate and \$33,925,000 as proposed by the House.

FARM LABOR PROGRAM ACCOUNT

The conference agreement provides \$31,431,000 for the Farm Labor Program Account as proposed by the House instead of \$28,431,000 as proposed by the Senate.

The conference agreement provides \$13,464,000 for loan subsidies and \$17,967,000 for grants, of which \$15,000,000 is for farm labor housing grants and \$2,967,000 is for grants for migrant and seasonal farmworkers.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

The conference agreement adopts Senate language providing for a transfer of \$3,733,000

to salaries and expenses instead of \$3,761,000 as proposed by the House.

RURAL COOPERATIVE DEVELOPMENT GRANTS

The conference agreement provides \$7,750,000 for Rural Cooperative Development Grants instead of \$7,500,000 as proposed by the House and \$8,000,000 as proposed by the Senate.

The conference agreement adopts House language providing \$2,500,000 for the appropriate technology transfer for rural areas program instead of \$2,000,000 as proposed by the Senate.

The conference agreement adopts Senate language providing not to exceed \$1,497,000 for cooperatives or associations of cooperatives, whose primary focus is to provide assistance to small, minority producers and whose governing board and/or membership is comprised of at least 75 percent minority.

RURAL EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES GRANTS

The conference agreement adopts Senate language that makes funds available for grants authorized by the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277).

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

The conference agreement provides a total subsidy of \$2,036,000 for activities under the Rural Electrification and Telecommunications Loans Program Account. The conference agreement provides for an estimated loan program level of \$4,565,934,000 as proposed by the Senate instead of \$4,610,292,000 as proposed by the House.

The conference agreement adopts Senate language providing for a transfer of \$36,000,000 to salaries and expenses instead of \$36,322,000 as proposed by the House. Included in this amount is an increase of \$400,000 for additional administrative expenses due to the recommended loan levels in the electric treasury rate and FFB accounts.

The following table indicates loan and subsidy levels provided in the conference agreement:

Rural Electrification and Telecommunications Loans Program Account:	
Loan authorizations:	
Electric:	
Direct, 5 percent	(\$121,107,000)
Direct, Muni	(500,000,000)
Direct, FFB	(2,600,000,000)
Direct, Treasury rate	(750,000,000)
Guaranteed	(100,000,000)
Subtotal	(4,071,107,000)
Telecommunications:	
Direct, 5 percent	(74,827,000)
Direct, Treasury rate	(300,000,000)
Direct, FFB	(120,000,000)
Subtotal	(494,827,000)
Total, loan authorizations	(4,565,934,000)
Loan subsidies:	
Electric:	
Direct, 5 percent	3,609,000
Direct, Muni	(1)
Direct, FFB	(1)
Direct, Treasury rate	(1)
Guaranteed	80,000
Subtotal	3,689,000
Telecommunications:	
Direct, 5 percent	1,736,000

Direct, Treasury rate	300,000
Direct, FFB	(1)
Subtotal	2,036,000
Total, loan sub-	
sidies	5,725,000
RETLF administrative	
expenses (transfer to RD) ...	36,000,000
Total, Rural Electrifica-	
tion and Telecommuni-	
cations Loans Program	
Account	41,725,000

¹ Negative subsidy rates for fiscal year 2002 are calculated for these programs.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

The conference agreement provides \$3,737,000 for the Rural Telephone Bank Program Account as proposed by the Senate instead of \$2,584,000 as proposed by the House.

The conference agreement adopts Senate language providing for a transfer of \$3,082,000 to salaries and expenses instead of \$3,107,000 as proposed by the House.

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

The conference agreement provides \$49,441,000 for the Distance Learning and Telemedicine Program instead of \$26,941,000 as proposed by the House and \$51,941,000 as proposed by the Senate.

The conference agreement includes language setting aside \$22,500,000 to finance broadband transmission and local dial-up service in rural areas, of which at least \$12,500,000 is to be made available for grants to carry out this program.

The conference agreement provides for an estimated loan program level of \$300,000,000 for distance learning and telemedicine loans and \$80,000,000 for broadband telecommunication loans.

LOCAL TELEVISION LOAN GUARANTEE PROGRAM ACCOUNT

The conference agreement provides \$20,000,000 for the Local Television Loan Guarantee Program instead of \$25,000,000 as proposed by the Senate. The House bill provided no funds for this account. The conference agreement provides for an estimated loan program level of \$258,065,000 instead of \$322,580,000 as proposed by the Senate.

The conference agreement adopts Senate language providing for a transfer of \$2,000,000 to salaries and expenses.

TITLE IV—DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

The conference agreement provides \$587,000 for the Office of the Under Secretary for Food, Nutrition and Consumer Services as proposed by the Senate instead of \$592,000 as proposed by the House.

The conferees direct the Department to provide \$100,000 to the State of New York for a pilot program to provide wireless equipment and services capable of supporting Food Stamp Electronic Benefit Transfer transactions in farmers' markets authorized by the Department and operating in the State of New York. The conference agreement does not include language relating to the use of WIC Electronic Benefit Transfer funds for state initiatives to implement pilot programs relating to wireless purchases at farmers' markets.

The conferees are concerned about the effect of rising food and labor costs on school meal programs, and request a report to the Committees on Appropriations on USDA plans to address this subject by June 30, 2002, instead of by January 31, 2002 as proposed by the House. The response should address all requirements as proposed by the House under this account and by the Senate as proposed in the Child Nutrition Program account.

The conference agreement includes \$10,000,000 under the Commodity Assistance Program to carry out the Senior Farmers Market Program in fiscal year 2002. While this action indicates strong support on the part of the conferees for this program, it does not replace expectations that the Secretary will consider these funds supplemental to resources of the Commodity Credit Corporation, as provided by the Department in fiscal year 2001. In addition, the conferees fully expect the Secretary to work with the appropriate authorization committees to establish this program under law.

The conferees recognize that childhood obesity and adult diseases in children, such as type II diabetes of which poor nutrition is the major contributing factor, have become a serious problem. In response, the conferees believe that nutrition education is crucial to the health and well-being of our nation's children, and the Department should have a significant nutrition education program in our schools, including through in-school educational networks and school menus. Therefore, the conferees urge the Secretary to put an increased emphasis on nutrition education and training.

The conferees are concerned about the nutritional status and obesity levels of our nation's children and are aware of recent studies that indicate a nutritionally adequate diet, which includes increased amounts of quality, fresh produce, is integral to better health and educational preparedness. In order to improve efficiencies and increase levels of fresh produce available to children, the conferees expect the Department to analyze the current levels of fresh produce in its nutrition programs, including the school lunch program, review its method of transportation and efficiency of distribution utilizing Defense facilities, and undertake outreach efforts to increase produce purchases under sections 4 and 11 of the National School Lunch Act and report back to the Committees on Appropriations no later than 120 days after enactment of this Act.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

The conference agreement provides \$10,087,246,000 for Child Nutrition Programs as proposed by the Senate instead of \$10,088,746,000 as proposed by the House.

Included in this amount is an appropriated amount of \$4,914,788,000 and a transfer from section 32 of \$5,172,458,000. The transfer amount from section 32 was changed due to updated information available from the Department. Included in the appropriated amount is \$500,000 for a school breakfast pilot project in Wisconsin, as proposed by the Senate. The House had no similar provision.

The conference agreement does not include \$2,000,000 for a National School Lunch Program integrity study as proposed by the House. This study is funded under the Food Program Administration account, as proposed by the Senate.

The conference agreement provides the following for Child Nutrition programs:

Total obligational authority

Child Nutrition Programs:	
School lunch program	\$5,759,232,000
School breakfast pro-	
gram	1,579,752,000
Child and adult care food	
program	1,878,179,000
Summer food service pro-	
gram	325,341,000
Special milk program	15,940,000
State administrative ex-	
penses	129,929,000
Commodity procurement	
and support	381,877,000

Total obligational authority—Continued

School meals initiative/	
Team nutrition	9,991,000
Coordinated review effort	4,507,000
Food safety education	1,998,000
School breakfast pilot	
project	500,000
Total	10,087,246,000

The conference agreement does not include language relating to study of the effect of rising food and labor costs on school-based child nutrition programs as proposed by the Senate under this account. The conferees request such information under the account of the Office of the Under Secretary for Food, Nutrition and Consumer Services.

The conferees recommend that the Secretary continue the pilot program with the Alisal Union School District in Salinas, California to combine the administration of the summer food service program and the school lunch program.

The conferees are encouraged that the Food and Nutrition Service has made progress on assisting schools with enforcing the Buy American provisions of the Richard B. Russell National School Lunch Act. The conferees are concerned, however, that guidance material being drafted by the agency conflicts with guidance provided on other procurement issues. Accordingly, FNS is directed to ensure that all guidance documents and other material on this topic follow the agency's current procurement principles and not distinguish between the sources of funds used to conduct a procurement.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

The conference agreement provides \$4,348,000,000 for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) instead of \$4,137,086,000 as proposed by the House and \$4,247,086,000 as proposed by the Senate.

The conference agreement provides that the Secretary shall obligate \$10,000,000 for the farmers' market nutrition program within 45 days of enactment of this Act, and that the Secretary may obligate up to an additional \$15,000,000 for this program from funds not needed to meet caseload requirements.

The conference agreement provides that \$10,000,000 shall be available for infrastructure, and that up to an additional \$4,000,000 shall be available for this purpose from funds not needed to meet caseload requirements. The House had proposed \$10,000,000 for infrastructure and the Senate had proposed \$14,000,000. The conferees encourage the Department to continue funding for WIC Electronic Benefit Transfer at the current level of \$6,000,000 from within infrastructure funding.

The conference agreement does not include a provision relating to senior farmers market nutrition activities, as proposed by the House. The Senate had no similar provision.

The conference agreement does not include a provision that allows fiscal year 2001 WIC carryover funds in excess of \$110,000,000 to be transferred to the Rural Community Advancement Program as proposed by the Senate.

The conferees agree to the WIC infant formula study as proposed by the Senate. The conferees direct that this study be conducted by the GAO instead of the Secretary of Agriculture.

In view of the potential increase in WIC participation levels, the conferees direct the Department to notify the Committees on Appropriations on funds obligated to support the WIC farmers' market and infrastructure programs and to provide a justification for those levels of funding.

FOOD STAMP PROGRAM

The conference agreement provides \$22,991,986,000 for the food stamp program as

proposed by the Senate instead of \$21,991,986,000 as proposed by the House. Included in this amount is a reserve of \$2,000,000,000 as proposed by the Senate instead of a reserve of \$1,000,000,000 as proposed by the House.

The conference agreement includes a Senate provision limiting obligations of reserved funds for Employment and Training programs made available in previous fiscal years to \$145,000,000.

The conference agreement includes a Senate provision allowing for purchase of bison meat, in an amount not to exceed \$3,000,000, for the Food Distribution Program on Indian Reservations (FDPIR).

COMMODITY ASSISTANCE PROGRAM

The conference agreement provides \$152,813,000 for the Commodity Assistance Program, as proposed by the House, instead of \$139,991,000 as proposed by the Senate. Included in that amount is \$50,000,000 for administration of TEFAP, and \$102,813,000 for the Commodity Supplemental Food Program.

The conference agreement provides that \$20,820,000 of this appropriation shall be available for administrative expenses of the Commodity Supplemental Food Program, instead of \$21,820,000 as proposed by the House. The Senate had no similar provision.

The conference agreement provides \$10,000,000 for funding of senior farmers' market activities. The House proposed funding for that purpose of up to \$15,000,000 from funds not needed to maintain caseload. The Senate included language that encouraged funding for this purpose through the Commodity Credit Corporation.

The conference agreement rescinds \$3,300,000 of unobligated balances available at the beginning of fiscal year 2002, instead of \$5,300,000 as proposed by the Senate. The House had no similar provision.

The conference agreement provides \$5,000,000 in additional funding to support the participation of five new states in the Commodity Supplemental Food Program (CSFP). These states, Missouri, Wisconsin, North Dakota, South Dakota, and Pennsylvania, have CSFP-approved plans and await funding. The conferees expect that funding to support the state of Washington, which joined the program in late fiscal year 2001, be continued.

FOOD DONATIONS PROGRAM

The conference agreement provides \$150,749,000 for the Food Donations Program as proposed by the Senate instead of \$160,749,000 as proposed by the House. Included in this amount is \$149,668,000 for the Elderly Feeding Program, as proposed by the House, instead of \$149,670,000 as proposed by the Senate. For the needy family program, the conference agreement provides \$1,081,000, instead of \$1,079,000 as proposed by the Senate.

FOOD PROGRAM ADMINISTRATION

The conference agreement provides \$127,546,000 for Food Program Administration as proposed by the Senate instead of \$126,656,000 as proposed by the House. Included in this amount is not less than \$6,500,000 to improve integrity in the Food Stamp Program and Child Nutrition Program as proposed by the Senate instead of not less than \$4,500,000 as proposed by the House. The House had proposed funding of \$2,000,000 for integrity studies under the Child Nutrition Program account; the conference agreement provides that funding under the FPA account.

The conference agreement includes \$3,000,000 for research, evaluation, and assessment activities and \$1,800,000 to improve FNS information technology. As deemed

necessary for the proper administration of the nutrition assistance programs by the Agency, additional recurring studies, evaluations, and program information collections may be undertaken with the amount appropriated herein.

The conferees direct that food program studies and evaluations work must be done in accordance with the statutes governing Federal nutrition assistance programs. These statutes, Section 17 of the Food Stamp Act of 1977, Section 6 of the Richard B. Russell National School Lunch Act, and Section 17 of the Child Nutrition Act of 1966, authorize the use of funds to evaluate and improve the effectiveness of Federal nutrition assistance programs.

The conferees request a report on all integrity studies underway or anticipated for start in fiscal year 2002. This report should include a description of the study purpose, duration, cost, and note whether the study is being conducted by FNS staff or by a contractor. The conferees request that this report be submitted to the Committees on Appropriations by February 1, 2002.

TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

The conference agreement provides \$121,813,000 for the Foreign Agricultural Service instead of \$122,631,000 as proposed by the House and instead of \$121,563,000 as proposed by the Senate.

The conference agreement contains a provision prohibiting the disbursement of funds to any rice trade association when the applicable international agreement for such activity is not in effect as proposed by the House.

The conferees are concerned with the current international terrorism crisis and its effect on commodity assistance programs in Southwest Asia and North Africa. Accordingly, the conferees encourage the Foreign Agricultural Service to prioritize its activities with the goal of assisting those countries, including Egypt and Jordan, and other nations that are actively engaged and assisting the U.S. Government in its efforts to combat terrorism.

The conferees are concerned with the recent discovery of BSE in Japan as Japan accounts for almost \$2 billion, approximately 50%, of U.S. beef exports. Even though U.S. beef remains BSE-free, there is rising concern that the discovery of BSE in Japan is resulting in reduced consumption of beef, and subsequently impacting sales of U.S. beef to Japan. The conferees strongly encourage the Secretary to use the Foreign Market Development program to assist the U.S. beef industry in promoting U.S. beef to Japanese consumers.

PUBLIC LAW 480 TITLE I AND TITLE II PROGRAM AND GRANT ACCOUNTS

The conference agreement provides \$126,409,000 for the Title I Program Account instead of \$122,600,000 as proposed by the House and \$130,218,000 as proposed by the Senate. This funding will provide a loan authorization level of \$154,664,000 instead of \$150,000,000 as proposed by the House and \$159,327,000 as proposed by the Senate.

The conference agreement provides \$850,000,000 for Public Law 480 title II as proposed by the Senate instead of \$835,159,000 as proposed by the House.

The conference agreement provides \$972,000 for a transfer to FSA salaries and expenses as proposed by the Senate instead of \$980,000 as proposed by the House.

The following table reflects the conference agreement for Public Law 480 program accounts:

Public Law 480

Title I—Program account:	
Loan authorization, direct	(154,664,000)
Loan subsidies	126,409,000
Ocean freight differential	20,277,000
Title II—Commodities for disposition abroad:	
Program level	(850,000,000)
Appropriation	850,000,000
Salaries and expenses:	
Foreign Agricultural Service (transfer to FAS)	1,033,000
Farm Service Agency (transfer to FSA)	972,000
Subtotal	2,005,000

Total, Public Law 480:	
Program level	(1,004,664,000)
Appropriation	998,691,000

PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL GRANTS

The conference agreement includes new bill language that provides for the use of funds to be used for the shipment of commodities under the Agricultural Trade Development and Assistance Act of 1954 and under the Food for Progress Act of 1985, and that funds may be used interchangeably between the Title I program account and ocean freight differential account with prior notice to the Committees on Appropriations.

TITLE VI—RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides total appropriations, including Prescription Drug User Fee Act collections, of \$1,345,386,000 for the salaries and expenses of the Food and Drug Administration, as proposed by the Senate, instead of \$1,345,289,000 as proposed by the House, and provides specific amounts by FDA activity as reflected in the following table.

Program	Budget authority	Prescription drug user fees	Total
Foods	312,049,000	0	312,049,000
Human Drugs	246,459,000	106,188,000	352,647,000
Biologics	120,531,000	35,344,000	155,875,000
Animal Drugs and Feeds	82,967,000	0	82,967,000
Medical Devices	179,521,000	0	179,521,000
NCTR	37,082,000	0	37,082,000
Rent and Rent-related activities	29,798,000	0	29,798,000
Other Activities	76,387,000	13,944,000	90,331,000
Rental Payments to GSA	98,876,000	6,240,000	105,116,000
Net Appropriation	1,183,670,000	161,716,000	1,345,386,000

The conference agreement provides the full budget authority increases from the fiscal year 2001 levels requested in the President's fiscal year 2002 budget for the following activities: \$15,000,000 for BSE prevention and enforcement; \$10,000,000 for adverse event monitoring and reporting; \$10,000,000 for human subject protection; \$9,400,000 for food safety activities; and \$10,297,000 for inspections and import monitoring.

The conference agreement provides an increase of \$45,200,000 over the fiscal year 2001 level to fund pay cost increases as proposed by the House instead of \$40,000,000 as proposed by the Senate.

For other increases requested in the President's fiscal year 2002 budget, the conferees provide: \$4,000,000 for the move of the Center for Drug Evaluation and Research to White Oak, Maryland; and \$3,100,000 for financial management system priorities. The conferees direct that the priority use of the financial management system funds will be to

support streamlining and centralizing FDA's existing financial management systems, rather than beginning investment in a new financial system.

The conference agreement provides increases for the generic drugs program and generic drug education, as proposed by both the House and the Senate. The conferees direct an increase of \$2,500,000 above the fiscal year 2001 level for the generic drug program. This amount includes a \$250,000 increase for generic drug education activities, for a total of \$400,000 in fiscal year 2002 funding for that purpose.

The conference agreement provides an increase of \$3,000,000 for activities related to antibiotic drugs. The conference agreement does not include a proviso that \$5,000,000 may be for activities carried out with respect to antibiotic drugs, as proposed by the House. The Senate had no similar provision.

The conference agreement does not include a proviso that \$250,000 may be for activities carried out with regard to food labeling, as proposed by the House. The Senate had no similar provision.

In addition, the conference agreement provides increases from the fiscal year 2001 levels of \$1,500,000 for dietary supplement adverse event monitoring, instead of \$2,000,000 as proposed by the Senate; \$1,000,000 to continue work carried out by the FDA in collaboration with the National Center for Natural Products Research to identify and analyze botanical ingredients in dietary supplements, as proposed by the Senate; \$500,000 for a gene tracking system, as proposed by the Senate; \$500,000 for dietary supplement activities relating to enforcement purposes, instead of \$1,000,000 as proposed by the Senate; and \$1,000,000 for the orphan product grant program, instead of \$2,000,000 as proposed by the Senate. The \$1,000,000 increase for the orphan product grant program includes \$850,000 for orphan product grants and \$150,000 for administrative expenses. The House had no similar proposals.

The conferees continue the fiscal year 2001 level of funding for FDA to continue its contract with New Mexico State University's Physical Science Laboratory to conduct method evaluation of rapid testing methods of fresh fruits and vegetables for microbial contamination.

The conference agreement provides an increase of \$500,000 for the Office of Women's Health, instead of \$700,000 as proposed by the House. The Senate language did not provide an increase. The conferees are concerned that the FDA has paid insufficient attention to gender-based research. The conferees direct that the agency develop an agency-wide database focused on women's health activities to include demographic data on clinical trials. The conferees require a report to the Committees by June 3, 2002, which should include an update on the current pilot program and a capability assessment of the agency's ability to review clinical trial databases, coordinate data collection, and identify areas in which gaps exist.

The conference agreement does not include a provision that an additional \$2,950,000 is available for drug reimportation activities, after certain requirements are met, as proposed by the House. The Senate had no similar provision.

The conference agreement includes language relating to the credit of user fees, as proposed by the Senate. The House included similar language.

The conference agreement provides that fees derived from applications received during fiscal year 2002 shall be subject to the fiscal year 2002 limitation as proposed by the Senate. The House had no similar provision.

The conference agreement directs that no funds be used to develop or establish user fee

programs, as proposed by the Senate. The House had no similar provision.

The conferees include program specifications and allow funds to be transferred from one specified activity to another with prior approval of the Committees on Appropriations, as proposed by the Senate. The House had no similar provision.

The conferees request a report to the Committees on Appropriations from FDA on FDA's plans to promulgate regulations to prevent cross-contamination of foods by undeclared allergens. The report is due March 1, 2002, instead of December 31, 2001, as proposed by the House.

The conferees direct the Secretary of Health and Human Services to submit a report to the Committees on Appropriations on the administration of the National Antimicrobial Resistance Monitoring System (NARMS) by May 1, 2002, instead of March 1, 2002, as proposed by the House. This report should include a breakout of all FDA funds allocated to NARMS, other funding sources, overhead costs, and the activities of the NARMS program, including interagency agreements and interactions with non-governmental institutions.

The conferees expect that FDA will continue its work with the Interstate Shellfish Sanitary Commission (ISSC) to promote educational and research activities related to shellfish safety in general, and *Vibrio vulnificus* in particular. The conference agreement directs the use of \$250,000 for this effort from within sums provided for food safety, the same amount proposed by the House and instead of \$200,000 as proposed by the Senate. In addition, the conferees direct that the FDA continue to devote not less than \$200,000 to its efforts in working with the ISSC on assuring the safety and quality of shellfish and development of shellfish regulations, as proposed by the House.

The conference agreement includes a requirement for a report on shellfish safety goals, due to the Committees on Appropriations by December 1, 2002, instead of by March 1, 2002 as proposed by the Senate.

The conferees direct that at least \$2,100,000 of the funds appropriated for FDA activities be used in support of Codex Alimentarius activities, as proposed by the Senate.

The conferees provide \$1,000,000, from within the funds for food safety, to analyze risks associated with biotech foods used for animal feeds, as proposed by the Senate.

The conferees are aware that a small but growing percentage of the population is allergic to latex. While many individuals sensitized to latex may never experience symptoms, severe reactions may be lethal. The FDA states in the 1999 Food Code—Annex 3 that there have been reports of individuals experiencing an allergic reaction from eating food prepared by food handlers wearing latex gloves. Given this, the conferees direct the FDA to report back within nine months of the enactment of this Act on the incidence of latex allergies related to food handling, FDA's monitoring of the situation, and agency plans to eliminate exposure to latex from food handling if data warrants such a decision. The conferees also encourage FDA to consider adding latex to its priority list of food allergens.

The conferees are aware that FDA has proposed rules that include a prohibition on pooling tissue from multiple donors, but allow a waiver under certain circumstances. According to the FDA, these rules are designed to "prevent the introduction, transmission, and spread of communicable diseases." The conferees believe that FDA should only consider granting waivers from the pooling prohibition if it can be demonstrated that the products are as safe, pure, and potent as tissue products that have been

processed without pooling. The conferees urge the agency to continue to encourage medical and technological innovation, and to employ a balanced, science-based process to evaluate applications for waivers, with the ultimate goal of ensuring patient safety. The conferees direct FDA to provide the Committees on Appropriations with quarterly reports on the status of such waivers.

The conferees are aware that FDA has never issued Current Good Manufacturing Practice (CGMP) regulations for medical oxygen and other medical gases despite the fact that the agency intended to do so in 1978. The conferees are concerned that FDA's interpretation of CGMP requirements pertaining to the validation of Air Separation Units (ASUs) would benefit from more extensive comment from, and interaction with, the regulated industry. Therefore, the conferees strongly encourage FDA to develop draft guidance on medical gas CGMPs that addresses ASU validation requirements and to report to the Committees on Appropriations regarding the status of these guidelines within six months of the enactment of this Act. The guidance development process should be fully consistent with the agency's good guidance practices and should allow for extensive industry input and interaction. In addition, FDA would be expected to address and respond to each significant comment received as it would in a rulemaking process.

The conferees note that the Food and Drug Administration has received a petition requesting the promulgation of a new standard of identity for yogurt. The conferees agree that the petition should be given full consideration and request the agency to submit a status report on this matter by June 1, 2002.

The conferees strongly encourage FDA to make the availability of safe, effective animal drugs a priority for the agency. FDA should focus on reviewing animal drug applications in a timely, efficient manner with high quality standards. The conferees urge the agency to take action to meet statutory time frames for animal drug application review and to report on its performance to the Committees on Appropriations prior to the fiscal year 2003 appropriations hearings.

Consistent with its continuing interest in the appropriate labeling of irradiated food products, the conferees direct the FDA to report to the Committees on Appropriations by February 1, 2002, on the outcome of recent focus groups regarding the labeling of irradiated food products and to report on how the results will be integrated into future rule-making decisions.

The conferees are familiar with concerns that have been expressed regarding the impact of regulations promulgated by the Food and Drug Administration (21 CFR Sec. 203.39) on free health care clinics. The conferees encourage the agency to continue its review of the regulations' impacts and direct the agency to include a status report on this matter when it submits its budget request for the next fiscal year.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

The conference agreement provides \$70,700,000 for the Commodity Futures Trading Commission as proposed by the House instead of \$70,400,000 as proposed by the Senate.

TITLE VII—GENERAL PROVISIONS

House and Senate Section 707.—The conference agreement (Section 707) does not include the phrase "commonly known as the Agricultural Act of 1954" as proposed by the Senate.

House and Senate Section 712.—The conference agreement includes language (Section 712) that allows the Local Television Loan Guarantee program to remain available

until expended to cover obligations made in fiscal year 2002 as proposed by the Senate and technical corrections as proposed by the House.

House Section 714.—The conference agreement does not include a provision allowing the Natural Resources Conservation Service to enter into cooperative agreements as proposed by the House. This provision was made permanent in P.L. 106-387.

House Section 723 and Senate Section 722.—The conference agreement includes language (Section 722) regarding limitations on the Initiative for Future Agriculture and Food Systems as proposed by the House.

House Section 725 and Senate Section 726.—The conference agreement (Section 725) includes "Food and Drug Administration" in the title of the Appropriations Subcommittee as proposed by the House.

House Section 727 and Senate Section 729.—The conference agreement (Section 728) provides \$2,496,000 for hunger fellowships instead of \$4,000,000 as proposed by the House and \$1,996,000 as proposed by the Senate.

House Section 728 and Senate Section 730.—The conference agreement includes permanent language (Section 729) allowing the deposit of credit card refunds and rebates in the Working Capital Fund as proposed by the House.

House Section 730.—The conference agreement includes language (Section 731) regarding authorization for the National Sheep Industry Improvement Center as proposed by the House.

House Section 731.—The conference agreement includes language (Section 732) regarding limitations on issuing a proposed rule modifying the Animal Welfare Act.

House Section 732.—The conference agreement (Section 733) makes Cabot, AR, Coachella, CA, and Berlin, NH, eligible for Rural Community Advancement Program grants and loans.

House Section 733.—The conference agreement (Section 734) makes Casa Grande, AZ as meeting the requirements of a rural area in section 520 of the Housing Act of 1949 as proposed by the House.

Senate Section 732.—The conference agreement includes language (Section 735) that provides authority for the Secretary to use up to \$5,000,000 of funds made available under section 27(a) of the Food Stamp Act for administrative costs for the distribution of commodities as proposed by the Senate.

Senate Section 733.—The conference agreement includes language (Section 736) that allows the Secretary to transfer up to \$13,000,000 for technical assistance to implement the Conservation Reserve Program instead of \$26,000,000 as proposed by the Senate.

House Section 734 and Senate Section 734.—The conference agreement (Section 737) makes the City of St. Joseph, MO, eligible for grants and loans administered by the rural development mission area as proposed by the Senate.

House Section 735.—The conference agreement (Section 738) makes Hollister, CA as meeting the requirements of a rural area for grants and loans administered by the Rural Housing Service as proposed by the House.

Senate Section 735.—The conference agreement includes language (Section 743) that extends the eligibility of private organizations to participate in the Child and Adult Care Food Program as proposed by the Senate.

House Section 736.—The conference agreement includes language (Section 739) regarding prohibition of funds for check-off program as proposed by the House.

Senate Section 736.—The conference agreement (Section 744) provides \$150,000 for the Mallard Pointe project in Madison County, MS as proposed by the Senate.

House Section 737 and Senate Section 724.—The conference agreement includes language (Section 740) that prohibits the use of funds to close or relocate certain FDA offices in St. Louis, Missouri.

Senate Section 737.—The conference agreement includes language (Section 745) directing the Secretary to develop and implement a pilot project in the Illinois basin as proposed by the Senate.

House Section 738 and Senate Section 725.—The conference agreement includes language (Section 724) prohibiting the use of funds to reduce staff levels at certain FDA offices in Detroit, Michigan, below the July 31, 1999, levels as proposed by the Senate instead of July 31, 2000, levels as proposed by the House.

Senate Section 738.—The conference agreement (Section 746) provides \$250,000 for a wetlands restoration and water conservation project.

House Section 739.—The conference agreement (Section 741) provides \$75,000,000 for market loss payments for apple producers.

Senate Section 739.—The conference agreement (Section 747) provides \$3,000,000 of the Rural Community Advancement Program for a grant for an integrated ethanol plant, feedlot, and animal waste digestion unit as proposed by the Senate.

Senate Section 740.—The conference agreement provides permanent language (Section 748) instructing the Administrator of the Rural Utilities Service to use the authorities of the Rural Electrification Act of 1936 to finance the acquisition of electricity in predominantly rural areas as proposed by the Senate.

House Section 741.—The conferees do not include a House provision prohibiting the use of funds to eliminate two river navigator positions. The conference agreement, however, does include \$204,000 under the Natural Resources Conservation Service, Conservation Operations account, fully funding those positions.

Senate Section 741.—The conference agreement does not include language (Section 749) regarding marketing of raw cane sugar or beet sugar as proposed by the Senate.

House Section 742.—The conference agreement does not include language that decreases by \$6,000,000 the amount that can be spent pursuant to section 524(a) of the Federal Crop Insurance Act and increases the amount for the Watershed and Flood Prevention Operations account.

Senate Section 742.—The conference agreement (Section 750) provides not to exceed \$400,000 from available Emergency Watershed Protection Program funds in Arkansas to complete the current construction phase of the Kuhn Bayou Project as proposed by the Senate.

House Section 743.—The conference agreement does not include language prohibiting the use of funds to enforce section 801(g) of the Federal Food, Drug, and Cosmetic Act.

Senate Section 743.—The conference agreement includes language (Section 751) regarding Secure Rural Schools and Community Self-Determination Act of 2000.

House Section 744.—The conference agreement includes language (Section 742) prohibiting the use of funds from being available to any person or entity that has been convicted of violating the Buy American Act as proposed by the House.

Senate Section 744.—The conference agreement includes language (Section 752) that amends the Housing Act of 1949.

House Section 745.—The conference agreement does not include language that reduces the Agriculture Buildings and Facilities and Rental Payments account and increases the Elderly Feeding Program.

Senate Section 745.—The conference agreement includes permanent language (Section

753) making West Virginia State College eligible to receive funds under the Act of August 30, 1890 as proposed by the Senate.

House Section 746.—The conference agreement does not include language that increases the salaries and expenses of the Food and Drug Administration.

Senate Section 746.—The conference agreement includes language (Section 754) making financial and technical assistance relating to the Tanana River as proposed by the Senate.

House Section 747.—The conference agreement does not include language regarding the responsibilities of the Food and Drug Administration with respect to section 505(j) of the Federal Food, Drug, and Cosmetic Act or section 314.53(b) of title 21, Code of Federal Regulations. However, the conferees are concerned that the U.S. patent law allows pharmaceutical manufacturing companies to obtain additional patents for drugs approved by the Food and Drug Administration and submitted for listing in the Approved Drug Products with Therapeutic Equivalence Evaluations, or Orange Book, for changes to their products that, on the merits, may not justify the resulting high pharmaceutical costs to consumers.

The conferees note that U.S. patent law is not within the Appropriations this Committees' jurisdiction. In addition, the FDA has little expertise or responsibility in the field of patent determinations. The conferees also note that the Federal Trade Commission (FTC) is doing a study on pharmaceutical industry practices relating to the Hatch-Waxman Act. The conferees do believe that additional information on this subject would be helpful to those with oversight responsibilities in this area, and request the Secretary of Health and Human Services to instruct the Food and Drug Administration to work with the FTC and provide a report on this subject to the Committees on Appropriations of the House and Senate within 8 months after completion of the FTC report. The report should provide information on FDA's evaluation of the FTC findings.

In addition, the conferees direct the Secretary to report to the Committees by March 1, 2002, on the best methods to collect and disseminate information on the nature of patent extensions that have been granted on products appearing in the Orange Book, the effect those extensions would have on costs to consumers and a societal cost/benefit analysis in regard to such extensions.

Senate Section 747.—The conference agreement includes language (Section 755) prohibiting the use of funds to the Food and Drug Administration to allow the admission of fish or fish products labeled as "catfish" unless they are from the family Ictaluridae as proposed by the Senate.

Senate Section 748.—The conference agreement includes language (Section 756) that authorizes the Secretary to accept any unused funds that were transferred to the Alaska Railroad Corporation and retransfer such funds as a direct lump sum payment to the City of Valdez as proposed by the Senate.

Senate Section 749.—The conference agreement includes language (Section 757) providing not more than \$5,000,000 of funds of the Commodity Credit Corporation to pay claims of crop damage that resulted from the Bureau of Land Management's use of herbicides during the 2001 calendar year.

Senate Section 750.—The conference agreement includes language (Section 758) regarding a pilot program for enrollment of wetland and buffer acreage in conservation reserve as proposed by the Senate.

Senate Section 751.—The conference agreement includes language (Section 759) regarding tobacco and horses.

Senate Section 752.—The conference agreement includes language (Section 760) making sweet potatoes eligible for crop insurance.

Senate Section 753.—The conference agreement does not include a provision that requires the Secretary of Agriculture to submit a reprogramming request to address tornado damage at the Beltsville Agricultural Research Center. The conferees expect the Secretary to assess the funding requirements for repair and/or replacement of damaged or destroyed facilities, and to take appropriate action to assure that facilities needs are met.

Senate Section 754.—The conference agreement includes language (Section 761) that extends the date for citrus canker eradication payments as proposed by the Senate.

Senate Section 755.—The conference agreement does not include language regarding Mare Reproductive Loss Syndrome. The conferees encourage the Secretary to use the APHIS contingency fund to combat Mare Reproductive Loss Syndrome in Kentucky.

Senate Section 756.—The conference agreement includes language (Section 762) that allows the Secretary to make grants to state agencies for use by regulatory commissions in states with rural communities without local dial-up Internet access or broadband service to establish a competitively, technologically neutral grant program.

Senate Section 757.—The conference agreement includes language (Section 763) regarding the Farmland Protection Program as proposed by the Senate.

Senate Section 758.—The conference agreement (Section 764) makes the City of Caldwell, ID, eligible for grants and loans administered by the Rural Housing Service as proposed by the Senate.

Senate Section 759.—The conference agreement includes language (Section 765) that amends the Agriculture Marketing Agreement Act of 1937 as proposed by the Senate.

Senate Section 760.—The conference agreement includes language (Section 766) that amends the Richard B. Russell National School Lunch Act as proposed by the Senate.

Senate Section 761.—The conference agreement does not include language regarding West Nile Virus. The conferees encourage the Secretary to use the APHIS contingency fund to combat West Nile Virus in Illinois.

Senate Section 762.—The conference agreement (Section 767) makes the City of Mt. Vernon, WA, eligible for grants and loans administered by the Rural Housing Service as proposed by the Senate.

Section 768.—The conference agreement provides that Watershed and Flood Prevention Operation funds shall be available for technical and financial assistance to implement the Ferry Creek Mainstream Watershed Plan in DuPage County, Illinois.

Section 769.—The conference agreement provides that Watershed and Flood Prevention Operation funds shall be available for technical and financial assistance for a lake level stabilization project in Burnett and Washburn Counties, Wisconsin.

Section 770.—The conference agreement includes language that makes any current Rural Utilities Service borrower within 100 miles of New York City eligible for additional financing, refinancing, collateral flexibility, and deferrals for telecommunications, energy or water projects.

Section 771.—The conference agreement includes language that amends section 17(r)(5) of the Richard B. Russell National School Lunch Act.

Section 772.—The conference agreement includes language that amends section 141 of the Agricultural Market Transition Act.

Section 773.—The conference agreement includes language that authorizes the Secretary to transfer refined sugar to the Southern Minnesota Beet Sugar Co-op.

Section 774.—The conference agreement includes language regarding tobacco.

Section 775.—The conference agreement includes language that amends the Competitive, Special, and Facilities Research Grant Act.

Section 776.—The conference agreement includes language that limits the program authorized by section 524(a) of the Federal Crop Insurance Act to a total of \$4,000,000 in fiscal year 2002.

Section 777.—The conference agreement amends language that amends section 501 of the Agricultural Trade Development and Assistance Act of 1954.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2002 recommended by the Committee on Conference, with comparisons to the fiscal year 2001 amount, the 2002 budget estimates, and the House and Senate bills for 2002 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2001	\$76,659,577
Budget estimates of new (obligational) authority, fiscal year 2002	73,976,108
House bill, fiscal year 2002	74,359,843
Senate bill, fiscal year 2002	75,797,465
Conference agreement, fiscal year 2002	75,794,443
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2001	-865,134
Budget estimates of new (obligational) authority, fiscal year 2002	+1,818,335
House bill, fiscal year 2002	+1,434,600
Senate bill, fiscal year 2002	-3,022

HENRY BONILLA,
JAMES T. WALSH,
JACK KINGSTON,
TOM LATHAM,
JO ANN EMERSON,
VIRGIL H. GOODE, Jr.,
RAY LAHOOD,
C.W. BILL YOUNG,
MARCY KAPTUR,
ROSA L. DELAURO,
MAURICE D. HINCHEY,
SAM FARR,
ALLEN BOYD,
DAVID R. OBEY,

Managers on the Part of the House.

HERB KOHL,
TOM HARKIN,
BYRON L. DORGAN,
DIANNE FEINSTEIN,
RICHARD J. DURBIN,
TIM JOHNSON,
ROBERT C. BYRD,
THAD COCHRAN,
ARLEN SPECTER,
CHRISTOPHER S. BOND,
MITCH MCCONNELL,
CONRAD BURNS,
LARRY CRAIG,
TED STEVENS,

Managers on the Part of the Senate.

CONFERENCE REPORT ON H.R. 2500

Mr. WOLF submitted the following conference report and statement on the bill (H.R. 2500) "making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes":

CONFERENCE REPORT (H. REPT. 107-278)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2500) "making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

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

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$91,668,000, of which not to exceed \$3,317,000 is for the Facilities Program 2000, to remain available until expended: Provided, That not to exceed 43 permanent positions and 44 full-time equivalent workyears and \$8,451,000 shall be expended for the Department Leadership Program exclusive of augmentation that occurred in these offices in fiscal year 2001: Provided further, That not to exceed 41 permanent positions and 48 full-time equivalent workyears and \$4,997,000 shall be expended for the Offices of Legislative Affairs and Public Affairs: Provided further, That the latter two aforementioned offices may utilize non-reimbursable details of career employees within the caps described in the preceding proviso: Provided further, That the Attorney General is authorized to transfer, under such terms and conditions as the Attorney General shall specify, forfeited real or personal property of limited or marginal value, as such value is determined by guidelines established by the Attorney General, to a State or local government agency, or its designated contractor or transferee, for use to support drug abuse treatment, drug and crime prevention and education, housing, job skills, and other community-based public health and safety programs: Provided further, That any transfer under the preceding proviso shall not create or confer any private right of action in any person against the United States, and shall be treated as a reprogramming under section 605 of this Act.

JOINT AUTOMATED BOOKING SYSTEM

For expenses necessary for the nationwide deployment of a Joint Automated Booking System including automated capability to transmit fingerprint and image data, \$1,000,000, to remain available until expended.

NARROWBAND COMMUNICATIONS

For the costs of conversion to narrowband communications, including the cost for operation and maintenance of Land Mobile Radio legacy systems, \$94,615,000, to remain available until expended.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Attorney General, \$4,989,000, to remain available until expended, to reimburse any Department of Justice organization for: (1) the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of any domestic or international terrorist incident; and (2) the costs of providing support to counter, investigate or prosecute domestic or international terrorism, including payment of rewards in connection with these activities: Provided, That any Federal agency may be reimbursed for the costs of

detaining in foreign countries individuals accused of acts of terrorism that violate the laws of the United States: Provided further, That funds provided under this paragraph shall be available only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

ADMINISTRATIVE REVIEW AND APPEALS

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

DETENTION TRUSTEE

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

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$50,735,000; including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and for the acquisition, lease, maintenance, and operation of motor vehicles, without regard to the general purchase price limitation for the current fiscal year.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized by law, \$9,876,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, \$549,176,000; of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: Provided, That of the total amount appropriated, not to exceed \$1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: Provided further, That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vac-

cine Injury Act of 1986, as amended, not to exceed \$4,028,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

LEGAL ACTIVITIES OFFICE AUTOMATION

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

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, \$130,791,000: Provided, That, notwithstanding any other provision of law, not to exceed \$130,791,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2002, so as to result in a final fiscal year 2002 appropriation from the general fund estimated at not more than \$0.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, \$1,353,968,000; of which not to exceed \$2,500,000 shall be available until September 30, 2003, for: (1) training personnel in debt collection; (2) locating debtors and their property; (3) paying the net costs of selling property; and (4) tracking debts owed to the United States Government: Provided, That of the total amount appropriated, not to exceed \$8,000 shall be available for official reception and representation expenses: Provided further, That not to exceed \$10,000,000 of those funds available for automated litigation support contracts shall remain available until expended: Provided further, That not to exceed \$2,500,000 for the operation of the National Advocacy Center shall remain available until expended: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Offices of the United States Attorneys, not to exceed 9,571 positions and 9,776 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Attorneys: Provided further, That, notwithstanding any other provision of law, the Attorney General shall transfer to the Department of Justice Working Capital Fund, unobligated, all unexpended funds appropriated by the first heading of chapter 2 of title II of division B of Public Law 106-246 and by section 202 of division A of appendix H.R. 5666 of Public Law 106-554: Provided further, That the fourth proviso under the heading "Salaries and Expenses, United States Attorneys" in title I of H.R. 3421 of the 106th Congress, as enacted by section 1000(a)(1) of Public Law 106-113 shall apply to amounts made available under this heading for fiscal year 2002.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized by 28 U.S.C. 589a(a), \$147,000,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, \$147,000,000 of offsetting collections pursuant to

28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2002, so as to result in a final fiscal year 2002 appropriation from the Fund estimated at \$0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, \$1,136,000.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For necessary expenses of the United States Marshals Service, including the acquisition, lease, maintenance, and operation of vehicles, and the purchase of passenger motor vehicles for police-type use, without regard to the general purchase price limitation for the current fiscal year, \$619,429,000; of which not to exceed \$6,000 shall be available for official reception and representation expenses; and of which not to exceed \$4,000,000 for development, implementation, maintenance and support, and training for an automated prisoner information system shall remain available until expended: Provided, That, in addition to reimbursable full-time equivalent workyears available to the United States Marshals Service, not to exceed 4,128 positions and 3,993 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Marshals Service.

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

CONSTRUCTION

For planning, constructing, renovating, equipping, and maintaining United States Marshals Service prisoner-holding space in United States courthouses and Federal buildings, including the renovation and expansion of prisoner movement areas, elevators, and Sallyports, \$15,000,000 to remain available until expended.

FEDERAL PRISONER DETENTION

For expenses, related to United States prisoners in the custody of the United States Marshals Service, but not including expenses otherwise provided for in appropriations available to the Attorney General, \$706,182,000, to remain available until expended.

FEES AND EXPENSES OF WITNESSES

For expenses, mileage, compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, and for per diems in lieu of subsistence, as authorized by law, including advances, \$156,145,000, to remain available until expended; of which not to exceed \$6,000,000 may be made available for planning, construction, renovations, maintenance, remodeling, and repair of buildings, and the purchase of equipment incident thereto, for protected witness safesites; of which not to exceed \$1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; and of which not to exceed \$5,000,000 may be made available for the purchase, installation, and maintenance of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, \$9,269,000 and, in addition, up to \$1,000,000 of funds made available to the Department of Justice in this Act may be transferred by the Attorney General to this account:

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

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(A)(ii), (B), (F), and (G), as amended, \$22,949,000, to be derived from the Department of Justice Assets Forfeiture Fund.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses in accordance with the Radiation Exposure Compensation Act, \$1,996,000.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, \$338,577,000, of which \$50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: Provided further, That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures set forth in section 605 of this Act.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 1,354 passenger motor vehicles, of which 1,190 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance, and operation of aircraft; and not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General, \$3,491,073,000; of which not to exceed \$50,000,000 for automated data processing and telecommunications and technical investigative equipment and not to exceed \$1,000,000 for undercover operations shall remain available until September 30, 2003; of which not less than \$459,243,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to our national security; of which not to exceed \$10,000,000 is authorized to be made available for making advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations: Provided, That not to exceed \$45,000 shall be available for official reception and representation expenses: Provided further, That of the amount made available under this heading, \$53,000 shall be available only to reimburse Acadian Ambulance &

Air Med Services for costs incurred during the December 1999 prison riot in St. Martin Parish Correctional Center, St. Martin Parish, Louisiana: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Federal Bureau of Investigation, not to exceed 24,935 positions and 24,488 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Federal Bureau of Investigation.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; \$33,791,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; purchase of not to exceed 1,477 passenger motor vehicles, of which 1,354 will be for replacement only, for police-type use without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft, \$1,481,783,000; of which \$33,000,000 for permanent change of station shall remain available until September 30, 2003; of which not to exceed \$1,800,000 for research shall remain available until expended, and of which not to exceed \$4,000,000 for purchase of evidence and payments for information, not to exceed \$10,000,000 for contracting for automated data processing and telecommunications equipment, and not to exceed \$2,000,000 for laboratory equipment, \$4,000,000 for technical equipment, and \$2,000,000 for aircraft replacement retrofit and parts, shall remain available until September 30, 2003; of which not to exceed \$50,000 shall be available for official reception and representation expenses: Provided, That, in addition to reimbursable full-time equivalent workyears available to the Drug Enforcement Administration, not to exceed 7,654 positions and 7,515 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Drug Enforcement Administration.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

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

ENFORCEMENT AND BORDER AFFAIRS

For salaries and expenses for the Border Patrol program, the detention and deportation program, the intelligence program, the investigations program, and the inspections program, including not to exceed \$50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; purchase for police-type use (not to exceed 3,165 passenger motor vehicles, of which 2,211 are for replacement only), without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; research related to immigration enforcement; for protecting and maintaining the integrity of the borders of the United States including, without limitation, equipping, maintaining, and making improvements to the infrastructure; and for the care and housing of

Federal detainees held in the joint Immigration and Naturalization Service and United States Marshals Service Buffalo Detention Facility, \$2,739,695,000; of which not to exceed \$5,000,000 is for payments or advances arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to immigration; of which not to exceed \$5,000,000 is to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens: Provided, That none of the funds available to the Immigration and Naturalization Service shall be available to pay any employee overtime pay in an amount in excess of \$30,000 during the calendar year beginning January 1, 2002, except that the INS Commissioner may exceed this cap as necessary for national security purposes and in cases of immigration emergencies: Provided further, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Immigration and Naturalization Service, not to exceed 20,759 positions and 20,096 full-time equivalent workyears shall be supported from the funds appropriated under this heading in this Act for the Immigration and Naturalization Service: Provided further, That none of the funds provided in this or any other Act shall be used for the continued operation of the San Clemente and Temecula checkpoints unless the checkpoints are open and traffic is being checked on a continuous 24-hour basis.

CITIZENSHIP AND BENEFITS, IMMIGRATION

SUPPORT AND PROGRAM DIRECTION

For all programs of the Immigration and Naturalization Service not included under the heading "Enforcement and Border Affairs", \$631,745,000, of which not to exceed \$400,000 for research shall remain available until expended: Provided, That not to exceed \$5,000 shall be available for official reception and representation expenses: Provided further, That the Attorney General may transfer any funds appropriated under this heading and the heading "Enforcement and Border Affairs" between said appropriations notwithstanding any percentage transfer limitations imposed under this appropriations Act and may direct such fees as are collected by the Immigration and Naturalization Service to the activities funded under this heading and the heading "Enforcement and Border Affairs" for performance of the functions for which the fees legally may be expended: Provided further, That not to exceed 40 permanent positions and 40 full-time equivalent workyears and \$4,300,000 shall be expended for the Offices of Legislative Affairs and Public Affairs: Provided further, That unencumbered positions in the aforementioned offices after the date of enactment of this Act shall be filled only by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis, or any other formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis up to 10 full-time equivalent workyears: Provided further, That the number of positions filled through non-career appointment at the Immigration and Naturalization Service, for which funding is provided in this Act or is otherwise made available to the Immigration and Naturalization Service, shall not exceed six permanent positions and six full-time equivalent workyears: Provided further, That none of the funds available to the Immigration and Naturalization Service shall be used to pay any employee overtime pay in an amount in excess of \$30,000 during the calendar year beginning January 1, 2002, except that the INS Commissioner may exceed this cap as necessary for national security purposes and in cases of immigration emergencies: Provided further, That funds may be used, without limitation, for equipping,

maintaining, and making improvements to the infrastructure and the purchase of vehicles for police-type use within the limits of the Enforcement and Border Affairs appropriation: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Immigration and Naturalization Service, not to exceed 3,100 positions and 3,500 full-time equivalent workyears shall be supported from the funds appropriated under this heading in this Act for the Immigration and Naturalization Service.

CONSTRUCTION

For planning, construction, renovation, equipping, and maintenance of buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, \$128,454,000, to remain available until expended: Provided, That no funds shall be available for the site acquisition, design, or construction of any Border Patrol checkpoint in the Tucson sector.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 685, of which 610 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, \$3,808,600,000: Provided, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System (FPS), where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of FPS, furnish health services to individuals committed to the custody of FPS: Provided further, That not to exceed \$6,000 shall be available for official reception and representation expenses: Provided further, That not to exceed \$50,000,000 shall remain available for necessary operations until September 30, 2003: Provided further, That, of the amounts provided for Contract Confinement, not to exceed \$20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980, as amended, for the care and security in the United States of Cuban and Haitian entrants: Provided further, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, \$813,552,000, to remain available until expended, of which not to exceed \$14,000,000 shall be available to construct areas for inmate work programs: Provided, That labor of United States prisoners may be used for work performed under this appropriation: Provided further, That not to exceed 10 percent of the funds ap-

propriated to "Buildings and Facilities" in this or any other Act may be transferred to "Salaries and Expenses", Federal Prison System, upon notification by the Attorney General to the Committees on Appropriations of the House of Representatives and the Senate in compliance with provisions set forth in section 605 of this Act.

FEDERAL PRISON INDUSTRIES, INCORPORATED

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

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed \$3,429,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended ("the 1968 Act"), and the Missing Children's Assistance Act, as amended, including salaries and expenses in connection therewith, and with the Victims of Crime Act of 1984, as amended, \$185,514,000, to remain available until expended, as authorized by section 1001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by Public Law 102-534 (106 Stat. 3524).

In addition, for grants, cooperative agreements, and other assistance authorized by sections 819 and 821 of the Antiterrorism and Effective Death Penalty Act of 1996 and for other counterterrorism programs, \$251,494,000, to remain available until expended.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322), as amended ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968, as amended ("the 1968 Act"); the Victims of Child Abuse Act of 1990, as amended ("the 1990 Act"); and the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386); \$2,403,354,000 (including amounts for administrative costs, which shall be transferred to and merged with the "Justice Assistance" account), to remain available until expended as follows:

(1) \$400,000,000 for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives on February 14, 1995, except that for purposes of this Act and retroactive to October 1, 2000, Guam shall be considered as one "State" for all purposes under H.R. 728, notwithstanding any provision of section 108(3) thereof, the Commonwealth of Puerto Rico shall be considered a "unit of local government" as well as a "State", for the purposes set forth in paragraphs (A), (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728, and for establishing crime prevention programs involv-

ing cooperation between community residents and law enforcement personnel in order to control, detect, or investigate crime or the prosecution of criminals: Provided, That no funds provided under this heading may be used as matching funds for any other Federal grant program, of which:

(A) \$70,000,000 shall be for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement: Provided, That funds may also be used to defray the costs of indemnification insurance for law enforcement officers,

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

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

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

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

(A) \$35,191,000 shall be available for grants under section 20109(a)(2) of subtitle A of title II of the 1994 Act;

(B) \$7,982,000 shall be available for the Tribal Courts Initiative; and

(C) \$4,989,000 shall be available for demonstration grants on alcohol and crime in Indian Country;

(5) \$594,489,000 for programs authorized by part E of title I of the 1968 Act, notwithstanding the provisions of section 511 of said Act, of which \$94,489,000 shall be for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs;

(6) \$11,975,000 for the Court Appointed Special Advocate Program, as authorized by section 218 of the 1990 Act;

(7) \$2,296,000 for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 224 of the 1990 Act;

(8) \$998,000 for grants for televised testimony, as authorized by section 1001(a)(7) of the 1968 Act;

(9) \$184,737,000 for Grants to Combat Violence Against Women, to States, units of local government, as authorized by section 1001(a)(18) of the 1968 Act, of which:

(A) \$1,000,000 shall be for the Bureau of Justice Statistics for grants, contracts, and other assistance for a domestic violence Federal case processing study;

(B) \$5,200,000 shall be for the National Institute of Justice for grants, contracts, and other assistance for research and evaluation of violence against women;

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

(D) \$200,000 for the Attorney General to conduct a study and prepare a report to be submitted to the Subcommittee on Commerce, Justice and State Appropriations of the Senate and House of Representatives Appropriations Committee on the response of local law enforcement agencies to emergency calls involving domestic violence;

(10) \$64,925,000 for Grants to Encourage Arrest Policies to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(19) of the 1968 Act;

(11) \$39,945,000 for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants, as authorized by section 40295 of the 1994 Act;

(12) \$4,989,000 for training programs to assist probation and parole officers who work with released sex offenders, as authorized by section 40152(c) of the 1994 Act, and for local demonstration projects;

(13) \$3,000,000 for grants to States and units of local government to improve the process for entering data regarding stalking and domestic violence into local, State, and national crime information databases, as authorized by section 40602 of the 1994 Act;

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

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

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

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

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

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

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

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

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

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

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

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

(26) \$249,450,000 for Juvenile Accountability Incentive Block Grants, of which \$38,000,000 shall be available for grants, contracts, and other assistance under the Project ChildSafe Initiative, except that such funds shall be subject to the same terms and conditions as set forth in the provisions under this heading for this program in Public Law 105-119, but all references in such provisions to 1998 shall be deemed to refer instead to 2002, and Guam shall be considered a "State" for the purposes of title III of H.R. 3, as passed by the House of Representatives on May 8, 1997; and

(27) \$1,298,000 for Motor Vehicle Theft Prevention Programs, as authorized by section 220002(h) of the 1994 Act: Provided, That funds made available in fiscal year 2002 under subpart 1 of part E of title I of the 1968 Act may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions and for drug testing initiatives: Provided further, That, if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public safety service.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement "Weed and Seed" program activities, \$58,925,000, to remain available until expended, for inter-governmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies, non-profit organizations,

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

COMMUNITY ORIENTED POLICING SERVICES

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322 ("the 1994 Act") (including administrative costs), \$1,050,440,000, to remain available until expended: Provided, That prior year balances available in this program shall be used for the direct hiring of law enforcement officers through the Universal Hiring Program: Provided further, That section 1703 (b) and (c) of the 1968 Act shall not apply to non-hiring grants made pursuant to part Q of title I thereof (42 U.S.C. 3796dd et seq.): Provided further, That all prior year balances derived from the Violent Crime Trust Fund for Community Oriented Policing Services may be transferred into this appropriation: Provided further, That the officer redeployment demonstration described in Section 1701(b)(1)(C) shall not apply to equipment, technology, support system or overtime grants made pursuant to part Q of title I thereof (42 U.S.C. 3796 dd et seq.).

Of the amounts provided:

(1) for Public Safety and Community Policing Grants pursuant to title I of the 1994 Act, \$496,014,000 as follows: \$330,000,000 for the hiring of law enforcement officers, including up to \$180,000,000 for school resource officers; \$20,662,000 for training and technical assistance; \$25,444,000 for the matching grant program for Law Enforcement Armor Vests pursuant to section 2501 of part Y of the Omnibus Crime Control and Safe Streets Act of 1968, as amended ("the 1968 Act"); \$35,000,000 to improve tribal law enforcement including equipment and training; \$70,473,000 for policing initiatives to combat methamphetamine production and trafficking and to enhance policing initiatives in "drug hot spots"; and \$14,435,000 for Police Corps education, training, and service under sections 200101-200113 of the 1994 Act;

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

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

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

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

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended ("the Act"), including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, \$286,403,000, to remain available until expended, as authorized by section 299 of part I of title II and section 506 of title V of the Act, as amended by Public Law 102-586, of which: (1) notwithstanding any other provision of law, \$6,832,000 shall be available for expenses authorized by part A of title II of the Act, \$88,804,000 shall be available for expenses authorized by part B of title II of the Act, and \$58,513,000 shall be available for expenses authorized by part C of title II of the Act: Provided, That \$26,442,000 of the amounts provided for part B of title II of the Act, as amended, is for the purpose of providing additional formula grants under part B to States that provide assurances to the Administrator that the State has in effect (or will have in effect no later than 1 year after date of application) policies and programs that ensure that juveniles are subject to accountability-based sanctions for every act for which they are adjudicated delinquent; (2) \$11,974,000 shall be available for expenses authorized by sections 281 and 282 of part D of title II of the Act for prevention and treatment programs relating to juvenile gangs; (3) \$9,978,000 shall be available for expenses authorized by section 285 of part E of title II of the Act; (4) \$15,965,000 shall be available for expenses authorized by part G of title II of the Act for juvenile mentoring programs; and (5) \$94,337,000 shall be available for expenses authorized by title V of the Act for incentive grants for local delinquency prevention programs; of which \$12,472,000 shall be for delinquency prevention, control, and system improvement programs for tribal youth; of which \$14,513,000 shall be available for the Safe Schools Initiative including \$5,033,000 for grants, contracts, and other assistance under the Project Sentry Initiative; and of which \$25,000,000 shall be available for grants of \$360,000 to each State and \$6,640,000 shall be available for discretionary grants to States, for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training: Provided further, That of amounts made available under the Juvenile Justice Programs of the Office of Justice Programs to carry out part B (relating to Federal Assistance for State and Local Programs), subpart II of part C (relating to Special Emphasis Prevention and Treatment Programs), part D (relating to Gang-Free Schools and Communities and Community-Based Gang Intervention), part E (relating to State Challenge Activities), and part G (relating to Mentoring) of title II of the Juvenile Justice and Delinquency Prevention Act of 1974, and to carry out the At-Risk Children's Program under title V of that Act, not more than 10 percent of

each such amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized under the appropriate part or title, and not more than 2 percent of each such amount may be used for training and technical assistance activities designed to benefit the programs or activities authorized under that part or title.

In addition, for grants, contracts, cooperative agreements, and other assistance, \$10,976,000 to remain available until expended, for developing, testing, and demonstrating programs designed to reduce drug use among juveniles.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of Child Abuse Act of 1990, as amended, \$8,481,000, to remain available until expended, as authorized by section 214B of the Act.

PUBLIC SAFETY OFFICERS BENEFITS

To remain available until expended, for payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended, such sums as are necessary, as authorized by section 6093 of Public Law 100-690 (102 Stat. 4339-4340); and \$4,500,000, to remain available until expended for payments as authorized by section 1201(b) of said Act.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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

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

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

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

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

SEC. 106. Notwithstanding any other provision of law, not to exceed \$10,000,000 of the funds made available in this Act may be used to establish and publicize a program under which publicly advertised, extraordinary rewards may be paid, which shall not be subject to spending limitations contained in sections 3059 and 3072 of title 18, United States Code: Provided, That any reward of \$100,000 or more, up to a maximum of \$2,000,000, may not be made without the personal approval of the President or the Attorney General and such approval may not be delegated: Provided further, That rewards made pursuant to section 501 of Public Law 107-56 shall not be subject to this section.

SEC. 107. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as oth-

erwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 108. Notwithstanding any other provision of law, \$1,000,000 shall be available for technical assistance from the funds appropriated for part G of title II of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

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

(1) by striking in subsection (d) “\$6”, and inserting “\$7”;

(2) by amending subsection (e)(1), by replacing “No” with “Except as provided in paragraph (3), no”; and

(3) by adding a new paragraph (e)(3) as follows:

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

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

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

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

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

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

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

(b) A person referred to in subsection (a) is a person who—

(1) while an alien or a noncitizen national of the United States, died as a result of an injury incurred in one or more of the events described in subsection (c);

(2) was not culpable for any of such events; and

(3) on September 11, 2001, had pending an application for naturalization filed with the Attorney General by the person.

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

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

(B) The hijacking of United Airlines Flight 175 on such date, the crash of that aircraft into

the World Trade Center in New York, New York, and the subsequent destruction that resulted.

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

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

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

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

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

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

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

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

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

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

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

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

(h)(1) Notwithstanding section 341 of the Immigration and Nationality Act (8 U.S.C. 1452), the Attorney General shall provide, in accordance with this subsection, for the furnishing of a certificate of citizenship to a person described in paragraph (4), if the Attorney General approves under paragraph (3) an application for such certificate described in paragraph (2).

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

(A) filed with the Attorney General under such section 341 by a person who subsequently died as a result of an injury incurred in one or

more of the events described in section 114(c) and who was not culpable for any of such events; and

(B) pending on September 11, 2001.

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

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

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

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

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

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

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

(B) pending on September 11, 2001.

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

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

“(a) **ARRIVAL MANIFEST; FORM AND CONTENTS.**—With respect to the arrival of any person by water or by air at any port within the United States from any place outside the United States, it shall be the duty of the master or commanding officer, or authorized agent, owner, or consignee, of the vessel or aircraft transporting such person to deliver to the Service at the port of arrival a list or manifest of the persons transported on such vessel or aircraft. The Attorney General is authorized to extend, by regulation, the requirements of this subsection to any public or private carrier transporting persons by land to the United States. Such list or manifest shall be prepared and delivered at such time, be in such form, and shall contain such information as the Attorney General shall prescribe by regulation as being necessary for the identification of the persons transported and for the enforcement of the immigration laws. The Attorney General may require in such regulations that the list or manifest be delivered electronically prior to boarding the vessel, aircraft, train or bus at the place of departure, or at such other time reasonably in advance of the arrival of the vessel, aircraft, train or bus in the United States as the Attorney General may direct.”.

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

“(b) **DEPARTURE MANIFEST; FORM AND CONTENTS.**—It shall be the duty of the master or commanding officer or authorized agent of every vessel or aircraft taking passengers on board at any port of the United States, who are destined

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

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

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

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

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

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

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE

REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, \$30,097,000, of which \$1,000,000 shall remain available until expended: Provided, That not to exceed \$98,000 shall be available for official reception and representation expenses.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed \$2,500 for official reception and representation expenses, \$51,440,000, to remain available until expended.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and

aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed \$30,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, \$347,547,000, to remain available until expended, of which \$3,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: Provided, That \$67,669,000 shall be for Trade Development, \$27,741,000 shall be for Market Access and Compliance, \$43,346,000 shall be for the Import Administration, \$195,791,000 shall be for the United States and Foreign Commercial Service, and \$13,000,000 shall be for Executive Direction and Administration: Provided further, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, \$68,893,000, to remain available until expended, of which \$7,250,000 shall be for inspections and other activities related to national security: Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, and for trade adjustment assistance, \$335,000,000, to remain available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as

provided for by law, \$30,557,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, \$28,381,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, \$62,515,000, to remain available until September 30, 2003.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

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

PERIODIC CENSUSES AND PROGRAMS

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

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

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, \$171,138,000, to remain available until expended: Provided, That regarding engineering and design of a facility at the Suitland Federal Center, quarterly reports regarding the expenditure of funds and project planning, design and cost decisions shall be provided by the Bureau, in cooperation with the General Services Administration, to the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That none of the funds provided in this Act or any other Act under the heading "Bureau of the Census, Periodic Censuses and Programs" shall be used to fund the construction and tenant build-out costs of a facility at the Suitland Federal Center.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$14,054,000, to remain available until expended: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That hereafter, notwithstanding any other provision of law, NTIA shall not authorize spectrum use or provide any spectrum functions pursuant to the National Telecommunications and Information Administration Organization Act, 47 U.S.C. 902–903, to

any Federal entity without reimbursement as required by NTIA for such spectrum management costs, and Federal entities withholding payment of such cost shall not use spectrum: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$43,466,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed \$2,358,000 shall be available for program administration as authorized by section 391 of the Act: Provided further, That, notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$15,503,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed \$3,097,000 shall be available for program administration and other support activities as authorized by section 391: Provided further, That, of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: Provided further, That, notwithstanding the requirements of sections 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety, or other social services: Provided further, That, notwithstanding any other provision of law, no entity that receives telecommunications services at preferential rates under section 254(h) of the Act (47 U.S.C. 254(h)) or receives assistance under the regional information sharing systems grant program of the Department of Justice under part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h) may use funds under a grant under this heading to cover any costs of the entity that would otherwise be covered by such preferential rates or such assistance, as the case may be.

UNITED STATES PATENT AND TRADEMARK OFFICE SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, \$843,701,000, to remain available until expended, which amount shall be derived from offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall be retained and used for necessary expenses in this appropriation: Provided, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2002, so as to result in a fiscal year 2002 appropriation from the general fund estimated at \$0: Provided further, That during fiscal year 2002, should the total amount of offsetting fee collections be less than \$843,701,000, the total amounts available to the United States Patent and Trademark Office shall be reduced accordingly: Provided further,

That an additional amount not to exceed \$282,300,000 from fees collected in prior fiscal years shall be available for obligation in fiscal year 2002, to remain available until expended: Provided further, That from amounts provided herein, not to exceed \$1,000 shall be made available in fiscal year 2002 for official reception and representation expenses.

SCIENCE AND TECHNOLOGY TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

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

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, \$321,111,000, to remain available until expended, of which not to exceed \$282,000 may be transferred to the "Working Capital Fund".

INDUSTRIAL TECHNOLOGY SERVICES

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

In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, \$184,500,000, to remain available until expended, of which not to exceed \$60,700,000 shall be available for the award of new grants.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c–278e, \$62,393,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized by 33 U.S.C. 883i, \$2,253,697,000, to remain available until expended: Provided, That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further, That, in addition, \$68,000,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": Provided further, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed \$2,000,000: Provided further, That, of the \$2,341,697,000 provided for in direct obligations under this heading (of which \$2,253,697,000 is appropriated from the General Fund, \$71,000,000 is provided by transfer, and \$17,000,000 is derived from deobligations from prior years), \$413,911,000 shall be for the National Ocean Service, \$579,196,000 shall be for the National Marine Fisheries Service, \$356,062,000 shall be

for Oceanic and Atmospheric Research, \$672,355,000 shall be for the National Weather Service, \$139,627,000 shall be for the National Environmental Satellite, Data, and Information Service, and \$180,546,000 shall be for Program Support: Provided further, That, hereafter, habitat conservation activities under this heading shall be considered to be within the "Coastal Assistance sub-category" in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That, of the amount provided under this heading, \$223,273,000 shall be for the conservation activities defined in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That no general administrative charge shall be applied against an assigned activity included in this Act and, further, that any direct administrative expenses applied against an assigned activity shall be limited to 5 percent of the funds provided for that assigned activity so that total National Oceanic and Atmospheric Administration administrative expenses shall not exceed \$265,025,000: Provided further, That any use of deobligated balances of funds provided under this heading in previous years shall be subject to the procedures set forth in section 605 of this Act: Provided further, That of the amounts provided, \$3,000,000 shall be derived by transfer from the fund entitled "Coastal Zone Management": Provided further, That the Secretary may proceed as he deems necessary to have the National Oceanic and Atmospheric Administration occupy and operate its research facilities which are located at Lafayette, Louisiana: Provided further, That the R/V FAIRWEATHER shall be homeported in Ketchikan, Alaska.

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

PROCUREMENT, ACQUISITION AND CONSTRUCTION (INCLUDING TRANSFERS OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$836,552,000, to remain available until expended: Provided, That unexpended balances of amounts previously made available in the "Operations, Research, and Facilities" account for activities funded under this heading may be transferred to and merged with this account, to remain available until expended for the purposes for which the funds were originally appropriated: Provided further, That of the amounts provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense: Provided further, That of the amount provided under this heading for expenses necessary to carry out conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, including funds for the Coastal and Estuarine Land Conservation Program, \$58,487,000 to remain available until expended: Provided further, That the Secretary shall establish a Coastal and Estuarine Land Conservation Program, for the purpose of protecting important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses: Provided further, That by September 30, 2002, the Secretary shall issue guidelines for this program delineating the criteria for grant awards: Provided further, That the Secretary shall distribute these funds in consultation with the States' Coastal Zone Managers' or Governors' des-

igned representatives based on demonstrated need and ability to successfully leverage funds, and shall give priority to lands which can be effectively managed and protected and which have significant ecological value: Provided further, That grants funded under this program shall require a 100 percent match from other sources: Provided further, That none of the funds provided in this Act or any other Act under the heading "National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction" shall be used to fund the General Services Administration's standard construction and tenant build-out costs of a facility at the Suitland Federal Center.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations and the implementation of the 1999 Pacific Salmon Treaty Agreement between the United States and Canada, \$110,000,000: Provided, That this amount shall be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

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

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed \$3,000,000 shall be transferred to the "Operations, Research, and Facilities" account to offset the costs of implementing such Act.

FISHERMEN'S CONTINGENCY FUND

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

FOREIGN FISHING OBSERVER FUND

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

FISHERIES FINANCE PROGRAM ACCOUNT

For the cost of direct loans, \$287,000, as authorized by the Merchant Marine Act of 1936, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed \$5,000 for official entertainment, \$37,652,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1-11, as amended by Public Law 100-504), \$20,176,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

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

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

SEC. 204. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 205. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 206. The Secretary of Commerce may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.).

SEC. 207. The Secretary of Commerce may use the Commerce franchise fund for expenses and equipment necessary for the maintenance and operation of such administrative services as the Secretary determines may be performed more advantageously as central services, pursuant to section 403 of Public Law 103-356: Provided, That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made for the purpose of providing capital shall be used to capitalize such fund: Provided further, That such fund shall be paid in advance from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of fund plant and equipment, amortization of automated data processing (ADP) software and systems (either acquired or donated), and an amount necessary to maintain a reasonable operating reserve, as determined by the Secretary: Provided further, That such fund shall provide

services on a competitive basis: Provided further, That an amount not to exceed 4 percent of the total annual income to such fund may be retained in the fund for fiscal year 2002 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment, and for the improvement and implementation of department financial management, ADP, and other support systems: Provided further, That such amounts retained in the fund for fiscal year 2002 and each fiscal year thereafter shall be available for obligation and expenditure only in accordance with section 605 of this Act: Provided further, That no later than 30 days after the end of each fiscal year, amounts in excess of this reserve limitation shall be deposited as miscellaneous receipts in the Treasury: Provided further, That such franchise fund pilot program shall terminate pursuant to section 403(f) of Public Law 103-356.

SEC. 208. Notwithstanding any other provision of law, of the amounts made available elsewhere in this title to the "National Institute of Standards and Technology, Construction of Research Facilities", \$8,000,000 is appropriated to fund a cooperative agreement with the Medical University of South Carolina, \$6,000,000 is appropriated to the Thayer School of Engineering for the nanocrystalline materials and biomass research initiative, \$3,000,000 is appropriated to the Institute for Information Infrastructure Protection at the Institute for Security Technology Studies, \$3,350,000 is appropriated for the Institute for Politics, \$650,000 is appropriated to the Mount Washington Technology Village, \$6,500,000 is appropriated for a critical infrastructure project at the George Mason University School of Law, \$3,700,000 is appropriated for the Conservation Institute of the Bronx Zoo, \$2,000,000 is appropriated for the Adolescent Mental Health Residential Treatment program at Bronx-Lebanon Hospital Center, \$1,300,000 is appropriated for the Puerto Rican Historical, Cultural and Activities Center, \$5,000,000 is appropriated for the National Infrastructure Institute, and \$2,000,000 is appropriated for the University of South Carolina School of Public Health.

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

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

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

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

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

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

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed \$10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, \$39,988,000.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by the Act approved May 7, 1934 (40 U.S.C. 13a-13b), \$37,530,000, which shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, \$19,287,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services as authorized by 5 U.S.C. 3109, and necessary expenses of the court, as authorized by law, \$13,064,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, \$3,591,116,000 (including the purchase of firearms and ammunition); of which not to exceed \$27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$2,692,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

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

tion of their employment, as authorized by 28 U.S.C. 1875(d); and for necessary training and general administrative expenses, \$500,671,000, to remain available until expended as authorized by 18 U.S.C. 3006A(i).

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)), \$48,131,000, to remain available until expended: Provided, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

For necessary expenses, not otherwise provided for, incident to providing protective guard services for United States courthouses and the procurement, installation, and maintenance of security equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100-702), \$220,677,000, of which not to exceed \$10,000,000 shall remain available until expended for security systems or contract costs for court security officers, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, \$61,664,000, of which not to exceed \$8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, \$19,735,000; of which \$1,800,000 shall remain available through September 30, 2003, to provide education and training to Federal court personnel; and of which not to exceed \$1,000 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), \$26,700,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), \$8,400,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), \$1,900,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, \$11,575,000, of which not to exceed \$1,000 is authorized for official reception and representation expenses.

GENERAL PROVISIONS—THE JUDICIARY

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

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

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

SEC. 304. Of the unexpended balances transferred to the Commission on Structural Alternatives in Federal Appellate Courts, \$400,000 shall be transferred to, and merged with, funds in the "Federal Judicial Center, Salaries and Expenses" appropriations account to be available only for distance learning.

SEC. 305. Pursuant to section 140 of Public Law 97-92, justices and judges of the United States are authorized during fiscal year 2002, to receive a salary adjustment in accordance with 28 U.S.C. 461: Provided, That \$8,625,000 is appropriated for salary adjustments pursuant to this section and such funds shall be transferred to and merged with appropriations in title III of this Act.

This title may be cited as the "Judiciary Appropriations Act, 2002".

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed \$700,000 of this appropriation), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948, as amended; representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress; arms control, nonproliferation and disarmament activities as authorized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, \$3,142,277,000: Provided, That, of the amount made available under this heading, not to exceed \$4,000,000 may be transferred to, and merged with, funds in the "Emergencies in the Diplomatic and Consular Service" appropriations account, to be available only for emergency evacuations and terrorism rewards: Provided further, That, of the amount made available under this heading, \$270,259,000 shall be available only for public diplomacy international information programs: Provided further, That of the amount made available under this heading, \$694,190,000 shall be available only for information resource management: Provided further, That notwithstanding section 140(a)(5), and the second sentence of section 140(a)(3), of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, fees may be collected during fiscal years 2002 and 2003, under the authority of section 140(a)(1) of that Act: Provided further, That all fees collected

under the preceding proviso shall be deposited in fiscal years 2002 and 2003 as an offsetting collection to appropriations made under this heading to recover costs as set forth under section 140(a)(2) of that Act and shall remain available until expended: Provided further, That, of the amount made available under this heading, \$1,800,000 shall be available for a grant to conduct an international conference on combating sex trafficking: Provided further, That no funds may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China unless, at least 15 days in advance, the Committees on Appropriations of the House of Representatives and the Senate are notified of such proposed action.

In addition, not to exceed \$1,343,000 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act, as amended; in addition, as authorized by section 5 of such Act, \$490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; in addition, as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed \$6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and, in addition, not to exceed \$15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

In addition, for the costs of worldwide security upgrades, \$487,735,000, to remain available until expended.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, \$203,000,000, to remain available until expended, as authorized: Provided, That section 135(e) of Public Law 103-236 shall not apply to funds available under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$29,000,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980, as amended (Public Law 96-465), as it relates to post inspections.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

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

REPRESENTATION ALLOWANCES

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

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, \$9,400,000, to remain available until September 30, 2003.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292-300), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, \$458,000,000, to remain available until expended as authorized,

of which not to exceed \$25,000 may be used for domestic and overseas representation as authorized: Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, \$815,960,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, \$6,500,000, to remain available until expended as authorized, of which not to exceed \$1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$612,000, as authorized: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, \$607,000, which may be transferred to and merged with the Diplomatic and Consular Programs account under Administration of Foreign Affairs.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96-8, \$17,044,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

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

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, \$850,000,000: Provided, That any payment of arrearages under this title shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: Provided further, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings: Provided further, That, of the funds appropriated in this paragraph, \$100,000,000 may be made available only pursuant to a certification by the Secretary of State that the United Nations has taken no action in calendar year 2001 prior to the date of enactment of this Act to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations to exceed the budget for the biennium 2000-2001 of \$2,535,700,000: Provided further, That if the Secretary of State is unable to make the aforementioned certification, the \$100,000,000 is to be applied to paying the current year assessment for other international organizations for which the assessment has not been paid in full or to paying the assessment due in the next fiscal year for such organizations, subject to the reprogramming procedures contained in section 605 of this Act: Provided further, That funds appropriated under this paragraph may be obligated and expended to pay the full United States assessment to the civil budget of the North Atlantic Treaty Organization.

CONTRIBUTIONS FOR INTERNATIONAL
PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, \$844,139,000, of which 15 percent shall remain available until September 30, 2003: Provided, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency as far in advance as is practicable): (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: Provided further, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: Provided further, That none of the funds made available under this heading are available to pay the United States share of the cost of court monitoring that is part of any United Nations peacekeeping mission.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER
COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed \$6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, \$24,705,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, \$5,450,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL
COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103-182, \$9,911,000, of which not to exceed \$9,000 shall be available for representation expenses incurred by the International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, \$20,480,000: Provided, That the United States' share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324.

OTHER

PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by the Asia Foundation Act (22 U.S.C. 4402), as amended, \$9,250,000, to remain available until expended, as authorized.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM
TRUST FUND

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204-5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2002, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A-110 (Uniform Administrative Requirements) and A-122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2002, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, \$14,000,000: Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, \$33,500,000, to remain available until expended.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the Broadcasting Board of Governors, as authorized, to carry out international communication activities, \$428,234,000, of which not to exceed \$16,000 may be used for official receptions within the United States as authorized, not to exceed \$35,000 may be used for representation abroad as authorized, and not to exceed \$39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed \$2,000,000 in receipts from advertising and revenue from business ventures, not to exceed \$500,000 in receipts from co-operating international organizations, and not to exceed \$1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

BROADCASTING TO CUBA

For necessary expenses to enable the Broadcasting Board of Governors to carry out broadcasting to Cuba, including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception, \$24,872,000, to remain available until expended.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement of facilities for radio transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized,

\$25,900,000, to remain available until expended, as authorized.

GENERAL PROVISIONS—DEPARTMENT OF STATE
AND RELATED AGENCY

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and for hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided further, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. None of the funds made available in this Act may be used by the Department of State or the Broadcasting Board of Governors to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

SEC. 404. Hereafter, none of the funds appropriated or otherwise made available for the United Nations may be used by the United Nations for the promulgation or enforcement of any treaty, resolution, or regulation authorizing the United Nations, or any of its specialized agencies or affiliated organizations, to tax any aspect of the Internet or international currency transactions.

SEC. 405. Funds appropriated by this Act for the Broadcasting Board of Governors and the Department of State may be obligated and expended notwithstanding section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, and section 15 of the State Department Basic Authorities Act of 1956, as amended.

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

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

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

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

(b) The amendment made by subsection (a) shall take effect as if included in the enactment

of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001.

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

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

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

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

(A) by striking "\$100,000" and inserting "\$200,000"; and

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

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

(A) by striking "\$80,000" and inserting "\$120,000"; and

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

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

(A) by striking "\$70,000" and inserting "\$150,000"; and

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

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

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

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

TITLE V—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$98,700,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$89,054,000, of which \$13,000,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by the Merchant Marine Act, 1936, \$33,000,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for administrative expenses to carry out the guaranteed loan program, not to exceed \$3,978,000, which shall be transferred to and merged with the appropriation for Operations and Training.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefore shall be credited to the appropriation charged with the cost thereof: Provided, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior Appropriations Act.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, \$489,000, as authorized by section 1303 of Public Law 99-83.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$9,096,000: Provided, That not to exceed \$50,000 may be used to employ consultants: Provided further, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

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

COMMISSION ON OCEAN POLICY

SALARIES AND EXPENSES

For the necessary expenses of the Commission on Ocean Policy, pursuant to Public Law 106-256, \$3,000,000, to remain available until expended: Provided, That the Commission shall present to the Congress within 18 months of appointment its recommendations for a national ocean policy.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94-304, \$1,499,000, to remain available until expended as authorized by section 3 of Public Law 99-7.

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

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized, \$1,000,000, to remain available until expended.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621-634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed \$30,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, \$310,406,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901-5902; not to exceed \$600,000 for land and structure; not to exceed \$500,000 for improvement and care of grounds and repair to buildings; not to exceed \$4,000 for official reception and representation expenses; purchase (not to exceed 16) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, \$245,071,000, of which not to exceed \$300,000 shall remain available until September 30, 2003, for research and policy studies: Provided, That \$218,757,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation estimated at \$26,314,000: Provided further, That any offsetting collections received in excess of \$218,757,000 in fiscal year 2002 shall remain available until expended, but shall not be available for obligation until October 1, 2002.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902, \$16,458,000: Provided, That not to exceed \$2,000 shall be available for official reception and representation expenses.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances

therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed \$2,000 for official reception and representation expenses, \$155,982,000: Provided, That not to exceed \$300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718, as amended: Provided further, That, notwithstanding any other provision of law, not to exceed \$155,982,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2002, so as to result in a final fiscal year 2002 appropriation from the general fund estimated at not more than \$0, to remain available until expended: Provided further, That none of the funds made available to the Federal Trade Commission shall be available for obligation for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102–242; 105 Stat. 2282–2285).

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, \$329,300,000, of which \$310,000,000 is for basic field programs and required independent audits; \$2,500,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; \$12,400,000 is for management and administration; and \$4,400,000 is for client self-help and information technology.

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2001 and 2002, respectively.

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

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, as amended, \$1,957,000.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

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

PACIFIC CHARTER COMMISSION

SALARIES AND EXPENSES

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

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of

Columbia and elsewhere, and not to exceed \$3,000 for official reception and representation expenses, \$109,500,000 from fees collected in fiscal year 2002 to remain available until expended, and from fees collected in previous fiscal years, \$328,400,000, to remain available until expended; of which not to exceed \$10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed \$100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken in the course of such attendance; (2) any travel and transportation to or from such meetings; and (3) any other related lodging or subsistence: Provided, That fees and charges authorized by sections 6(b)(4) of the Securities Act of 1933 (15 U.S.C. 77f(b)(4)) and 31(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(d)) shall be credited to this account as offsetting collections: Provided further, That in the event that H.R. 1088, the Investor and Capital Markets Fee Relief Act, or other legislation to amend section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)), and sections 13(e), 14(g), and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e), 78n(g) and 78ee), is enacted into law prior to the date on which a regular appropriation to the Commission for fiscal year 2003 is enacted, the fees, charges, and assessments authorized by such sections, as amended, shall be deposited and credited to this account as offsetting collections: Provided further, That fees collected as authorized by section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) for sales transacted on, and with respect to securities registered solely on, an exchange that is initially granted registration as a national securities exchange after February 24, 2000 shall be credited to this account as offsetting collections: Provided further, That for purposes of collections under section 31, a security shall not be deemed registered on a national securities exchange solely because that national securities exchange continues or extends unlisted trading privileges to that security.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 105–135, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed \$3,500 for official reception and representation expenses, \$308,476,000: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: Provided further, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations: Provided further, That \$88,000,000 shall be available to fund grants for performance in fiscal year 2002 or fiscal year 2003 as authorized by section 21 of the Small Business Act, as amended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App.), \$11,464,000.

BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$1,860,000, to be available until expended; and for the cost of guaranteed loans, \$78,000,000, as authorized by 15 U.S.C. 631 note, of which \$45,000,000 shall remain available until September 30, 2003: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That during fiscal year 2002 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, as amended, shall not exceed \$4,500,000,000, as provided under section 20(h)(1)(B)(ii) of the Small Business Act: Provided further, That during fiscal year 2002 commitments for general business loans authorized under section 7(a) of the Small Business Act, as amended, shall not exceed \$10,000,000,000 without prior notification of the Committees on Appropriations of the House of Representatives and Senate in accordance with section 605 of this Act: Provided further, That during fiscal year 2002 commitments to guarantee loans for debentures and participating securities under section 303(b) of the Small Business Investment Act of 1958, as amended, shall not exceed the levels established by section 20(h)(1)(C) of the Small Business Act.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$129,000,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans authorized by section 7(b) of the Small Business Act, as amended, \$87,360,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for administrative expenses to carry out the direct loan program, \$122,354,000, which may be transferred to and merged with appropriations for Salaries and Expenses, of which \$500,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan program and shall be transferred to and merged with appropriations for the Office of Inspector General; of which \$112,000,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program; and of which \$9,854,000 is for indirect administrative expenses: Provided, That any amount in excess of \$9,854,000 to be transferred to and merged with appropriations for Salaries and Expenses for indirect administrative expenses shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

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

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102–572; 106 Stat. 4515–4516), \$3,000,000: Provided, That not to exceed \$2,500 shall be available for official reception and representation expenses.

UNITED STATES-CANADA ALASKA RAIL
COMMISSION

SALARIES AND EXPENSES

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

TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2002, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2002, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

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

SEC. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 609. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds: (1) that the United Nations undertaking is a peacekeeping mission; (2) that such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) that the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

SEC. 610. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subparagraphs (A) and (B) of section 609 of that Act shall continue to apply during fiscal year 2002.

SEC. 611. Hereafter, none of the funds appropriated or otherwise made available to the Bureau of Prisons shall be used to provide the following amenities or personal comforts in the Federal prison system—

(1) in-cell television viewing except for prisoners who are segregated from the general prison population for their own safety;

(2) the viewing of R, X, and NC-17 rated movies, through whatever medium presented;

(3) any instruction (live or through broadcasts) or training equipment for boxing, wrestling, judo, karate, or other martial art, or any bodybuilding or weightlifting equipment of any sort;

(4) possession of in-cell coffee pots, hot plates or heating elements; or

(5) the use or possession of any electric or electronic musical instrument.

SEC. 612. (a) The President shall submit as part of the fiscal year 2003 budget to Congress a proposal to restructure the Department of Justice to include a coordinator of Department of Justice activities relating to combating domestic terrorism, including State and local grant programs subject to the authority of the Attorney General, and who will serve as the Department of Justice representative at interagency meetings on combating terrorism below the Cabinet level.

(b) If the President does not submit a proposal as described in subsection (a), or if Congress fails to enact legislation establishing a new posi-

tion described in subsection (a), by June 30, 2002, then effective on such date subsections (c) through (f) shall take effect.

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

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

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

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

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

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

(B) State and local preparedness for terrorist events;

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

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

(E) critical infrastructure.

(3) coordinate—

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

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

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

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

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

SEC. 613. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 614. Hereafter, none of the funds appropriated or otherwise made available to the Federal Bureau of Prisons may be used to distribute or make available any commercially published information or material to a prisoner when it is made known to the Federal official having authority to obligate or expend such funds that

such information or material is sexually explicit or features nudity.

SEC. 615. Of the funds appropriated in this Act under the heading "Office of Justice Programs—State and Local Law Enforcement Assistance", not more than 90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grant shall be made available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title 1 of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered as the direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits at the time of retirement or separation as they received while on duty.

SEC. 616. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 617. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999, as amended.

(b) Subsection (a)(1) of section 616 of that Act, as amended, is further amended by striking "Claudy Myrthil".

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

SEC. 618. None of the funds appropriated pursuant to this Act or any other provision of law may be used for: (1) the implementation of any tax or fee in connection with the implementation of 18 U.S.C. 922(t); and (2) any system to implement 18 U.S.C. 922(t) that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from owning a firearm.

SEC. 619. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of \$550,000,000 shall not be available for obligation until the following fiscal year, with the exception of emergency appropriations made available by Public Law 107-38 and transferred to the Fund.

SEC. 620. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 621. None of the funds appropriated or otherwise made available to the Department of State and the Department of Justice shall be available for the purpose of granting either immigrant or nonimmigrant visas, or both, consistent with the Secretary's determination under section 243(d) of the Immigration and Nationality Act, to citizens, subjects, nationals, or residents of countries that the Attorney General has determined deny or unreasonably delay accepting the return of citizens, subjects, nationals, or residents under that section.

SEC. 622. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner,

other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 623. The requirements of section 312(a)(3) of the Magnuson-Stevens Fishery Conservation and Management Act shall not apply to funds made available by section 2201 of Public Law 106-246.

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

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

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

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

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

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

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

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

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

SEC. 629. For an additional amount for "Small Business Administration, Salaries and Expenses", \$30,000,000, of which \$1,000,000 shall be available for a grant to Green Thumb, Inc., to expand activities serving small businesses and older entrepreneurs; \$500,000 shall be available

for a grant to the New York Small Business Development Center to establish veterans business outreach programs; \$1,000,000 shall be for a grant to the University of West Florida for a virtual business accelerator program; \$1,000,000 shall be for a grant to Hamilton County, Tennessee, to establish a high-tech small business incubator; \$500,000 shall be available for a grant to the Oklahoma Department of Career and Technology Education for a technology-based program for vocational training for economic and job development; \$200,000 shall be available for a grant to Rural Enterprises, Inc., in Durant, Oklahoma, to continue support for a resource center for rural businesses; \$100,000 shall be available for a grant to Oklahoma State University for a center for international trade development; \$300,000 shall be for a grant to the University of Montana to establish an economic development resource center; \$1,000,000 shall be for a grant to George Mason University to conduct an information technology business development program; \$1,500,000 shall be for a grant to Shenandoah University to develop a historical and tourism development facility; \$1,000,000 shall be for a grant to the Software Productivity Consortium to develop a facility to support demonstration programs on information technology and telework; \$1,000,000 shall be for a grant to the Southern Kentucky Tourism Development Association for continuation of a regional tourism promotion initiative; \$1,500,000 shall be for a grant to the Southern Kentucky Economic Development Corporation for regional infrastructure and economic development initiatives; \$450,000 shall be for a grant to Southern Kentucky Rehabilitation Industries for financial assistance and small business development; \$350,000 shall be available for a grant to the Catskill Mountain Foundation to develop facilities and small business assistance programs; \$500,000 shall be for a grant to the East Los Angeles Community Union to redevelop small business assistance facilities; \$300,000 shall be for a grant to the Rockford, Illinois, Health Council for a pilot program on small business health care insurance issues; \$2,000,000 shall be for a grant for the Illinois Coalition for a national demonstration project providing one-stop assistance for technology startup businesses; \$1,000,000 shall be for a grant to James Madison University for library programs and facilities to assist small businesses; \$300,000 shall be for a grant to Lewis and Clark College in Lewiston, Idaho, to develop a virtual business incubator; \$300,000 shall be for a grant to the City of Chesapeake, Virginia, to develop a community and microenterprise development facility; \$700,000 shall be for a grant to Social Compact for the "Realizing the Dream" initiative; \$1,000,000 shall be for a grant to Soundview Community in Action for a technology access and business improvement project; \$500,000 shall be for a grant to the Urban Justice Center in New York City for a community development project; \$1,000,000 shall be for a grant to the Bronx Child Study Center at the Bronx-Lebanon Hospital Center; \$2,000,000 shall be for a grant to the Los Angeles Conservancy for rebuilding and revitalization; \$2,000,000 shall be to the Rhode Island School of Design for the modernization of a building to establish a small business incubator; \$500,000 shall be for a grant to Johnstown Area Regional Industries for a High Technology Initiative and a Wireless/Digital Technology Program; \$400,000 shall be for a grant to Purdue University for the purposes of constructing the Purdue Regional Technology Center in Lake County, Indiana; \$500,000 shall be for a grant to the NTTC at Wheeling Jesuit University to continue the outreach program to assist small business development; \$400,000 shall be for a grant to the Infotonics Center of Excellence in Rochester, New York, for photonics incubation and business development; \$1,100,000 shall be for a grant to the MountainMade Foundation to fulfill its charter purposes and to continue the initiative developed by the NTTC for

promotion, business and sites development, and education of artists and craftspeople; \$500,000 shall be for a grant to the West Virginia High Technology Consortium Foundation to develop a small business commercialization grant program; \$400,000 shall be for a grant to the National Corrections and Law Enforcement Training and Technology Center, Inc., to work in conjunction with the Office of Law Enforcement Technology Commercialization and the Moundsville Economic Development Council for continued operations of the National Corrections and Law Enforcement Training and Technology Center, and for infrastructure improvements associated with this initiative; \$500,000 shall be for a grant to the Chippewa Falls Industrial Development Corporation in Chippewa Falls, Wisconsin, for a business development assistance program; \$400,000 shall be for a grant to the National Center for e-Commerce at Polytechnic University in Brooklyn, New York; \$150,000 shall be for a grant to Portage County, Wisconsin, for the establishment of a revolving loan fund; \$1,000,000 shall be for a grant to the Upper Manhattan Empowerment Zone to develop a community accessible recreational area and economic development site along the Hudson River between 125th and 135th Streets; \$150,000 is for a grant to the Long Island Bay Shore Aquarium to develop a facility; \$500,000 is for a grant to Yonkers, New York, for the Nepperhan Valley Technology Center; and \$500,000 shall be for a grant for Greenpoint Manufacturing and Design Center to acquire certain properties to develop a small business incubator facility: Provided, That Section 633 of Public Law 106-553 is amended with respect to a grant of \$1,000,000 for the City of Oak Ridge, Tennessee, by inserting the words "through a subaward to the Oak Ridge Associated University for renovation and expansion of a facility owned by the Oak Ridge Associated University" after "to support technology and economic development initiatives".

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

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

ASSETS FORFEITURE FUND

(RESCISSION)

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

DEPARTMENT OF COMMERCE

DEPARTMENTAL MANAGEMENT

EMERGENCY OIL AND GAS GUARANTEED LOAN

PROGRAM ACCOUNT

(RESCISSION)

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

RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

SHIP CONSTRUCTION

(RESCISSION)

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

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

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

SMALL BUSINESS ADMINISTRATION

BUSINESS LOANS PROGRAM ACCOUNT

(RESCISSION)

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

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

And the Senate agree to the same.

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

Managers on the Part of the House.

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

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

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

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

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

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

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

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

The conferees continue to be concerned about the security of classified information at the Department. The conferees understand that Federal requirements for storage of classified information mandate that the General Services Administration approved

containers are secured with locks that meet or exceed Federal specifications. The conferees expect the Department to report to the Committees no later than March 1, 2002, identifying the number of Department-controlled containers that are not in compliance with the Federal specification.

The conferees are concerned that the Department of Justice has not adequately focused its attention on the growing problem of methamphetamine production and trafficking and the strain this crime is placing on State and local law enforcement resources. The Department of Justice is directed to undertake a review of its current efforts in assisting States and local communities with this growing problem and to prepare a report that (1) defines the scope of the methamphetamine problem nationwide; (2) identifies the regions of the country most adversely affected by methamphetamine production and trafficking; (3) identifies the needs of State and local law enforcement in addressing this issue; and (4) defines the Department's role in providing training, investigative, and clean-up assistance to States and localities. This plan shall be provided to the Committee by February 15, 2002.

The conference agreement includes bill language, as proposed by the House, specifying the amount of funding provided for the Department Leadership Program and the Offices of Legislative and Public Affairs.

JOINT AUTOMATED BOOKING SYSTEM

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

NARROWBAND COMMUNICATIONS

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

COUNTERTERRORISM FUND

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

PORT SECURITY

The conference agreement does not include \$39,950,000 for Port Security as proposed by

the Senate. The House did not address this matter.

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

ADMINISTRATIVE REVIEW AND APPEALS

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

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

DETENTION TRUSTEE

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

OFFICE OF INSPECTOR GENERAL

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

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

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

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

The conferees are aware that the Parole Commission is scheduled to be phased out in November 2002. The conferees are also aware that a substantial parole caseload, the majority of which is District of Columbia prisoners, will exist well into the future. As part of the fiscal year 2003 budget submission, the Attorney General is directed to propose either an extension of the existing Commission or the transfer of the residual caseload to a Federal or District of Columbia agency. In the event the latter is proposed, the budget submission should include a plan for the orderly shutdown of the Parole Commission.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

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

The conference agreement adopts by reference the House report language and funding levels for the Civil Rights Division to enforce the Victims of Trafficking and Protec-

tion Act of 2000 and to investigate and prosecute abuses in facilities for individuals who are mentally ill and developmentally disabled, nursing homes, juvenile correctional facilities, and adult jails and prisons.

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

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

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

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

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

LEGAL ACTIVITIES OFFICE AUTOMATION

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

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

SALARIES AND EXPENSES, ANTITRUST DIVISION

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

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

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

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

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

The conference agreement directs the United States Attorneys to provide a total of \$10,000,000 for cybercrime and intellectual

property enforcement. The direction included in both the House and Senate reports regarding the submission of a report on copyright enforcement is adopted by reference.

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

UNITED STATES TRUSTEE SYSTEM FUND

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

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

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

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

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

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

Overseas Assignments.—The conferees are aware that the U.S. Marshals Service has established a number of foreign offices in U.S. embassies without Congressional approval, using extended temporary duty assignments to circumvent the relocation report process. Therefore, the conferees direct the Justice Management Division to report by November 30, 2001, to the Committees on Appropriations regarding the locations and purposes of

all Marshals overseas assignments of greater than 30 days for the previous five years. The Department is directed to terminate all Marshals overseas operations that should have been included in the relocation report. Finally, none of the funds appropriated or otherwise made available by this Act may be used for Marshals overseas temporary duty assignments of greater than 30 days without the approval of the Committees on Appropriations.

Financial Management.—The conferees are concerned that, even with a reformed budget execution process, a small budget shortfall in the Marshals Service at the beginning of the year was left unaddressed until well into the fourth quarter, despite sharp prompting from the Committees on Appropriations. Therefore, the conferees direct the Marshals Service to submit, through the Justice Management Division, within 30 days of the date of enactment of this Act, an overall agency spending plan for the full amount appropriated for fiscal year 2002.

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

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

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

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

USMS courthouse security equipment

[In thousands of dollars]

Detainee Facilities	\$13,069
Fort Smith, AR	200
Denver, CO	1,090
Washington, DC	75
Jacksonville, FL	1,065
Dublin, GA	432
Moscow, ID	50
Bowling Green, KY	330
Bay City, MI	175
Detroit, MI	450
Cape Girardeau, MO	75
East St. Louis, MO	10

Greenville, MS	645
Gulfport, MS	540
Hattiesburg, MS	590
Oxford, MS	1,095
Newark, NJ	300
Columbus, OH	300
Muskogee, OK	920
Aiken, SC	220
Florence, SC	321
Spartanburg, SC	555
Columbia, TN	195
Amarillo, TX	450
Houston, TX	1,063
Laredo, TX	700
Waco, TX	423
Cheyenne, WY	800

Subtotal, Detainee Facilities	13,069
Minor Repair	375
Engineering Services	643
Security Survey	180

Total, USMS Security Equipment	14,267
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CONSTRUCTION

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

USMS Construction

[In thousands of dollars]

Detainee Facilities:	
Construction:	
Hot Springs, AR	\$1,328
Prescott, AZ	550
Grand Junction, CO	450
Davenport, IA	856
Sioux City, IA	100
Moscow, ID	200
Rock Island, IL	1,250
Rockford, IL	24
Springfield, IL	85
Bay City, MI	685
Flint, MI	248
Natchez, MS	1,000
Billings, MT	850
Raleigh, NC	2,446
Sante Fe, NM	500
New York, NY (40 Foley)	250
Columbus, OH	1,000
Dayton, OH	150
Muskogee, OK	280
Sioux Falls, SD	680
Cheyenne, WY	200

Subtotal, Construction	13,132
Planning, Design & Relocation:	
El Dorado, AR	100
Fayetteville, AR	100
El Centro, CA	32
Ocala, FL	475
Billings, MT	200
Wilmington, NC	125
Columbia, SC	46
Casper, WY	100
Subtotal, Planning, Design & Relocation	1,178
Security Specialists/Construction Engineers	690

Subtotal, Construction	\$15,000
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JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM FUND

The conference agreement does not include funding for the USMS Justice Prisoner and Alien Transportation System account, as proposed by the House, instead of \$53,050,000 as proposed by the Senate.

FEDERAL PRISONER DETENTION

The conference agreement provides \$706,182,000 for Federal Prisoner Detention, instead of \$724,682,000 as proposed by the House and \$687,682,000 as proposed by the

Senate. This is an increase of \$110,094,000, or 18 percent, over the fiscal year 2001 appropriation. The Department should notify the Committees on Appropriations by the end of the second quarter regarding the status of obligations in this account.

FEES AND EXPENSES OF WITNESSES

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

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

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

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

ASSETS FORFEITURE FUND

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

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

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

PAYMENT TO THE RADIATION EXPOSURE COMPENSATION TRUST FUND

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

The conferees believe that the Federal government must meet its obligations to persons, and their families, who were exposed to radiation and who now suffer from related diseases. The conferees note that the compensation payments are based on claimants meeting eligibility criteria and therefore should be scored or treated as mandatory payments under the Budget Act. Such payments were assumed in the fiscal year 2002 congressional budget resolution to be scored as mandatory with enactment of appropriate legislation starting in fiscal year 2002. Supplemental appropriations were provided for fiscal year 2001 with the understanding and expectation that future funding for this purpose would be mandatory and that further discretionary appropriations would not be necessary.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

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

Tax Division to the Criminal Division, is as follows:

<i>Reimbursements by agency</i>	
<i>(In thousands of dollars)</i>	
Drug Enforcement Administration	\$111,422
Federal Bureau of Investigation ..	115,444
Immigration and Naturalization Service	15,987
Marshals Service	2,049
U.S. Attorneys	89,623
Criminal Division	1,328
Tax Division	964
Administrative Office	1,760
Total	338,577
FEDERAL BUREAU OF INVESTIGATION	
SALARIES AND EXPENSES	

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

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

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

FBI Salaries and Expenses

(In thousands of dollars)

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

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

include language or funding levels in the Senate report regarding regional computer forensic labs, regional mitochondrial DNA labs, the Violent Criminal Apprehension Program, or end strength. The conference agreement also adopts by reference the House and Senate report language regarding the Jewelry and Gem program.

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

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

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

The conference agreement directs the FBI to fully reimburse private ambulance providers for their costs in support of Hostage Rescue Team operations in St. Martin Parish, Louisiana, in December 1999, as proposed by the Senate. The House did not include a similar provision.

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

CONSTRUCTION

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

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

DRUG ENFORCEMENT ADMINISTRATION SALARIES AND EXPENSES

The conference agreement includes \$1,481,783,000 for the Drug Enforcement Ad-

ministration (DEA) Salaries and Expenses account, instead of \$1,476,083,000 as proposed by the House and \$1,489,779,000 as proposed by the Senate.

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

The following table represents funding provided under this account:

DEA SALARIES AND EXPENSES

(In thousands of dollars)

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

DEA is reminded that any deviation from the above distribution is subject to the reprogramming requirements of section 605 of this Act.

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

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

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

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

In addition, \$6,750,000 is provided to procure one twin engine medium lift helicopter

to meet enforcement needs in Hawaii, and one single engine light aircraft helicopter for drug enforcement activities elsewhere. The conferees adopt by reference House and Senate language regarding the Caribbean Initiative, High Intensity Drug Trafficking Areas, heroin, OxyContin, MDMA, methamphetamines, and Special Investigative Units.

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

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

IMMIGRATION AND NATURALIZATION SERVICE SALARIES AND EXPENSES

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

INS Organization and Management.—Consistent with the concept of separating immigration enforcement from services, the conference agreement continues to use, as in the last three fiscal years, two accounts, as requested by the President and proposed in the House bill: Enforcement and Border Affairs, and Citizenship and Benefits, Immigration Support and Program Direction. INS enforcement funds are provided in the Enforcement and Border Affairs account. All immigration-related benefits and naturalization, support, and program resources are provided in the Citizenship and Benefits, Immigration Support and Program Direction account. Neither account includes revenues generated in various fee accounts to fund program activities for both enforcement and services functions, which are in addition to the appropriated funds and are discussed below. Funds for INS construction projects continue to be provided in the INS construction account.

The conference agreement includes bill language which provides authority for the Attorney General to transfer funds from one account to another in order to ensure that funds are properly aligned. Such transfers may occur notwithstanding any transfer limitations imposed under this Act, but such transfers are still subject to the reprogramming requirements under Section 605 of this Act. It is expected that any request for transfer of funds will remain within the activities under those headings.

A cap on overtime of \$30,000 per employee per calendar year has been in place the last several years in order to help the INS maintain control over its budget. The conference agreement maintains this limit as provided

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

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

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

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

ENFORCEMENT AND BORDER AFFAIRS

The conference agreement provides \$2,739,695,000 for this account, instead of \$2,738,517,000 as proposed by the House. The Senate did not provide separate funding for this account. This amount includes an increase of \$74,911,000 and 417 full time equivalents for pay and inflationary adjustments for Border Patrol, Investigations, Detention and Deportation, and Intelligence, as requested. None of these amounts include offsetting fees, which are used to fund both enforcement and services functions. The INS is directed to notify the Committees on Appropriations regarding the assignment of all new border patrol agents and inspectors provided for in this Act as well as any other Appropriations Acts that may be enacted during fiscal year 2002.

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

Land Border Inspectors.—The conference agreement includes an increase of \$25,408,000

for 348 new land border ports-of-entry inspectors as proposed by the Senate. The House did not include a similar provision. The INS is expected to assign these new inspectors to the highest priority locations, paying particular attention to the Northern Border.

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

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

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

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

IDENT/IAFIS.—The conference agreement provides a transfer of \$9,000,000 from the Working Capital Fund to the Department of Justice General Administration account to provide for the continued integration of the INS and FBI fingerprint identification systems. This amount reflects a current estimate of the funding need as provided to the Committees on Appropriations by the Department of Justice.

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

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

CITIZENSHIP AND BENEFITS, IMMIGRATION SUPPORT AND PROGRAM DIRECTION

The conference agreement provides \$631,745,000 for this account, instead of

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

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

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

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

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

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

OFFSETTING FEE COLLECTIONS

The conference agreement assumes \$2,142,926,000 will be available from offsetting

fee collections, instead of \$2,140,610,000 as proposed by the House and \$2,058,723,000 as proposed by the Senate, to support activities related to the legal admission of persons into the United States. These activities are funded entirely by fees paid by persons who are either traveling internationally or who are applying for immigration benefits. The following levels are recommended:

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

The expected increase in fee collections will fund the following safety, service and technology improvements at airports: \$19,927,000, 459 positions and 230 full time equivalents to increase primary inspectors at new and existing airport terminals, as well as at high growth terminals; and \$4,510,000, 60 positions and 30 full time equivalents for additional Immigration Inspectors to expand INS/U.S. Customs Service passenger analysis units at airports to analyze traveler information in advance of plane arrivals in order to identify inadmissible aliens, including criminal aliens, drug traffickers, and terrorists. This funding level will also enable the INS to invest at least \$14,370,000 in its automated entry/exit system that tracks alien arrivals and departures at airports. This funding level will also fund at least \$6,425,000 for upgrades to the National Automated Inspection Lookout System (NAILS), and for additional Live Scan Devices that can send electronic fingerprint submissions to the FBI's Integrated Automated Fingerprint Identification System (IAFIS). The funding level will also provide an additional \$6,512,000 for additional Detention Enforcement Officers, Deportation Officers, and docket clerks, and 200 additional detention beds.

In addition, this level will fund the following safety, service and technology improvements at seaports: \$4,153,000, 54 positions and 27 full time equivalents for new immigration inspectors at newly activated seaport terminals and current understaffed terminals; \$2,273,000, 20 positions and 10 full time equivalents for joint INS/U.S. Customs units to analyze traveler information in advance of ship arrivals; and \$5,545,000 for the automated entry/exit system and upgrades to the NAILS system. The INS is directed to ensure that it allocates funding for base activities, e.g. salaries and expenses, before it undertakes any enhancement activities. The INS shall report to the Committees on Appropriations as necessary should fee revenues decline more than five percent from October projections. Further, should additional fees become available, the INS may submit a reprogramming in accordance with section 605 of this Act.

Immigration Examinations Fees.—The conference agreement includes a total of \$1,376,871,000 to support the adjudication of applications for immigration benefits, the amount requested and proposed by the House, instead of \$1,258,088,000 as proposed by the Senate. These funds are derived from offsetting collections from persons applying for

immigration benefits, including collections from the premium-processing fee, and are in addition to \$80,000,000 in new and continued direct appropriations provided under the Citizenship and Benefits, Immigration Support, and Program Direction account to eliminate the backlog in applications. The conference agreement reflects INS' revised revenue estimates for collections from existing fees, which is \$118,783,000 higher than the amount assumed in the budget request and \$407,020,000 above the amount available in fiscal year 2001. The conference agreement does not adopt the transfer of \$127,834,000 from Examinations Fees funding to the Executive Office of Immigration Review or the transfer of \$147,602,000 in activities from the Salaries and Expenses account to the Examinations Fees account, which were proposed by the Senate. The conference agreement adopts by reference House report language regarding the telephone customer service center and the indexing and conversion of INS microfilm images.

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

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

Immigration Breached Bond/Detention Fund.—The conference agreement includes \$120,763,000 in spending from the Breached Bond/Detention Fund as proposed by the Senate, instead of \$139,935,000 as proposed by the House. The conference agreement does not assume the reinstatement of section 245(i) of the Immigration and Nationality Act, which was proposed by the Senate. The conference agreement provides a \$40,000,000 increase, as requested, to fund 1,407 additional detention beds, and \$1,483,000 to fund vehicles to transport detainees. The agreement does not include the base transfer to the Breached Bond/Detention Fund account, as proposed in the Senate report.

Immigration Enforcement Fines.—The conference agreement includes \$22,664,000 in spending from Immigration Enforcement fines, instead of \$12,994,000 as proposed by the House and \$5,510,000 as proposed by the Senate. This level reflects the current estimate of revenues available in this account for fiscal year 2002.

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

CONSTRUCTION

The conference agreement includes \$128,454,000 for construction for INS as proposed by the House, instead of \$205,015,000 as proposed by the Senate. This amount fully funds the Administration's request as proposed in the budget submission. This funding level does not include the Senate proposal to transfer funding from the Bureau of Prisons

buildings and facilities account to the INS construction account, the Senate proposal to allow the INS to purchase construction vehicles, or the Senate proposal to comply with Occupational Safety and Health Administration programs.

The conference agreement includes language, as proposed by the House and carried in prior Appropriations Acts, prohibiting funds from being used for site acquisition, design, or construction of a checkpoint in the Tucson Sector. The Senate did not include a similar provision.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The conference agreement includes \$3,808,600,000 for the salaries and expenses of the Federal Prison System, instead of \$3,830,971,000 as proposed by the House and \$3,786,228,000 as proposed by the Senate. This funding level is an increase of \$308,428,000 above the fiscal year 2001 amount. The conferees note that the Bureau of Prisons submitted a reprogramming on September 27, 2001, for \$37,963,000 to meet increased utility costs incurred during fiscal year 2001.

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

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

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

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

BUILDINGS AND FACILITIES

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

[in thousands of dollars]

Facilities with prior funding:	
Western/USP California	\$147,000
Southeast/USP Coleman, FL	133,000
Southeast/FCI South Carolina ..	106,000

Mid-Atlantic FCI	91,047
INS Long-Term Detainee Capacity:	
USP Western	11,500
FCI Butner, NC Medium	11,500
USP Terre Haute, IN	130,000

Subtotal, Projects with Prior Funding	630,047
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Facilities with no prior funding:	
Female Facility in N. Florida ..	5,000
Female Facility in N. Central Region	5,000
Male Facility for FCI S. Central Region	5,000
Male Facility for USP NE/N Mid Atlantic	5,000

Subtotal, New Sentenced Capacity	20,000
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Total, New Construction Program Increases	650,047
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FEDERAL PRISON INDUSTRIES, INCORPORATED (LIMITATION ON ADMINISTRATIVE EXPENSES)

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

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

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

JUSTICE ASSISTANCE

(Dollars in thousands)

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

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

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

The conference agreement provides \$450,000 for Non-Toxic Drug Detection and Identification Aerosol Technology; \$1,500,000 for the "Breaking the Cycle" Program in Jacksonville, Florida and Lane County, Oregon; and \$3,000,000 for a prison health research project at the University of Connecticut.

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

The conferees understand that NIJ is currently evaluating the operational utility of the SECURES gunshot detection system in

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

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

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

Within the amounts provided, \$6,500,000 is provided for the Internet Crimes Against Children Task Force to form new units to investigate and prevent child sexual exploitation, which are based on the protocols for conducting investigations involving the Internet and online service providers that have been established by the Department of Justice and the NCMEC.

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

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

The conferees recognize the selfless acts of our Nation's first responders following the September 11, 2001, terrorist attacks on the United States. They are truly our first line of defense. The dedication, professionalism, and heroism of the men and women who serve as police officers, fire fighters, emergency medical personnel, and emergency managers, reflect the true spirit of this great Nation. The conferees extend their sincere gratitude on behalf of the nation to the fire companies, State and local police departments, and rescue squads who responded without hesitation to the emergencies in New York, Virginia, and Pennsylvania. In their efforts to rescue those in danger, some of these brave men and women made the ultimate sacrifice. The conferees also note that untold numbers of volunteers from States across the Nation also worked shoulder to shoulder in the rescue efforts, and their contributions in the face of this tragedy cannot be praised enough.

The events of September 11 underscore how important it is that this country's first responders have the proper equipment and

training in the event of another terrorist act. The conferees recommend the following distribution of funding for counterterrorism equipment grants, training, and research and development programs:

COUNTERTERRORISM PROGRAM

(Dollars in thousands)

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

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

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

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

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

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

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

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(Dollars in thousands)

	Amount
Local Law Enforcement Block Grant	\$400,000
(Boys and Girls Club)	(70,000)
(National Institute of Justice)	(19,956)
State Criminal Alien Assistance Program	565,000
Cooperative Agreement Program	20,000
Indian Assistance	48,162
(Tribal Prison Construction Program)	(35,191)
(Indian Tribal Courts Program)	(7,982)
(Alcohol and Substance Abuse)	(4,989)
Byrne Grants:	
Discretionary Grants	94,489
Formula Grants	500,000
Total, Byrne Grants	594,489
Violence Against Women Grants	390,565
Victims of Trafficking Grants	10,000
State Prison Drug Treatment	70,000
Drug Courts	50,000
Juvenile Crime Block Grant	249,450
(Project ChildSafe)	(38,000)
Other Crime Control Programs:	
Missing Alzheimer's Patients	898
Law Enforcement Family Support	1,497
Motor Vehicle Theft Prevention	1,298
Senior Citizens Vs. Marketing Scams	1,995
Total, State and Local Assistance	2,403,354

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

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

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

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

• \$5,000,000 for the National Crime Prevention Council's McGruff campaign;

• \$300,000 for the Women's Center, Vienna, VA;

• \$250,000 for the DuPage County, IL Fire Investigation Task Force for arson investigations;

• \$1,000,000 for the Julian Dixon Courtroom and Advocacy Center at the Southwestern University School of Law in Los Angeles, CA;

• \$1,000,000 for the Night Lights Program expansion in San Bernardino, CA;

• \$2,000,000 for the San Joaquin Valley, CA Rural Agricultural Crime Prevention Program;

• \$3,942,000 for the Center for Court Innovation in New York State, including \$1,000,000 for Onondaga County and surrounding areas;

• \$3,000,000 for the Law Enforcement Innovation Center (LEIC), TN;

• \$300,000 for the Chattanooga Endeavors Program;

• \$15,000 for the New Mexico Technology to Recover Abducted Kids (TRAK);

• \$3,000,000 for the National Fatherhood Initiative;

• \$3,000,000 for the National Center for Justice and the Rule of Law at the University of Mississippi School of Law to sponsor research and produce judicial education seminars and training for judges, court personnel, prosecutors, police agencies, and attorneys;

• \$300,000 for the National Association of Town Watch's National Night Out crime prevention program;

• \$750,000 for a prevent underage drinking demonstration program;

• \$500,000 for BiasHELP of Long Island;

• \$50,000 for the City of San Luis Obispo, CA, for a gang prevention project;

• \$75,000 for the NYPD criminal justice coordination project;

• \$1,100,000 for the National Training and Information Center (NTIC);

• \$1,000,000 for I-SAFE, for teaching children online safety;

• \$500,000 for Community Security Initiatives (CSI) of the Local Initiatives Support Corporation;

• \$600,000 for Atlanta, GA, for a comprehensive homicide reduction initiative;

• \$1,000,000 for Excelsior College in NY for a distance education degree program in criminal justice;

• \$200,000 for Men Against Destruction, Defending Against Drugs and Social Disorder (MAD DADS) of Miami-Dade, FL;

• \$2,235,000 for the Washington Metropolitan Area Drug Enforcement Task Force (MATF);

• \$500,000 for the Northwestern MA District Attorney's Office special prosecution program, for crimes against seniors and the disabled;

• \$500,000 for the expansion of law enforcement counseling programs at the On-Site Academy in Gardner, MA;

• \$350,000 for Turtle Mountain Community College's "Project Peacemaker";

• \$1,000,000 for the Doe Fund's Ready Willing and Able Program;

• \$1,000,000 for the TELACU family-based gang violence prevention program;

• \$20,000 for the Thin Blue Line of Michigan for assistance to law enforcement families in crisis;

• \$400,000 for the National Indian Justice Center;

• \$100,000 for the Rock Island Juvenile Court;

• \$1,000,000 for the National Corrections and Law Enforcement Training and Technology Center in Moundsville, WV;

• \$1,000,000 for the National White Collar Crime Center;

• \$1,000,000 for Kent State University's Institute for the Study and Prevention of Violence;

- \$2,000,000 for the Harold Rogers Prescription Drug Monitoring Program;
- \$6,000,000 for the Police Athletic League;
- \$100,000 for the Will County, IL Juvenile Drug Court;
- \$350,000 for the National Association of Court Management;
- \$1,000,000 for Mothers Against Drunk Driving (MADD);
- \$4,000,000 for Mental Health Courts;
- \$1,500,000 for the Newport News, VA, Achievable Dream Program;
- \$750,000 for the Chicago Project for Violence Prevention;
- \$662,000 for the Virginia Community Policing Institute;
- \$1,000,000 for Roger Williams University in Bristol, RI, for a law enforcement professional training program with the Justice System Research and Training Institute;
- \$1,750,000 for Kristen's Act;
- \$900,000 for the Beyond Missing Program to be coordinated with Office of Justice Programs and the National Center for Missing and Exploited Children;
- \$4,500,000 for the Executive Office of U.S. Attorneys to support the National District Attorneys Association's participation in legal education training at the National Advocacy Center;
- \$500,000 for Santee-Lynches Cops Demonstration Project to reduce violent crime, drug trafficking, and substance abuse;
- \$2,000,000 for continued support for the expansion of Search Group, Inc. and the National Technical Assistance and Training Program to assist States, such as West Virginia, to accelerate the automation of fingerprint identification processes;
- \$2,750,000 for the Drug Abuse Resistance Education (DARE AMERICA) program. The Conferees are concerned that DARE programs effectiveness has been called into question and encourages DARE to continue the restructuring effort currently underway and to report to the Committees on its progress;
- \$150,000 for the Indianapolis Comprehensive Domestic Violence Response Program;
- \$200,000 for the Baker County, Oregon Federal Law Enforcement Training Center;
- \$250,000 for Alfred University's Coordinating County Services for Families and Youth;
- \$1,400,000 to the Springfield, Missouri Police and Fire Training Center;
- \$3,000,000 for the Clearwater, Idaho EDA for the Lewis and Clark Bicentennial Bi-State Public Safety Project;
- \$350,000 for the Albuquerque, NM DWI Resource Center to fund drunk driving awareness and prevention programs;
- \$750,000 to the Nevada National Judicial College;
- \$1,500,000 for the Tools for Tolerance Program;
- \$400,000 for the University of Northern Iowa for the Domestic Violence Services for Women project;
- \$4,000,000 for the Eisenhower Foundation for the Youth Safe Haven program;
- \$500,000 for the Littleton Area Learning Center;
- \$200,000 for Boyle-Mercer County for a Court Appointed Special Advocate;
- \$250,000 for the Regional Prevention Center in Maysville, Kentucky;
- \$1,500,000 to the New Hampshire Department of Safety for Operation Streetsweeper;
- \$400,000 for the Carroll County District Court's Alternate Sentencing Program in New Hampshire;
- \$1,500,000 for the Center for Task Force Training;
- \$1,000,000 for the University of Nebraska, Department of Criminal Justice, for a police professionalism initiative;

- \$350,000 for the Southwest Arkansas Domestic Violence Center for domestic violence prevention activities to fund programmatic and equipment costs;
- \$500,000 for the Southwest Texas State University Law Enforcement Training Center for equipment and program support;
- \$250,000 for the Oklahoma Bureau of Narcotics for the necessary equipment to establish a Mobile Command Post;
- \$500,000 for the Arizona Criminal Justice Commission;
- \$350,000 to the Iowa Department of Public Health to institute a pilot program to rehabilitate nonviolent drug offenders;
- \$350,000 for the Ninth West Judicial District in Arkansas for video conference equipment for remote witness testimony;
- \$200,000 for the Cranston, Rhode Island Police Department's Community Police Division for community policing initiatives;
- \$900,000 for Ridge House Treatment Facility in Reno, Nevada to house low intensity, non-sex offender, non-violent convicts;
- \$110,000 for a Statewide DARE coordinator in Alaska;
- \$300,000 for the National Center for Rural Law Enforcement in Little Rock, Arkansas;
- \$750,000 for the Alaska Native Justice Center Restorative Justice programs;
- \$1,100,000 for rural alcohol interdiction, investigations, and prosecutions in the State of Alaska;
- \$250,000 for the Partners for Downtown Progress program in Alaska;
- \$1,000,000 for Jefferson County, Alabama for an emergency system;
- \$100,000 for the Native American Community Board in Lake Andes, South Dakota for programming and equipment related to the Domestic Violence Shelter and Community Prevention Program;
- \$150,000 for the Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota;
- \$230,000 for the MUSC Innovative Alternatives for Women program;
- \$1,000,000 for the South Carolina U.S. Attorney's Office in Charleston for software, personnel, and equipment related to a gun-fire detection system;
- \$500,000 for Kansas City, Missouri, for the continuation of the Community Security Initiative; and
- \$500,000 for STEP II, for the Washoe County Rehabilitation Program.

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

VIOLENCE AGAINST WOMEN ACT PROGRAMS

(Dollars in thousands)

	Amount
General Grants	\$184,737
(National Institute of Justice)	(5,200)
(Safe Start Program)	(10,000)
(Domestic Violence Federal Case Processing Study)	(1,000)
(Domestic Violence Emergency Calls Study)	(200)
Victims of Child Abuse:	
CASA (Special Advocates)	11,975
Training for Judicial Personnel	2,296
Grants for Televised Testimony	998
Grants to Encourage Arrests Policies	64,925
Rural Domestic Violence Assistance Grants	33,945
Training Programs	4,989
Stalking Database	3,000
Violence on College Campuses	10,000
Civil Legal Assistance	40,000
Elder Abuse Grant Program	5,000
Safe Haven Project	15,000
Domestic Violence Forensic Exams Study	200
Education and Training for Disabled Female Victims	7,500
Total	390,565

The conference agreement adopts by reference Senate report language directing the

Department to work with the State of Alaska, the Alaska Native community, and non-profit organizations involved in prevention and treatment of domestic violence to develop a Statewide plan to combat domestic violence.

Substance Abuse Treatment for State Prisoners.—The conference agreement includes \$70,000,000 for grants to States and units of local government for development and implementation of residential substance abuse treatment programs within State correctional facilities and certain local correctional and detention facilities. The conference agreement adopts by reference the House report language regarding expanding the use of these grants to provide treatment for released State prisoners.

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

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

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

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

WEED AND SEED PROGRAM FUND

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

COMMUNITY ORIENTED POLICING SERVICES

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

COMMUNITY ORIENTED POLICING SERVICES

(Dollars in thousands)

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

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

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

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

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

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

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

- \$2,100,000 for the Sioux City, IA Regional Methamphetamine Training Center, to provide training to officers from eight states in over 80 classes;
- \$1,000,000 for the Methamphetamine Task Force in East Tennessee, to fight the spread of meth labs in this region;
- \$1,000,000 for the Oklahoma State Bureau of Investigations and Oklahoma Bureau of

Narcotics and Dangerous Drug Control, to assist their methamphetamine clean up operations;

- \$1,500,000 for the Western Kentucky Methamphetamine Initiative, in collaboration with Daviess County;

- \$500,000 for the Virginia State Police, to assist their efforts in combating methamphetamine;

- \$500,000 for the Indiana State Police, to assist their efforts in combating methamphetamine;

- \$580,000 for the Marion County, OR, methamphetamine project;

- \$300,000 for the Marathon and Douglas Counties, WI, methamphetamine initiatives;

- \$1,000,000 for the City of Phoenix, AZ, for methamphetamine laboratory cleanup;

- \$200,000 for the Minot State University, ND, rural methamphetamine project;

- \$405,000 for the Jackson County, MS, Sheriff's office methamphetamine initiative;

- \$500,000 for the Riley County, KS Police Department to assist in methamphetamine clean-up operations;

- \$803,000 for the Wichita Police Department clandestine methamphetamine lab equipment package;

- \$500,000 for the Louisiana Methamphetamine Task Force;

- \$461,000 for the Oklahoma City Police Department for a Methamphetamine/Drug Hot Spots Initiative;

- \$4,000,000 for the Washington State Methamphetamine Programs, participants in this program will include Benton County, Chelan County, City of Spokane, Clark County, Cowlitz County, Ferry County, Grant County, Grays Harbor County, King County, Kitsap County, Lewis County, Mason County, Pend Oreille County, Pierce County, Pierce County Alliance, Snohomish County, Spokane County, Stevens County, Thurston County, and Yakima County;

- \$3,000,000 for California Department of Justice, Bureau of Narcotics Enforcement, for the California Methamphetamine Strategy (CALMS);

- \$619,000 for the Mississippi Bureau of Narcotics to combat methamphetamine and to train officers on the proper recognition, collection, removal, and destruction of methamphetamine;

- \$750,000 for the Methamphetamine Awareness and Prevention Project of South Dakota to expand prevention efforts to include Native American reservations;

- \$500,000 for the Illinois State Police to combat methamphetamine and to train officers in those types of investigations;

- \$1,000,000 for the Iowa Methamphetamine Initiative;

- \$200,000 for the Iowa Tanks-A-Lock Project;

- \$655,000 for the Arkansas Methamphetamine/Drug Hot Spots Initiative, of which \$155,000 shall be used to retain three chemists at the Arkansas Crime Lab;

- \$250,000 for the Wisconsin Ecstasy Awareness Program;

- \$1,000,000 for the Wisconsin Methamphetamine Law Enforcement Initiative;

- \$500,000 for the Arizona Methamphetamine Initiative for personnel, training, and equipment;

- \$400,000 for the Vermont State Multi-Jurisdictional Drug Task Force;

- \$150,000 for methamphetamine training for rural law enforcement officers in Arkansas;

- \$500,000 for the Kansas Bureau of Investigation to combat methamphetamines;

- \$2,000,000 for the Montana Methamphetamine Initiative;

- \$500,000 for the Flathead Valley, Montana Methamphetamine Initiative;

- \$750,000 for the Central Utah Methamphetamine Program;

- \$1,250,000 for the Midwest Methamphetamine Initiative; and

- \$1,100,000 for the Missouri Methamphetamine Initiative.

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

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

- \$8,000 for the Walker County Jail, AL, for police radio system upgrades;

- \$10,000 for the Powell Police Department, AL, for police equipment upgrades and technology enhancements;

- \$60,000 for the Blountsville Police Department, AL, for an integrated automated fingerprint information system;

- \$3,815,000 for the Simulated Prison Environment Crisis Aversion Tools (SPECAT);

- \$400,000 for Mooresville, NC, for a Silent Dispatch and Automatic Vehicle Locator System;

- \$50,000 for Springfield, MO, for security equipment for the Southside District Police Station;

- \$400,000 for the Springfield, MO Police Department, for in-car video cameras;

- \$3,000,000 for the Alabama law enforcement SmartCOP technology initiative;

- \$1,000,000 for the City of Escondido, CA, for communications technology upgrades;

- \$1,000,000 for Placer County, CA, for public safety communications upgrades;

- \$1,000,000 for Citrus Heights, CA, for technological improvements to centralize the police force;

- \$300,000 for the City of Sierra Madre, CA, for law enforcement equipment for the Emergency Operations Center;

- \$900,000 for the Arcadia Police Department, CA, for the conversion to narrowband radios;

- \$200,000 for the Northeast Wisconsin Technical College Tactical Training Facility, Green Bay, WI, for equipment;

- \$500,000 for the Cache County, UT Sheriff's Department, for law enforcement training simulators;

- \$100,000 for the Aliquippa Police Department, PA, for police equipment, training, and computer resources;

- \$800,000 for the Joint Venture 9-1-1 Communications Center (Tri-Com), IL, for law enforcement communications equipment replacement;

- \$781,000 for the Long Beach Police Department, CA, for imaging technology;

- \$3,000,000 for the video teleconferencing grant program, through INS, to provide local sheriff's offices the ability to identify or arraign apprehended aliens;

- \$735,000 for the Redlands, CA East Valley Community Justice Center, to study and identify new technologies;

- \$750,000 for Inyo County, CA, for public safety radio communications;

- \$625,000 for the Arlington County, VA Police Department and the New Jersey State Police, for Racial Profiling Self-Assessment Software;

- \$45,000 for the Jeffersontown Police Department, KY, for in-car video systems;

- \$75,000 for the Jefferson County, KY Domestic Violence Unit, for the purchase of cameras to be used during investigations;

- \$750,000 for the Louisville, KY Division of Police, for in-car video systems;

- \$1,000,000 for the Sacramento, CA Sheriff's Department, for law enforcement technology systems;

- \$7,500,000 for the Regional Law Enforcement Technology Program in KY;
- \$1,000,000 for Sedgwick County, KS Sheriff's Department, for an integrated records management system;
- \$800,000 for Jefferson County, AL, for law enforcement communication equipment upgrades;
- \$250,000 for Washington Parish, LA Sheriff's Office, for law enforcement technology and automated systems;
- \$250,000 for Tangipahoa Parish, LA Sheriff's Office, for law enforcement technology and automated systems;
- \$125,000 for the City of Harahan, LA Police Department, for law enforcement technology and automated systems;
- \$250,000 for the City of Kenner, LA Police Department, for law enforcement technology and automated systems;
- \$125,000 for the City of Gretna, LA Police Department, for law enforcement technology and automated systems;
- \$500,000 for St. Tammany Parish, LA Sheriff's Office, for automated systems to assist investigations;
- \$500,000 for Orleans Parish, LA Police Department, for law enforcement technology and automated systems;
- \$3,000,000 for the Law Enforcement On-line (LEO) Program;
- \$1,500,000 for the Chattanooga, TN Police Department, for law enforcement technology;
- \$1,500,000 for the Oklahoma Department of Public Safety, for in-car video cameras for the Highway Patrol;
- \$35,000 for Allen County, KY, for the law enforcement component of an emergency systems upgrade;
- \$165,000 for Page County, VA, for law enforcement equipment to consolidate 911 services;
- \$1,000,000 for the Virginia State Police, for in-car video cameras;
- \$2,000,000 for the Center for Criminal Justice Technology;
- \$3,500,000 for Pinellas County, FL, law enforcement agencies, for facial recognition technology;
- \$1,000,000 for the City of Mayaguez, PR, for municipal police technology improvements;
- \$1,500,000 for the City of Madison, WI, for laptop computers and video monitoring units in patrol cars;
- \$500,000 for the Las Vegas, NV Metropolitan Police Department's Interagency Cyber Crime Task Force, for technology improvements;
- \$750,000 for the City of Tallahassee, FL, for a joint law enforcement communications upgrade;
- \$1,850,000 for the City of Baltimore, MD, for law enforcement technology upgrades including laptop computers, cameras and wiretap equipment;
- \$300,000 for the Indianapolis, IN Police Department, for technology enhancements including in-car cameras;
- \$1,235,000 for the Territory of the Virgin Islands, for technology equipment and upgrades;
- \$750,000 for Lane County/Springfield/Eugene, OR, for law enforcement area information records system (AIRS);
- \$750,000 for the City of Austin, TX, for police mobile data computers;
- \$750,000 for the City of Fresno, CA Police Department, for a law enforcement communications system;
- \$100,000 for the NYPD 47th Police Precinct, for equipping a mobile command center;
- \$300,000 for East Palo Alto, CA Police Department, for communications and computer equipment;
- \$250,000 for the Marlboro Police Department in Monmouth County, NJ, for video cameras in patrol cars;
- \$150,000 for Marion County, OR, for mobile probation computers and radio equipment;
- \$625,000 for the East Hazel Crest, IL SSMMMA/Regional Law Enforcement Technology Support Center, for technological enhancements;
- \$750,000 for the City of Pawtucket, RI Police Department, for technology upgrades, including a digital radio system;
- \$750,000 for the Town of Portsmouth, RI Police Department, for technology upgrades including computing and communications systems;
- \$750,000 for the Galveston County, TX Sheriff's Office, for the Southeast Texas Region Law Enforcement Technology Project, including data equipment and computers;
- \$87,000 for the Palos Park Police Department, for law enforcement equipment and new technology;
- \$33,000 for the Southwest Major Case Unit, IL, for video surveillance and related technology;
- \$75,000 for the Village of Larchmont, NY Police Department, for closed-circuit surveillance equipment;
- \$20,000 for the Town of Mamaroneck, NY, for police communications equipment;
- \$85,000 for the Village of Mamaroneck, NY Police Department, for an automated fingerprinting system;
- \$100,000 for the City of New Fairfield, CT Police Department, for technology improvements including laptop computers for patrol cars;
- \$210,000 for the Saint Paul, MN Police Department, for police radios;
- \$500,000 for North Attleboro, MA, for technology upgrades at the new police facility;
- \$1,000,000 for the facial recognition and data capture system demonstration for 5 counties in Massachusetts;
- \$750,000 for Jersey City, NJ, for radio system upgrades and fixed radio network equipment;
- \$250,000 for Union City, NJ, for CAD and RMS systems;
- \$500,000 for the Solano County, CA Regional Law Enforcement Training Center, for technology infrastructure;
- \$225,000 for the Holyoke, MA Police Department, for equipment;
- \$1,500,000 for the City of San Francisco, CA, for a geographic information crime mapping system;
- \$300,000 for Wake County, NC, for law enforcement communications;
- \$500,000 for the City of South Bend, IN, for video and audio recording systems in squad cars;
- \$1,801,000 for the Minneapolis, MN Police Department, for an automated resources system;
- \$500,000 for the Santa Ana, CA Police Department Crime Analysis Unit, for equipment purchases;
- \$900,000 for the City of Norfolk, VA Police Department, including \$400,000 for a computer aided dispatch system and \$500,000 for video cameras;
- \$750,000 for Ventura County, CA, for an Integrated Justice Information System;
- \$40,000 for White County, AR, for technology upgrades at the county jail;
- \$750,000 for the City of Abilene, TX, for purchase of emergency response and public safety communications equipment for law enforcement;
- \$750,000 for the Charlevoix-Cheboygan-Emmett, MI Central Dispatch Authority, for computer aided dispatch/records management software;
- \$750,000 for the Citrus County, FL, Emergency Operations and Communications Center, for law enforcement technology enhancements;
- \$90,000 for the San Juan County Criminal Justice Training Authority/City of Farmington, NM, for an automated fingerprint identification system;
- \$3,000,000 for Project Hoosier SAFE-T, for communications systems upgrade;
- \$45,000 for the Griffith, IN Police Department, for in-car video cameras;
- \$50,000 for the Northwest IN Police Department, for an automated fingerprint identification system;
- \$500,000 for the City of Inglewood, CA Police Department, for digital records management and equipment;
- \$500,000 for the City of Gardena, CA, for technology equipment for patrol cars;
- \$1,400,000 for Columbia County, OR, for law enforcement communications;
- \$1,000,000 for Los Angeles County, CA, for law enforcement communications upgrade;
- \$250,000 for Washington State Department of Corrections sex offender monitoring equipment upgrades;
- \$175,000 for the Washington County, NY Board of Supervisors, for a mobile command and communications center;
- \$60,000 for the City of Thibodaux, LA, for in-car video cameras and computers;
- \$100,000 for the New Orleans Metropolitan Crime Commission;
- \$1,549,000 for the San Bernardino County, CA Probation Department, for a case management system;
- \$90,000 for Douglas, WI, for drug interdiction software system;
- \$500,000 for the Borough of Shrewsbury, NJ Police Department, for technology upgrades;
- \$1,500,000 for the Orange County, CA Strategic Integrated Justice System, for the electronic linking of law enforcement communities;
- \$2,000,000 for the Illinois State Police, for the implementation of an integrated records management system;
- \$1,000,000 for the Louisiana State Police, for the Information and Management Systems within the Emergency Operations Center;
- \$1,000,000 for the Washington, DC Metropolitan Council of Government and Police Chiefs' Pawn database;
- \$300,000 for Del Mar College in Corpus Christi, TX, for the Network of Medicolegal Investigative Systems (NOMIS);
- \$500,000 for Orange County, CA District Attorney's Task Force aimed at Catching Killers, Rapists and Sexual Offenders (TracKERS);
- \$5,000,000 to the National Center for Missing and Exploited Children to continue the program created in fiscal year 2000 that provides targeted technology to police departments for the specific purpose of child victimization prevention and response. The technology available to our law enforcement officials to help them find missing children is not at the level it needs to be. Most police departments across the United States do not have personal computers, modems, and scanners. The departments that do rarely have them in areas focusing on crimes against children;
- \$150,000 for Criminal Intelligence Unit in Iberia Parish, Louisiana;
- Up to \$3,000,000 for the acquisition or lease and installation of dashboard mounted cameras for State and local law enforcement on patrol. One camera may be used in each vehicle, which is used primarily for patrols. These cameras are only to be used by State and local law enforcement on patrol;
- \$4,000,000 for the Utah Communications Agency Network (UCAN) for enhancements

and upgrades of security and communications infrastructure to assist with law enforcement needs arising from the 2002 Winter Olympics. Of the \$4,000,000 appropriated for UCAN \$1,440,000 is for Salt Lake County, Utah, \$640,000 is for Salt Lake City, Utah, and \$740,000 is for the City of Ogden, Utah;

- \$1,000,000 for the Montana Highway Patrol for computer upgrades;
- \$90,000 for the Billings, Montana Police Department for a firearms training system;
- \$250,000 for a grant to Portland, Oregon Police Department for its Squad Car Unit Identification (SQUID) program;
- \$125,000 for technology equipment to create a traffic enforcement unit in the Muncie, Indiana Police Department;
- \$250,000 for the Cache Valley, Utah Multi-jurisdictional 800 Megahertz Project;
- \$500,000 for the Louisiana Interstate 10 Technology Support Project;
- \$500,000 for teleconferencing equipment for the Montana Supreme Court;
- \$400,000 for a criminal justice records management system for the Missoula, Montana Sheriff's Department;
- \$310,000 to fund technology enhancements for the Douglas County, Colorado Sheriff's Office;
- \$700,000 for the City of Colorado Springs for its CMS and PASS systems;
- \$4,000,000 for the Missouri State Highway Patrol Integration Technology Program;
- \$6,000,000 for the Harrison County Public Safety Automated Systems project;
- \$500,000 for Simpson County, Mississippi's public safety automated technologies system;
- \$725,000 for the City of Jackson Mississippi's public safety automated technologies system;
- \$1,000,000 for the Jersey City Police Department's Crime Identification System to upgrade communications systems;
- \$400,000 for the Berkeley Township Police Department in New Jersey to upgrade communications technology;
- \$4,100,000 for the Southwest Border Anti-Drug Information System of which \$500,000 is to go to the State of Idaho;
- \$375,000 to fund the Bonner Sheriff's Department's Emergency Communications Center;
- \$2,800,000 to fund Minnesota's Criminal Justice Enterprise Architecture;
- \$750,000 for the Ohio Computer Crime Unit to upgrade technology;
- \$600,000 to the National Center for Victims of Crime INFOLINK Program;
- \$500,000 for a grant to Mountain Village to equip a new communications center to improve emergency dispatch services to the region;
- \$750,000 for a grant to Montrose Police Department for the purchase of a trunked communications system;
- \$1,000,000 to fund the Criminal Justice Information System (CJIS), an on-going project within the State of North Carolina;
- \$250,000 for the Macon County, Illinois Sheriff's Department for law enforcement technologies and to modernize equipment;
- \$1,000,000 for communications upgrades for Portsmouth, New Hampshire Police Department;
- \$185,000 to fund computer and technology upgrades for the Charleston, South Carolina Sheriff's Department;
- \$150,000 for Emergency 911 System Enhancements for the Hawaii County Police and Fire Department;
- \$350,000 for a grant to the Colchester and South Burlington Police Departments to fund computer upgrades;
- \$250,000 for a grant to the New Bedford Police Department for communication upgrades to improve the efficiency and effectiveness of local police efforts;

• \$750,000 for a grant to the Vermont Department of Public Safety for mobile communications technology upgrades to respond to and prevent acts of terrorism;

- \$2,200,000 for a grant to the Omaha Police Department and the Douglas County Sheriff's Office to fund technology for improved communications capabilities;
- \$1,500,000 for a grant to Clark County, Nevada to upgrade and replace the 911 and Emergency Response System in Clark County;
- \$500,000 for a grant to the Overland Park Police Department in Kansas for technology enhancements;
- \$139,000 for a grant to the Beaver and Butler County Regional Police Network for communications technology enhancements;
- \$750,000 for a grant to Pennsylvania's Allegheny County Regional Police Network for communications technology enhancements;
- \$125,000 for a grant for the Green Bay Police GangNet Program;
- \$320,000 for a grant to the Nashua Police Department for technology and equipment for training exercises;
- \$550,000 for a grant to Henderson City—County Police Departments for Mobile Data Terminals;
- \$1,000,000 for a grant to the Maine State Police Communications Systems for technology enhancements to improve its communications infrastructure;
- \$1,000,000 for a grant to the Wasilla Regional Dispatch Center in Alaska for technology and communications upgrades;
- \$2,000,000 for a grant to the Alaska Department of Public Safety for technology and communications upgrades;
- \$37,000 for a grant to the Napoleon, Ohio Police Department for technology upgrades;
- \$4,000,000 for the Consolidated Advanced Technologies for Law Enforcement to improve communications between police cruisers;
- \$4,500,000 for the South Carolina Coastal Plain Police Initiative;
- \$500,000 for a grant to the Boston School Safety Initiative to purchase equipment and technology to reduce school violence;
- \$750,000 for a grant to the Fresno Police Department for technology upgrades;
- \$130,000 for Red River, New Mexico to improve 911 capabilities;
- \$400,000 for a grant to fund the St. Louis Regional Justice Information Service;
- \$1,000,000 for the New Jersey State Police Law Enforcement Training Center;
- \$1,000,000 for the Arkansas State Police for in-car cameras;
- \$1,000,000 for Jefferson County, KY, mobile data terminals;
- \$250,000 for the South Carolina U.S. Attorney's Office in Charleston for technology enhancements related to a gunfire detection system;
- \$185,000 for the Cumberland Plateau Area Drug Task Force for a law enforcement information sharing initiative;
- \$800,000 for the National Sheriff's Association for multi-state ISS; and
- \$500,000 for Berlin, New Hampshire for technology upgrades.

Crime Identification Technology Act.—The conference agreement includes \$87,287,000 to be used and distributed pursuant to the Crime Identification Technology Act of 1998, Public Law 105-251.

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

- \$4,000,000 for the Cyber Science Laboratory, for the acquisition and development of new and advanced investigative, analysis, and forensic tools for Federal, State and

local law enforcement to help the justice community make better use of technologies;

- \$1,000,000 for the Washington Association of Sheriffs and Police Chiefs (WASPC), for the statewide jail booking, reporting, and victim notification system;
- \$3,500,000 for WEBCHECK, the Ohio background check system, for its integration into the FBI fingerprint system;
- \$6,500,000 for the Virginia Department of Criminal Justice Services, for the Integrated Criminal Justice Information System;
- \$1,700,000 for Buncombe County, NC, for conversion of the City-County Bureau of Identification criminal arrest records into an accessible electronic format;
- \$5,000,000 for the Squad Car Unit Identification (SQUID) program, for remote fingerprint identification programs in Ontario and Rialto, CA; Redlands, CA; and Minneapolis, MN;
- \$1,000,000 for the Las Vegas, NV Metropolitan Police Department, for the Metro Automated Identification Network (MAIN) System;
- \$3,052,000 for the Great Cities Universities Coalition, for criminal justice data gathering and analysis;
- \$500,000 for the San Diego, CA Police Department, for the Criminal Records Management System (CRMS);
- \$2,000,000 for the Wayne Area Justice Information System (WAJIS), MI;
- \$1,679,000 for Hennepin County, MN, for an integrated criminal database system;
- \$3,000,000 for the Mecklenburg County, NC, Criminal Justice Information System (CJIS);
- \$250,000 for the Miami-Dade County Juvenile Assessment Center Demonstration Project;
- \$500,000 for the Mecklenburg, NC Sheriff's Office, for a sex offender registration unit;
- \$500,000 for King County, WA for DNA testing;
- \$4,000,000 to the State Police of New Hampshire, for a VHF trunked digital radio system;
- \$2,500,000 for the Juvenile Justice Information System in Missouri;
- \$1,057,000 for the University of Southern Mississippi to fund crime identification technology training;
- \$762,000 for a grant to the State of Alaska to complete the final phase of the criminal justice management information system replacement;
- \$600,000 for a grant to the State of Alaska for the training of Village Public Safety Officers and small village police officers, and acquisition of emergency response equipment for rural communities;
- \$2,000,000 for a grant to the Alaska Department of Public Safety for the public safety information network to integrate Federal, State, and local criminal records along with social service and other records. The Committee expects the system design to include the capability to provide background checks on potential child care workers for child care providers and families with the permission of the job applicant. The State should consult with the National Instant Background Check System for technical expertise;
- \$900,000 for Critical Incident Response Technologies in South Carolina;
- \$3,200,000 to fund the Criminal Justice Communications Upgrade in South Carolina;
- \$200,000 for a grant to the Xenia Police Department to investigate child sexual exploitation on the Internet;
- \$200,000 for a grant to Indiana University/Purdue University at Indianapolis to expand the use and deployment of imaging systems to State and local law enforcement agencies;

- \$300,000 for a grant to the Fifth Judicial Circuit of South Dakota to establish a coordinated juvenile arrest tracking system;
- \$6,500,000 for a grant to the State of South Dakota for the development of a statewide communications system;
- \$3,000,000 for the South Carolina State Law Enforcement Secure Communications Upgrade;

- \$3,000,000 for a grant to Milwaukee, Wisconsin, for communications infrastructure equipment;

- \$850,000 for a grant to the South Carolina State Law Enforcement Division for a High Technology Crime Investigative Unit.

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

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

- \$8,500,000 for the National Forensic Systems Technology Center;
- \$2,000,000 for the University of Connecticut for DNA research;
- \$2,000,000 for the University of New Haven, CT, for DNA research;
- \$3,000,000 for the Iowa State University Midwest Forensics Science Center;
- \$1,000,000 for the Central Gulf Coast Regional Computer Forensics Laboratory;
- \$1,000,000 for the Mississippi Crime Lab to upgrade the lab's capability to analyze DNA in a forensic laboratory;
- \$750,000 to the Northeastern Illinois Public Safety Training Academy for crime lab enhancements;
- \$1,000,000 for the National Forensic Science Institute;
- \$1,000,000 for upgrades to the Iowa Forensic Laboratory;
- \$500,000 for the National Academy for Forensic Computing in Central Piedmont, North Carolina;
- \$60,000 to address the DNA backlog in the Arkansas Crime Laboratory;
- \$1,000,000 for a grant to the Alabama Department of Forensic Sciences;
- \$250,000 for a grant to Virginia's Electronic Fingerprint Archive System;
- \$4,000,000 to the West Virginia University Forensic Identification Program;
- \$1,750,000 for the South Carolina Law Enforcement Division's Laboratory Improvement Program;
- \$777,000 for the South Carolina Law Enforcement Division's Computer Evidence Recovery Facility (CERF); and
- \$800,000 for the Ohio Computer Forensic Lab.

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

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

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

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

Safe Schools Initiative.—The conference agreement includes \$23,338,000 for programs aimed at preventing violence in public schools, and to support the assignment of officers to work in collaboration with schools and community-based organizations to address crime and disorder problems, gangs, and drug activities.

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

- \$1,000,000 for Miami-Dade County, FL Public Schools, for technology equipment for school policing activities;
- \$495,000 for the Home Run Program;
- \$1,000,000 for the University of Montana, Pathways to Discovery Project, a community based after-school program for at-risk youth;
- \$500,000 for the Family, Career and Community Leaders of America (FCCCLA) "Stop the Violence" program;
- \$750,000 for the New Mexico State University for the After School Services Pilot Program for at-risk youth;
- \$500,000 for the Loudoun County, VA School Probation Program;
- \$350,000 for the Jacksonville, FL collaborative partnership for the Truancy Interdiction Program;
- \$600,000 for the South Carolina Law Enforcement Truancy Initiative;
- \$500,000 for Para Los Ninos collaborative program with the LA County Probation Department;
- \$5,000,000 for the Secure Our Schools Act;
- \$75,000 for DuPage County, IL Safe School Initiative;
- \$150,000 for the Port Chester, NY Public Schools at-risk youth program;
- \$205,000 for King County, WA, for the School Resource Officers Program;
- \$1,701,000 for North Eastern Massachusetts Law Enforcement Council for the School Threat Assessment and Response System (STARS);
- \$3,000,000 for training by the National Center for Missing and Exploited Children for law enforcement officers selected to be part of the Safe Schools Initiative;
- \$500,000 for the New Mexico School Security Technology and Resource Center;
- \$300,000 for the Secure School Program in New Mexico;
- \$250,000 to fund Project Success in Danville, Illinois;
- \$100,000 for the Watch D.O.G.S. Across America in Springdale, Arkansas to enhance school safety;
- \$1,000,000 for the School Violence Resource Center in Little Rock, Arkansas;
- \$500,000 for the Alaska Community in Schools Mentoring program;
- \$2,750,000 for the Partnership for High Risk Youth to improve opportunities for disadvantaged communities and to study social policies and public programs;
- \$100,000 for the Na Keika Law Center in Hawaii;
- \$762,000 for the Northeastern South Dakota Children and Family Initiative in Aberdeen, South Dakota;
- \$1,000,000 for South Dakota Internet Child Safety Project; and

- \$250,000 for the Boy Scouts Learning for Life Program.

JUVENILE JUSTICE PROGRAMS

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

JUVENILE JUSTICE PROGRAMS

(In thousands of dollars)

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

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

- \$750,000 for the University of South Alabama for youth violence prevention research;
- \$500,000 for the ARISE Foundation for at-risk youth;
- \$1,000,000 for the Youth Crime Watch of America;
- \$1,250,000 for the Teens, Crime and Community program;
- \$3,000,000 for the National Council of Juvenile and Family Courts, which provides continuing legal education in family and juvenile law;
- \$300,000 for Prevent Child Abuse America for the programs of the National Family Support Roundtable;
- \$300,000 for the Detroit, MI Rescue Mission Ministries to support the at risk youth program;
- \$1,900,000 for law related education for continued support;
- \$500,000 for Wichita State University for a juvenile justice program;
- \$3,425,000 for the Hamilton Fish National Institute on School and Community Violence;
- \$250,000 for the Westside Gang Prevention Demonstration Program in Syracuse, NY;
- \$1,000,000 for anti-gambling public service media campaign grants to be provided to in-school educational networks;
- \$200,000 for Pinellas County, FL, for the ABOUT FACE program;
- \$300,000 for the Oregon Museum of Science and Industry for the Science for At-Risk youth program;
- \$350,000 for Greater Philadelphia, PA, and Camden, NJ, for The Rock School at-risk youth program;
- \$300,000 for the Roxbury Family, MA, YMCA for enhanced at-risk youth programs;
- \$500,000 for the West End House in Allston-Brighton, MA;
- \$400,000 for Bronx, NY Neighborhood Enhancement Training and Services (NETS), Inc. for the center for at-risk youth;
- \$2,000,000 for the Wayne County, MI Juvenile Justice Program for prevention activities and services;

- \$700,000 for the Clackamas County, OR, for juvenile detention programs;
- \$750,000 for the Good Knight Child Empowerment Network's Million Knight Campaign for youth violence prevention;
- \$1,300,000 for the Suffolk University Law School Juvenile Justice Center;
- \$100,000 for the Wausau, WI alternative juvenile offender program;
- \$250,000 for Project Juvenile Assistance Diversion Effort (JADE) in Los Angeles for a juvenile delinquency prevention program;
- \$2,000,000 for the L.A.'s BEST youth program;
- \$90,000 for the Glendale, CA, YMCA for "Your House" shelter and case management program for at-risk youth;
- \$1,000,000 for the West Farms Center to assist at-risk youth;
- \$1,000,000 for the Greater Heights Program, to provide mentoring to high-risk youth;
- \$750,000 for the Bronx Youth Conservation Corps "Save a Generation" work and study program;
- \$275,000 for the Sports Foundation, Inc. (SFI), for a focused mentoring program;
- \$300,000 for the "No Workshops... No Jump Shots" project to provide case management, counseling and mandatory workshops for at-risk youth in three cities;
- \$250,000 for a three year grant for Operation Blue Ridge Thunder for their continued work in educating their community to recognize and deter child pornography and in their investigation and resolution of local pornography cases. Funding is contingent upon Operation Blue Ridge Thunder maintaining and promoting the national investigative standards established by the Task Force Board of Directors and OJP, that have served to underwrite the success of these efforts;
- \$3,000,000 for Parents Anonymous;
- \$2,000,000 for Fuller Theological Seminary, for a youth violence and gambling study;
- \$150,000 for the Rapid Response Program in Washington and Hancock Counties, ME;
- \$1,500,000 for Girls and Boys Town, USA;
- \$450,000 for Shelby County, AL Juvenile Justice;
- \$300,000 for Prince William County, VA Juvenile Justice Systems;
- \$412,000 for Utah State University, Youth and Families Promise Program;
- \$2,000,000 for the Strengthening Abuse and Neglect Courts Act;
- \$1,000,000 for a youth violence prevention initiative of the Houston Independent School District;
- \$125,000 for programs for at-risk youth at the Tilles Center, Long Island University;
- \$300,000 for a youth crime prevention initiative at the Institute for International Sport;
- \$250,000 for the Jefferson County Youth Service System;
- \$725,000 for a grant to Iowa Big Brothers and Big Sisters Rural Youth Mentoring Program;
- \$400,000 for the New Mexico Police Athletic League;
- \$250,000 to fund the Youth Development Program in Chicago;
- \$800,000 to the Las Vegas Family Development Foundation;
- \$1,500,000 to fund the University of New Hampshire's Crimes Against Children Research Center;
- \$390,000 for the Juvenile Fire Setters Program;
- \$300,000 for the Chicota Youth Camp in Louisiana;
- \$250,000 for a grant to the At-Risk Early Intention Program in the 16th Judicial District, Louisiana;

- \$750,000 for Utah State University Youth and Families With Promise Program;
- \$200,000 for a teen program in Kuhio Park, Hawaii;
- \$130,000 for a grant to the South Dakota Unified Judicial System to better serve Children in Need of Supervision [CHINS];
- \$150,000 for a grant to the Vermont Coalition of Teen Centers;
- \$500,000 for a grant to Western Kentucky University to develop a Juvenile Delinquency Prevention Project aimed at students who have been removed from school;
- \$500,000 for a grant to establish and enhance after-school programs in Fairbanks, Alaska for at-risk youth through LOVE Social Services;
- \$1,000,000 for a grant to the State of Alaska for a child abuse investigation program;
- \$500,000 for a grant to the Center for Safe Urban Communities at the University of Louisville for studies on ways to prevent youth violence;
- \$1,097,000 for a grant to the City of Baltimore, Maryland to assist in operating and expanding the Police Athletic Leagues Program;
- \$500,000 for a grant to the Johnson County Family Resource Center in Kansas;
- \$500,000 for a grant to Elwin Project in Pennsylvania to reduce placement in institutions and recidivism of mentally ill youth;
- \$400,000 for a grant to the Martin Luther King, Jr. Center for Non-Violence to work with at-risk youth;
- \$250,000 for a grant to Macon, Georgia for an At-Risk Youth Program to help solve the underlying problems of at-risk youth and first time offenders;
- \$800,000 for a grant to Bergen County, New Jersey, to expand its Police Athletic League after-school programs;
- \$100,000 for a grant to fund Deschutes County, Oregon's Juvenile Justice Partnership Program;
- \$1,000,000 for a grant to fund South Dakota's Rural At-Risk Youth Outreach program;
- \$2,000,000 to expand and replicate the Beyond Bars program;
- \$300,000 for the Low Country Children's Center in South Carolina;
- \$1,650,000 to expand the Milwaukee Safe and Sound Program to other Milwaukee neighborhoods and other communities in Wisconsin;
- \$540,000 for a grant for the Milwaukee Summer Stars Program;
- \$75,000 for a grant to fund the Adolescent Behavior Control Program in Rhode Island;
- \$204,000 for a grant to the Children's Advocacy Center at the Crow Creek Sioux Indian Reservation in Fort Thompson, South Dakota for the Children's Safe Place program;
- \$300,000 for the From Darkness to Light Program in South Carolina;
- \$1,000,000 for the Mental Health Screening and Treatment Facility;
- \$400,000 for the Center for Corrections Education at Indiana University of Pennsylvania;
- \$100,000 for Aid of Children of relocated witnesses in Pennsylvania;
- \$175,000 for the Hazard, KY Buckhorn Wilderness Program;
- \$150,000 for a grant to fund Project Safe in Crow Creek, South Dakota; and
- A grant, if warranted, to the Alaska Mentoring Demonstration Project for a statewide at-risk youth mentoring program involving schools and non-profit entities, including Boys and Girls Clubs and Big Brothers-Big Sisters.

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

\$5,000,000 for the Big Brothers/Big Sisters of America program.

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

Safe Schools Initiative.—The conference agreement includes \$14,513,000 within Title V grants for the Safe Schools initiative. Within this amount \$5,033,000 is provided for Project Sentry. This program will create a new Federal and State partnership establishing safe schools task forces across the country that will prosecute and supervise juveniles who violate Federal and State firearms laws and adults who illegally furnish firearms to them. An additional \$14,967,000 is provided for this initiative through the COPS program, for a total funding level of \$20,000,000.

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

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

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

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

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

PUBLIC SAFETY OFFICERS BENEFITS

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

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The conference agreement includes the following general provisions for the Department of Justice:

Section 101. The conference agreement includes section 101, as proposed by the House and the Senate, regarding reception and representation expenses.

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

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

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

Sec. 105. The conference agreement includes section 105, as proposed by the House, which states that nothing in the previous section removes the obligation of the Director of the Bureau of Prisons to provide escort services to female inmates who seek to obtain abortions outside a Federal facility. The Senate did not include a similar provision.

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

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

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

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

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

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

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

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

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

Sec. 115. The conference agreement includes section 115, which amends the Immi-

gration and Nationality Act of 1952, to make mandatory the provision of passenger manifests to the Attorney General from commercial aircraft and vessels entering and departing the United States.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

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

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

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

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

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

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

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

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

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

Import Administration.—The conference agreement includes \$43,346,000 for the Import

Administration, as proposed in the House bill, instead of \$42,859,000 as proposed in the Senate bill.

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

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

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

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

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

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

Of the amounts provided, \$250,000,000 is for Public Works and Economic Development, \$40,900,000 is for Economic Adjustment Assistance, \$24,000,000 is for Planning, \$9,100,000 is for Technical Assistance, including University Centers, \$10,500,000 is for Trade Adjustment Assistance, and \$500,000 is for Research. EDA is expected to allocate the funding as directed in the House report. The authorized, traditional programs provide support for all communities facing economic hardship. Within the funding for Economic Adjustment Assistance, EDA is expected to continue funding for assistance to the timber and coal industries, as in the current year. In addition, EDA is expected to provide resources for communities affected by economic downturns due to United States-Canadian trade-related issues, New England fisheries impacted by regulations, and communities impacted by NAFTA, as directed in the Senate report.

The conference agreement makes funding under this account available until expended, as proposed in the both the House bill and the Senate bill.

SALARIES AND EXPENSES

The conference agreement includes \$30,557,000 for salaries and expenses of the EDA, the same amount as proposed in both the House and Senate bills. This funding will allow EDA to continue its current level of administrative and oversight operations. The EDA is directed to aggressively pursue all opportunities for reimbursement, deobligations, and use of non-appropriated resources to achieve efficient and effective control of EDA programs.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The conference agreement includes \$28,381,000 for the programs of the Minority

Business Development Agency (MBDA), as proposed in both the House and Senate bills. House report language regarding the Entrepreneurial Technology Apprenticeship Program is adopted by reference.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS SALARIES AND EXPENSES

The conference agreement includes \$62,515,000 for salaries and expenses of the activities funded under the Economic and Statistical Analysis account, as proposed in both the House and Senate bills. Funding is included to continue updating and improving statistical measurements of the U.S. economy, international transactions, and the effects of e-business.

BUREAU OF THE CENSUS SALARIES AND EXPENSES

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

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

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

PERIODIC CENSUSES AND PROGRAMS

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

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

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

The conference agreement continues direction from prior years for the Bureau to continue to provide monthly reports on the obligation of funds against each framework. Reallocation of resources among the frame-

works listed above is subject to the requirements of section 605 of this Act, as is allocation of any additional unobligated balances not allocated in this conference agreement. Should the operational needs of the decennial census necessitate the transfer of funds between these frameworks, the Bureau may transfer such funds as necessary subject to the standard transfer and reprogramming procedures set forth in section 605 of this Act.

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

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

Total, 2010 Decennial Census 65,000,000

The conference agreement includes frameworks for funding for the 2010 decennial census, as included in the House bill. The Bureau is directed to provide quarterly reports on the obligation of funds against each framework. Reallocation of resources among the frameworks listed above is subject to the requirements of section 605 of this Act, as is the allocation of any additional unobligated balances not allocated in this conference agreement.

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

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

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION SALARIES AND EXPENSES

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

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

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

INFORMATION INFRASTRUCTURE GRANTS

The conference agreement includes \$15,503,000 for NTIA's Information Infrastruc-

ture Grant program as proposed in both the House and Senate bills. Senate report language regarding the overlap of funding under this heading with funding for the Department of Justice, Office of Justice Programs, with respect to law enforcement communication and information networks is adopted by reference. House report language regarding telecommunications research is adopted by reference.

UNITED STATES PATENT AND TRADEMARK OFFICE SALARIES AND EXPENSES

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

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

SCIENCE AND TECHNOLOGY TECHNOLOGY ADMINISTRATION SALARIES AND EXPENSES

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

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The conference agreement includes \$321,111,000 for the internal (core) research account of the National Institute of Standards and Technology (NIST), instead of \$348,589,000 as proposed in the House bill and \$343,296,000 as proposed in the Senate bill. The conference agreement does not include a redirection of \$20,617,000 from the Industrial Technology Services account to the Scientific and Technical Research and Services account as proposed in the budget. The conference agreement provides funds for the core research programs of NIST as follows:

Electronics and Electrical Engineering	\$41,286,000
Manufacturing Engineering	20,428,000
Chemical Science and Technology	35,712,000
Physics	33,054,000
Material Sciences and Engineering	56,532,000
Building and Fire Research	19,982,000

Computer Science and Applied Mathematics	49,478,000
Technology Assistance	17,679,000
Baldrige Quality Awards ...	5,205,000
Research Support	41,755,000
Total	321,111,000

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

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

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

INDUSTRIAL TECHNOLOGY SERVICES

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

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

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

The conference agreement includes bill language, modified from the Senate language, designating \$60,700,000 for new ATP awards.

CONSTRUCTION OF RESEARCH FACILITIES

The conference agreement provides \$62,393,000 for construction, renovation and maintenance of NIST facilities, instead of \$20,893,000 as proposed in the House bill and \$43,893,000 as proposed in the Senate bill.

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

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

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

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

against the revised budget format is adopted by reference.

OPERATIONS, RESEARCH, AND FACILITIES (INCLUDING TRANSFERS OF FUNDS)

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

In addition to the new budget authority provided, the conference agreement allows a transfer of \$68,000,000 from balances in the account entitled "Promote and Develop Fishery Products and Research Related to American Fisheries", as proposed in both the House and Senate bills. In addition, the conference agreement assumes prior year deobligations totaling \$17,000,000, and a transfer of \$3,000,000 from the Coastal Zone Management Fund to the ORF account.

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

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

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

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

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

<i>National Ocean Service</i> [Fiscal Year 2002 Conference]	
Navigation Services:	
Mapping & Charting:	
Base	37,183
Electronic Navigational Charts	3,350
Electronic Navigational Charts—AK	900
Shoreline Mapping	2,000
Coastal Storms	1,000
Joint Hydrographic Center	2,580
Joint Hydrographic Center—Bathymetric study	750

Address Survey Backlog/Contracts	22,450
Increase for Gulf of Mexico and Lake Ponchartrain	4,535
Subtotal, Mapping & Charting	74,748
Geodesy:	
Base	20,612
National Spatial Reference System	250
Height Modernization Study—NGS Implementation	250
Height Modernization Study—NC	1,000
Height Modernization Study—CA Spatial Reference	1,000
Geodetic Survey—LA	1,000
Geodetic Survey—WI	500
Geodetic Survey—SC	500
Subtotal, Geodesy	25,112
Tide and Current Data:	
Base	13,250
PORTS	4,000
Great Lakes NWLON	2,045
Coastal Storms	1,000
Subtotal, Tide & Current Data	20,295
Total, Navigation Services	120,155
Ocean Resources Conservation & Management:	
Estuarine and Coastal Assessment—Ocean Assessment Program:	
Base	13,721
Coastal Observation Technology System	500
Alliance Technologies	2,000
Center for Integrated Marine Technologies	2,000
Wave Current Information System	1,000
Sea Grant Program—NH	2,000
Coastal Storms	750
Beaufort/Oxford	3,917
Pfiesteria and HAB Rapid Response	3,925
South Florida Ecosystem	900
Coastal Services Center	18,000
Pacific Coastal Services Center	1,750
Coastal Change Analysis	2,000
Coral Reef Program	14,000
Harmful Algal Blooms	5,000
Harmful Algal Blooms Research	600
CICEET—NH	6,550
National Coral Reef Institute—Hawaii	1,000
National Coral Reef Institute—Florida	500
National Coral Reef Institute—Puerto Rico DNER	500
National Fish and Wildlife Foundation	1,500
JASON Foundation	2,500
Narragansett Explore the Bay Program	2,000
National Ocean Science Education Program	1,500
May River Ecosystem	100
New Bedford Oceanarium Research Program	3,000
Lake Pontchartrain—LA	1,350
CREST	450
CI-CORE	1,750
Subtotal, Ocean Assessment Program	94,763
Response and Restoration:	
Base	2,078

Estuarine and Coastal Assessment	2,670	Alaska Groundfish Monitoring—Base	2,087	Great South Bay Hard Clams	250
Estuary Restoration Program	1,200	Alaska Groundfish Monitoring—Bering Sea Fishermen	150	GULFFIN Data Collection Effort	3,500
Damage Assessment Program	5,200	Alaska—Bering Sea Pollock Research	945	Gulf of Maine Groundfish Survey	567
Oil Pollution Act of 1990	1,000	Alaska Groundfish Monitoring—Crab Research	850	Gulf of Mexico Consortium	2,750
Coastal Protection and Restoration	1,000	Alaska Groundfish Monitoring—Gulf of Alaska Coastal Communities	175	Gulf and South Atlantic Fisheries	400
Spill Response and Restoration Program	2,000	Alaska Groundfish Monitoring—NMFS Field Fishery Monitoring	300	Hawaii Stock Management Plan—Oceanic Institute	500
Aquatic Resources Environmental Initiative	8,500	Alaska Groundfish Monitoring—NMFS Rockfish Research	350	Hawaii Fisheries Development Program—Oceanic Institute	750
Oil Skimmer—NH	225	Alaska Groundfish Monitoring—Rockfish Research/ Crab	238	Highly Migratory Shark Fishery Research Program	1,500
Regional Restoration program—LA	1,000	Alaska Groundfish Monitoring—State of AK Crab, Scallop License Limitation	1,000	Highly Migratory Species Research—Pacific	750
Coastal Remediation Technology	750	Alaska Groundfish Monitoring—Winter Pollock Survey	1,000	Information Analysis & Dissemination	21,890
Lafourche Parish, LA	2,000	Alaska Groundfish Surveys—Base	661	Joint Institute for Marine and Atmospheric Research (JIMAR)	2,475
Palmyra Atoll Bioremediation	750	Alaska Groundfish Surveys—Calibration Studies	240	Lobster Sampling	150
Subtotal, Response and Restoration	28,373	Alaska—Chinook Salmon Research at Auke Bay	300	MARFIN—Base	2,500
Ocean and Coastal Research:		Alaska—Impact on Ocean Climate Shifts-Steller Sea Lion	6,000	MARFIN—NE Activities	250
Base	6,000	Alaska Magnuson-Stevens Act Implementation	4,350	MARFIN—Red Snapper	750
Fish Forensics/Enforcement ..	1,300	Alaska—Predator/Prey Relationships—Stellar Sea Lion	2,000	MarMap	850
MEHRL	1,500	Alaska—Steller Sea Lion/Pollock Research—N. Pacific Council	2,000	NE Cooperative Research	3,750
Murrell's Inlet special area ..	300	American Fisheries Act—Base	3,525	NEC Cooperative Marine Education and Research	200
Pfiesteria/Toxins Research	1,000	Atlantic Herring and Mackerel	200	Northeast Consortium Cooperative Research	5,000
Subtotal, Ocean and Coastal Research	10,100	Bluefin Tuna Tagging—New England Aquarium	850	New England Stock Depletion	1,000
Subtotal, Estuarine and Coastal Assessment	133,236	Bluefish/Striped Bass—Base ..	700	NMFS Facilities Maintenance	4,000
Coastal Ocean Program:		Bluefish/Striped Bass—Rutgers	827	Observers—Fishery Observers—National Standards	750
Base	12,890	Charleston Bump Billfish Tagging	150	Observers/Training—Atlantic Coast Observers	3,350
ECOHAB	4,200	Computer Hardware and Software	3,492	Observers/Training—East Coast Observers	350
Hypoxia	1,085	Cooperative Research—National Cooperative Research	2,750	Observers/Training—Hawaii Longline Observer Program	3,000
South Florida Ecosystems	1,200	Cooperative Research—SE Cooperative Research	3,000	Observers/Training—North Pacific Marine Resources Observers	1,875
Long-Term Estuary Assessment Consortium	1,200	Driftnet Act Implementation—Base	1,800	Observers/Training—North Pacific Observer Program ...	650
Mississippi River/Gulf of Mexico Nutrient Watershed	1,000	Driftnet Act Implementation—Pacific Rim Fisheries	150	Observers/Training—West Coast Observers	4,075
Subtotal, Coastal Ocean Program	21,575	Driftnet Act Implementation—Science Observer Russian EEZ	250	PACFIN Catch Effort Data	3,000
Total, Ocean Resources Conservation & Assessment	154,811	Driftnet Act Implementation—State Participation AK/WA	200	Recreational Fishery Harvest Monitoring (RECFIN)	3,450
Ocean and Coastal Management:		Expand Stock Assessments—Improve Data Collection	2,000	Recreational Fishery Harvest Monitoring (RECFIN)—SC ..	250
Coastal Management:		Fish Statistics—Atlantic Coastal Cooperative Statistics Program	2,000	Red Snapper Monitoring and Research	5,000
CZM grants	68,963	Fish Statistics—Base	13,900	Reduce Fishing Impacts on Essential Fish Habitat	500
Program Administration	6,382	Fish Statistics—National Economics and Social Sciences Research	2,500	SEAMAP	1,400
National Estuarine Research Reserve System	16,400	Fish Statistics—National Fisheries Information System	2,575	Shrimp Pathogens	299
Nonpoint Pollution Implementation Grants	10,000	Fish Statistics—National Standard 8	1,000	South Carolina Taxonomic Center	350
Marine Protected Areas	3,000	Fisheries Development Program—Product Quality and Safety/Seafood Inspection ..	8,685	West Coast Groundfish	5,220
Subtotal, Coastal Management	104,745	Fisheries Oceanography	1,000	Subtotal, Science and Technology	230,491
Marine Sanctuary Program:				Conservation and Management:	
Base	33,500			Base	7,775
Northwest Straits Citizens Advisory Commission	700			Alaska Near Shore Fisheries	998
Subtotal, Marine Sanctuary Program	34,200			Alaska—Bering Sea Crab	1,000
Total, Ocean and Coastal Management	138,945			Alaska—Yukon River Chinook Salmon—Base	1,000
Total, National Ocean Service	413,911			Alaska—Yukon River Drainage Fisheries Association ...	499
National Marine Fisheries Service				Alaska—Magnuson Stevens Implementation	2,050
Fisheries Research and Management Services:				American Fisheries Act—Base	2,174
Science and Technology:				American Fisheries Act—N. Pacific Council	499
Base	65,040			American Fisheries Act—State of Alaska	499
AKFIN	3,200				
Alaska Fisheries Development Foundation	750				

Anadromous grants	2,100	Endangered Species Act—	Chesapeake Bay Multi-Spe-	
Anadromous Fish Commis-		Steller Sea Lions	cies Management	500
sion—North Pacific/Alaska	750	Habitat Conservation	Chesapeake Bay Oyster Re-	
Cooper River Corridor Man-		Hawaiian Monk Seals	search	2,000
agement—SC	150	Hawaiian Sea Turtles	Chesapeake Bay Studies	2,750
Columbia River—Hatcheries		Hawaiian Sea Turtle Re-	Chesapeake Bay Environ-	
Operations	11,457	search-Data Collection	mental Education Program	1,200
Columbia River Hatcheries—		Marine Mammal Protection ..	Coral Reefs	11,000
Monitoring, Evaluation and		Marine Mammal Protection—	Habitat Conservation	2,860
Reform	1,700	AK Harbor Seal Research ..	Magnuson-Stevens Implemen-	
Fisheries Management Pro-		Base	tation	850
grams	31,255	Marine Mammal Strandings ..	Mobile Bay Oyster Recovery	1,000
Halibut/Sablefish	1,200	Marine Mammal Protection—	Wetland Herbivory Control ...	1,000
HI Community Development	500	Erysipelas Research		
Interjurisdictional Fisheries		Protected Species Manage-	Subtotal, Sustainable Habi-	
Grants	2,590	ment—Base	tat Management	26,460
International Fisheries Com-		Protected Species Manage-		
missions	400	ment—Bottlenose Dolphin	Fisheries Habitat Restoration:	12,400
Interstate Fish Commis-		Research	Connecticut River Partner-	
sions—3 Commissions	750	Rancho Nuevo Sea Turtles	ship	300
Interstate Fish Commis-			Fisheries Habitat Restora-	
sions—Atlantic Cooperative		Subtotal, Science and Tech-	tion—Bronx River Restora-	1,500
Management	7,250	nology	Fisheries Habitat Restora-	
Management of George's			tion—Pinellas County Envi-	1,500
Bank	478	Conservation and Management	ronmental Foundation	1,500
National Environmental Pol-		Services:	Fisheries Habitat	
icy Act	5,000	Base	Resotration—LA DNR	1,385
National Environmental Pol-		Alaska—Chinook Salmon	Marsh Restoration—NH	1,000
icy Act—Hawaiian Sea Tur-		Management	Subtotal, Fisheries Habitat	
tles	3,000	Alaska—Cook Inlet Beluga	Restoration	18,085
Oregon Groundfish Outreach		Alaska Steller Sea Lion Re-		
Program	1,000	covery—State Work	Subtotal, Habitat Conserva-	
Oregon Groundfish Disaster		Atlantic Salmon Recovery	tion	44,545
Assistance	1,500	Plan		
Oregon Groundfish Coopera-		Endangered Species Act—At-	Enforcement and Surveillance:	
tive Research	2,000	lantic Salmon	Enforcement	
Pacific Salmon Treaty—Base		Endangered Species Act—Pa-	Driftnet Act Implementation/	
Pacific Salmon Treaty—Chi-	5,612	cific Salmon Recovery	Base	1,375
nook Salmon Agreement	1,844	Endangered Species Act—	Enforcement and Surveil-	
Refine Essential Fish Habitat		Right Whale Activities	lance—Base	20,420
Designations	1,000	Endangered Species Act—	Enforcement and Surveil-	
Regional Councils	14,150	Right Whale Cooperative	lance—Cooperative Agree-	
Subtotal, Conservation and		State Plans	ments with States	2,500
Management	112,180	Marine Mammal Strandings—	Enforcement and Surveil-	
		Charleston Health and Risk	lance—Vessel Monitoring	
Total, Fisheries Research		Assessment	System	2,000
and Management Services ..	342,671	Native Marine Mammals—AK		
		Eskimo Whaling Commis-	Subtotal, Enforcement	26,295
Protected Resources Research		sion		
and Management Services:		Native Marine Mammals—	Cooperative Enforcement Pro-	
Science and Technology:		Aleut Pacific Marine Re-	grams:	
Base	12,037	sources Observers	Enforcement and Surveil-	
Alaska Steller Sea Lion Re-		Native Marine Mammals—	lance—Cooperative Agree-	
covery Plan—AK Sea Life		Beluga Whale Committee ...	ments with States	14,775
Center	5,000	Native Marine Mammals—	NH Fish & Game Enforcement	
Alaska Steller Sea Lion Re-		Bristol Bay Native Associa-	Vessel	250
covery Plan—Base	16,800	tion	Subtotal, Cooperative En-	
Alaska Steller Sea Lion Re-		Native Marine Mammals—	forcement Programs	15,025
covery Plan—N. Pacific		Alaska Native Harbor Seal		
University MMC	3,500	Commission	Subtotal, Enforcement and	
Alaska Steller Sea Lion Re-		Protected Species Manage-	Surveillance	41,320
covery Plan—University of		ment—Base		
AK Gulf Apex Predator	1,000	Protected Species Manage-	Total, National Marine	
Alaska Steller Sea Lion Re-		ment—California Sea Lions	Fisheries Service	579,196
covery Plan—Alaska Fish-		Protected Species Manage-	<i>Oceanic & Atomspheric Research</i>	
eries Foundation	500	ment—NFWF Species Man-	Climate Research:	
Antarctic Research	1,550	agement	Laboratories & Joint Insti-	
Atlantic Salmon Research	710	Protected Species Manage-	tutes:	
Columbia River—Endangered		ment—State of Maine	Aeronomy Laboratory (Colo-	
Species Studies	299	Salmon Recovery	rado)	8,111
Dolphin Encirclement	3,300	Southeastern Sea Turtles	Atlantic Oceanographic and	
Dolphin/Yellowfin Tuna Re-		State of Maine Recovery Plan	Meterological Laboratory	
search	250	Subtotal, Conservation and	(Florida)	5,691
Endangered Species Act—At-		Management Services	Air Resources Laboratory	
lantic Salmon	1,717		(CO, ID, NC, NV, TN)	3,447
Endangered Species Act—Ma-		Subtotal, Protected Re-	Climate Diagnostic Center	
rine Mammals	3,500	sources Research and man-	(Colorado)	2,555
Endangered Species Act—		agement Services	Climate Monitoring and Diag-	
Other Species	2,700		nostic Laboratory (Colo-	
Endangered Species Act—		Habitat Conservation:	rado)	5,952
Right Whale Activities	2,250	Sustainable Habitat Manage-		
Endangered Species Act—		ment:		
Right Whale Activities NE		Base		
Consortium	1,000	Blue Crab Advanced Research		
Endangered Species Act—Pa-		Consortium		
cific Salmon Recovery	17,450	Charleston Bump		
Endangered Species Act—Sea				
Turtles	4,500			

Environmental Technology Laboratory (Colorado)	243	Hawaii—3-D Ceilometer in HI Space-Based Wind Profile Lidar Technology	1,000	Aquaculture Education Program—Cedar Point, MS	1,000
Forecast Systems Laboratory (Colorado)	156	Air Quality Forecasting Pilot Program	3,000	Pacific Tropical Ornamental Fish	450
Geophysical Fluid Dynamics Laboratory (New Jersey)	14,229	High Resolution Temperature Forecasting Pilot Program	3,000	Aquaculture Management Plan—RICRMC	1,500
Pacific Marine Environmental Laboratory (Washington)	8,523	Subtotal, U.S. Weather Research Program	10,250	SE Atlantic Marine Monitoring & Pred. Center (UNC)	998
Space Environmental Center (Colorado)	236	Other Partnership Programs: New England Air Quality	1,000	Tsunami Hazard Mitigation (incl. TWEAK)	3,300
Subtotal, Laboratories & Joint Institutions	49,143	Subtotal, Other Partnership Programs	1,000	Subtotal, Other Partnership Programs	25,667
Climate & Global Change Program:		STORM	349	Total, Ocean, Coastal, & Great Lakes Research	137,632
Climate and Global Change (Base)	69,625	Total, Weather & Air Quality Research	55,462	High Performance Computing & Communications (HPCC)	12,800
Variability beyond ENSO	1,000	Ocean, Coastal, and Great Lakes Research:		Total, OAR	356,062
Climate Forcing Agents	1,000	Laboratories & Joint Institutes:		National Weather Service	
Accelerating Climate Models—IRI	2,100	Atlantic Oceanographic and Meteorological Laboratory (Florida)	2,720	Local Warnings and Forecasts:	
Subtotal, Climate & Global Change Program	73,725	AOML Coral Reef Watch	499	Local Warnings and Forecasts Base	483,178
Climate Observations & Services:		Environmental Technology Laboratory (Colorado)	445	Alaska Data Buoys	1,700
Climate Reference Network ...	3,000	Great Lakes Environmental Research Laboratory (Michigan)	8,232	New England Data Buoys	750
Climate Data & Info and CLASS in PAC	1,000	Pacific Marine Environmental Laboratory (Washington)	7,389	Sustain Cooperative Observer Network	1,890
Baseline Observatories	2,500	Subtotal, Laboratories & Joint Institutes	19,285	Mt. Washington Observatory ...	500
Ocean Observations/Ocean Systems	3,500	National Sea Grant College Program:		Susquehanna River Basin Flood System	1,310
ARGO Floats	7,950	National Sea Grant College Program Base	56,410	N.C. Floodplain Mapping Pilot	4,000
Regional Assessments, Education and Outreach	1,750	Aquatic Nuisance Species/ Zebra Mussel Research	3,000	Aviation Forecasts	35,596
Climate Change Assessments	650	Gulf of Mexico Oyster Initiative	1,000	Subtotal, Local Warnings and Forecasts	528,924
Weather-Climate Connection	900	Oyster Disease Research	2,000	Advanced Hydrological Prediction Service	1,500
Carbon Cycle	2,300	Subtotal, National Sea Grant College Program	62,410	WFO Maintenance	4,390
Subtotal, Climate Observations & Services	23,500	National Undersea Research Program (NURP)		Weather Radio Transmitters:	
Other Partnership Programs:		National Undersea Research Program (NURP) Base	13,770	Weather Radio Transmitters Base	2,320
Central California Ozone Study	250	National Institute for Undersea Science and Technology	2,500	NOAA Weather Radio Transmitters—ME	300
AIRMAP	3,000	Subtotal, National Undersea Research Program	16,270	NOAA Weather Radio Transmitters—NH	230
International Pacific Research Center	500	Ocean Exploration	14,000	NOAA Weather Radio Transmitters—SD	350
Subtotal, Other Partnership Programs	3,750	Other Partnership Programs:		NOAA Weather Radio Transmitters—WY	374
Total, Climate Research	150,168	Arctic Research	1,650	NOAA Weather Radio Transmitters—Big Horn, WY	76
Weather & Air Quality Research: Laboratories & Joint Institutes:		Aquatic Ecosystems	4,300	NOAA Weather Radio Transmitters—WI	450
Aeronomy Laboratory (Colorado)	2,054	Carolina Coastal Ocean Observing and Prediction System	2,800	North Dakota Ag Weather Network	270
Atlantic Oceanographic and Meteorological Laboratory (Florida)	3,921	Gulf of Maine Council	500	Subtotal, Weather Radio Transmitters	4,370
Air Resources Laboratory (CO, ID, NC, NV, TN)	2,077	Lake Champlain Research Consortium	250	Central Forecast Guidance	41,925
Climate Monitoring and Diagnostic Laboratory (Colorado)	166	NISA/Ballast Water Demonstrations	2,250	Systems Operation & Maintenance (O&M):	
Environmental Technology Laboratory (Colorado)	6,864	NISA/Prevent & Control Invasive Species	800	NEXRAD	39,996
Forecast Systems Laboratory (Colorado)	10,646	NH Milfoil	275	WSR-88D	3,100
Geophysical Fluid Dynamics Laboratory (New Jersey)	3,077	NOAA Marine Aquaculture Program	2,594	ASOS	7,650
National Severe Storms Laboratory (Oklahoma)	7,552	Cooperative Institute for New England Mariculture & Fisheries	3,000	ASOS-AK Aviation	4,000
Pacific Marine Environmental Laboratory (Washington)	264			AWIPS	36,500
Space Environmental Center (Colorado)	7,242			Total, Systems Operation & Maintenance	91,246
Subtotal, Laboratories & Joint Institutes	43,863			Total, National Weather Service	672,355
U.S. Weather Research Program:					
U.S. Weather Research Program Base (USWRP)	2,750				

<i>National Environmental Satellite, Data and Information Service</i>	
Environmental Satellite Observing Systems:	
Satellite Command and Control	30,461
Product Processing and Distribution	21,000
Product Development, Readiness & Application:	
Product Development, Readiness & Application	19,518
Coral Reef Monitoring	750
Global Wind Demonstration ..	3,000
Subtotal, Product Development, Readiness & Application	23,268
Commercial Remote Sensing Licensing & Enforcement	450
Total, Environmental Satellite Observing Systems	75,179
NOAA's Data Centers & Information Services:	
Archive, Access & Assessment:	
Archive, Access & Assessment	26,750
Climate Database Modernization	15,850
GOES Data Archive Project ..	2,000
Subtotal, Archive, Access & Assessment	44,600
National Coastal Ocean Data Development & Management Center	4,513
Regional Climate Centers	3,000
Environmental Data Systems Modernization	12,335
Total, NOAA's Data Centers & Information Services	64,448
Total, NESDIS	139,627
<i>Program Support</i>	
Corporate Services:	
Under Secretary and Associate Offices Base	21,823
Policy Formulation and Direction Base	35,000
Minority Serving Institutions ..	15,000
Total, Corporate Services	71,823
Office of Marine and Aviation Operations (OMAO):	
Aviation Operations:	
Aircraft Services	14,684
Subtotal, Aviation Operations	14,684
Marine Operations:	
Marine Services	63,829
Fleet Planning and Maintenance	11,120
Total, Marine Operations ...	74,949
Total, OMAO	89,633
Facilities:	
NOAA Maintenance, Repairs and Safety	3,225
Boulder Facilities Operations	4,500

Columbia River Facilities	3,365
Total, NOAA Maintenance, Repairs and Safety	11,090
Environmental Compliance	2,000
Project Planning and Execution:	
Pribilof Island Cleanup	6,000
Total, Project Planning and Execution	6,000
Total, Facilities	19,090
Total, Program Support	180,546

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

NATIONAL OCEAN SERVICE

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

Mapping and Charting.—The conference agreement provides \$74,748,000 for NOAA's mapping and charting programs, reflecting continued commitment to the navigation safety programs of the NOS and concerns about the ability of the NOS to continue to meet its mission requirements over the long term. Within the total funding provided under Mapping and Charting, the conference agreement includes House report language urging NOAA to enter into a long-term lease or charter.

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

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

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

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

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

NATIONAL MARINE FISHERIES SERVICE

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

The conference agreement does not include bill language under this heading regarding

changes to the regulations under the Endangered Species Act, as proposed by the Senate. The conference agreement includes direction to NMFS to complete the consultative process consistent with the deadlines and the documentation requirements of subsection (a)(2) of section 7 of the Endangered Species Act.

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

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

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

NOAA is directed to continue working with the Xiphophorus Genetic Stock Center to improve the understanding of fish genetics and evolution.

NMFS is directed to continue collaborative research with the Center for Shark Research and other qualified institutions to provide the information necessary for effective management of the highly migratory shark fishery and conservation of shark fishery resources. In addition, of the funding provided for Highly Migratory Species research, \$150,000 is for the Pacific Fisheries Council.

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

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

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

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

Interstate Fish Commissions.—The conference agreement includes \$8,000,000 for this activity, of which \$750,000 is to be equally divided among the three commissions, and \$7,250,000 is for implementation of the Atlantic Coastal Fisheries Cooperative Management Act.

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

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

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

OCEANIC AND ATMOSPHERIC RESEARCH

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

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

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

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

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

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

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

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

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

NATIONAL WEATHER SERVICE

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

Local Warnings and Forecasts.—The conference agreement includes language in the Senate report regarding Williston, North Dakota, and Erie, Pennsylvania. The National Weather Service (NWS) is directed to ensure that the Federal Aviation Administration (FAA) is implementing the agreement between the NWS and FAA to fully address the requirements for these areas in fiscal year 2002. The NWS is directed to report to the Committees on Appropriations on the progress of implementing this agreement by February 14, 2002.

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

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE

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

PROGRAM SUPPORT

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

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

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

PROCUREMENT, ACQUISITION AND CONSTRUCTION (INCLUDING TRANSFERS OF FUNDS)

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

PAC	FY02 Conf.
NOS Construction and Acquisition:	
Coastal and Estuarine Land Conservation Program:	
Bronx River, NY	1,500
East River, South Bronx, NY	1,000
Lake Superior, City of Superior, WI	800
Elkhorn Slough, CA	500
Hackensack, NJ	1,200
Kitsap County, WA	500
Village Point, AL	500
Widewater Peninsula, VA	225
Taskinas Creek, VA	275
Hempstead Harbor, NY	350
Lake Ontario, NY	350
Detroit River—Wyandott/Chrysler, MI	1,000
NY/NJ Partnership	1,500
Warwick, RI	350
Worcester City, MD	350
Orange County, CA	350
Stamford Mill, CT	350
San Pablo Bay, CA	350
Manchester by the sea—Gloucester, MA	350
Camp Salmen, LA	225
Deer Island, MS	3,800
Subtotal, CECF	15,825
NERRS Acquisition/Construction:	
ACE Basin	13,500
Great Bay Partnership	6,000
Base Program	8,412
Subtotal, National Estuarine Research Reserve	27,912
Marine Sanctuaries Construction:	
Florida Keys National Marine Sanctuary	6,500
Humpback Whale National Marine Sanctuary	1,500
National Monitor Sanctuary	5,000
Monterey Bay National Marine Sanctuary	1,250

PAC	FY02 Conf.
Stellwagen Bank National Marine Sanctuary	
	500
Subtotal, Marine Sanctuary Construction	
	14,750
Other NOS Facilities:	
Kachemak Bay Service Facility	800
Kasitsna Bay Laboratory	5,500
MEHRL	14,000
Beaufort Laboratory	5,000
Coastal Service Center	4,000
Subtotal, Other NOS	29,300
Subtotal, NOS Construction ..	87,787
NMFS Construction:	
Juneau Fisheries Laboratory ...	21,100
Aquatic Resources	5,000
NY Botanical Gardens	4,034
Honolulu lab	3,000
Kodiak Pier	2,000
Ketchikan Facilities	1,500
Santa Cruz Laboratory	550
Subtotal, NMFS Construction ..	37,184
OAR:	
CLASS	3,600
Research Supercomputing	7,750
Stone Laboratory	350
Norman Consolidation Project ..	8,000
Total, OAR	19,700
NWS:	
ASOS	5,125
AWIPS	16,264
NEXRAD	8,260
NWS WFO—Huntsville	3,000
NWSTG Backup—CIP	7,460
Radiosonde Network Replacement	4,989
Weather and Climate Supercomputing	15,000
WFO Construction	10,630
Total, NWS	70,728
NESDIS:	
Geostationary Systems	262,474
Polar Orbiting Systems	295,902
Continuity of Critical Facilities ..	3,550
Total, NESDIS	561,926
Program Support: CAMS	17,127
OMAO/Fleet Replacement:	
ADVENTUROUS Refurbishment	4,200
ALBATROSS IV Repair	3,000
FAIRWEATHER Refurbishment	10,500
GORDON GUNTER	1,500
Naval Surplus Vessels for Coastal Research (YTT)	3,500
Small Waterplane Area Twin Hull Vessel (NH)	5,000
T-AGOS Vessel Conversion (HI—coral reef)	6,000
Fishery Research Vessel Replacement	5,400
Hydrographic Equipment Upgrades	6,200
Subtotal, OMAO	45,300
Total, Program Support	62,427
Total, Procurement, Acquisition, and Construction	839,752
<i>Coastal and Estuarine Land Conservation Program.</i> —The conference agreement includes \$15,825,000 for a new coastal and estuarine land conservation program, similar to a	

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

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

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

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

MEHRL.—The conference agreement provides \$14,000,000 for the MEHRL for the proteomics initiative, including the purchase of an 800 Mhz nuclear magnetic resonance (NMR) spectroscopy instrument, construction of necessary housing for this equipment, and associated costs. The conferees understand that the Medical University of South Carolina will provide the necessary expertise to cooperatively manage the instrument with NOAA. The conferees commend the consortium as an exemplar of Federal, State and academic partners working collaboratively through the joint partner process to share facilities, equipment and research.

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

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

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

PACIFIC SALMON COASTAL RECOVERY

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

\$40,000,000 is for the Treaty, and \$2,000,000 is for the Pacific Salmon Commission.

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

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

Of the amounts provided to the State of Washington, \$1,000,000 is for mass marking, and \$4,000,000 is for the Washington State Department of Natural Resources and other State and Federal agencies for purposes of implementing the State of Washington's Forest and Fish Report. The monies shall be spent in accordance with the terms and conditions of the Report and consistent with the requirements of the Endangered Species Act and Clean Water Act.

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

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

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

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

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

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

COASTAL ZONE MANAGEMENT FUND

The conference agreement includes an appropriation of \$3,000,000 as proposed in both the Senate and House bills. This amount is reflected under the National Ocean Service within the Operations, Research, and Facilities account.

FISHERMEN'S CONTINGENCY FUND

The conference agreement includes \$952,000 for the Fishermen's Contingency Fund, identical to the amounts proposed in both the House and Senate bills.

FOREIGN FISHING OBSERVER FUND

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

FISHERIES FINANCE PROGRAM ACCOUNT

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

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

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

OFFICE OF INSPECTOR GENERAL

The conference agreement includes \$20,176,000 for the Commerce Department Inspector General, instead of \$21,176,000 as proposed in both the House and Senate bills. The Inspector General is reminded that office closings, staff reductions, or reorganizations are subject to the reprogramming procedures outlined in section 605 of this Act.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

The conference agreement includes the following general provisions for the Department of Commerce:

Sec. 201.—The conference agreement includes section 201, included in both the House and Senate bills, regarding certifications of advanced payments.

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

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

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

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

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

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

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

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

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

Sec. 211.—The conference agreement includes a new section 211 that amends section 213 of Public Law 105-277, the American Fisheries Act. This change would delete a sunset provision and instead authorize an annual appropriation, making permanent the prohibition on direct pollock fishing by non-American Fisheries Act (AFA) catcher/processors, even though this sector has some pre-AFA pollock history. The conferees understand that North Pacific groundfish fishermen and processors have agreed to work together on a proposal for consideration by the

North Pacific Fishery Management Council for non-AFA catcher/processors to maximize utilization of their historic pollock catch. The conferees request that the appropriate Committees be notified immediately should the Secretary determine that the AFA statute precludes the Council from developing a regulation implementing the aforementioned agreement. The substitution of a September 30, 2004 reauthorization date for the original December 31, 2004 sunset date is intended to ensure a full Congressional review of the AFA within six years of its passage, as originally planned. This will also allow consideration of AFA issues during the reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act. Further, the conferees expect that any further authorization changes to the AFA will be addressed through the authorization committee process.

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

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

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

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

CARE OF THE BUILDING AND GROUNDS

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

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

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

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

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

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

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

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

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

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The conference agreement provides \$3,591,116,000 for the salaries and expenses of

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

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

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

VACCINE INJURY COMPENSATION TRUST FUND

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

DEFENDER SERVICES

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

The conference report adopts, by reference, the House report language. The conferees expect the Judiciary to implement the panel attorney pay increase to \$90 per hour in- and out-of-court, by no later than May 1, 2002.

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

FEES OF JURORS AND COMMISSIONERS

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

COURT SECURITY

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

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

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

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

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

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

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

The conference agreement includes \$19,735,000 for salaries and expenses of the

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

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIAL TRUST FUNDS

The conference agreement includes \$37,000,000 for payment to various judicial retirement funds, as provided in both the House and Senate bills. The conference agreement adopts, by reference, the House and Senate report language.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

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

GENERAL PROVISIONS—THE JUDICIARY

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

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

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

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

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

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

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

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

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

Diplomatic Readiness.—The conference agreement includes a program increase of \$106,895,000, the full amount requested, for increased staffing. The conferees expect this amount to support the hiring of 360 new employees in fiscal year 2002. In addition, the

conference agreement includes \$18,500,000 for human resources enhancements, including \$3,000,000 for recruitment modernization, \$10,000,000 for service needs incentives, \$2,000,000 for a student loan repayment program, \$1,000,000 for a spousal employment program, and \$2,500,000 for civil service mobility and mid-level training programs.

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

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

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

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

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

The conference agreement includes language designating \$694,190,000 for information resource management as proposed in the Senate bill. The House bill did not contain a similar provision. This amount represents the full requested funding level for these activities. The conferees note that this amount includes funding for the Diplomatic Telecommunications Service—Program Office (DTS-PO), formerly included under the Capital Investment Fund. In recognition of continuing management challenges regarding DTS-PO, the conferees direct the Department to submit a fiscal year 2002 DTS-PO spending plan to the Committees through the regular reprogramming process before December 15, 2001.

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

The conference agreement does not include language proposed in the Senate bill designating

\$6,000,000 for transfer to the Department of Justice for conversion of State Department radio systems to narrowband. The House bill did not include a similar provision.

The conference agreement does not include language earmarking \$9,000,000 for the East-West Center, as proposed in the Senate bill. The House bill did not contain a similar provision. Funding for the East-West Center is addressed under a separate heading in this title.

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

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

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

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

The conference agreement does not include language carried in last year's Act allowing certain advances for services related to the Panama Canal Commission to be credited to this account and to remain available until expended, as proposed in the Senate bill. The conferees understand that such amounts were credited to this account during fiscal year 2001 and remain available until expended, and that this provision is no longer necessary.

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

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

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

The conference agreement includes new language designating \$1,800,000 for a grant to

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

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

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

Within the amount provided under this heading, the conferees direct the Department to make \$500,000 available to the Northern Forum to support efforts to improve international communication, cooperation and opportunities for economic growth in northern regions of countries including the United States, Canada, China, Finland, Sweden, Japan, and Russia. This funding is provided with the expectation of matching funding from other contributions.

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

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

The conference agreement includes, by reference, language in the House report on reprogramming of exchange rate savings; reform and restructuring, including the filling of the Deputy Secretary for Management and

Resources position; carrying out the recommendations of the Overseas Presence Advisory Panel; implementation of visa laws; the diversity visa program; Sudan; Egypt; Lebanon; overseas schools; the Office of Defense Trade Controls; and the negotiation of extradition treaties.

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

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

Within the amount provided under this account, and including any savings the Department identifies, the Department will have the ability to propose that funds be used for purposes not specifically funded by the conference agreement through the normal reprogramming process.

CAPITAL INVESTMENT FUND

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

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

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

OFFICE OF INSPECTOR GENERAL

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

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The conference agreement includes \$237,000,000 for Educational and Cultural Exchange Programs as proposed in the House bill, instead of \$242,000,000 as proposed in the Senate bill. The following chart displays the conference agreement on the distribution of

funds by program or activity under this account:

	Amount (in thousands)
Academic Programs:	
Fulbright Programs	\$118,000
Foreign Study Grants for U.S. Undergraduates	1,500
Educational Advising and Student Services	3,500
English Language Programs	3,000
Hubert H. Humphrey Fellowships	6,000
Edmund S. Muskie Fellowships	250
American Overseas Research Centers	2,320
South Pacific Exchanges	500
Tibet Exchanges	500
East Timor Exchanges	500
Disability Exchange Clearinghouse	500
Subtotal, Academic Programs	136,570
Professional and Cultural Programs:	
International Visitor Program	49,000
Citizen Exchange Program	16,000
Congress Bundestag Youth Exchange	2,908
Mike Mansfield Fellowship Program	2,200
Youth Science Leadership Institute of the Americas	100
Irish Institute	250
Atlantic Corridor	250
Interparliamentary Exchanges with Asia	150
Subtotal, Professional and Cultural Exchanges	70,858
North/South Center	1,000
Exchanges Support	28,572
Total, Appropriation	237,000

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

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

With respect to exchanges with the successor states of the former Soviet Union, the

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

The conference agreement includes \$250,000 for the Muskie Fellowships for graduate student exchanges with states of the former Soviet Union. The conferees expect that approximately \$20,000,000 will be made available from other sources in fiscal year 2002 for such exchanges. Within the total amounts made available for such exchanges the conferees urge the Department to place the highest priority on students conducting research or undertaking language training related to the Kazakhstan, Kyrgyzstan, Turkmenistan, Tajikistan, and Uzbekistan.

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

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

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

REPRESENTATION ALLOWANCES

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

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

The conference agreement includes \$9,400,000 for Protection of Foreign Missions and Officials as proposed in the House bill, instead of \$10,000,000 as proposed in the Senate bill. The direction included in the House and Senate reports regarding the review of reimbursement claims is adopted by reference.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

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

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

The conferees agree that the amount for capital security projects does not include requirements associated with the construction

of U.S. Agency for International Development facilities. Instead, the conferees direct the Department to allocate the entire amount provided for capital security construction to projects at posts that are determined by the Department to be most in need of secure replacement facilities.

The conferees understand that the Department recently realized significant savings as a result of re-evaluating the budget plans for a number of ongoing and planned capital security projects. The conferees expect that the resulting savings will allow the Department to accomplish results under this program that significantly exceed the level of activity described in the budget request. The conferees commend the Department, and encourage the achievement of additional efficiencies that will reduce the cost and increase the pace of standing up new, secure replacement embassy and consular facilities.

The conferees direct the Department to submit a spending plan for worldwide security upgrades within sixty days of the date of enactment of this Act through the normal reprogramming process. In proposing such a spending plan, the Department shall include an assessment of need, and such funding as is appropriate, for security upgrades related to existing housing, schools, and Marine quarters.

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

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

The Department is directed to submit, and receive approval for, a financial plan for the funding provided under this account, whether from direct appropriations or proceeds of sales, prior to the obligation or expenditure of funds for capital and rehabilitation projects. The overall spending plan shall include project-level detail, and shall be provided to the Committees on Appropriations not later than 60 days after the date of enactment of this Act. Any deviation from the plan after approval shall be treated as a reprogramming in the case of an addition greater than \$500,000, or as a notification in the case of a deletion, a project cost overrun exceeding 25 percent, or a project schedule delay exceeding 6 months. Notification requirements also extend to the re-baselining of a given project's cost estimate, schedule, or scope of work.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

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

September 11, 2001 terrorist attacks on the United States.

REPATRIATION LOANS PROGRAM ACCOUNT

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

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

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

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

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

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

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

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

The amount provided by the conference agreement is expected to be sufficient to fully pay assessments to international organizations. The conference agreement anticipates that the Department has prepaid \$15,200,000 of the fiscal year 2002 assessment for the U.N. regular budget, using excess fiscal year 2001 funds. In addition, the Department's recalculation of its fiscal year 2001 request for this account has resulted in a lowering of the request by an additional \$2,400,000, resulting primarily from exchange rate fluctuations. The conference agreement does not include requested funding for Organization for Economic Cooperation and Development headquarters renovation, and anticipates additional savings related to requested activities that are terminating or have yet to be established.

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

The conference agreement also includes full funding for the United States assessment to the International Atomic Energy Agency (IAEA). The conferees recognize the importance of the role played by the IAEA in efforts to enact stronger global measures to protect nuclear material and facilities against potential acts of terrorism.

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

to improve internal controls and to prevent and detect fraud.

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

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

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

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

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

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

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

INTERNATIONAL COMMISSIONS INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO SALARIES AND EXPENSES

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

CONSTRUCTION

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

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The conference agreement includes \$9,911,000 for the U.S. share of expenses of the International Boundary Commission; the International Joint Commission, United States and Canada; and the Border Environment Cooperation Commission, instead of \$10,311,000 as proposed in the House bill and \$6,879,000 as proposed in the Senate bill. The conference level includes funding for second year costs of a five-year study of the water regulation plan governing Lake Ontario and the St. Lawrence River.

INTERNATIONAL FISHERIES COMMISSIONS

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

OTHER

PAYMENT TO THE ASIA FOUNDATION

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

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

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

ISRAELI ARAB SCHOLARSHIP PROGRAM

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

EAST-WEST CENTER

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

NATIONAL ENDOWMENT FOR DEMOCRACY

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

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

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

ing for broadcasting to Cuba is included under a separate account, as proposed in the Senate bill.

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

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

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

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

BROADCASTING TO CUBA

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

BROADCASTING CAPITAL IMPROVEMENTS

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

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

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

Section 401.—The conference agreement includes section 401, as proposed in the House bill, permitting use of funds for allowances, differentials, and transportation. The Senate bill included a similar provision with a minor technical difference.

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

Sec. 403.—The conference agreement includes section 403, as provided in both the House and Senate bills, prohibiting the use of funds by the Department of State or the Broadcasting Board of Governors (BBG) to provide certain types of assistance to the Palestinian Broadcasting Corporation (PBC).

Training that supports accurate and responsible broadcasting is not included among the types of assistance prohibited. The conferees agree that neither the Department of State, nor the BBG, shall provide any assistance to the PBC that could support restrictions of press freedoms or the broadcasting of inaccurate, inflammatory messages.

Sec. 404.—The conference agreement includes section 404, as proposed in the Senate bill, prohibiting the use of funds made available in this Act by the United Nations for activities authorizing the United Nations or any of its specialized agencies or affiliated organizations to tax any aspect of the Internet.

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

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

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

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

TITLE V—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

The conference agreement includes \$98,700,000 for the Maritime Security Program as proposed in both the House and Senate bills.

OPERATIONS AND TRAINING

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

The conference agreement includes \$7,457,000 for the State Maritime Academies. Within the amount for State Maritime Academies, \$1,200,000 is for student incentive payments, \$1,200,000 is for scholarship payments, and \$5,057,000 is for schoolship maintenance and repair.

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

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

MARITIME GUARANTEED LOAN (TITLE XI)
PROGRAM ACCOUNT

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

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

ADMINISTRATIVE PROVISIONS—MARITIME
ADMINISTRATION

The conference agreement includes provisions, as proposed in both the House and Senate bills, involving Government property controlled by MARAD, the accounting for certain funds received by MARAD, and a prohibition on obligations from the MARAD construction fund.

COMMISSION FOR THE PRESERVATION OF
AMERICA'S HERITAGE ABROAD
SALARIES AND EXPENSES

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

COMMISSION ON CIVIL RIGHTS
SALARIES AND EXPENSES

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

COMMISSION ON INTERNATIONAL RELIGIOUS
FREEDOM

SALARIES AND EXPENSES

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

COMMISSION ON OCEAN POLICY
SALARIES AND EXPENSES

The conference agreement includes \$3,000,000 for the Commission on Ocean Pol-

icy, instead of \$2,500,000 as proposed in the Senate bill. The House bill did not include funding for this Commission.

COMMISSION ON SECURITY AND COOPERATION IN
EUROPE

SALARIES AND EXPENSES

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

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

SALARIES AND EXPENSES

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

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

SALARIES AND EXPENSES

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

Within the total amount, the conference agreement includes \$30,000,000 for payments to State and local Fair Employment Practices Agencies (FEPAs) for specific services to the Commission as proposed in the House bill, instead of \$33,000,000 as proposed in the Senate bill. The conference agreement includes, by reference, language in the House report regarding the reduction of the backlog of private sector charges, alternative dispute resolution, contract mediation, and utilizing the experience the FEPAs have in mediation as the Commission continues its alternative dispute resolution programs.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

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

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

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

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

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

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

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

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

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

LEGAL SERVICES CORPORATION
PAYMENT TO THE LEGAL SERVICES
CORPORATION

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

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES
CORPORATION

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

MARINE MAMMAL COMMISSION
SALARIES AND EXPENSES

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

NATIONAL VETERANS BUSINESS DEVELOPMENT
CORPORATION

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

PACIFIC CHARTER COMMISSION
SALARIES AND EXPENSES

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

SECURITIES AND EXCHANGE COMMISSION
SALARIES AND EXPENSES

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

The conference agreement includes language to allow certain offsetting collections to continue to be credited to this account, as

proposed in the Senate bill. The conference agreement also includes new language regarding fiscal year 2003 offsetting collections.

Any offsetting fee collections in fiscal year 2002 in excess of \$328,400,000 will remain available for the Securities and Exchange Commission in future years through the regular appropriations process.

The conference agreement includes, by reference, language in the Senate report on Internet fraud and the Office of Economic Analysis, and language in the House report commending recent SEC actions to increase enforcement of disclosure rules.

SMALL BUSINESS ADMINISTRATION SALARIES AND EXPENSES

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

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

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

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

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

the spending would bring about meaningful and more immediate efficiencies to the operation of the SBA.

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

Small Business Development Centers	\$88,000,000
7(j) Technical Assistance ...	3,600,000
Microloan Technical Assistance	17,500,000
SCORE	5,000,000
Business Information Centers	500,000
Women's Business Centers	12,000,000
Survey of Women-Owned Businesses	694,000
National Women's Business Council	750,000
US Export Assistance Centers	3,100,000
Advocacy Research	1,100,000
SBIR Federal and State Partnerships	3,000,000
SBIR Technical Assistance	500,000
Drug-free Workplace Grants	3,000,000
PRIME	5,000,000
Veterans Outreach	750,000
BusinessLINC	2,000,000
Regulatory Fairness Boards	500,000
Total	146,994,000

Small Business Development Centers (SBDCs).—Of the amounts provided for SBDCs, the conference agreement includes \$2,000,000 to continue the SBDC Defense transition program, and \$1,000,000 to continue the Environmental Compliance Project, as directed in the House report. In addition, the conference agreement includes language, as proposed in the Senate bill, making funds for the SBDC program available for two years. The conference agreement does not include language proposed in the Senate bill earmarking funds for a certain grant program.

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

OFFICE OF INSPECTOR GENERAL

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

An additional \$500,000 has been provided under the administrative expenses of the Disaster Loans program account to be made available to the Office of Inspector General for work associated with oversight of the Disaster Loans program.

BUSINESS LOANS PROGRAM ACCOUNT

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

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

7(a) General Business Loans.—The conference agreement provides \$78,000,000 in sub-

sidy appropriations for the 7(a) general business guaranteed loan program, instead of \$87,000,000 as proposed in the House bill and \$93,500,000 as proposed in the Senate bill. When combined with an estimated \$22,000,000 in available carryover balances and recoveries, this amount will subsidize an estimated fiscal year 2002 program level of up to \$9,435,000,000, assuming a subsidy rate of 1.07%. In addition, the conference agreement includes a provision, as proposed in both the House and Senate bills, requiring the SBA to notify the Committees in accordance with section 605 of this Act prior to providing a total program level greater than \$10,000,000,000.

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

The conferees are concerned that the Administration's prevailing subsidy rate model uses assumptions that do not reflect recent program performance of either the 7(a) program or the 504 program, resulting in the possibility that borrowers and lenders pay higher than necessary fees to participate in the programs. The conferees direct the SBA to work with OMB to develop a new methodology that more accurately calculates the default rates for these programs while efforts are underway to shift to a full econometric analysis model, and to submit a progress report to the Committees by January 15, 2002. The conferees further expect that the results of this new methodology will be reflected in a reduced appropriations requirement for the 7(a) program in the SBA's fiscal year 2003 budget request.

In addition, the conference agreement includes \$129,000,000 for administrative expenses to carry out the direct and guaranteed loan programs as proposed in both the House and Senate bills, and makes such funds available to be transferred to and merged with appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

The conference agreement includes a total of \$209,714,000 for this account, of which \$87,360,000 is for the subsidy costs for disaster loans and \$122,354,000 is for administrative expenses associated with the disaster loans program. The House bill proposed \$84,510,000 for loans and \$120,354,000 for administrative expenses. The Senate bill provided \$79,510,000 for loans and \$125,354,000 for administrative expenses.

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

The conference agreement includes language, as proposed in both the House and Senate bills, designating amounts for direct and indirect administrative expenses, and allowing appropriations for indirect administrative costs to be transferred to and merged with appropriations for Salaries and Expenses under certain conditions. The conference agreement includes \$112,000,000 for direct administrative expenses, and \$9,854,000 for indirect administrative expenses. The amount provided for direct administrative expenses, when combined with an estimated \$3,000,000 in carryover balances, will provide a total of \$115,000,000 for this activity.

The conference agreement includes a provision that any amount in excess of \$9,854,000 to be transferred to Salaries and Expenses from the Disaster Loans Program account for indirect administrative expenses shall be treated as a reprogramming of funds under section 605 of this Act. In addition, any such

reprogramming shall be accompanied by a report from the Administrator on the anticipated effect of the proposed transfer on the ability of the SBA to cover the full annual requirements for direct administrative costs of disaster loan-making and -servicing.

Of the amounts provided for administrative expenses under this heading, \$500,000 is to be transferred to and merged with the Office of Inspector General account for oversight and audit activities related to the Disaster Loans program.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

The conference agreement includes a provision providing SBA with the authority to transfer funds between appropriations accounts as proposed in both the House and Senate bills.

STATE JUSTICE INSTITUTE SALARIES AND EXPENSES

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

UNITED STATES—CANADA ALASKA RAIL COMMISSION SALARIES AND EXPENSES

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

TITLE VI—GENERAL PROVISIONS

The conference agreement includes the following general provisions:

Sec. 601.—The conference agreement includes section 601, identical in both the House and Senate bills, regarding the use of appropriations for publicity or propaganda purposes.

Sec. 602.—The conference agreement includes section 602, identical in both the House and Senate bills, regarding the availability of appropriations for obligation beyond the current fiscal year.

Sec. 603.—The conference agreement includes section 603, identical in both the House and Senate bills, regarding the use of funds for consulting services.

Sec. 604.—The conference agreement includes section 604, as proposed in the House bill, providing that should any provision of the Act be held to be invalid, the remainder of the Act would not be affected. The Senate bill did not include this provision, which has been carried in previous years.

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

Sec. 606.—The conference agreement includes section 606, identical to the House bill and section 607 in the Senate bill, regarding the construction, repair or modification of National Oceanic and Atmospheric Administration vessels in overseas shipyards.

Sec. 607.—The conference agreement includes section 607, as proposed in the House bill, regarding the purchase of American-made products. The Senate bill did not include this provision, which has been carried in previous years.

Sec. 608.—The conference agreement includes section 608, as proposed in the House bill, which prohibits funds in the bill from being used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission similar to proposed guidelines covering harassment based on religion published by the EEOC in October, 1993. The Senate bill included a similar provision as section 609 with a minor technical difference.

Sec. 609.—The conference agreement includes section 609, as proposed in the House bill, prohibiting the use of funds for any United Nations peacekeeping mission that involves U.S. Armed Forces under the command or operational control of a foreign national unless the President certifies that the involvement is in the national security interest. The Senate bill included a similar provision as section 610 with a minor technical difference.

Sec. 610.—The conference agreement includes section 610, identical to the House bill and section 611 in the Senate bill, that prohibits use of funds to expand the U.S. diplomatic presence in Vietnam beyond the level in effect on July 11, 1995, unless the President makes a certification that several conditions have been met regarding Vietnam's cooperation with the United States on POW/MIA issues.

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

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

Sec. 613.—The conference agreement includes section 613, identical in both the House and Senate bills, which requires agencies and departments funded in this Act to absorb any necessary costs related to downsizing or consolidations within the amounts provided to the agency or department.

Sec. 614.—The conference agreement includes section 614, modified from similar language proposed in both the House and Senate bills, which permanently prohibits funds appropriated or otherwise made available to the Federal Bureau of Prisons from being used to make available any commercially published information or material that is sexually explicit or features nudity to a prisoner.

Sec. 615.—The conference agreement includes section 615, as proposed in the House bill, which limits funding under the Local Law Enforcement Block Grant to 90 percent to an entity that does not provide public safety officers injured in the line of duty, and as a result separated or retired from their jobs, with health insurance benefits equal to the insurance they received while on duty. The Senate bill did not include a similar provision.

Sec. 616.—The conference agreement includes section 616, as proposed in the House bill, which prohibits funds provided in this Act from being used to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal of foreign restrictions on the marketing of tobacco products, provided such restrictions are applied equally to all tobacco or tobacco products of the same type. This provision is not intended to impact routine international trade serv-

ices provided to all U.S. citizens, including the processing of applications to establish foreign trade zones. The Senate bill did not contain a provision on this matter.

Sec. 617.—The conference agreement includes section 617, as proposed in the House bill, which extends the prohibition in last year's bill on use of funds to issue a visa to any alien involved in extrajudicial and political killings in Haiti. The provision also removes the name "Claudy Myrthil" from the list of victims, and extends the exemption and reporting requirements from last year's provision. The Senate bill included a similar provision on this matter, but did not remove the name "Claudy Myrthil" from the list of victims.

Sec. 618.—The conference agreement includes section 618, identical in both bills but proposed as section 616 in the Senate bill, which prohibits a user fee from being charged for background checks conducted pursuant to the Brady Handgun Control Act of 1993, and prohibits implementation of a background check system which does not require or result in destruction of certain information.

Sec. 619.—The conference agreement includes section 619, modified from language proposed in the House bill and as section 617 in the Senate bill, which delays obligation of any receipts deposited or available in the Crime Victims Fund in excess of \$550,000,000 until the following fiscal year. The conferees have taken this action to protect against wide fluctuations in receipts into the Fund, and to ensure that a stable level of funding will remain available for these programs in future years. The conference agreement waives this limitation with regard to funding made available by Public Law 107-38.

Sec. 620.—The conference agreement includes section 620, as proposed in the House bill, which prohibits the use of Department of Justice funds for programs which discriminate against, denigrate, or otherwise undermine the religious beliefs of students participating in such programs. The Senate bill did not contain a provision on this matter.

Sec. 621.—The conference agreement includes section 621, modified from language proposed in the House bill and section 618 in the Senate bill, which prohibits the use of funds appropriated or otherwise made available to the Departments of State and Justice to process visas for citizens of countries that the Attorney General has determined deny or delay accepting the return of deported citizens.

Sec. 622.—The conference agreement includes section 622, identical in both bills but proposed as section 619 in the Senate bill, which prohibits the use of Department of Justice funds to transport a maximum or high security prisoner to any facility other than a facility certified by the Bureau of Prisons as appropriately secure to house such a prisoner.

Sec. 623.—The conference agreement includes section 623, proposed in the Senate bill as section 621, waiving a subsection of the Magnuson-Stevens Fishery Conservation and Management Act as it pertains to funds made available pursuant to that section in the fiscal year 2000 Supplemental Appropriations Act. The House bill did not contain a provision on this matter.

Sec. 624.—The conference agreement includes section 624, proposed in the Senate bill as section 622, that amends existing law to extend the authority of the States of Washington, Oregon, and California to adopt and enforce State laws and regulations governing fishing and processing in the exclusive economic zone adjacent to that State in any Dungeness crab (*Cancer magister*) fishery for which there is no fishery management

plan in effect under of the Magnuson-Stevens Fishery Conservation and Management Act. The provision extends the sunset of this authority to September 30, 2006. The provision also requires a biennial report on the health of the fishery from the Pacific State Marine Fisheries Commission. The House bill did not include a provision on this matter.

Sec. 625.—The conference agreement includes section 625, proposed in the Senate bill as section 608, which makes permanent a provision that prohibits the use of funds to increase the salary of a Federal judge or Justice of the Supreme Court, except as may be specifically authorized by Act of Congress. The House bill did not include a provision on this matter.

Sec. 626.—The conference agreement includes section 626, modified from language proposed as section 629 in the Senate bill, addressing the issue of compensation for victims of international terrorism. This provision requires the Administration to fulfill its commitment to the Congress to develop a comprehensive federal response under which individualized awards of compensation would be made available to a U.S. national who is physically injured or killed as a result of an act of international terrorism or to the relatives of deceased United States victims of terrorism. Objections from all quarters have been repeatedly raised against the current ad hoc approach to compensation for victims of international terrorism. Objections and concerns, however, will no longer suffice. It is imperative that the Secretary of State, in coordination with the Departments of Justice and Treasury and other relevant agencies, develop a legislative proposal that will provide fair and prompt compensation to all U.S. victims of international terrorism. A compensation system already is in place for the victims of the September 11 terrorist attacks; a similar system should be available to victims of international terrorism. Any legislative proposal shall provide for compensation for U.S. victims of prior acts of international terrorism, including those with hostage claims against foreign states. Subsection (c) quashes the State Department's motion to vacate the judgment obtained by plaintiffs in Case Number 1:00CV03110(ESG) in the United States District Court for the District of Columbia. Consistent with current law, subsection (c) does not require the United States Government to make any payments to satisfy the judgment. The House bill did not contain a provision on this matter.

Sec. 627.—The conference agreement includes section 627, proposed as section 628 in the Senate bill, prohibiting the use of funds by Federal prisons for cable television services, videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes. The House bill did not include a provision on this matter.

Sec. 628.—The conference agreement includes section 628, modified from language proposed as section 630 in the Senate bill, amending the Communications Satellite Act. The House bill did not contain a provision on this matter.

Sec. 629.—The conference agreement includes section 629, not included in the House or Senate bills, providing additional amounts for the Small Business Administration, Salaries and Expenses account for a number of small business initiatives.

Sec. 630.—The conference agreement includes section 630, proposed in the Senate bill as section 624, prohibiting the use of funds for cooperation with, or assistance or other support to, the International Criminal Court or the Preparatory Commission. The House bill does not include a provision on this matter.

The conference agreement does not include language proposed in both the House and Senate bills regarding civil actions against Japanese corporations for compensation in which the plaintiff alleges that, as an American prisoner of war during World War II, he or she was used as slave or forced labor. The conferees understand that the Administration strongly opposes this language, and is concerned that the inclusion of such language in the Act would be detrimental to the ongoing effort to enlist multilateral support for the campaign against terrorism. The conferees strongly agree that the extraordinary suffering and injury of our former prisoners of war deserve further recognition, and acknowledge the need for such additional consideration.

The conference agreement includes, by reference, language in the House Report under the heading "Full Compliance with Telework Directive". The conferees expect the Judiciary, and all departments and agencies funded under this Act, to be in full compliance with the timetable established in Public Law 106-346 for the implementation of telework policies.

TITLE VII—RESCISSIONS DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

ASSETS FORFEITURE FUND

(RESCISSION)

The conference agreement includes a rescission of \$40,000,000 from unobligated balances under this heading. No rescission was proposed under this account in the House or the Senate bills.

DEPARTMENT OF COMMERCE

DEPARTMENTAL MANAGEMENT

EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM ACCOUNT

(RESCISSION)

The conference agreement includes a rescission of \$5,200,000 from unobligated balances under this heading, instead of \$115,000,000 as proposed in the House bill. The Senate bill did not include a rescission from this account.

RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

SHIP CONSTRUCTION

(RESCISSION)

The conference agreement includes a rescission of \$4,400,000 from unobligated balances under this heading. No rescission was proposed under this account in the House or Senate bills.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

The conference agreement includes a rescission of \$50,000,000 from unobligated balances under this heading. No rescission was proposed under this account in the House or Senate bills.

SMALL BUSINESS ADMINISTRATION

BUSINESS LOANS PROGRAM ACCOUNT

(RESCISSION)

The conference agreement includes a rescission of \$5,500,000 from unobligated balances under this heading. No rescission was proposed under this account in the House or Senate bills.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2002 recommended by the Committee of Conference, with comparisons to the fiscal year 2001 amount, the 2002 budget estimates, and the House and Senate bills for 2002 follow:

(In thousands of dollars)

New budget (obligational) authority, fiscal year 2001	\$39,691,832
Budget estimates of new (obligational) authority, fiscal year 2002	40,807,220
House bill, fiscal year 2002	41,456,015
Senate bill, fiscal year 2002	41,528,131
Conference agreement, fiscal year 2002	41,635,178
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2001	+1,943,346
Budget estimates of new (obligational) authority, fiscal year 2002	+827,958
House bill, fiscal year 2002	+179,163
Senate bill, fiscal year 2002	+107,047

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

Managers on the Part of the House.

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

Managers on the Part of the Senate.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 12:30 p.m. on Tuesday, November 13, 2001, for morning hour debates.

There was no objection.

Accordingly (at 10 o'clock and 5 minutes a.m.), under its previous order, the House adjourned until Tuesday, November 13, 2001, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4560. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Inorganic Chemical Manufacturing Wastes; Land Disposal Restrictions

for Newly Identified Wastes; and CERCLA Hazardous Substance Designation and Reportable Quantities [SWH-FRL-7099-2] (RIN: 2050-AE49) received November 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4561. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the texts of the International Labor Organization Convention No. 183 and Recommendation No. 191 concerning the Revision of the Maternity Protection Convention, pursuant to Art. 19 of the Constitution of the International Labor Organization; to the Committee on International Relations.

4562. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-164, "Securities Temporary Amendment Act of 2001" received November 9, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

4563. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Documentation of Immigrants Under the Immigration and Nationality Act, as Amended—Issuance of New or Replacement Visas—received November 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4564. A letter from the Comptroller, Department of Defense, transmitting a copy of the FY 2001 Transfer Status Report; jointly to the Committees on Armed Services and Appropriations.

4565. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2002-02 concerning Pakistan, pursuant to 22 U.S.C. 2364(a)(1); jointly to the Committees on International Relations and Appropriations.

4566. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization; jointly to the Committees on International Relations and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONILLA; Committee of Conference. Conference report on H.R. 2330. A bill mak-

ing appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107-275). Ordered to be printed.

Mr. TAUZIN; Committee on Energy and Commerce. H.R. 2985. A bill to amend the Federal Trade Commission Act to increase civil penalties for violations involving certain proscribed acts or practices that exploit popular reaction to an emergency or major disaster declared by the President, and to authorize the Federal Trade Commission to seek civil penalties for such violations in actions brought under section 13 of that Act (Rept. 107-276). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAUZIN; Committee on Energy and Commerce. H.R. 2887. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children; with an amendment (Rept. 107-277). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLF; Committee of Conference. Conference report on H.R. 2500. A bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107-278). Ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 981. Referral to the Committee on Rules and Government Reform extended for a period ending not later than November 14, 2001.

H.R. 2269. Referral to the Committee on Ways and Means extended for a period ending not later than November 13, 2001.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. NADLER (for himself and Mr. HINCHEY):

H.R. 3272. A bill to establish the Office of World Trade Center Attack Claims to pay claims for injury to businesses and property suffered as a result of the attack on the World Trade Center in New York City that

occurred on September 11, 2001, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REGULA (for himself, Mr. HOEKSTRA, and Mr. CUNNINGHAM):

H.R. 3273. A bill to amend the Higher Education Act of 1965 to provide student loan borrowers with a choice of lender for loan consolidation; to the Committee on Education and the Workforce.

By Mr. SANDERS:

H.R. 3274. A bill to provide assistance to those individuals most affected by high energy prices and to promote and accelerate energy conservation investments in the United States; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas:

H.R. 3275. A bill to implement the International Convention for the Suppression of Terrorist Bombings to strengthen criminal laws relating to attacks on places of public use, to implement the International Convention of the Suppression of the Financing of Terrorism, to combat terrorism and defend the Nation against terrorist acts, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska (for himself and Mr. OBERSTAR):

H.R. 3276. A bill to authorize appropriations for hazardous material transportation safety, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 2035: Ms. WOOLSEY.

H.R. 2349: Ms. BROWN of Florida.

H.R. 3210: Mr. LEACH and Ms. HART.



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No. 155

Senate

The Senate met at 10 a.m. and was called to order by the Honorable BLANCHE L. LINCOLN, a Senator from the State of Arkansas.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, in the quiet of this magnificent moment of conversation with You, we dedicate this day. We want to live it to Your glory, alert to the dangers of this time but without anxiety, prepared but not perplexed. We praise You that it is Your desire to give Your presence and blessing to those who ask You. You give strength and power to Your people when we seek You above anything else. You guide the humble and teach them Your way. Help us to humble ourselves as we begin this day so that no self-serving agenda or self-aggrandizing attitude will block Your blessings to this Senate and to our Nation through us. Speak to us so that we may speak with both the tenor of Your truth and the tone of Your grace.

We say with the Psalmist:

God be merciful to us and bless us and cause Your face to shine upon us, that Your way may be known on Earth and Your salvation among the nations. You are our Lord and Saviour.

Amen.

PLEDGE OF ALLEGIANCE

The Honorable BLANCHE L. LINCOLN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 9, 2001.

To the Senate:

Under the provisions of Rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BLANCHE L. LINCOLN, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. LINCOLN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Madam President, there will be no rollcall votes today, as was announced last evening by the majority leader. This morning the Senate will be in a period of morning business with Senators allowed to speak for up to 10 minutes each. As under the direction of the majority leader, next week is going to be an extremely busy week. We are going to work on the economic stimulus package, and there are a number of other pieces of legislation we are going to do our very best to complete prior to Thanksgiving.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Alaska.

ENERGY NEEDS AND COMMITMENTS

Mr. STEVENS. Madam President, I have applauded the actions of my colleague, Senator MURKOWSKI, as our senior Republican on the Energy Committee. Because of my involvement in other matters, particularly appropriations, it has not been possible for me to be here to join him as much as I would like to do so.

I consider the opening of the coastal plain of the Arctic National Wildlife Refuge area for environmentally sound oil and gas development to be the issue of highest national security we will vote on this year. The President of the United States shares that view. I believe many in this body do.

Last week President Bush said: It is in "our national interest to get [an energy bill] to [his] desk." I am paraphrasing that. I believe the vast majority of Americans share the President's view. Just last night while speaking in Atlanta, President Bush called upon Congress to send an energy bill to his desk again "to reduce our dependence on foreign oil."

When the President said that, there was such a unanimous outpouring of support from the people in the audience. It was probably the loudest reaction to his whole speech.

I believe that is correct. It is a national concept and there is national support for that goal. Today we still do not have a commitment to bring up and complete action on this energy bill. This morning I rise to again highlight some of the implications of failure to act now.

The stability of some of the nations principally responsible for supplying oil to the United States can no longer be taken for granted. In 1979, when the instability of the Middle East was of paramount concern, we took action to protect Israel. As our major ally in the Middle East, we should proceed with energy legislation not only to protect our own interests but to ensure that we

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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can continue to support Israel as we have agreed to do.

In 1979, our Government entered into a bilateral agreement with Israel to ensure that Israel would have access to the oil it needs to meet its daily requirements. Everyone in the Senate should be familiar with that agreement. We understood then that some Middle Eastern countries had the power to hold Israel hostage by denying access to oil.

Let me read from a relevant portion of the agreement we signed with Israel to protect its supply of oil:

If the oil Israel needs to meet all its normal requirements for domestic consumption is unavailable for purchase . . . the United States Government will promptly make oil available for purchase by Israel to meet all of the aforementioned normal requirements of Israel.

Our Government renewed that agreement in 1994 to ensure that Israel is protected through 2004. When we finally take up the comprehensive energy bill, we should include an amendment to extend that agreement with our Middle Eastern ally, Israel.

The point is, Israel produces less than 500 barrels of oil per day. It consumes nearly 300,000 barrels of oil a day. Regardless of what happens in the Middle East, Israel needs guaranteed access to oil just to maintain its economy. And regardless of what happens in the Middle East, we have to be able to produce and provide to Israel at those 300,000 barrels of oil per day in accordance with that agreement.

My understanding is that Alaska's oil is the oil that would fulfill that agreement because it is the same quality of oil that Israel's refineries run and could be run in those refineries without change.

Given our current dependence on foreign oil, and 57 percent of our oil is imported, Middle Eastern supplies of oil are unstable as far as we are concerned. We have to have a way to fulfill the commitment we have made to Israel, our primary ally in that part of the world.

Our own vulnerability to protect unstable oil supplies is a national security issue for us. Think what it is for Israel.

I am deeply disturbed about our continued reliance upon Saddam Hussein's oil. We are using more than 700,000 barrels of oil per day in this country imported from Iraq. From press reports, we know that one of Osama bin Laden's goals is to overthrow the House of Saud and to gain access to the vast oil reserves in Saudi Arabia.

How secure would those supplies be if that unfortunate event should take place? Today Saudi Arabia is the largest single supplier of oil to the United States. We import over 1.8 million barrels a day from Saudi Arabia.

At the height of the Persian Gulf War, 2.1 million barrels a day were sent through the Alaska oil pipeline. In the time of need, then we had oil to produce. Today, we send just over 1

million barrels a day through that pipeline because we don't have the production necessary to fill the pipeline. Today, our pipeline is half full as the production at Prudhoe Bay declines. As it declines, we send more American money to Saddam Hussein to buy his oil.

We must consider the implications of our Government having just recalled our Ambassador to Venezuela as we consider the stability of our oil supplies. For those who missed it, let me quote from a November 6 story in the Wall Street Journal discussing Venezuela:

Relations have deteriorated steadily since the September 11 terrorist attacks on the United States. President Chavez and his ministers have made what U.S. officials have described as "contradictory" and ambiguous statements. In the most recent incident, Mr. Chavez last week criticized U.S. bombing raids in Afghanistan during a televised speech. . . . Venezuela is especially important because it is one of the top three suppliers of oil to the United States market. . . .

Madam President, this is the same President Chavez who was the first head of state to break the multilateral sanctions on Iraq by visiting Saddam Hussein after the gulf war. No wonder President Bush has recalled our Ambassador for consultations. Keep in mind that nearly 1.6 million barrels of oil per day come to the United States from Venezuela, and they are subject to the control of President Chavez.

When we talk of potentially unstable sources of crude oil, we cannot ignore Iraq. My colleague, Senator MURKOWSKI, has continued to remind the Senate that the United States now imports 700,000 barrels of crude oil per day from Saddam Hussein. As I said last week, by the end of the year, we will have imported 230 million barrels of oil from Iraq. Over 40 million barrels of that oil went to California to replace oil that California used to get from Alaska. At \$20 per barrel, Americans will send over \$5 billion to Saddam Hussein's terrorism machine by this Christmas—\$5 billion, and hundreds of thousands of jobs that we don't have now because we don't have permission to increase production to continue filling the Alaska pipeline daily.

This year, we have thousands of American troops stationed in the Middle East and around Afghanistan. They risk their lives to protect our interests and our security. I believe we must do something about our growing dependence on these potentially unreliable supplies of oil. We must begin to explore for oil in our own country, and we know where the largest potential supply of oil is. It is in the Coastal Plain of Alaska. We just need the opportunity to go get it.

The Energy Information Agency released a new report last week detailing all of the proven reserves in the United States. That report says in the entire State of Texas there are now 5.27 billion barrels of proven reserves. Texans don't like me to remind them, but that State is less than half the size of Alaska.

The House-passed energy bill, H.R. 4, contains authorization for oil production in the Coastal Plain of ANWR. That Coastal Plain, as designated by the Jackson amendment in the 1980 act, is 1.5 million acres, and it is estimated to contain a minimum of 5.7 billion barrels of oil, with a very good possibility, I am told, of recovering up to 16 billion barrels of oil—enough to fill the Alaska pipeline for another three decades and beyond.

Madam President, people forget when I stood here on the floor and urged approval of the Alaska oil pipeline, the estimate for production from Prudhoe Bay was 1 billion barrels. This year, we have produced the thirteen-billionth barrel of oil from Prudhoe Bay. These estimates are always on the very conservative side.

The House energy bill limits oil production to just 2,000 acres of the 1.5 million-acre area. Remember, the million and a half acres was set aside for oil and gas exploration. Now, if the oil in ANWR could replace our imports from Iraq, Saudi Arabia, or Venezuela—and that is possible—it could produce enough oil to replace at least one of our three largest suppliers. Can anyone really doubt that this is an issue involving our national security?

Madam President, as we approach Veterans Day, I am proud to stand here as a World War II veteran and applaud the veterans groups of our country. They understand the vulnerabilities of our country. They understand the importance of reducing our reliance on the Middle East and increasing our domestic production.

I want to quote from two recent letters. This is an October 26 letter from the National Commander of AMVETS:

Our current reliance on foreign oil leaves the United States vulnerable to the whim of individual oil-exporting countries, many existing in the unpredictable and highly dangerous Persian Gulf. . . . Passage of H.R. 4 would greatly assist in our ability to secure a more dependable and diversified domestic supply of energy.

And I would note that since the Persian Gulf war our security has become more threatened with our dependence on foreign sources of oil growing from 35 percent of domestic supply to nearly 60 percent. AMVETS firmly believes we cannot wait for the next crisis before we act.

I ask unanimous consent that letter be printed in the RECORD following my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. STEVENS. In an October 25 letter, the National Commander of the American Legion said:

War and international terrorism have again brought into sharp focus the heavy reliance of the U.S. on imported oil. During times of crisis, such reliance threatens our national security and economic well-being. It is important that we develop domestic sources of oil, contained within our public lands—such as the supplies within the Arctic National Wildlife Refuge.

I ask unanimous consent that letter and additional letters be printed in the RECORD after these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See Exhibit 2.)

MR. STEVENS. Madam President, action is required now to protect our national security. The advice of these veterans groups representing the voices of all men and women who have fought for our freedom should be followed. Their advice to increase our economic security by opening the Coastal Plain of ANWR needs to be adhered to.

The advice of organized labor, which wants to see us create hundreds of thousands of jobs by opening this Coastal Plain of ANWR, is also compelling.

Israel needs even greater assurance that we can fulfil our obligations to meet her energy needs. In short, responding to these requests and to the President of the United States to promote our national security by passing the comprehensive energy bill, H.R. 4, containing authorization to proceed to use 2,000 of the 1.5 million acres of ANWR, should be our No. 1 goal before we leave for the holiday.

Passing a comprehensive energy bill that contains environmentally sound provisions by producing the largest single potential oilfield on the North American Continent is a goal of most Americans. If we act now, our men and women serving overseas will know that we stand behind them.

Passing this bill before we go home for the holiday will tell families from New England to Minnesota that the fuel oil they burn in the future, after our Arctic Plain begins to produce, is American oil, not oil from Saddam Hussein, from Iraq, or from any of these unstable sources.

In short, I believe we must act before we go home for this holiday so we will know we have acted to protect the security of our Nation, our total national security. A filibuster against a national security issue involving energy has never taken place in this Chamber. It did not take place when the oil pipeline was built, and there was severe, even worse, opposition at that time than there is now. That pipeline passed by one vote, the vote of the Vice President of the United States.

The opponents at that time knew they could filibuster, but they did not because it was a matter of national security. I call upon the Senate to recognize the tradition of this body and not filibuster a national security issue as we raise H.R. 4 next week.

I ask unanimous consent that an article by the eminent Charles Krauthammer from today's Washington Post be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Nov. 9, 2001]

WAR AND THE POLAR BEAR

(By Charles Krauthammer)

So you thought that Sept. 11 changed everything, that the era of game-show fri-

volity, "Survivor" silliness and general self-indulgence had given way to an era of seriousness. Well, not quite. Here we are, for the second time in a decade, risking American lives in a war against an enemy fueled and fed by oil money. Here we are again decrying our dependence on oil from a particularly unstable, unfriendly part of the world. Here we are in desperate need of both energy conservation and new energy production. And here we see (in the Oct. 30 Post) that we may be prevented from drilling in the single most promising area on this continent because of a . . . polar bear treaty: "New Species Enters Debate on Arctic Oil; Polar Bear Agreement Cited by Drilling Foes."

Now, I like polar bears as much as the next guy. I like pandas and caribou and all the furry cuddles on God's good earth. But I also like people, particularly Americans, and particularly American soldiers. And I do not like seeing them shot and killed in wars that would be both more avoidable and more winnable were we not so disastrously dependent on energy supplies from a nasty part of the world with nasty people who use our oil money for nasty purposes.

At a time when Washington should be working on a crash program of conservation and new drilling, a six-year-old report from the Fish and Wildlife Service is leaked in the hope that a 28-year-old polar bear treaty might derail drilling in the Arctic National Wildlife Refuge. The Outrage! "This is a classic Bush administration strategy of running roughshod over international agreements," charged Kieran Suckling, executive director of the Center for Biological Diversity and leaker of the report. The Interior Department stoutly maintains that the polar bear agreement does not prohibit oil exploration. Alaska's Sen. Frank Murkowski points out that the 25,000 or so Arctic polar bears that he represents seem to be quite happily lolling around the existing oil drilling in Alaska.

I too have little doubt that the polar bears will do fine, just as the caribou have thrived around the Prudhoe Bay field. But the whole debate is surreal. We are at war, are we not? Americans are fighting. In Washington and New York, nearly 5,000 have already been killed. Fifteen of the 19 murderers were Saudi. Their leader is Saudi. Most of their money is Saudi. And that same Saudi money funds the madrassas, the fundamentalist religious schools where poor Pakistani, Afghan and Arab children are inducted into the world of radical Islam and war against the American infidel. And yet we bow and scrape to the Saudis. We beg and borrow. We tolerate their deflecting onto America the popular hatred that would otherwise be directed at their own corruption. Why? Because we need their oil.

The war on terrorism will be fought in many places. Alaska is one. We have known since 1973 that we need to reduce our dependence on Persian Gulf oil. But we have never been serious. It was assumed that Sept. 11 would make us serious. Instead, we are engaged in exegeses on polar bear mating habits and a ridiculous debate that pits conservation vs. drilling. Why one and not the other is beyond me. Of course we need conservation. I have been an advocate of a dollar-a-gallon gasoline tax for 20 years. Whatever it takes: auto efficiency standards, higher taxes, incentives for new fuels.

But why stop there? We need more oil still. Every additional barrel that substitutes domestic oil for foreign oil is a victory. Drilling in the Arctic will involve less than 1 percent of the Arctic Refuge. It might produce an additional million barrels a day. The sea of natural gas beneath could be the largest in North America. And yet the Luddites stand firm, as if Sept. 11 never happened.

Sen. John Kerry vows a filibuster if anyone dares legislate Arctic drilling.

Imagine where we would be if those railing against Arctic drilling today had prevailed 30 years ago and stopped Prudhoe Bay. The million barrels a day we now get from Alaska would be coming from Saudi Arabia. We would be even more in their debt and under their thumb. A concerned citizenry is yearning to do something significant for the war effort on the home front. But this is not World War II. We do not need rubber. We do not need war bonds. We do not need Rosie riveting. We desperately do need energy independence. And that is a home-front battle: conservation—and a willingness to disturb a few acres of snow in a vast wilderness as remote as Afghanistan.

There's a war on, senators. Lets get serious.

EXHIBIT 1

AMVETS,

Lanham, MD, October 26, 2001.

Hon. TOM DASCHLE,

Majority Leader, The U.S. Senate, The Capitol, Washington, DC.

DEAR SENATOR DASCHLE: On behalf of AMVETS, I am writing to encourage you to bring H.R. 4, the Securing America's Future Energy Act of 2001, before the full Senate for consideration at the earliest possible moment prior to the close of the 1st Session of the 107th Congress.

As you know, our current reliance on foreign oil leaves the United States vulnerable to the whim of individual oil-exporting countries, many existing in the unpredictable and highly dangerous Persian Gulf. And it cannot be overstated that energy supplies touch nearly every aspect of our lives from our economy to our national security.

Passage of H.R. 4 would greatly assist in our ability to secure a more dependable and diversified domestic supply of energy. And, I would note that since the Persian Gulf War our security has become more threatened with our dependence on foreign sources of oil growing from 35 percent of domestic supply to nearly 60 percent.

AMVETS firmly believes that we cannot wait for the next crisis before we act. H.R. 4, as approved by the House, is a critical part of an overall policy America requires to promote dependable, affordable, and environmentally sound production and distribution of energy for the future. We urge your expedited approval of this legislation.

Dedicated to service,

JOSEPH W. LIPOWSKI,
National Commander.

EXHIBIT 2

THE AMERICAN LEGION,

Washington, DC, October 25, 2001.

Hon. TOM DASCHLE,

Majority Leader, U.S. Senate, The Capitol, Washington, DC.

DEAR SENATOR DASCHLE: We write today out of a sense of urgency concerning our national security, as it relates to our need for energy independence. The development of America's domestic energy resources is vital to our national security. We respectfully urge you to adopt the provisions contained in H.R. 4, the "Securing America's Future Energy Act of 2001."

War and international terrorism have again brought into sharp focus the heavy reliance of the United States on imported oil. During times of crises, such reliance threatens our national security and economic well being. The import of more than 50 percent of our petroleum from the Persian Gulf further compounds our foreign trade balance at a time when our energy demands continue unabated. It is important that we develop domestic sources of oil, contained within our

public lands—such as the supplies within the Arctic National Wildlife Refuge.

Working for a comprehensive energy policy and achieving responsible energy independence are critical national security and economic goals. H.R. 4, as passed by the House of Representatives, is a major step forward to achieving these imperative goals. We strongly urge your support.

Sincerely,

RICHARD J. SANTOS,
National Commander.

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
Washington, DC, October 29, 2001.

Hon. TOM DASCHLE,
Majority Leader U.S. Senate, Washington, DC.

DEAR SENATOR DASCHLE: The 2.7 million members of the Veterans of Foreign Wars of the United States and its Ladies Auxiliary supports H.R. 4, the "Securing America's Future Energy Act of 2001" or SAFE Act of 2001. We applaud the House of Representatives for its bipartisan work in addressing our energy vulnerability by passing H.R. 4. We believe the Senate should consider and vote on H.R. 4 so that our nation has an energy plan for the future and can move forward quickly with a comprehensive plan to develop our domestic energy resources.

Keeping in mind the horrific events of September 11 and mindful of the threats we are facing, we strongly believe that the development of America's domestic energy resources is a vital national security priority. We need to take steps to reverse our growing dependence on Middle East oil as quickly as possible. By passing H.R. 4, the Senate will be supporting our troops serving in combat on Operation Enduring Freedom, the American people, and our national security with a comprehensive energy legislation that is desperately needed to diversify the energy supply for our country and chart a course for the future.

The VFW strongly urges the Senate to consider and vote on H.R. 4 as passed in the House in this session of Congress.

Sincerely,

ROBERT E. WALLACE,
Executive Director.

VIETNAM VETERANS INSTITUTE,
October 30, 2001.

MAJOR VETERANS GROUPS ASK SENATE TO QUICKLY PASS ENERGY BILL TO STRENGTHEN AMERICA FOR WAR ON TERRORISM

WASHINGTON.—Major veterans groups—with a combined membership of nearly 5 million—today called on the Senate to quickly pass an energy bill that includes a provision allowing more oil drilling in Alaska to strengthen America's national security and economy for the war on terrorism.

The American Legion, the Veterans of Foreign Wars, AMVETS, the Vietnam Veterans Institute and the Catholic War Veterans urged senators to accelerate development of domestic energy resources, including the supplies within the Arctic National Wildlife Refuge (ANWR) in Alaska, as an urgent matter of national security.

In letters to Senate Majority Leader Tom Daschle (D-SD), veterans groups asked Daschle to allow the energy bill passed by the House—H.R. 4—to come to a straight majority vote in the Senate promptly, without a Democratic filibuster that would take 60 votes to break. Daschle opposes the bill's provision allowing oil drilling in part of ANWR.

Secretary of Veterans Affairs Anthony J. Principi and Senators Frank Murkowski (R-AK), Larry Craig (R-ID), Rick Santorum (R-PA) and George Voinovich (R-OH)—who all support the energy legislation—joined the veterans groups at a news conference today.

American Legion National Commander Richard J. Santos wrote in his letter to Daschle: "War and international terrorism have again brought into sharp focus the heavy reliance of the United States on imported oil. During times of crises, such reliance threatens our national security and economic well being. . . . It is important that we develop domestic sources of oil, contained within our public lands—such as the supplies within the Arctic National Wildlife Refuge."

Robert E. Wallace, executive director of the Veterans of Foreign Wars, wrote Daschle: "By passing H.R. 4, the Senate will be supporting our troops serving in combat on Operation Enduring Freedom, the American people and our national security with a comprehensive energy legislation that is desperately needed to diversify the energy supply for our country and chart a course for the future."

J. Eldon Yates, chairman and founder of the Vietnam Veterans Institute wrote Daschle: "The development of America's domestic energy resources is vital to our national security. We respectfully urge you to immediately pass H.R. 4, the comprehensive energy legislation. . . . Following the horrific events of September 11, 2001, failure to pass this bill would pose a threat to our people, our economy, and our national security, that we all wore the uniform to maintain."

Also attending the news conference was Roger Thomas, 81, of Frederick, MD, who was a Navy radioman at Kaneohe Bay near Pearl Harbor when Japanese warplanes dropped bombs around him on December 7, 1941. Thomas was uninjured and went on to fly combat missions in World War II. "The terrorist attacks of September 11 were worse than the attack on Pearl Harbor, because unarmed civilians were murdered and many more died," Thomas said. "In World War II, America could produce all the oil we needed to fight back and defeat our enemies in battle, but today we're in a dangerous situation because we rely on other countries to provide our oil."

Today's military uses far more fuel than in past wars. For example, the 582,000 U.S. military personnel in the Persian Gulf War in 1991 consumed more oil on a daily basis than the 2 million men of the Allied armies that liberated Europe in World War II.

The United States gets about 55 percent of its oil from foreign nations—up steadily over the years from almost nothing during WWII, to 36 percent in 1973 and 46 percent as recently as 1991. America sends about \$100 billion a year to foreign nations to pay for imported oil.

Experts believe ANWR may contain the largest supply of oil ever found in American history—an estimated 16 billion barrels of recoverable oil, which could be turned into 742 billion gallons of gasoline. That's the equivalent of total U.S. gasoline consumption for nearly six years.

According to an analysis by Wharton Econometrics Forecasting Associates, development of oil reserves in the coastal plain of ANWR could create as many as 736,000 jobs in the United States—most of them outside Alaska—and pump billions of dollars into the U.S. economy.

ANWR covers 19.6 million acres, but the energy legislation before the Senate would open up only 1.5 million acres to exploration. Just a tiny fraction of that—about 2,000 acres of surface land—would experience oil drilling activity if oil were found.

STATEMENT OF OUR NATION'S VETERANS GROUPS

"OUR DOMESTIC ENERGY SECURITY IS OUR NATIONAL SECURITY"

We, the undersigned, representing our nation's veterans, strongly believe that the de-

velopment of America's domestic energy resources is a vital national security priority. The horrific events of September 11, 2001, constitute a threat to our people, our economy, and our nation's security. With U.S. troops actively engaged in combat overseas, we firmly believe that America can and will win this prolonged war against terrorism, using all its resources to defend our nation and the cause of freedom around the world.

Because of these beliefs, we applaud the House of Representatives for its bipartisan work in addressing our energy vulnerability by passing H.R. 4, the "Securing America's Future Energy Act of 2001" or the "Safe Act of 2001." It is imperative that the Senate pass the House version of H.R. 4 so that our nation can move forward in establishing our energy security, as well as our defense of freedom at home and abroad. It is essential for us to develop all domestic energy resources including the supplies within the Arctic National Wildlife Refuge.

By passing H.R. 4, the comprehensive energy legislation, the Senate will be supporting our troops in the field, all Americans, their families, and our nation. We, as Veterans, stand united and respectfully request that the Senate vote on and pass H.R. 4.

J. ELDON YATES,
Chairman and Founder, Vietnam Veterans Institute.

JOSEPH SATRIANO,
National First Vice Commander, Catholic War Veterans of the United States of America.

VIETNAM VETERANS INSTITUTE,
October 30, 2001.

Hon. TOM DASCHLE,
Majority Leader, U.S. Senate, the Capitol, Washington, DC.

DEAR SENATOR DASCHLE: We write today out of a sense of urgency concerning our national security as it relates to our energy supply. The development of America's domestic energy resources is vital to our national security. We respectfully urge you to immediately pass H.R. 4, the comprehensive energy legislation.

We are pleased the House of Representatives, acting with bipartisan support, addressed our energy vulnerability by passing H.R. 4, the "Securing America's Future Energy Act of 2001" or the "SAFE Act of 2001." It is imperative the Senate do the same. Following the horrific events of September 11, 2001, failure to pass this bill would pose a threat to our people, our economy, and our national security, that we all wore the uniform to maintain.

All Americans, as well as our military troops, need this legislation enacted into law. If we intend to rebuild our economy and continue the campaign against international terrorism and those who attack us, we must develop domestic sources of oil contained within our public lands—such as the supplies within the Arctic National Wildlife Refuge. We must be able to rely to the fullest extent possible on our own resources to provide for the maintenance of our economy at home and our prolonged war effort abroad.

By passing H.R. 4, the comprehensive energy legislation now, the Senate will be supporting our troops in the field and all working Americans, including those displaced by this heartless act of aggression. We, as Veterans, stand united and cannot overstate the importance of this legislation, and respectfully request you lead the Senate by voting on and passing H.R. 4 so our nation can move forward in defense of freedom around the world.

We know that when the chips are down, America can and will stand and fight, using all its resources and all its might to defend our nation and the cause of freedom around

the world. Join us in this cause. Pass the comprehensive energy bill and help us rebuild America!

With the support of our members,
J. ELDON YATES,
Chairman and Founder,
Vietnam Veterans Institute.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

THE RIGHT MEDICINE

Mr. DURBIN. Madam President, President Bush's speech to the American people last night was exactly the right medicine. America is truly concerned over terrorism and bioterrorism and what it means to our country.

I listened carefully to the President's speech in Atlanta, GA. I thought he struck the right tone. As concerned as we are—and we should be concerned—we take heart in the fact that this country has been strengthened by this crisis and this challenge. We have come together in what has been called the “re-United States of America.”

Many people understand patriotism from a different perspective than they did just a few weeks ago. We stand in awe, in respect, and in admiration of many heroes in America. The President acknowledged them last night—the firefighters in New York City and across America, the people who are in law enforcement, medical rescue teams, teachers, postal workers, and of course the men and women in uniform who daily put their lives on the line for America. It is appropriate that we remember them as we try to wrestle with our personal concerns about safety and security since September 11.

I thought the President struck just the right chord in calling on America to bring out the very best in our Nation.

Within the last several weeks, Congress has been called on by the President many times to provide him with the authority and the resources to deal with this crisis. Without exception, Congress has responded in a strong bipartisan manner in an effort to make certain the President and certainly the armed services have all they need to execute this war effectively.

This week, the Senate considered the intelligence authorization bill which gives additional resources to the intelligence community. This is an important component of our effective defense of America and defense of our values. As a member of the Senate Intelligence Committee, I know full well that one of the most heartening events that has occurred since September 11 is the fact that countries around the world are now cooperating with the United States in fighting terrorism. Some of those countries, which have been our closest allies for years, frankly, did not take this subject as seriously as they should have. Now they do. As they cooperate with us, we have an opportunity to reach out and try to stop the spread of terrorism across the world.

CONFLICT DIAMONDS ACT

Mr. DURBIN. Madam President, yesterday I had a press conference with two of my colleagues, Senator DEWINE of Ohio and Congressman TONY HALL of Ohio as well. We are cosponsors of legislation which deals with a phenomenon that has become increasingly important in this discussion.

It is not enough we search out Osama bin Laden and his lieutenants in their caves in Afghanistan and stop those cells of terrorist activity around the world. We have to find a way to starve them of the assets and resources they need to succeed. The President made it clear this week that this has to be an immediate response by the United States. So as part of antiterrorism, we have created new authority to deal with money laundering—money laundering and transfers of money that have been used to finance the terrorist network.

A little over a week ago, though, we came to learn that there was another source for the terrorist operation. That source is diamonds. It appears that in west Africa in particular, and in Sierra Leone, where terrorist organizations have taken control of the production of diamonds, they are not only using these diamonds to promote their terrorism in west Africa, but they are exchanging these diamonds in international commerce among terrorist groups.

In Sierra Leone and other countries, we have seen absolutely barbaric conduct by these terrorists in west Africa. We have seen people who have been killed and mutilated, hundreds if not thousands of people who faced amputations of their hands, arms, legs, and feet as terrorist payback for their lack of loyalty to the terrorist cause.

How do these terrorists keep moving along? They are mining diamonds which eventually find their way into some of the most comfortable, democratic, and peaceful parts of this world.

We have introduced legislation, the Conflict Diamonds Act, which will require a certification of the country of origin for diamonds so we can starve out the diamonds that are coming out of west Africa and other places where they are supporting terrorism.

This is so important. It was important before September 11. It is more important now because we have come to learn that Osama bin Laden gathered these diamonds before September 11 as his way of bankrolling his terrorist operation. Diamonds do not leave a paper trail. A person with a handful of diamonds worth many thousands of dollars can stick them in his pocket or in a purse or in a packet and move through any metal detector, any security device undetected. That is a reality.

We have joined in a bipartisan fashion with the jewelry industry and with the diamond industry to promote the conflict diamonds bill to stop this illicit terrorist trade in diamonds.

The United States plays such a critical role when it comes to this issue.

We in the United States import 65 percent of all the diamonds in the world. If we put strong standards in place and our allies who have joined us in this war against terrorism also pass similar standards, we can starve off a source of money, a source of terrorism that is clearly becoming rampant, even as we speak.

Diamonds have always been a symbol of enduring love. Unfortunately, today they have become the currency of terrorism. I know the House Ways and Means Committee had a hearing on this bill last week. I am happy the Senate passed this bill earlier this year, and we are going to have to address it again.

I call on all my colleagues, Democrats and Republicans, to consider this a matter of great urgency and join us in a bipartisan fashion. Senator FEINGOLD, Senator DEWINE, I, Congressman TONY HALL, and Congressman FRANK WOLF, in a true bipartisan fashion, have tried to move this important issue forward.

I close on this issue by giving special credit to Congressman TONY HALL, who has been a leader on this for years—not for months but for years. It is his good work that has brought us to this point. I am happy to be an ally of TONY HALL in any cause, but when it comes to a cause of this importance, I hope my colleagues will take a close look at this legislation.

AMERICA'S ECONOMY

Mr. DURBIN. Madam President, as part of the challenge facing America today, we have to consider the state of America's economy, and it is a sad state of affairs. After almost 10 years of unparalleled prosperity in the history of the United States, during the past year we have seen terrible things occur—a massive growth in unemployment. The number of people who have been laid off across America is now reaching, unfortunately, historic levels. Last month saw the biggest 1-month increase in unemployment in 21 years. Nearly 7½ million Americans are now out of work, and the economists have warned us that a 1 or 2 million more may be losing their jobs over the next 12 months. Small and large businesses have faced this.

A friend of mine who deals with bankruptcies has told me we will be shocked as we hear the names of the major corporations and businesses which are going to go bankrupt in the near future. It is a fact of life this downturn in the economy is touching us in virtually every area of American life.

This is a time of year when many American businesses hope to show their greatest profit and success. This retail season around the holidays means so much to companies across America. Unfortunately, the sales are slow and the indication is clear that the American people are holding back. It is an understandable impulse on

their part, understandable because they are not certain of their own stability in their job or their small business. They are uncertain about the future of our economy and, of course, the war which we are waging has led people to have a certain personal austerity, a little less flamboyance when it comes to their lifestyle. It is understandable. It reflects the spirit of sacrifice.

So what we need to do in Congress is to consider what it will take to turn this around. How can we breathe life back into this economy and get it moving forward? They have called it an economic stimulus package or an economic recovery package. Whatever the description, it is clear to me Congress should do something and do it immediately.

Several weeks ago, I called together business and labor leaders in my home State of Illinois, in the city of Chicago. Some of the largest corporations were represented, as well as small businesses and labor unions, and I said to them: Tell me what the problem is as you see it; what do you think the solution should be.

They came amazingly to a consensus. Seated around this table were Democrats and Republicans and Independents, people in labor, people in business. They said: It is our impression we have too much production in America and not enough consumption. There are too many cars and refrigerators and washers and dryers waiting for buyers. So we need to give the American people the resources and the confidence to take money, go to the store, and make an important purchase. They said that consumer confidence is critical to any kind of economic stimulus; focus on the consumers.

Secondly, they said to do it in a hurry because if there is going to be an impact on this economy, do not wait. Congress has a tendency to identify problems and then spend months, if not years, waiting to respond. Well, when it comes to the economy, we cannot afford to do that.

The third thing they said is, do not do anything today that you will regret tomorrow. Make this a temporary fix so when it is all over, we will not have a problem we have to cope with for years to come.

This is the advice of a diverse group of people who came together in Chicago. It is exactly the same advice which we have been given on Capitol Hill. Economist after economist has come into this building and told us, these are the three things: Help the consumers move forward, do it quickly, and do not do anything that will jeopardize the economy in the long run.

So how do we achieve that? Well, it is very clear to me if we want to move the economy forward and help consumers, we ought to focus on those individuals in our economy who are most likely, with additional resources, to spend them.

My basic course in economics, which I took many years ago at Georgetown,

said people in lower and middle-income groups will spend their money and do it more quickly, and they are more likely to spend it than those in higher income categories.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. DURBIN. I ask unanimous consent for an additional 10 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MURKOWSKI. Madam President.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. MURKOWSKI. Did I hear the Senator request an additional 10 minutes?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. MURKOWSKI. I was seeking recognition and was going to recognize my colleague from Missouri who has to catch an airplane. She needed 5 minutes. I stepped aside for her. I obviously want to accommodate Members and do not intend to object, but what is the order of morning business? Is it 10 minutes?

The ACTING PRESIDENT pro tempore. It is a 10-minute limitation.

Mr. DURBIN. In response to the Senator from Alaska, I gave the same accommodation to his colleague who just left, who asked for additional time to speak, but I do not want to keep anyone from catching their plane.

Mr. MURKOWSKI. My concern was to accommodate the Senator from Missouri.

Mr. DURBIN. I want to accommodate my colleague from Missouri, too. I yield 5 minutes to her and then ask for an additional 10 minutes.

Mr. MURKOWSKI. I have no objection.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Missouri.

REVITALIZING THE AMERICAN ECONOMY

Mrs. CARNAHAN. Madam President, I thank my colleague from Alaska and my colleague from Illinois for their kindness this morning.

I add my voice to those who believe we must act quickly to revitalize the American economy. Even before the terrorist attacks, our economy was slowing down. New reports now indicate the unemployment rate is rising, that consumer confidence is low, and that businesses are postponing investments. The convergence of these important indicators spells trouble for us in the months ahead. That is why Congress must act now.

The American people expect us to find solutions. All across America, the fires of patriotism are burning brightly while in the Congress we smolder in indecision. In fact, we in this Congress can learn from the unity and patriotism of the American people. They want us to work together across party lines to do the urgent business of this Nation.

Leading economists in the country have repeatedly told us what needs to be done. We can jump-start our sluggish economy, we are told, by providing immediate tax relief and economic assistance targeted to those who are most likely to invest and spend. These economists have also warned us that if we abandon fiscal discipline, long-term interest rates will rise. It is time for us to heed their sensible advice.

The Democratic and Republican leaders of the Budget Committee in both the House and the Senate have laid out very useful principles for an effective stimulus package. They all agree the legislation ought to be immediate, it should be temporary, and it should be focused on individuals and businesses most likely to spend the stimulus dollars. I believe if we abide by these bipartisan principles, we can craft a stimulus package that would give a boost to the American economy, and we can do that without jeopardizing our long-term fiscal health.

Using these guidelines, we can craft a package that will garner support from both parties and one that President Bush can sign quickly. Our goal is to get the Nation back to work again and back to growing again. By getting cash into the hands of businesses, we can create new jobs and new investments in plants and equipment.

A number of promising ideas have been suggested that would provide this needed cash infusion into businesses. It has been proposed that businesses could accelerate the rate at which they depreciate new assets. Doing this would help businesses of all sizes decrease their costs this year and free up investment capital.

For example, let me tell my colleagues about a company in my hometown of Rolla, MO. It is called Brewer Science, Inc. It is a successful and growing company that employs 235 people. It produces the chemicals used in the manufacture of integrated circuits. The proposed increase in allowable deductions would enable this small business to expand faster. Additional cash in this business could be spent on additional research and development, and that is the kind of investment and expansion that will get our economy back on track.

Increasing business investments address only part of the problem. While the economy goes through its natural business cycle, many Americans are facing immediate unemployment. Creating new jobs for these workers is crucial, but it will take some time. In the meanwhile, we must help these families in crisis. Last Friday, the Labor Department released some alarming figures. Seven hundred thousand Americans lost their jobs in October. The unemployment rate surged to 5.4 percent this month. There are now a total of 7.7 million Americans out of work. These are staggering numbers. Families all across America are hurting.

Shortly after September 11, I encouraged my colleagues to act quickly on

behalf of the workers in the airline industry who lost their jobs abruptly. To my great regret, they did not act.

At that time, many in this body claimed it was appropriate to wait. They said we ought to deal with assistance to the unemployed when we consider broader legislation to stimulate the economic recovery. Now almost 8 million Americans are worrying about how they will pay the rent or their mortgage. Millions of American parents have lost their health care insurance, and they are worrying what they will do if a child gets sick. Millions of families are wondering how they will put food on their Thanksgiving table this year. It would be unconscionable to tell these people to wait any longer. Extended unemployment benefits and help with health care coverage must be included in a stimulus package.

By extending unemployment compensation, we will be putting dollars into the hands of people who need the money immediately for their basic needs. The money will be spent quickly, which in turn provides the needed remedy for an ailing economy. We have an opportunity to do the right thing at the right time and for the right reasons. We must act quickly and in a bipartisan fashion. We cannot afford to wait until more people are laid off or more businesses fail. We must not leave our families to struggle without help or without hope.

If we have the will, we can forge a just and reasonable compromise that will ease the pain of this recession. When Holocaust survivor Elie Wiesel was asked what was the most important commandment, he replied: Thou shall not sit by idly. That response points up the importance of acting when we have a chance to influence an outcome. During this time of crisis, let it not be said of the U.S. Congress that we sat idly by. Let us act with courage, and let us act now.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. I congratulate my colleague from Missouri. She said in just a few moments exactly what we need to hear as we consider this economic stimulus package.

I believe she has put a finger on it: We are being called on, across America, to rally behind our flag, our President, and our cause, that we should make certain when it comes to the economic stimulus package, we also keep in mind that all America is involved. It is the working families in America paying the payroll taxes into the Social Security trust fund who are funding all we are doing. The money we are spending to defend America against terrorism, the money we are spending to rebuild New York, the money we are spending to help the airline industry, the money we are spending for an economic stimulus all comes out of the Social Security trust fund, and all of that money comes from the payroll workers across America.

When we talk about invigorating this economy and getting it moving forward

again, what a difference in approach we have between the two political parties. On the House side, the Republicans came up with a stimulus package which I am afraid doesn't meet the test of encouraging consumer spending, doing it in a timely fashion, and not damaging the economy. Instead, what the House Republican package came up with was, sadly, a great deal of tax relief for the biggest corporations in America. This is profiteering in the name of patriotism.

Consider for a minute that these corporations would receive rebate checks for 15 years' worth of Federal income tax under the stimulus plan supported by the House of Representatives. IBM would receive \$1.4 billion from the Social Security trust fund; Ford, \$1 billion; General Motors, \$833 million. The list goes on and on. Billions and billions of dollars in corporate relief from the House Republican stimulus plan and precious little or nothing for the workers across America.

We know what will get this economy moving again. Give some money to the people who are having a tough time—having just lost their jobs—to keep their families together, and they will spend it. Of course they will. Give the people who just lost their jobs help in paying for health insurance, and they will use that help because they are as frightened as anyone that family members or their children will not be protected with health insurance. Those are the pillars of the Senate Democratic plan for stimulus: That we help those who have just been laid off, who are facing a difficult time.

We also provide tax rebates for 45 million low-income taxpayers who received no rebate earlier this year. People pay payroll taxes, pay into the Social Security trust fund. This time around, we believe they should receive some tax assistance.

We have business tax cuts, as well—a 10-percent bonus appreciation. I heard from businesses across Illinois: Give us some help in depreciating some of the things we purchase and we will purchase more. That can move the economy forward. It is a sensible plan.

We want to extend unemployment benefits an additional 13 weeks in all 50 States. This is not a radical suggestion. This is the course followed by President Bush's father. In the teeth of a recession, he said: We have to stand by the people who have lost their jobs. In America we have 7.5 million Americans who are out of work. We ought to stand by them and any laid off in the near future. We need to expand coverage to the people who do not receive unemployment insurance today.

We also know when it comes to this health insurance, unless we help people buy health insurance once they have lost a job, they will have none; they are not likely to do so. Just do the math. The average unemployment check is \$230 a week; the average payment for private health insurance when you have lost your job is \$588 a month. It just does not work.

We have quite a contrast between the Republican approach of getting this economy moving forward and the Democratic approach. The Republican approach embodies tax cuts for the wealthy and profitable corporations and nothing for homeland security. I hope I get a moment to get to this issue.

When it comes to tax cuts for the wealthy, by speeding up the rate cuts, the Republican plan would give a new \$16,000-a-year tax break to the wealthiest 1 percent of Americans. Those are people making over \$1 million a year, receiving \$16,000 from the Republican tax stimulus. What a stimulus that is: For citizens making \$1 million a year, we want to give you \$16,000 more. That is not going to put money back into the economy, not nearly as much as helping the economy by giving the money to the average working family, the middle-income family across America.

When we give every millionaire a check from the Treasury for \$16,000, that is money being thrown away that could be used to deal with economic stimulus. That \$16,000 goes right out of the Social Security trust fund. Payroll taxes paid by average workers into the Social Security trust fund are being spent to give a \$16,000-a-year check to the wealthiest people in America—and to do it for 4 years under the Republican plan.

The Republican plan, in addition, with the accelerated tax cuts, costs \$27 billion in 2002—next year—and increases to \$121 billion over 10 years. Remember the advice we receive from people: Don't do anything that will hurt us in the long term. They are going to basically eat up any surplus we have in the future to give tax cuts to the wealthiest people in this country. That makes no sense at all.

HOMELAND SECURITY

Mr. DURBIN. I have a limited amount of time and will now reflect on the issue of homeland security. There are two ways to move the economy forward: Tax cuts and spending. The faster way, the more effective and immediate way, is through spending because as we spend on important projects and the money is spent, people are employed to do things important for America.

Senator BYRD of West Virginia and others have offered as part of the stimulus package a \$20 billion package dealing with homeland security. Where would that money go? For example, it would go to law enforcement. In my State of Illinois, my Republican Governor has asked me to help come up with \$20 million so we can have a statewide communications network to deal with any emergencies, any crisis, any act of terrorism. This is money well spent. I want to give the Governor that money, but unless Senator BYRD's package moves forward, it is not likely that will happen.

The same thing on bioterrorism: We want to see money going into public health departments, State and local, to help them fight the war against bioterrorism. We need them. We have realized that with the anthrax crisis.

Look at the contrast: What the administration has called for to help public health departments on bioterrorism is \$300 million a year to go to State and local public health agencies. That amount is nothing. Remember, as well, the Republicans, in their stimulus plan coming from the House, want to give \$1.4 billion to one corporation—IBM. To give four or five times as much as might be spent to fight the war against bioterrorism is clearly a loss of our priority.

We also need to put money into security for Amtrak, for our airports, for our highways, for critical infrastructure across America. The money called for by Senator BYRD would go for that purpose. I think that is money well spent and invested in the infrastructure of this country.

People expect us to respond to this crisis with not only tax cuts that will truly move the economy forward but also with a spending package that makes America safer. It doesn't make America safer to give a \$16,000 check to a millionaire out of the Social Security trust fund. It might make America safer if we take that money and invest it in law enforcement, in protecting critical infrastructure such as water supplies, nuclear power plants, and the highways, and infrastructure across America.

Those are the differences, and they are critical differences.

I also make note of the fact that the editorial response to the Republican stimulus package so far has been uniformly negative. As a matter of fact, Treasury Secretary Paul O'Neill referred to the House-Republican-backed stimulus package as just so much show business. We don't need show business on Capitol Hill; we need to get down to serious business. That serious business involves responding to our economic crisis and doing it in a timely fashion and a fair manner.

I salute the Senate Finance Committee for moving forward a package yesterday, on a partisan rollcall, I am sorry to report, but one that we will consider next week. I hope the Republicans will work with us quickly pass a bipartisan package. The sooner we can respond to this economy and its needs, the better it will be.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

DEVELOPING ANWR

Mr. MURKOWSKI. Madam President, I listened carefully to my colleague from Illinois. I think what we are going to see next week is almost class warfare on the issue of the stimulus.

What is a stimulus? Stimulus is what really stimulates the economy. I think

as we look at the difference in the positions of both parties, we come to the conclusion that for those who happen to have the circumstances that allow them to have accumulated capital, it is in our interests to encourage them to invest in inventories, expenditures, and so forth, so this economy can move. It doesn't move necessarily simply by government spending. These should be determined to be true stimulus matters.

I would like to reflect, as a member of the Finance Committee, on how we got into this situation relative to putting a bill together, under the Finance Committee leadership of the two leaders, Senator BAUCUS and Senator GRASSLEY, who had worked together extraordinarily well on the tax package. It was a bipartisan package, so unlike what came out of the Finance Committee yesterday. It seemed as if the Republican participation in the process had been virtually eliminated by the Democratic majority and the Democratic majority leader. In the manner in which he dictated the terms and conditions, there would be virtually no input from the Republicans in that package.

As a consequence, I do admire the chairman, Senator BAUCUS, for insisting that the process at least go through the committee because, unlike what happened in the Energy Committee where the Democratic leader simply pulled the energy bill and there was no committee process; there was no input from the authorization committee, so the committee basically shut down, and the Democratic leader took it upon himself to work up an energy bill that we have yet to see. What we are seeing here is an extraordinary dictate of power from the Democratic leader who says: We are going to do it my way. We are not going to go through the process associated with the authorizing committees.

As a consequence, what happened yesterday in the Finance Committee was a partisan vote. We are going to start in with that package on Tuesday. If we are going to get anywhere, we are going to start in accommodating each other's points of view, working towards a bipartisan solution. Clearly, this country, and the President, wants to have this issue resolved. It should be resolved. But it has to be a true stimulus.

What I am doing is drawing a little bit of a parallel to the power politics of what is occurring here. We saw initially on the energy bill, as I have indicated, where the authorizing committee's jurisdiction was basically eliminated and the chairman of the committee saw fit to simply leave the obligation up to the Democratic leadership. That almost occurred in the Finance Committee but not quite.

As we look at the stimulus, I want to reflect one more time on what true stimulus is. True stimulus is the creation of jobs, the creation of jobs by urging the private sector to invest, ini-

tiate action. There is one issue before this body, and it is either going to be on the stimulus bill or perhaps we can make an arrangement with the Democratic leadership to take it up, debate it, vote up or down, and address the issues as they should be—and that is the issue of an energy bill.

One of the issues in that bill is the contentious issue of ANWR. Should it be opened? Should it not? We have seen the position of our President on numerous occasions who says it is an integral part of the Nation's energy policy to reduce our dependence on imported oil. The American Legion, Veterans of Foreign Wars, AMVETS, Vietnam Veterans, the Catholic War Veterans, what do they say? I could go on and on. They have implored the Democratic leader to put this on the calendar, to take it up, vote on it. Their particular view of this issue is they don't believe we should send any more men and women to fight a war on foreign shores.

I am reminded of the comments of a former Member, Mark Hatfield, who was a pacifist. He said: I would vote for opening ANWR any day rather than send another man or woman to fight a war on foreign shores over oil.

I think that says a lot for American veterans. Make no mistake about it; we fought a war over oil in the Persian Gulf. Today we are buying oil from our enemy, whom we basically conquered in that war, Saddam Hussein. We are importing over a million barrels a day. Yet at the same time we are enforcing a no-fly zone over that country. We are putting at stake the lives of American men and women. As we take the oil from Iraq, put it in our planes, and enforce the no-fly zone, we bomb him. The consequence of that is he takes our money, develops a missile capability, maybe a biological capability, and aims it at our ally, Israel. Maybe that is an oversimplification of foreign policy, but it is not too far off.

Organized labor is totally aboard. For the International Brotherhood of Teamsters, maritime unions, seafarers unions, operating engineers, plumbers, pipefitters, carpenters and joiners, this is a jobs issue. Where can you find a stimulus that will generate roughly 250,000 jobs—these are U.S. jobs, these are union jobs in this country—other than this particular issue of opening up that sliver of ANWR?

The interesting thing is we are creating jobs. We are also generating revenue to the Federal Government because those lease sales are estimated to generate about \$3.6 billion from the private sector.

What we have here is an opportunity, an extraordinary opportunity to recognize the realities associated with what this stimulus would do to the economy. There is not one other thing any Member can identify that will not cost the taxpayer one red cent and that will employ more people in this country, generate more jobs.

From where do these jobs come? We will have to build another 19 or 20 U.S.-

flagged vessels, tankers, to move the oil because we have to move it in a U.S.-flagged vessel. They are going to be built in U.S. yards with U.S. workers. We don't make steel or pipes or valves in Alaska. They are built all over the United States. This is real stimulus.

The Hispanic community, the Latin-American Management Association and Latino coalition, the United States-Mexico Chamber of Commerce, all support this. We even have the seniors organizations and of course the American businesses, manufacturers, and so forth.

What is this all about? This is an issue that America's extreme environmental community has latched onto over a period of time, generated a lot of revenues and a lot of membership, and they are going to hang onto this issue because they recognize the value of it.

Some Members, obviously, are looking to the political support from these issues. I think we have to stand up for what is right for America.

We see a remark made by a spokesman for the Democratic leader:

Everyone knows we will not get a drop of oil out of Alaska for a decade, and it won't last more than a few days.

That is a statement made by a person who obviously has no knowledge of reality. The reality is, if it ranges between the estimates of 5.6 billion and 16 billion barrels, it would be as much as we import currently from Saudi Arabia over 30 years and as much as we are now importing from Iraq for 50 years. That is reality.

How can we frame this in any sense?

Let's look at Prudhoe Bay. Everybody is somewhat familiar with that. That came on line 27 years ago. The arguments today against opening up ANWR are basically the same that existed 30 years ago when we were talking about opening Prudhoe Bay. We built an 800-mile pipeline along the length of Alaska. Is it going to be a fence? Are the animals going to be able to cross it? Is it a hot pipeline over permafrost. Will it melt? Will it withstand earthquakes? It is one of the construction wonders of the world.

Prudhoe Bay was supposed to provide 10 billion barrels. It has now produced 13 billion barrels. It is still producing 17 percent of the total crude oil produced in this country today. Those are the realities.

I am very disappointed that some people who have never been up there speak with such eloquence and knowledge. They do not know what our Native people want. Our Native people want a lifestyle that provides better job opportunities and better health care. The people in my State of Alaska within that 1,002 area of ANWR own 59,000 acres. It is their own private land. They can't even get access to drill for gas on their own land. This is an injustice.

There is a rather interesting dichotomy here because we are all concerned about public opinion. The New York

Times, in 1987, 1988, and 1989, supported opening this area. I will read a little bit from the New York Times, April 23. It says:

The Arctic National Wildlife Refuge has the most promising untapped source of oil.

It further states:

This area could be opened up safely, and we could avoid any disaster associated with the dangers.

Further, in 1988, they say:

The potential is enormous. The environmental risks are modest.

In March of 1989, they say:

Alaska's oil is too valuable to leave in the ground.

That is where they were then. Of course, they are in a different position now. They say now that we shouldn't open it.

The Washington Post, April 23, 1987:

Preservation of wilderness in Alaska is important. Much of Alaska is already protected under the strictest of preservation. That part of the Arctic coast is one of the bleakest, most remote places on this continent. There is hardly any other place where drilling would have less impact on the surrounding wildlife.

In April 1989, they said:

If less is produced here at home, more will have to come from other countries. The effect will be to move oil spills to other shores. As a policy to protect the global environment, that is not very helpful. The lessons of conventional wisdom seem to be drawn . . . that this country should produce less and turn to greater imports is exactly wrong.

How quickly we change with no explanation. It is just the influence of America's environmental community on these newspapers. But that is a turnaround.

My colleague this morning entered an excerpt from the Washington Post by Charles Krauthammer entitled "War and the Polar Bear." It is very interesting. I advise all people to read it.

But I will again reflect on reality. Thirty years ago in this Chamber we were arguing the issue of opening Prudhoe Bay. It passed by one vote. The Vice President broke the tie.

The same issues prevail today. Now, in a time of war, when do we face up to reality and address the opportunities to open this area and reduce our dependence on imported oil and stimulate our economy? It is not a few days' supply. It is the largest potential oil field that we could possibly find in North America. It can flow within 18 months of opening as a consequence of the process simply of moving the permitting. We all know this.

Let's get on with the stimulus at hand and recognize the greatest single stimulus that we can identify. That is simply opening up ANWR.

I thank the Chair.

The PRESIDING OFFICER (Mrs. CLINTON). The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I thank the Chair. I have come to the floor to speak this morning about the various ideas proposed to help our

economy recover from the recession that we are in currently.

I say to my friend and colleague from Alaska that he will not be surprised that I respectfully disagree with most of what he just said about drilling for oil in the Arctic National Wildlife Refuge. But I have the feeling that either next week or sometime soon we will have the opportunity to debate these matters at length. I look forward to a good, constructive debate.

A SENSIBLE ECONOMIC STRATEGY

Mr. LIEBERMAN. Madam President, I do want to go back to the fiscal stimulus and put it in the context of where we are now.

America is a nation at war. It is a war that challenges our values and our security as fundamentally as the great wars we fought in the last century against Nazism and communism. So a war of this kind naturally affects most everything else we do in ways that we may not yet see in America. That includes the ways we in Congress conduct our business.

It is a time to put national interests ahead of narrow partisan or ideological agendas. But when there are important disagreements, we cannot sweep them under the rug. After all, democracy, in all its fractious glory, is one of the most fundamental values that unites us. It is a value that we are fighting to defend in the current war against terrorism. The moment we stop practicing democracy is the moment we start giving in to the terrorists.

It is in that spirit that I wish to speak today—not negatively, but constructively, and not divisively, but I hope in a spirit of what I take to be the national interest.

I want to speak in disagreement with the fiscal stimulus plan passed by the House of Representatives, which is really a House Republican plan passed almost entirely on partisan grounds. This plan has apparently now been endorsed and supported by the President of the United States.

The fact that our economy was weakening before September 11th is clear, particularly in the information technology, telecom, and high-tech sectors. But after September 11, unfortunately, the terrorists helped to push the American economy from weakening into recession. That has challenged all of us to regain the kind of psychological, let alone economic, confidence that will once again create growth.

Unemployment has risen now to 5.4 percent. That is a statistic which expresses itself in hundreds of thousands of our fellow Americans being out of work. Demand in the business sector and the personal consumption sector is just not where it was or where we want it to be.

We must always recognize that the American economy is the strongest in the world and that we have the most vibrant, productive private sector in the world—both those who invest and

manage it and those who work in it. In fact, it is from that private sector that the recovery to this recession will ultimately come.

It is also important for us to acknowledge that we in government have some options by which we can facilitate and encourage the private sector to do what it does best in helping to create economic growth.

It is important as we put together a fiscal stimulus package to remember, ironically enough, the Hippocratic oath that every doctor knows very well. It is, "First, do no harm." I say respectfully that the stimulus package passed by the House of Representatives, reflected in part in the Republican proposals that are surfacing here in the Senate, does not pass the test of the Hippocratic oath.

They will harm our economy by not only being unfair but by bringing us further into long-term debt—building, unfortunately, on the precedent set when we passed President Bush's tax cut earlier in the year. That tax cut plan made the most glowing assumptions about the future of the economy, and then spent the revenue that was predicted based on those assumptions. That was not fiscal responsibility. And, of course, now the multi-trillion dollar estimates of surplus on which that tax cut was based have evaporated, have been altered.

The Republican proposals for fiscal stimulus, particularly by accelerating some of the President's tax cuts that were adopted, not only do nothing to increase demand by individuals which will stimulate the economy and create growth and jobs, but they increase America's long-term debt. That means increasing long-term interest rates. And that means inhibiting the flow of capital, money that is the underpinning of growth in the private sector of our economy.

So I say, respectfully, the Republican proposals for fiscal stimulus do harm. Our economy needs help, not harm. Frankly, I believe we would be better off passing no stimulus than passing the package that was adopted by the House of Representatives, because I really believe it will hurt our economy, not help it.

Our economy is ready and waiting for a quick, significant, temporary shot in the arm. But if the Federal Government makes the wrong choices, we will effectively be shooting ourselves in the foot.

In the current economic climate, we need to discard the stale, knee-jerk debates of the past and come together now to craft a commonsense solution that again puts the national interest ahead of narrow partisan or ideological interests, and ahead of the paying of old political debts. We need to act to produce economic growth and to protect jobs.

I want to speak, for a moment, about a very significant event that occurred just over a month ago, on October 4. The chairmen and ranking members of

the House and Senate Budget Committees—Democrats and Republicans alike—released basic principles that they thought should guide any economic stimulus proposal. They agreed that the package—and I quote—"Should be based on the recognition that long-term fiscal discipline is essential to sustained economic growth. Measures to stimulate the economy should be limited in time so that as the economy recovers, the budget regains a surplus that is at least equal to the surplus in Social Security. Any short-term economic stimulus should not result in higher long-term interest rates."

The Republican proposals simply do not meet that test. Given the spending demands of prosecuting the war on terrorism, of upgrading our homeland defense, of rebuilding the City of New York, President Bush initially said he supported enacting a stimulus package of between \$60 and \$75 billion which would be balanced—half and half—between spending and tax incentives.

The President asked for a finely tuned performance vehicle. Instead, the House has given him a broken-down jalopy. The House Ways and Means Committee reported a \$212 billion plan that meets few, if any, of the bipartisan principles of the Budget chairs and ranking members issued on October 4.

At the heart of the House Republican package is a large corporate tax cut, retroactive to 1986—before my youngest child, my 13-year-old daughter—was born. It totals about \$25 billion in cost. And \$6.3 billion of that ends up in the bank accounts of just 14 large companies.

Madam President, I am all for tax cuts, as I know you are, including tax cuts for business. But if our goal is to jump-start the economy now, these big tax breaks to a select group of our largest companies simply make no sense. In the first place, they will not get their refunds until next year. Even then, there is no guarantee they will spend the money, which is what we need to spur economic growth. There is no guarantee they will invest in acquiring new equipment and funding the kind of research and development that will support economic growth. We are just going to have to cross our fingers and hope they use it in the right way, and don't use it to pay off their debts or buy back stock. It's the wrong strategy.

The same is true, as I said briefly earlier, of the House Republicans' plan to accelerate the reduction in income tax rates adopted earlier this year. That is not going to prime the pump; it is simply going to pump up the incomes of those who need it least. It is not likely to spur new investments or job growth, but, instead, to reward past success—which is not what our economy needs now. It is not the quick action we need, but a slow road to budget deficits and higher interest rates.

There are only two provisions in the House fiscal stimulus bill that meet

the agreed-upon, bipartisan standards: A grant of rebates to those working Americans who did not receive them this summer, and accelerated depreciation for companies, businesses that buy and place in service new equipment in the coming year. Those are both good ideas. They are the beginning of the basis of an agreement. And they are both contained in the Senate Finance Committee's package that was reported out yesterday.

This is not the time for serving old, stale, narrow party and ideological agendas. It is the time for unity, for leadership, for discipline, and for bipartisanship.

I think the Senate Finance Committee has reported a bill that meets those standards. It is focused. It is disciplined. It is short term. It is a real stimulus. It will cost \$75 billion over 10 years. It contains no permanent changes in law. It has minimal negative out-year impact on our budget.

And, unlike the House Republican bill, it includes reasonable and effective assistance to those who are unemployed or are about to lose their health care benefits. In fact, half of the cost of the bill goes to temporarily extending and expanding unemployment insurance and a subsidy for COBRA health insurance premiums. That gives balance to the proposal. It gives heart to the proposal. And it will help to stimulate the economy because every additional dollar that goes to an unemployed worker will surely be spent.

Over the last couple of weeks, I have been talking to workers who are unemployed and those who fear they will soon be unemployed.

Madam President, I ask unanimous consent for two additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. I thank the Chair.

Madam President, I find that the greatest fear of those who are currently unemployed or who fear that they will, in this recession, be unemployed, is: How in the Good Lord's name am I going to be able to continue health insurance for my family?

I spoke to one couple last weekend who said their health insurance premiums are \$600 to \$700 a month. How can they afford to pay those premiums through COBRA to keep their insurance going?

The Senate bill, in an act of not only humaneness but an expression of classic American values, said why would we not want to help working families who, through no fault of their own, have been laid off, to at least cover the cost of health insurance for their families? The Senate finance bill will do that up to the tune of 75 percent.

This is a good, balanced program. It is the medicine our economy needs to help it grow. I hope we will not find the debate on the stimulus to be rigid, to be unthinking, to be unyielding. I think we need to be open-minded because the threat to our economy is real and profound.

The American people not only need help, but they will not tolerate a partisan debate that ultimately produces sound and fury but nothing to help them hold their jobs or help their families.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 28

Mr. REID. Madam President, I ask unanimous consent that at 10:30 a.m. Tuesday, November 13, the Senate proceed to consideration of Calendar No. 219, S.J. Res. 28; that the statutory time limitation be reduced to 2 hours, with the time equally divided and controlled between the chairman and ranking member of the Budget Committee or their designees; that upon the use or yielding back of time, the joint resolution be laid aside, and the vote on final passage of the joint resolution occur immediately following the vote on confirmation of the Executive Calendar No. 511, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, as in executive session, I ask unanimous consent that the previously scheduled debate and vote on Executive Calendar No. 511, Edith Brown Clement, be changed to reflect that the debate time occur at 4:45 p.m. and the vote on confirmation occur at 5 p.m., with all other provisions of the previous order remaining in effect, with the above occurring without further intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, on Tuesday, as a result of this unanimous consent agreement, there will be no votes until 5 o'clock. There will be a number of matters, as indicated in the unanimous consent request, taken up. That is the beginning of the time also for the debate on the stimulus package. We are going to be very busy Tuesday, but the first vote will not occur until 5 o'clock.

The PRESIDING OFFICER. The Senator from North Dakota.

ECONOMIC STIMULUS

Mr. DORGAN. Madam President, I rise to talk a bit about the economic recovery plan.

I begin by saying that yesterday, I chaired a hearing dealing with the U.S. Postal Service. My colleague, Senator BYRD from West Virginia, attended the hearing and asked the Postmaster General a series of questions. As with a lot of areas in our country since September 11, the U.S. Postal Service has

been dramatically affected, perhaps more so than others. They have had postal workers die as a result of terrorists who used the system as a delivery mechanism for terror and death from the anthrax spores sent through the mail.

I told the Postmaster General that this country expresses its sorrow for what has happened to the Postal Service workers. These are wonderful people.

I mentioned one of the stories about the two Postal Service workers who died which described both of them in quite remarkable terms. One of them had worked 15 years on the night shift and had never, in 15 years, used 1 day of sick leave. One should not judge someone by whether or not they use sick leave. The point is, this person's neighbors talked about what a wonderful human being this person was.

The U.S. Postal Service is populated with men and women who do their job, as we say, in rain, sleet, and snow; regrettably now with anthrax, which has taken the lives of a couple of them.

I told the Postmaster General yesterday about a town meeting I had in Glenburn, ND, a small town with hundreds of people. At my town meeting, a fellow stood up and said: There is a lot of criticism about things and good government. I want to give you one piece of good news about the U.S. Post Office.

I asked: What is that?

He said: I got a letter out at my farm that was addressed "Grandpa, Glenburn, ND." It was from my grandson.

I asked: How on earth could that have been? How would you have gotten a letter addressed "Grandpa, Glenburn, ND"?

He said: You can ask the postmaster over there.

So I asked the postmaster: How would that have happened?

He said: We got the letter that said "Grandpa, Glenburn, ND." We looked at the postmark and it was Silver Spring, MD. We knew the only person around here that had relatives in Silver Spring was Frank, so we sent it out to Frank's farm. Sure enough, it got to the right grandpa.

I told the Postmaster General that story. So many others like it describe quite a remarkable system that has worked for a long while and one that we must preserve and keep and nurture and protect during these difficult times.

I rise to talk about all of the challenges, not just to the U.S. Postal Service but to our country. We face several challenges now. One is the challenge dealing with national security. One is a challenge dealing with economic security. And another is the challenge dealing with energy security. Some of my colleagues spoke about that earlier.

National security doesn't need much more description. Most of us understand that some sick, twisted minds

hatched a plot that murdered thousands of Americans in cold blood. Terrorism has visited our land in a manner that we never thought before possible. Now this Nation is one in its determination to find and bring to justice those who committed these acts of terror.

It is a different time. There is a pre-September 11 and a post-September 11. We have a President who has spoken to the American people about putting the men and women in America's uniform in harm's way to try to find the terrorists and bring them to justice, to root out the terrorist cells formed around the world who would commit acts of these types. This country supports our President and the men and women in uniform who are risking their lives to do that.

I toured Ground Zero in New York about a week after the tragedy. I saw on the highest twisted metal beam yet standing where an iron worker had climbed and attached an American flag to that highest metal beam. As we came upon that tragic site, that is what we saw, carnage, destruction, but also an American flag gently blowing in the breeze that morning.

Two days later, I was in North Dakota driving between Bismarck and Dickinson, ND, on interstate 94, a patch where you couldn't see a structure of any kind anywhere, just rolling prairies. Someone had taken a flag pole with a flag on it and attached to it a fence post there in the middle of the prairie where you could see nothing that was made by human hand except from this fence post—a single American flag also blowing in the gentle morning breeze in North Dakota.

The connection between the flag and the Trade Center and the flag in North Dakota was a connection of unity of spirit and one Nation doing what it needs to do to protect itself and to bring to justice those who committed these terrorist acts.

Our Nation was having some difficulty even prior to September 11 with an economy that was very weak. Our economy had softened a great deal and people were beginning to lose jobs. Our economy was losing steam and strength. September 11 cut a hole right through the belly of this country's economy.

The news since that time has been more layoffs. Hundreds and hundreds of thousands of Americans have lost their jobs. They, too, in many ways are victims of terrorist attacks.

What do we do about the soft economy in the aftermath of these terrorist attacks? We are unified as a Nation in going after the terrorists and trying to prevent terrorist action from occurring again. Are we unified with respect to how we come together as a nation to try to provide a boost to the American economy?

The answer to that is, no, not so unified these days. We have a lot of different ideas about how you promote economic growth and how you help the

American people during an economic downturn.

This is the political system. I don't regret the fact that there is debate about these things. With respect to national security issues, this country has unity. On some of the other issues, we have debate. I don't regret that. It strengthens us. There is an old saying when everyone in the room is thinking the same thing, no one is thinking about much. I don't shrink from debate. We should not shrink from debate. When in debate we get the best of what everyone has to offer, democracy is served.

Groucho Marx once said: Politics is the art of looking for trouble; finding it everywhere, diagnosing it incorrectly, and then applying the wrong remedies.

Groucho Marx was a humorist. Politics takes a lot of humor and should over many years. But politics is the process by which we make judgments and decisions about the country. That is politics; that is the best of the American people. It is what served this country well for a long time. So as we talk now together in this country about how we apply some remedies and develop policies that strengthen America's economy, we have ideas coming from all sides. Let me describe some of them. Some of them are wonderful, challenging, interesting; some of them are nutty—but that is the way the process works.

We have, for example, one piece of legislation that was developed by the other body, and it was described as something that is a stimulus package and is going to help the country. I will give you a couple of examples: They put in a \$21 billion tax piece that benefits many of the largest corporations in the country for the purpose of incentivizing them to move and keep needed investment capital overseas. How would I classify that? Nutty.

Does anybody think that is going to strengthen our country, strengthen our economy, by saying to big companies: What we would like you to do, by the way, is keep investing overseas. We would like you to move capital overseas because we think that is just great.

Well, that is not the way to strengthen our economy, the way to provide a lift and boost and helium to the American economy. But that is exactly what came out of this package from the U.S. House of Representatives. There are so many other items in that bill that it's almost hard to start when you describe things you think are kind of off base.

Another provision would retroactively repeal the corporate alternative minimum tax. That means that IBM, for example, would get a \$1.4 billion tax cut. General Motors would get a \$833 million tax cut.

It seems to me that is kind of larding up a piece of legislation that is supposed to be designed to help our country recover. Instead, it becomes a carrier for the favored old tax cuts for the

biggest and most powerful economic interests among us.

Mr. BYRD. Will the Senator yield?

Mr. DORGAN. Yes.

Mr. BYRD. The Senator spoke of "larding up." Would he say that is a cholesterol-laden piece of pork?

Mr. DORGAN. I hadn't thought about that.

Mr. BYRD. When I was a young man, which was quite a while ago, I worked in a meat shop in a coal mining camp. All of the ladies who came to the store, including my mother and my wife's mother, bought lard. Those coal miners, before they went into the bowels of the earth and did that back-breaking work, ate sausage and bacon fried in a deep skillet with lard. We never heard of the word "cholesterol" in those days. That is a new word in my lexicon, coming along probably about in the middle of my life. So I was interested when the Senator used the words "larding up." Was he talking about a spending measure or was he talking about pork? What did the Senator have reference to? I missed that. Would he say that again?

Mr. DORGAN. Mr. President, I was actually using that term to describe something done on a tax bill in the other body. I described it as "larding up." It is plugging the arteries of this system by putting in place certain provisions. I will give you an example.

Mr. BYRD. Would that be cholesterol?

Mr. DORGAN. Yes. When I talk about larding up, the Senator from West Virginia is talking about how people always refer to spending bills as pork, but never refer to tax bills as pork. In fact, there is more lard and larding up of tax bills than almost anything else.

The retroactive repeal of the corporate alternative minimum tax in the House tax bill does as I said it would—it provides the biggest tax benefits to the biggest, most powerful corporations in the country.

Here is what the chief economist from Merrill Lynch said about it because, remember now, the only reason we are going through this exercise is to try to determine how we help the American economy. Bruce Steinberg, chief economist, said:

The silliest idea is the retroactive AMT payments. If you want to stimulate spending in the future, you don't give out tax breaks for things that already happened.

It is as simple as that.

Mr. BYRD. That is the epitome of pork, isn't it? It drips with lard.

Mr. DORGAN. The Senator describes it in a way that makes it visual. But it is a slow turn on a medium-hot spit—or "pit." I guess it would be in West Virginia. Let me continue.

Will Rogers said something I want to put up on a chart.

Will Rogers said this a long time ago:

The unemployed here ain't eating regular, but we will get round to them soon as we get everybody else fixed up OK.

Now, while IBM, General Electric, and others are prepared, according to

the House bill, to get hundreds of millions of dollars in tax cuts retroactively, last Friday it was announced that 415,000 people lost their jobs in October. What about those folks? When you talk about stimulating the economy, what about giving the people who lost their jobs some assistance? How about a helping hand to somebody who got a pink slip or a notice that said: By the way, you do a good job and I am glad you are here. It is just that our company is shrinking. We don't have as much business. So guess what, we don't have room for you. Tell your family tonight when you go home and sit at the supper table that you have lost your job. Tell them it is not your fault, that you worked hard, we appreciated you, but you can't go to work on Monday because you no longer have a job.

What about those people? For example, in New York, when that act of terrorism struck the World Trade Center, it is true that the people who were climbing those stairs, even as the buildings were collapsing, were people making \$30,000, \$40,000, \$50,000 a year, willing to risk their lives in public service—firefighters, law enforcement folks, and others. There are a lot of folks around this country of ours who don't have a lot, don't make a lot, and don't ask for a lot. They don't have a million dollars. They are not going to get \$1.4 billion in tax refunds. They are not on this list with K-Mart, American Airlines, and Enron. They are the folks who, last month, had to tell their families they were no longer employed. And if the families asked why, is it a part of a soft economy or part of terrorist acts? The answer is: Yes, it is.

What do we do about that? Do we in the U.S. Congress have a concern about those folks, or is it just about the upper income and the big economic behemoths who really have clout? Is there anybody within 100 yards of this building today, Friday, who is here because they are lobbying on behalf of somebody who lost their job last month? No one. It is just the folks who have a lot of money, a lot of assets and a lot at stake. They are here and they are trying to get more than their share.

I will tell you, they succeeded in the U.S. House. So we are trying to write a stimulus package, something that provides economic recovery.

We have a couple of thoughts in mind. One is there is no quicker or more effective way, and there is no way, in my judgment, that provides more justice to this system as well than to help people who are out of work. They are going to spend that money instantly. When we extend unemployment benefits, that money goes right back into the economy. All economists tell you: Step one, help those who lost jobs because that is stimulative, helps the economy. It is not only just and the right thing to do, it is the most effective thing to provide some lift to this economy.

So we are going to have a debate about that because some don't want to

do much for these folks. That is wrong-headed, in my judgment. We have a responsibility to the country to reach out and tell them they are not alone; we want to help them and we want to help this economy.

Obviously, what we want in the end is for the economy to get back on its feet and for those folks who have lost jobs to become employed once again.

That is what we want. There is no social program much better than a good job. There is nothing like a good job that pays well and has security. What we are trying to do is put together a recovery package that recognizes what is just, what is right, and what will be effective in providing lift to this country's economy.

Extending unemployment benefits, paying for 75 percent of the COBRA benefits—all of that provides lift to this economy and is the right thing to do.

In addition, coming from the Finance Committee, we have put in place some tax provisions we think will provide a lift to this economy. We had a tax cut for people in this country earlier this year. Not everybody got a tax cut. More than 70,000 North Dakotans did not get a tax cut. They did not get a tax cut because it was based on percentage of income taxes paid.

Everybody who works pays payroll taxes. In fact, that is a proportional tax. Everybody pays the same rate; it does not matter how much you make. Yet those folks did not get a tax cut. So we propose a tax rebate for those people. That also will be spent immediately and provide lift to the economy.

We have a whole series of items we have proposed that we think represent the first step in the right direction to provide lift to this country's economy.

Let me make the most important point about all of this. The only way our economy is going to experience a recovery is if the American people are confident about the future. We do not have a ship of state in which there is an engine room with dials, knobs, gauges, and levers and we have some people in there fiddling with the dials, knobs, gauges, and levers and get it just right with tax cuts and move the ship along.

That is not how the system works. What propels this economy is people's confidence in the future. If people are confident about tomorrow, next month, next year, they will do things that represent that confidence. They will take a trip. They will buy a car. They will buy a house. They will make life decisions that express their view about the future.

Confidence means expansion. If they are not confident, they will not take the trip, they will defer the purchase of the car, they will defer the purchase of the house, and our economy will contract.

There is nothing more important than instilling confidence. Our job is to, one, prosecute the war abroad. We

have to do that and support our President doing that—and increase security at home. Part of our economic recovery package is investment in security at home. Senator BYRD has a homeland security proposal that is stimulative. It is not only stimulative and gives lift to the economy because it invests in this country and our security, but it is also the right thing and the necessary thing to do.

When we can marry the right and necessary things to do with actions that will give lift to our country's economy, that is exactly the course people expect us to take.

We need to prosecute the war, increase security at home, and give businesses and individuals the extra incentives they need to make those key purchases and key investments, not 6 months from now, not over a year from now, but now. Now. This needs to be temporary. It needs to have a significant, compelling urge to it to give the American people confidence about the future that we are doing the right thing.

If we err as a Congress, I want us to err on the side of doing something, even doing too much. I do not want to err on the side of doing nothing because there are too many families out of work. Our economy is perilously close to a very deep recession, and it could be a lengthy recession. We have a responsibility to blend good fiscal policy in the Congress with monetary policy at the Federal Reserve Board to say to the American people: We are going to put in place the right plans to give you hope for the future.

Winston Churchill gave many stirring speeches in the Second World War to fire up the interest and urgency of his countrymen to the cause of the war. At one point, he challenged his countrymen to imagine a thousand years in the future and what they would say about that current generation's efforts. He asked that they do things now that would allow people in the future to look back and say that this was their finest hour, even in the face of substantial challenge.

That is what we, it seems to me, need to do now in confronting terrorism, in the challenge to provide economic security. We must fight as hard as we can possibly fight for the right policies now that give this country and economy a chance to do well so all American families can, again, do well and will not have to worry about next week or next month having to tell their family they lost their job.

This is about hope. It is about opportunity. It is about expanding this country's economy. The New York Times last week had the headline: "Attacks Hit Low Paid Jobs the Hardest." I had a hearing 2 weeks ago, and the head of the hotel and restaurant union testified. He had a dozen of his members behind him. Each one stood up and told me their name, told me where they worked, when they got fired, how long they had worked there, and what it

meant to them to lose their job. It was just gripping. It just breaks one's heart to see someone who struggled all their life, found a good job and worked for 8 years or 10 years or 15 years and had a good record and was making it on their own, only to learn a pink slip has come that says this economy has shrunk and you are out of a job.

It requires us to understand this is not about numbers, this is about people. It is about our future. That is why we must get this right.

I am pleased with the work the Finance Committee, Senator BAUCUS, Senator DASCHLE, all of us have done together to try to get the right solution in place for this country's future. We are going to have a debate about this next week. Let us not shrink from it. Let us not think that debate injures this country or hurts this country. It strengthens this country.

At the end of the debate, I hope we can convince everyone there is a right way and a wrong way. The wrong way leads to economic trouble, and the right way leads to hope, confidence, and economic expansion. That rides on our making the right decision on behalf of the American people.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I ask unanimous consent that I may be recognized at the completion of the remarks by the distinguished junior Senator from New York and that I may be recognized for as much time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New York.

STIMULATING THE ECONOMY

Mrs. CLINTON. Mr. President, I thank my distinguished colleague, the chairman of the Appropriations Committee and a great leader of this body and our country, for that courtesy. I thank my colleague from North Dakota for very thoughtful and thought-provoking remarks. I join those remarks, and I ask that as we do move toward this debate on how we stimulate our economy and how we take care of our people, we put it in a broader context.

I sometimes worry that talk about economic stimulus, talk about Tax Code provisions, talk about a lot of the issues that come before the Finance Committee and then come before the Senate may not be communicating directly and effectively with the public who need to follow this debate closely because what we will be or will not be deciding over the course of the next several weeks will have profound effects on our daily lives, on our quality of life, on our national security at home and abroad, and on the future of our economic growth and opportunities.

The Finance Committee came out with a package that should deserve the

support of Senators on both sides of the aisle. I am well aware there is a very different point of view on behalf of my colleagues on the other side, so we are going to have a debate. I agree with my colleague from North Dakota; it is an important debate. But we cannot look at what is being proposed today without recognizing several very important factors.

First, we are now moving into deficits. We thought we had deficits tamed. We thought the struggle, sacrifice—economic, personal, political, and public—of the last 8 years meant that we were on strong fiscal footing, that we did have a policy for economic growth that would demonstrate fiscal responsibility, pay down the debt, free up investment capital, and keep this great engine of economic prosperity going.

We did not repeal the law of business cycles, so understandably there will be ups and downs, but we moved the economic plain to a higher level and had a consensus in the country that the smart fiscal policy was the responsible one; that trying to continue to pay down our debt in order to relieve the burdens not only from future generations but from ourselves, not to crowd out investment capital so that businesses could come into the market and have long-term interest rates at an affordable level, meant we knew the direction in which the economy should go.

Now it will not surprise anyone in this Chamber that I ascribe to the Clinton-Rubin economic policies. I happen to think they make sense. I believe in a global economy, fiscal responsibility, investment policies. Making it possible for people to pursue their own futures by creating economic opportunities goes hand in hand with keeping deficits down, in fact keeping surpluses growing and giving us a chance to know we are going to have for the foreseeable future strong economic times.

That is not the philosophy of the other side, and I respect their right to hold that contrary philosophy. So we stand here now in November, having passed a very large tax cut in the spring which undermines our long-term economic future, which demonstrates clearly we are going to have some very hard choices to make even had September 11 never occurred because we had already seen that we were going into deficits, that we were taking from the Medicare and Social Security surplus dollars that hard-working people believed would be there for Medicare and Social Security, and as a result we now are facing much more difficult choices which, had we been more fiscally responsible, we could have avoided.

That is water under the bridge. There is nothing we can do about it. A majority of our colleagues in both Houses voted for a U-turn away from fiscal responsibility. So here we are.

What do we do now? Again, I do not think we can look at this stimulus debate in some kind of vacuum. We were

attacked on September 11. We are at war. We have men and women from Fort Drum in northern New York over in central Asia. We have Special Forces. We have carriers. We have people who wear the uniform of our country who are in full-time service defending us because this is an act of self-defense, attempting to uproot and destroy the terrorist networks. We have many from the National Guard and the Reserves called to duty, disrupting their lives. We know we are at war.

If we go back and look at history, we know when we are at war we have to think differently about our priorities than when we are not at war. So what are those priorities? First, to do everything we possibly can to support the President, to support our military leadership, in waging this war successfully and victoriously. I do not think there is one dissenting voice in this body to that proposition.

We also know this is a war that has been brought home tragically to us, that those on the front lines are not just our men and women in uniform, they are also our firefighters, our police officers, our emergency responders, our doctors and our nurses, our postal workers, men and women who got up on September 11 and in the weeks since to do their job as part of the great American mosaic where people, through their individual efforts, create this extraordinary democracy we so treasure.

We know we have to do more to protect ourselves at home. That is why the President has named Governor Ridge the Director of Homeland Security. So we have to take a very close look at what it is we need, both for our men and women in uniform and on the homeland front to protect ourselves.

We did not have to think about that when this big old tax cut was voted on last spring. Maybe people should have, but nobody really stopped and said, well, we cannot take all this revenue away because Heaven knows we might have anthrax attacks that will cause the Postal Service and the Federal Government and local communities across our country to spend literally millions and billions of dollars to protect themselves and us. We did not imagine that, but now we not only imagine it, we have lived with it. That raises a whole new set of responsibilities that we ignore at our peril.

So part of what we have to figure out how to do is provide enough resources to protect us, to wage the war on both fronts that we are waging, and to create economic opportunities by getting our economy moving again.

I have listened very closely to what my colleagues have said, and I have consulted with people in the business world, people who run big companies, people who are economists, some of whom sit in ivory towers, others of whom actually get out and talk to people on the street about what is happening.

The real core of our challenge is, how do we inspire confidence? How do we

get consumer confidence, citizen confidence up? How do we get people back into the normal give and take of their lives?

When I first joined the Senate last January, and all through the spring and summer, I could not walk through these halls. They were crowded with people, especially school groups. I used to be so thrilled to think I was honored to serve in a body of the greatest democracy in the history of the world that was open, where people could come, like those who are here today but in far smaller numbers than they ever have been.

Now, of course, we can walk through the halls and not see anybody. I do not have young people coming up to me and saying, oh, Senator, what are you doing today? Or, I am from New York. Or, how are you?

They are not here. Why? Because schools do not want children to travel. Parents understandably are concerned. We have not done what we should do to take care of airline security. That is still being debated. So we have to inspire confidence.

How do we inspire confidence? I think there really are several ways we should address it. Some of it does go directly to the points the Senator from North Dakota was making. We have to have a balance. We have to have a balance between what we believe will work for business and what we believe we should do for workers and citizens who themselves deserve both help and motivation to go on with their lives, to be productive.

I think the Finance Committee has struck the right balance. Spending money on unemployment insurance is not only the right thing to do—a lot of people are out of work not because they were sloughing off on the job, not because they did not show up on time, but because we were attacked—we owe an obligation to these people. I think unemployment insurance will enable people to get back on their feet, and if there is any dollar that will be spent immediately to stimulate the economy, it is a dollar in unemployment insurance. There is not an economist in the world who disagrees with that, unless they are blinded by some ideological prejudice. That is what they all tell us.

Health care is increasingly a problematic issue. My colleagues know I have had a few things to say about that in the past, and I am still very concerned about it. I am especially concerned because I see the price of health care going back up. I see employers pushing down on employees and making it more difficult for people to afford health care. We are going to have to address that issue.

What we are worried about right now are all of those people who have lost their health care because it came through employment they no longer have. They cannot afford the COBRA extension. They need help.

We also are stimulating the economy in the Finance Committee package by

trying to do in a targeted way what we have been advised will work in business, not these big, irresponsible giveaways in which the House engaged. I do not understand how with a straight face they can put a provision into their package which pays people back for taxes they paid all the way back to 1985 without a promise that it is going to create a new job, without a promise that it will be invested in a new plant and equipment right now.

As Senator DORGAN rightly pointed out, they actually give an incentive to businesses to move American jobs overseas. What on Earth are they thinking about? That is just unbelievable to me. So I think the Finance Committee, with their vote last night, really struck the right balance. I hope we go forward with that.

I also hope we recognize the additional program that Senator BYRD and Senator REID have advocated is essential. We have not made the commitment of resources.

Mr. President, I ask unanimous consent for an additional 5 minutes.

The PRESIDING OFFICER (Mr. CARPER). Without objection, it is so ordered.

Mrs. CLINTON. We have not made the commitment of resources we need to our public health system, to our fight against bioterrorism, to the kind of security we need in our powerplants, our chemical plants. I think we have a lot more to do. I commend Senator BYRD for his leadership.

Finally, a special word of appreciation to the Finance Committee for their recognition and support of New York. We know this was an attack on America. The epicenter of the attack was on New York City. It was New York City firefighters who went up those towers when people were coming down. It is the firefighters and the police officers and the emergency responders who have been going to countless funerals. It is the people who worked in those buildings who have scrambled to try to make sense of their lives, to restart their jobs, and many of them are no longer employed. The estimate is about 100,000 have been dislocated.

The ripple effect through the city and the State has been even greater. Because of those 100,000 who directly lost their jobs in lower Manhattan, many of them work for companies that bought from smaller companies, that did work with banks and law firms and advertising agencies that had catering and restaurant business to give out. They no longer do that. We are now looking at a loss of about 250,000 individuals in New York alone by the end of this year.

We have seen unemployment go up around the Nation, but it has gone up even more in New York City. We are not sure the end has been reached. We know this has had a ripple effect through the entire State, not just through the city. In Syracuse we lost 400 employees of USAir when they de-

cided to close a call center after losing so much business. In Buffalo, with the loss of tax revenues—because 15 percent of all the State's tax revenues came from Ground Zero; those are gone—we are looking at laying off up to 500 teachers in Buffalo, which is at the opposite end of the State.

The package coming out of the Finance Committee will help enormously. I am particularly grateful for the tax incentives that will help us rebuild Lower Manhattan, will help us recover some of that lost office space to get back into the business of being the global financial capital of the entire world. It will take a long time. New York will need a lot of help. This is a very welcome start.

The tax credits for employers to keep their offices in Manhattan will help tip the balance in favor of doing just that. Tax-exempt bonding authority for construction will give an extra boost to rebuilding, and reinvesting insurance proceeds will enable people to make that decision. We are still working on something to keep residents downtown, which is a very big challenge, and to provide additional relief for advance refunding for the port authority and the metropolitan transportation authority and for their infrastructure projects.

We lost our subway lines. We lost the PATH Train from New Jersey. We will have a lot of work ahead. I thank and commend the Finance Committee, particularly the chairman, Senator BAUCUS, for a job well done.

The PRESIDING OFFICER. Under the previous order, the Senator from West Virginia is recognized for such time as he may consume.

FAST-TRACK LEGISLATION

Mr. BYRD. Mr. President, I am deeply concerned about the administration's top trade legislation priority: Fast track, known in administration circles as "trade promotion authority."

How crass. How crass. "Trade promotion authority." To denominate fast track as "trade promotion authority" is the acme of crassitude. Hear me down there at the other end of the avenue: The acme of crassitude! To denominate fast-track legislation as trade promotion authority, or by its acronym, TPA, is the acme of crassitude. One might better interpret the acronym TPA as standing for "tactic to prevent amendments"; TPA, "Tactic to Prevent Amendments."

Hear me! Colleagues on the other side of the Capitol Building, where the administration has put on its big push for the acme of crassitude: Fast track authority, calling it trade promotion authority. But it is a tactic to prevent amendments. That is what fast track is, a tactic to preclude Congress from fulfilling its constitutional obligations to debate and, if necessary, to amend.

I hope they can stop this oafish piece of legislation on the other side of the

Capitol. If they can't, then bring it onto the Senate Floor.

Come one, come all,
This rock shall fly
From its firm base
As soon as I!

Yes, come one, come all. Hear me down there at the other end of the avenue, the White House: Bring on your TPA. Yes, "tactic to prevent amendments."

Come one, come all,
This rock shall fly
From its firm base
As soon as I!

Those words from, I believe it was Scott's "Lady of the Lake," are very apropos here. This tactic to prevent Congress from fulfilling its constitutional obligations to debate and, if necessary, to amend trade bills.

The administration hoists its flag on the flagpole of trade promotion authority. This is my flag, the Constitution of the United States! I hold it in my hand. Those who would defy the Constitution will find the battle lines formed here.

I oppose this surrender of our constitutional authority. That is what the White House would have us do. I oppose this surrender. "We've just begun to fight." The authority to "regulate commerce with foreign nations" is granted exclusively to Congress in Article I, section 8, of the Constitution. Congress, the House, and Senate of the United States—not the President—has this authority under the Constitution and has this responsibility under the Constitution.

So let us not be persuaded by administration attempts to promote fast track as an antidote to the events of September 11, 2001. There are those who attempt to promote the idea that, under the rubric of a stimulus bill, Members in the House and the Senate would add language that would promote their pet ideas, their pet projects. Well, under the rubric of "stimulus," the administration is attempting to promote its own pet project—TPA. Trade promotion authority? Fast track. Let us not be persuaded by these furtive attempts.

U.S. Trade Representative Robert Zoellick has stated that fast track is necessary because "we need to strengthen the U.S. and global economies as they reel from the shocks of September 11."

Who is Robert Zoellick? Was he elected by the people of any State? Did he stand before the bar of judgment of the electorate? Is that how he became Trade Representative? No! Yet he, U.S. Trade Representative Robert Zoellick, has stated that fast track is necessary because "we need to strengthen the U.S. and global economies as they reel from the shocks of September 11." I do not understand Mr. Zoellick's logic. Now is the time for the President and the Congress to stand by the Constitution; stand by the Constitution and work together.

Now is the time for Congress to respond to the September 11 terrorist assault upon the American way of life.

This is not the time for us to short-circuit our deliberative processes. Let us debate. Let us debate the trade measures. What are you afraid of, Mr. Zoellick? Moreover, the Ambassador cannot support his attempt to link fast track to global economic recovery. With or without fast track, it is going to take years, not months, for the President to negotiate a new world trade agreement.

I question whether, in the current international climate, we should even desire to have a new global trade round. As the United States forges a coalition to fight terrorism, those countries that have been attacking the framework of fair trade for the past several years have absolutely no incentive to agree to mutually beneficial trade proposals. Rather, they will attempt—as they have in the past—to use cooperation on security issues as a bargaining chip—a bargaining chip to extract trade concessions from the United States.

Just look at the so-called Harbinson text being considered at this very moment in Doha, Qatar. Is there any question that our trading partners are asking that our trade laws be substantially weakened? Is there any question that the administration is indicating a willingness to put those laws on the negotiating table? If we allow our trade laws to be gutted—gutted, what will happen to essential U.S. industries? What will happen to the steel industry? What will happen to other essential U.S. industries that are being picked apart by predatory foreign trade practices?

In any event, it is indisputable that Congress and the President can work together, under the Constitution, to conclude and implement international trade agreements. Immediately after the September 11 terrorist attack, Congress passed the U.S.-Jordan trade agreement, one in a long series of trade agreements concluded and implemented by the United States since fast track lapsed in 1994.

Bring it on. Trade promotion authority—ha, ha, ha—trade promotion authority! Of all the gimmicks that I have heard in my 84 years of life on this Earth, that one takes the cake. It is plain old fast track!

The constitutional system works and the administration has not made the case for tinkering with it.

President Bush claims to need this extra-constitutional negotiating authority in order to exercise leadership in opening up world trade. On June 21, 2001, he sent many of his highest ranking trade officials, including Secretary of Commerce Evans—for whom I have a great deal of respect—and Ambassador Zoellick, to the Senate Finance Committee to testify on the supposed need for fast track. Ambassador Zoellick maintained that fast track is needed in order for the administration “to reassert America’s leadership in trade.”

I remember very well the old-fashioned vaudeville shows where they sold

those patent medicines, that snake oil. This is snake oil that Mr. Zoellick is peddling—snake oil! It will curl your hair. If you don’t have any hair, it will grow hair for you: Snake oil!

The United States can, and should, lead in opening up world trade by offering other countries arrangements that are mutually advantageous, not by undermining a key provision of the Constitution.

Senators might well consider the impact of normal debate and amendment rules on the basic leverage available to U.S. trade negotiators. Normal rules should be a matter of enhanced leverage for U.S. negotiators in terms of including provisions that are of strong appeal to Congress, the people’s elected representatives in the legislative branch, the people’s elected representatives who take an oath when they stand before that Presiding Officer and put their hand on the Holy Bible. They take an oath to support and defend the Constitution of the United States against all enemies, foreign and domestic.

Let’s remember that oath.

The threat that an agreement might be amended by Congress to include a provision gives all parties to a negotiation an incentive to conclude realistic and politically viable agreements. If I were a negotiator, I would like to have the leverage of being able to say, “if we don’t include this provision in the agreement, Congress may include it anyway.”

Congress may include it anyway. Fast-track Trade Promotional Authority—TPA—fast track eliminates this form of leverage.

When you go to negotiate over the purchase of an automobile, are you better off going in on your own with your own free will? You can take it, you can leave it, or you can go somewhere else. It is common knowledge that you can strike a better deal if you are able to suggest to the seller that there is someone back home who may amend or modify any agreement that you might reach.

The Administration, I think, has it exactly backwards: instead of concentrating its energies on accumulating as much leverage as possible vis-a-vis our trading partners, it is marshaling those energies to convince Congress to reduce its leverage on behalf of hard-working American families and their communities. This can only hamper our efforts to maintain, and enhance, U.S. leverage abroad.

The Administration is implicitly saying: “If you are for shortchanging the legislative process, you are for opening up world trade and combating terrorism.” That makes no sense to me. I am for free trade that is fair to all parties. What is wrong with that? And I am certainly for rooting out terrorism and enacting measures to ensure our national security. We need not, however, abandon the Constitution in order to achieve these objectives!

I didn’t take an oath up here before this Presiding Officer to abandon the

Constitution. That is what we are doing.

I am not saying we ought to debate every little duty on every little toothbrush that comes into this country, or every little paper clip or every fiddle bow or every violin string. I am not saying we ought to debate the duties on toothpicks if they come from China or wherever. But I am saying, the elected representatives of the people ought not even to be asked to give up the cherished right to debate and amend trade legislation when the people’s interests are involved.

We need not abandon the Constitution in order to achieve these objectives. We Senators need carefully to consider and analyze the claims that we hear about the benefits of fast track.

There may be one amendment or two amendments or three that go to policy when we deal with trade matters. I am not saying, as I have already indicated, that we ought to take a microscope and go over a trade bill and get ourselves involved in the teeny-weeny, itchy-bitsy little pieces here or there. But I am saying that there may be major policy amendments that we may wish to debate or on which we may want to vote.

Now, I have a letter dated June 28, 1993, from then-United States Trade Representative Kantor, urging support for what he called “the fast track negotiating authority needed to complete the Uruguay Round.” He wrote: “As the world’s leading exporter and the world’s most open economy, the U.S. stands to benefit greatly by reducing barriers and opening markets around the world for manufactured goods, agricultural products and services.” How accurate was this prognostication? If, as the former Ambassador suggested, the last round of multilateral trade agreements was focused on reducing foreign trade barriers—not opening up the floodgates to imports—shouldn’t our overall balance of trade have improved in the 1990s?

The facts belie the fast-track sales pitch. That is what it is—a fast-track sales pitch. In the year 2000, the United States ran a trade deficit on the current account of \$435 billion. That is nearly nine times the trade deficit in 1992. How much longer can this go on? Even more disturbingly, it equals 4.5 percent of America’s total national output. On a percentage basis, that is the worst trade performance in U.S. history!

How long can the United States continue to run these deficits? Have the laws of international economics been repealed? Is the so-called “New Economy” a land flowing with milk and honey, in which we no longer need a real economy, that is, an economy that produces goods and services, and employs workers? Have we entered the Promised Land of perspiration-free economics? I am afraid not. Even our foreign trading partners cannot be sanguine as the United States, historically

the engine of growth for the entire world, is left without the means to play that role.

America is becoming ever more dependent on foreign suppliers of basic manufactured products, even in areas—such as steel—where our producers are the most technologically sophisticated and efficient in the world. Has anyone stopped to consider the impact on our national defense of this foreign dependence? Has anyone attempted to determine how our international position will be affected as we become more susceptible to economic blackmail? Has anyone taken full account of how unfair international trade has helped to restrict income growth at home, particularly in the case of middle class families? Many such families now need two incomes—both parents out in the workplace—to maintain the kind of lifestyle that single-earner families could expect a generation ago.

We hear a lot about the projected economic benefits of fast track. Of course, this administration does not dare call it fast track. No, it is “trade promotion authority”—“trade promotion authority.” That is an attempt to hoodwink those who would fall for it; fast track!

We hear a lot about the projected economic benefits of trade promotion authority, fast track. Yet, as a recent study by the Economic Policy Institute pointed out, the forecast model most frequently cited by fast track advocates relies on unrealistic assumptions. For example, the model assumes that there is no unemployment here or anywhere else in the world and that there are no national labor or environmental standards. Moreover, the model assumes that denying elected officials the authority to set the rules of the marketplace has no costs either in terms of the functioning of the global economy or the achievement of domestic economic and social objectives. These assumptions tell us more about the prejudices of a global trade elite than they do about the economic circumstances in which we find ourselves.

Let us have a trade policy for the new millennium. Let us demand that trade negotiations become a two-way street, both in form and in substance. Let us make it clear to our trading partners that we will not be duped by those who would grant America the mantle of “leadership”—the mantle of “leadership”—only in exchange for unilateral concessions. All countries stand to benefit from expanded international trade, and all countries should bear the costs of constructing the framework of that trade. American workers should no longer be left holding the bag in international trade negotiations. The steel workers have been left holding the bag all too long, the textile workers have been left holding the bag all too long in international trade. The automobile workers have been left holding the bag all too long in international trade negotiations.

U.S. trade negotiators need congressional input. Let's debate it. Let's talk

about it, and, if necessary, let's amend it. U.S. trade negotiators need congressional input in the negotiating process. Remember the ad? “Do it here. Do it now.” The same with trade negotiations. U.S. trade negotiators need congressional input. Enhanced legislative participation will help them in their efforts to reinforce the framework of fair trade. Is it only fair trade when the United States continues to run up huge deficits in the billions of dollars or in the hundreds of billions of dollars? It will give the results of trade negotiations greater legitimacy and increase public understanding of the costs and benefits of globalization. The Constitution—ah, there is the Rock of Gibraltar, the Constitution—the Constitution requires that we make this effort, and the American people expect it.

Mr. President, toward the end of his life, in a letter to Henry Lee, Thomas Jefferson brilliantly analyzed the fundamental issue upon which the debate over fast track turns. This is what he said:

Men by their constitutions are naturally divided into two parties: Those who fear and distrust the people, and wish to draw all powers from them into the hands of the higher classes, and, Those who identify themselves with the people. . . . In every country these two parties exist; and in every one where they are free to think, speak, and write, they will declare themselves.

Mr. President, from 1974 to 1994, Congress was, unfortunately, asleep at the wheel as the one-sided trade jalopy—I wonder if our little pages here have ever heard that word, “jalopy”?—as the one-sided trade jalopy rumbled down the fast track. The people's branch of Government—ha, ha, ha—let's let that other branch of Government down the avenue become aware again that there is the people's branch, that does not bend before any President, that isn't elected by any President, that isn't sent here by any President, that cannot be fired by any President—let them hear it from Capitol Hill. Bring on your trade promotion authority. You will get your fight right here.

The people's branch of the Government—the Congress—allowed itself, I am ashamed to say, to be shunted aside in the process of formulating and implementing U.S. trade policy. Let us resolve to seize the day, to restore the constitutional balance—bring it on; there isn't enough time left in this year, if we did nothing else, to pass it in this body—and to make international trade agreements reflect the interests of hard-working Americans. There is not enough time left in the year to pass “fast track” here, unless I am very, very badly and sadly mistaken.

Now is the time to move past the failed trade paradigm of recent administrations, both Republican and Democratic. Now is the time to restore the people's faith that they can have an impact on the policies that shape their lives. Mr. Zoellick, we are talking

about the people's lives. “I come to bury Caesar, not to praise him.”

Mr. President, I come to bury fast-track authority, not to praise it! Now is the time to reject fast track and to embrace republican self-government as it has been bequeathed to us by the Framers of the Constitution, by those who debated the Constitution, by those who ratified it in the State conventions.

We must be steadfast in our loyalty to the Constitution. Forget about political party. Think of the Constitution and think of the people who send us here. We are not to be yeasayers or naysayers. We are here to debate and to amend and to render our considered judgment on behalf of the people who send us here, who pay our salaries, and who can bring us back home when the day of judgment comes.

We must be steadfast in our loyalty to that Constitution. Here it is in my hand, the Constitution. There is my trade promotion authority! See it? There is my trade promotion authority, my TPA, the Constitution of the United States!

We must be steadfast in our loyalty to the Constitution, that exquisitely balanced instrument of the people, by the people, and for the people. We must stand together and resist the temptation to once again ignore the clear dictates of our most fundamental law.

IN THE COMPANY OF HEROES

Mr. BYRD. Mr. President, the nights are growing chilly, though the days remain warm and dry—dry for too long, really, over in McLean. The brilliant crimson maple and bright yellow poplar leaves have nearly disappeared, replaced by the more somber late autumn tones of deep bronze oak and rich golden hickory leaves falling in swirling waves across the road to join the drifts of leaves awaiting the rake.

The more subdued coloring is in keeping with the holiday that approaches this Sunday. For, despite any attempts to mask the nature of this holiday behind sales and pre-Christmas hype, Veterans Day remains true to its purpose. It was the old Armistice Day when I was a boy—Armistice Day, November 11.

To say Veterans Day is to hear the haunting echo of taps being played on a lone trumpet on a West Virginia hill far away—I can hear its tones being wafted by the autumn air to this Capital City—and the sharp report of a 21-gun salute ricocheting across a field of sad white crosses. Out of the corner of one's eye is glimpsed the silent rank and file of heroes who came home, some whole and some not, but all remade by the shared experience of warfare.

On Veterans Day, we travel in the company of heroes. Veterans Days, Armistice Day. My mother died on the eve of Armistice Day 1918; my mother, whom I never saw, as far as my recollection is concerned—the 11th hour of

the 11th day of the 11th month, the day on which the guns fell silent at the end of the war to end all wars, World War I.

Today it honors the veterans from all wars, and, sadly, there have been far too many of those: World War II, the cold war, the Korean war, the Vietnam conflict, the Persian Gulf war, and none-too-peaceful peacekeeping missions around the globe. America has in the last century been embroiled in some form of conflict far more often than she has known peace.

No conflict is ever truly finished. In addition to the troops we leave buried in foreign soil, a living guarantor remains behind to protect each fragile and precious truce. United States forces remain in Europe, in Korea, a legacy of this war or that war. United States troops stand at the frontier between the two Koreas. They were there when I looked with binoculars at the Communists just across the dividing line in Korea 46 years ago this month. They have been there since the 1950s.

More United States troops remain in Saudi Arabia and Turkey, vigilant against further aggression from Iraq. In these last months, the United States has been thrust unwillingly but unhesitatingly into a conflict of a new and more ambiguous kind, the war against terrorism. Already this conflict has added new names to the honor roll of heroes whom we honor on Veterans Day. Already active-duty Reserve and National Guard troops have responded to this latest call to arms. Much rides on their shoulders, beyond an understandable thirst to avenge the senseless slaughter of innocent men and women, leaving innocent widows and orphans behind. This war on terrorism must succeed.

The New Testament's—"testament" meaning covenant—admonition to turn the other cheek does not work here. The New Covenant's admonition to turn the other cheek does not work here, but rather we must hew to the Old Testament's—Old Covenant's—harsh warning regarding an eye for an eye. This attack must be answered or the scope and scale of terror attacks worldwide will be forever increased. That universal understanding is reflected in the broad consensus supporting the current U.S. military action and in the concerted efforts to cut off funding for terrorists. So this year, as we honor the veterans of past wars, it is appropriate to salute those who are still in uniform and to give them our support.

In 1961, a veteran of World War II gave his Inaugural Address, his first speech as the new President of the United States. He said, in part:

Since this country was founded, each generation of Americans has been summoned to give testimony to its national loyalty. The graves of young Americans who answered the call to service surround the globe. Now the trumpet summons us again—not as a call to bear arms, though arms we need—not as a call to battle, though embattled we are—but a call to bear the burden of a long twilight

struggle, year in and year out, "rejoicing in hope, patient in tribulation,"—a struggle against the common enemies of man: tyranny, poverty, disease, and war itself.

To President Kennedy's list of the common enemies of man, we can now add terror.

Though we may hope for a quick and conclusive end to this new struggle, we must be prepared for the long haul, for a "long twilight struggle, year in and year out . . ." and for eternal vigilance. We have but to look to our own history to know that we can muster the will, we can muster the determination, we can muster the perseverance to achieve our goal and to preserve the liberty that this Nation has held dear through long centuries.

In the wake of September 11, Americans have rallied by proudly flying American flags on their homes, on their mailboxes, on their cars, yes, and on their lapels. On November 11, those flags fly in remembrance not only of those who so recently lost their lives in New York, Washington, and Pennsylvania, but also for all those men and women who have struggled or died to defend our freedom, our liberty, our Nation through the years. I am proud to salute them all, to remember them all, to honor them all. No amount of bloodshed and no amount of fear can turn this great Nation from the ideals that were forged in war in 1776, 1777, 1778, 1779, 1780, and 1781, and defended ever since. Our flag—there it is standing beside the presiding officer's chair, in all of its grandeur, in all of its state-ly magnificence, in all of its quiet beauty. It still flies!

Mr. President, I close with one of my favorite poems, by Henry Holcomb Bennett, entitled "The Flag Goes By." It eloquently puts words to the message being sent by the many, many flags now bedecking our Nation.

Hats off!
 Along the street there comes
 A blare of bugles, a ruffle of drums,
 A flash of color beneath the sky:
 Hats off!
 The flag is passing by!
 Blue and crimson and white it shines,
 Over the steel-tipped, ordered lines.
 Hats off!
 The colors before us fly;
 But more than the flag is passing by:
 Sea-fights and land-fights, grim and great,
 Fought to make and to save the State;
 Weary marches and sinking ships;
 Cheers of victory on dying lips:
 Days of plenty and years of peace;
 March of a strong land's swift increase;
 Equal justice, right and law,
 Stately honor and reverend awe;
 Sign of a nation great and strong
 To ward her people from foreign wrong:
 Pride and glory and honor,—all
 Live in the colors to stand or fall.
 Hats off!
 Along the street there comes
 A blare of bugles, a ruffle of drums;
 And loyal hearts are beating high:
 Hats off!
 The flag is passing by!

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, before proceeding, I wish to express on behalf of the majority leader and myself our profound gratitude to the Presiding Officer for his patience and for his equanimity and for his good humor always, for the work he has done on behalf of his country today, sitting in the Chair for longer than he should.

A NEW COMMITMENT TO AMERICA'S VETERANS

Mrs. CARNAHAN. Mr. President, in the past few weeks, I have often thought of that scene in one of Shakespeare's plays where two friends meet, but one does not recognize the other. One explains: "Grief hath changed me since you saw me last." Yes, grief has changed the face of America. We are tear stained by tragedy, but we are triumphant in spirit.

It has been nearly 60 years since we experienced such a lethal and cowardly attack on our Nation. Though I was a young child at the time, I still remember the shock and sadness of Pearl Harbor. But I also recall the spirit of unity and patriotism that swelled up within us following that attack.

At a time when half of our Navy lay at the bottom of the ocean, President Roosevelt spoke of our "inevitable triumph." He placed his confidence in what he called "the unbounding determination of the American people."

We all pulled together in the years that followed. We conquered fascism and communism, we rescued democracy, and we built a better world. America's veterans led the way.

Today, our President has called us to a similar resolve. And we will answer that call again. We must start by making a new commitment to all those who serve today, and to every one of America's veterans.

I have proposed legislation that would extend Tri-Care benefits to our citizens soldiers for up to four months after they return from active duty. It has passed the Senate, and I am working to make sure it becomes part of the Defense bill.

I also support a bill to provide Tri-Care for life to every American veteran, because I think we owe them that much.

I believe we should extend the Montgomery G.I. bill, and allow veterans to transfer half of their education benefits to their family.

I also support the President's efforts to improve the Veterans' Administration's response to benefit claims. It is shameful that someone who risked their life for our country should have to wait for months, even years, to get the benefits they deserve, the benefits they have earned.

There might be those who say we can't afford to care for our Nation's veterans, that the price is too high. But I say, if we don't stand by those who fought for us, we are unworthy of their sacrifice.

So on the Veteran's Day 2001, a day of remembrance and commitment, we salute the fighting men and women of our Nation, active duty, reserves, and veterans.

We look to them in our time of national need. They have never let us down. We pledge our support in the defense of freedom. We declare to them, we declare to each other, we will not allow the American dream to be diminished by fear, or our eyes dimmed by tears.

From the ashes of terrorism, we will build a new tower to freedom that will cast its light around the world. With God's help, we will prove again what the poet Carl Sandburg once said: "We are Americans. Nothing like us ever was."

VA-HUD APPROPRIATIONS

WATER PROJECTS

Mr. STEVENS. Mr. President, the conference report includes funding for water projects in the Ketchikan Borough. While the project will be located in the borough, technically the funds would be administered by the city of Ketchikan. Does the distinguished ranking member share my view that EPA should issue the grant to the city of Ketchikan which has agreed to administer the funds?

Mr. BOND. I agree that EPA should make the funds available to the city of Ketchikan, not the borough government.

NOBEL PRIZE TO DR. LEE HARTWELL

Mrs. MURRAY. Mr. President, I rise today to share with the Senate and the American people the remarkable work of Dr. Lee Hartwell, a respected scientist in Washington State. Dr. Hartwell was recently awarded the Nobel Prize for his groundbreaking research in cell division and cancer.

I'm especially proud that Dr. Hartwell conducted much of his research at the Fred Hutchinson Cancer Research Center in Seattle, where he serves as president and director.

On October 8, 2001, the Nobel Assembly announced that Dr. Hartwell, along with Paul Nurse and Timothy Hunt, has won the 2001 Nobel Prize in physiology or medicine. The award honors Dr. Hartwell's more than 30 years of pioneering work in yeast genetics. Dr. Hartwell's research into cell division has helped scientists throughout the world to better understand cancer and has laid the foundation for future cancer treatments.

Dr. Hartwell leads one of the finest research teams in the world at the Fred Hutchinson Cancer Research Cen-

ter. In the past five years, I've worked in Congress to double funding for the National Institutes of Health (NIH). This investment is intended to support the kind of groundbreaking research being conducted at the Research Center. In fact, as a member of the Senate HELP Committee and the Senate Labor, H.H.S. and Education Appropriations Subcommittee, I often point to the lifesaving research and care the center provides as an example of why this investment in NIH is so important.

Dr. Hartwell is not just a talented scientist. He is a real champion for cancer patients and their families. During consideration of a Patients' Bill of Rights, Dr. Hartwell often spoke out on behalf of cancer patients and explained the importance of access to clinical trials, which is sometimes the only hope for patients. Thanks to the advocacy of cancer researchers like Dr. Hartwell, the final legislation included this protection for patients.

Dr. Hartwell was born on October 30, 1939 in Los Angeles, California. He earned his Bachelor of Science in 1961 from the California Institute of Technology and his Ph.D in 1964 from the Massachusetts Institute of Technology. From 1965-68, he served as Associate Professor at the University of California. In 1968, he joined the faculty of the University of Washington and became a professor of genetics in 1973. In 1997, he became President and Director of the Fred Hutchinson Cancer Research Center. In 1987, he became a member of the U.S. National Academy of Sciences. He has received numerous honors including: the General Motors Sloan Award (1991), Gairdner Foundation International Award (1992), Genetics Society of America Medal (1994) and the Albert Lasker Basic Medical Research Award (1998).

Dr. Hartwell will be presented with the award on December 10, 2001, which is the 100th anniversary of the death of Alfred Nobel, after whom the award is named. The Nobel Committee has recognized what we in the Northwest have known for a long time; namely that because of Dr. Hartwell's hard work and dedication, the world is a better place. It is an honor and a distinct pleasure to join with the Nobel Committee in formally recognizing Dr. Lee Hartwell's many accomplishments.

KOREAN WAR VETERAN 1ST LT. LEON J. JACQUES, JR.

Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to the late 1st Lt. Leon J. Jacques, Jr., of Milford, NH, for his heroic services to the United States of America during the Korean war.

Leon was a graduate of Saint Anselm College and the United States Military Academy at West Point who also attended the Ground General School at Fort Riley, KS and the United States Army Infantry School at Fort Benning, GA.

He was assigned to the 21st Infantry Regiment, 24th Infantry Division in

Kumamoto, Japan. After the outbreak of war in Korea on June 25, 1950, Leon was committed to combat in Korea. During the first two weeks of combat, more than forty percent of the men fighting were killed, wounded, prisoners of war, or missing in action.

On July 12, 1950, Leon and his men were captured as prisoners of war and it was later learned that Leon had been killed by the enemy. He was in charge of several soldiers who were harassed by the enemy. Leon demanded that they stop and for making this statement, he was killed. According to a report received, "Lt. Jacques' complete disregard for his personal safety and valor in response to enemy aggression were in the finest tradition of military service and reflected great credit upon himself, the 21st Infantry Regiment and the United States Army."

Thanks to the generous efforts of Colonel Phil Day US Army (Ret), Leon has been honored with ten award medals including: Bronze Star Medal with "v" device, United Nations Service Medal, Presidential Unit Citation and the combat infantryman badge.

As the son of a World War II Naval aviator who was killed in a war related incident and a veteran of the Vietnam war, I empathize with the Jacques family. Leon is an American hero whose selfless dedication to his State and country has benefitted his fellow citizens with the blessings of freedom and liberty. It is truly an honor and a privilege to represent his family in the United States Senate.

RECOGNIZING THE HEROES OF THE ALEUTIANS CAMPAIGN

Mr. MURKOWSKI. Mr. President, I rise today to share a story about a remarkable group of veterans that fought for our freedom over 50 years ago. During October 4-7, 2001, a small band of World War II veterans and their families gathered in Anchorage for what was probably their last reunion. They shared the common experience of having fought an air war in one of the most difficult theaters of operations during World War II, the Aleutian Islands.

For those of you who have not had the opportunity to visit the Aleutians, let me tell you what you are missing. Some of the harshest and most unbearable weather exists in this region of my State. Some call the Aleutians the birth place of the winds. It is my honor to recognize these fine men who fought to protect our nation.

These courageous individuals are also the founders of today's Eleventh Air Force. Appropriately, those who spent their youth defending Alaska elected "Back to Our Roots," as their reunion theme.

The men and women of the Eleventh Air Force served their Nation well, helping drive the Japanese from the western Aleutian Islands of Attu and Kiska during the Aleutian Campaign. It was the only campaign fought on the

North American continent during the war. It was also the first time since the War of 1812 that a foreign military force had occupied North American soil.

Later, the men of the Eleventh Air Force flew some of the war's longest missions against Japanese installations in the northern Kurile Islands from bases on Attu and Shemya Islands. During the Aleutian Campaign, the veterans of the Eleventh Air Force flew 297 missions and dropped 3,662 tons of bombs on Japanese installations on Attu and Kiska. One hundred and fourteen men were killed; another forty-two were reported missing in action and another forty-six died as a result of accidents.

Following the end of the campaign, the Eleventh Air Force was reduced in strength from a high of 16,526 in August 1943 to a low of 6,849 by the war's end. The two bomber squadrons that remained along with Navy air units flew bombing and reconnaissance missions against Japanese targets in the northern Kurile Islands. The military used the highly classified operation, code named Wedlock, which also involved submarine patrols and shore bombardment, to divert Japanese attention north and mislead them about U.S. strategy in the Pacific.

It succeeded in its objective. The Japanese increased their garrison in the northern Kuriles from 8,000 in 1943, to 41,000 in 1944. They maintained 400 aircraft there in anticipation that America was planning to invade Japan by a northern route.

During this time, Eleventh Air Force bombers flew 276 missions, losing 74 crew members killed in action and 11 taken prisoners of war, of which 3 died in captivity. Another 179 were interned in the Soviet Union—where they landed after experiencing difficulties returning to their home bases. They were among the 291 young American aircrews who temporarily wound up in Soviet hands as the result of the air war in the Pacific.

Unlike other World War II theaters of operations, the Aleutians has not been properly recognized. The men and women who served on those wind swept and hauntingly beautiful islands have not been forgotten. Alaskans are grateful for what they did to defend our freedom and land. Their efforts, and those who served elsewhere in the territory, contributed immeasurably to the growth and development of my State. They helped provide the foundation that ultimately led to the achievement of statehood.

Those who fought for our Nation's values during a difficult time in the Aleutians and the North Pacific Theater are truly heroes. It is my honor to say thank you and recognize them on this Veterans Day.

VETERANS DAY, 2001

Mr. MURKOWSKI. Mr. President, it is my privilege to rise and thank the

men and women who have served in our Nation's armed forces. This Sunday, November 11, 2001, our country takes a moment to recognize the men and women who have made our country a free Nation for over 225 years.

Veterans Day is a day that is as diverse and as rich in history as the many battles that were fought defending our freedom. November 11, 1918 is the date most remembered as the 11th hour of the 11th day of the 11th month. This day began with the laying down of arms and blowing of whistles. Impromptu parades were held and shops closed for the day to honor veterans. 83 years ago November 11 became known as "Armistice Day."

For 16 peaceful years following World War I, the United States along with other countries such as Canada, Australia and Britain celebrated this day. A moment of silence at the allotted hour of 11AM was held to remember the sacrifices that men and women made in order to ensure that freedom reigns.

Sadly, as we all know, war is a part of our lives. Around every corner adversity and evil exists. However, Americans being steadfast and always determined to live life peacefully continued to observe a day of remembrance and appreciation on November 11.

In 1938 Congress passed a bill that November 11 "shall be dedicated to the cause of world peace and . . . hereafter celebrated and known as Armistice Day." But shortly thereafter World War II broke out. Over Sixteen million—I repeat, over sixteen million—Americans took part in World War II. Veterans Day was officially recognized in 1954 when the late President Eisenhower signed a bill that proclaimed November 11 as Veterans Day.

We also pay tribute to those soldiers who made the ultimate sacrifice. In 1921 an American soldier, whose name was "known but to God," was buried at Arlington National Cemetery. This soldier became the personification of dignity and reverence for America's veterans. In 1958, two more unidentified fallen American soldiers from World War II and Korea were interred next to their comrades of World War I. These brave soldiers, and all those who have died on the battle field who have never returned home for a proper burial, are guarded day and night by men and women in the armed services.

Today America is facing a new kind of war, one that does not quickly assimilate with previous conflicts our soldiers have faced, a war that is being fought by men and women who, as thousands before them, have answered the call to duty to protect and defend our freedom.

Our military is engaged in conflict overseas with a vile and inhumane enemy, an enemy that lives in shadows, strikes at innocent civilians, and finds victory in terror. It is a new kind of war. But one thing remains the same. Our armed forces carry on the fight for freedom.

On September 11, our world changed. Once again, we are a nation at war.

Once again, our troops are engaged in conflict overseas. And once again, they will prevail.

It is my sincere honor to thank all veterans who have served in our armed forces.

ADDITIONAL STATEMENTS

TRIBUTE TO EDWARD A. LAURIE

• Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Edward Laurie of Enfield, NH, an exemplary public official who dedicated himself to serving the people of New Hampshire for more than 26 years. As chief of police for the city of Lebanon since 1991, he has brought to the office the professional skills and knowledge of law enforcement which has benefitted the citizens of Lebanon and the entire State.

Edward began his career as a patrol officer in 1975, and was promoted through the ranks of the Lebanon Police Department serving positions including: police sergeant from 1984-1985, police lieutenant from 1985-1986, police captain from 1987-1991 and police chief from 1991-2001.

He was an active member of the law enforcement who participated in programs including: chairman of the New Hampshire Regional Drug Task Force, executive board member of the New Hampshire Attorney General's Drug Task Force, president of the New Hampshire Police Association, associate of the FBI National Academy, and member of the New England and Grafton County Chiefs of Police Associations.

Edward was active in the Lebanon community and provided dedicated service to area charities including the New Hampshire Special Olympics and Lebanon Lions and Kiwanis Clubs.

Throughout his career, Edwards has served the city of Lebanon and the State of New Hampshire with dedication and pride. The people of Lebanon owe a debt of gratitude to Edward for the contributions which he has made making the city and the State a safer and more pleasant environment in which to live.

It is an honor and a privilege to represent Edward Laurie in the United States Senate. I wish him and his family Godspeed in his retirement and in all of their future endeavors.●

VETERANS DAY, 2001

• Mr. ROCKEFELLER. Mr. President, as we again approach Veterans Day, it is vital that we pause, more so than on any Veterans Day in recent memory, to give tribute to the more than 48 million heroic veterans who have served in our military since the start of the Republic and who have fought so that the freedom and safety of this great Nation would not be compromised. We owe our veterans our heartfelt gratitude for answering the call and serving us all in the United States Armed Forces.

Today, as it should be, military service is being held in high esteem. The events of September 11 have renewed America's sense of gratitude toward the men and women of the Armed Forces for the great sacrifices they make everyday on behalf of our Nation. America has been steadfast in its commitment to the world to be a beacon for freedom. Our military personnel have honored our commitment to the world, time after time, in every part of the globe.

At present, the members of our Armed Forces are fighting the terrorist regime responsible for the deaths of thousands of Americans on September 11th. We will win this fight. And once again, our men and women in uniform will honor our commitment to the world. What strikes me with enormous poignancy is the age of those who have answered the call to duty throughout our history. In this war, as in those of our past, we send our young to honor our commitments abroad and to protect our great Nation. They are the best of the best. Their motto might well be, in the words of Alexander Pope, "Act well your part, therein all honor lies."

As we observe Veterans Day, let us remember that we owe our veterans our gratitude and appreciation year round, and not merely on the day set aside for the commemoration of their service and sacrifice. It would be truly disgraceful if veterans were made to feel forgotten except for this one day per year. Indeed, our gratitude should be as steadfast as the great monuments that Americans have built in commemoration of the very service and sacrifices our veterans made. There should be no ambivalence in our attitude toward those who serve in the United States Armed Forces.

I am proud to represent the State of West Virginia in the Senate. West Virginia has one of the highest veteran populations per capita of any State. The deep patriotism and loyalty to our country of the people of my State of West Virginia fills me with gratitude, and inspires me in my role as Chairman of the Senate Committee on Veterans' Affairs. In that position, I am fortunate to represent not only the veterans of West Virginia, but veterans all over our country.

As Chairman, I have fought very hard for improvements in benefits and services to veterans. We have made significant strides this year in fulfilling the pledge of Abraham Lincoln, "to care for him who shall have borne the battle, and for his widow and his orphans."

A critical need for veterans is long-term care. Our veteran population is aging rapidly and it is our responsibility to care for them. I am dedicated to this need, and in groundbreaking legislation, I was able to secure a significant expansion in the eligibility for and types of treatment that will soon be available to veterans.

It is my belief that the Montgomery GI Bill must be sufficient to recognize

the commitment and sacrifices that individuals make to serve in the military. In keeping with that belief, the Committee has endorsed legislation under which the basic rate of the MGIB benefit will be raised over the next 3 years. In addition, accelerated payments of MGIB benefits will be authorized to accommodate the compressed schedule of courses that leads to employment in a high technology industry. We should make every effort to accommodate the educational needs of our veterans, and this change is an important step in doing so.

Additionally, the Committee endorsed legislation under which the maximum amount for the popular VA home loan guaranty will be increased. It will now be within the reach of veterans to buy homes in major metropolitan areas where home prices have skyrocketed. Many years have passed since a VA home loan guaranty increase, and high housing costs in certain areas had put homeownership beyond the reach of our veterans who live in those areas. This increase will add value to the existing benefit.

Today, and everyday, we should honor those who have worn the uniforms of our Nation. All those who served deserve our appreciation, our respect, and our compassion. They are indeed, the best of the best.●

TRIBUTE TO JESSICA CATANESE

● Mr. SMITH of New Hampshire, Mr. President, I rise today to pay tribute to Jessica Catanese, of Groton, MA for being honored as the 2001 recipient of the Veteran's Affairs Hands and Heart Award. The award is an annual recognition given to one employee in each VA medical facility whose "sustained, compassionate, direct patient care is exceptional."

Jessica is a recreation therapist for the Manchester VA Medical Center Nursing Home who provides emotional support, help and guidance to patients above and beyond the call of duty. I comment Jessica for the caring and professional expertise she provides to VA hospital patients.

Staff and volunteers from the Manchester VA facility were included in the nomination process and all agreed that Jessica is an outstanding asset to the nursing home who consistently demonstrates courteous, friendly, and respectful care for the patients.

Jessica has served the veterans of the Manchester VA Medical Center Nursing Home with dedication and concern. As a veteran of the Vietnam war and senior member of the Senate Armed Services Committee, I applaud her achievements and professionalism. The citizens of New Hampshire own Jessica a debt of thanks for her exemplary services.

I wish Jessica continued success in her professional endeavors at the Manchester VA Medical Center Nursing Home. It is truly an honor and a privilege to represent her in the United States.●

MISSOURI STATE SENATOR PAULA CARTER

● Mrs. CARNAHAN. Mr. President, today I rise to honor the memory of a fearless leader and influential figure in Missouri politics, State Senator Paula J. Carter.

A native of Saint Louis, Senator Carter got involved in politics in the '60s. Her rise from Democratic precinct worker to an influential figure in the Missouri General Assembly clearly demonstrates the fact that one person can make a tremendous difference in the lives of all.

During her tenure in the Missouri House and Senate, she was a fierce defender and protector of peoples' rights. To her it never mattered who her foes were. At a time when many accepted inequity and injustice as the way it always was, she saw them as challenges to be overcome. When other politicians asked, "Can we win?" Senator Carter asked "Should we fight?" More often than not, the answer was a rousing "Yes!" Her efforts on behalf of women and minorities will never be forgotten.

In addition to her legislative and civic successes, Senator Carter was proud of her role as a mother and grandmother. Wardell, Gregory, Keena, and Willie Christopher will attempt to carry on their mother's tradition, each in their own way, as will, also, her seven grandchildren.

Though there are still causes to champion and battle to fight, this tireless advocate has been called to rest. May we all find inspiration in her deeds and renew our commitment to public service, a calling worthy of our lives.●

LOCAL LAW ENFORCEMENT ACT OF 2001

● Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred September 6, 1996 in Washington, D.C. The assailant, Michael J. Monts, 29, was charged with simple assault and assault with a deadly weapon for allegedly attacking a gay man in July 1996. Monts was ultimately convicted of assault with a deadly weapon in connection to that crime.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.●

WESTERN KENTUCKY UNIVERSITY MOBILE HEALTH AND WELLNESS UNIT

• Mr. MCCONNELL, Mr. President, I rise this morning to pay tribute to the Western Kentucky University, WKU, Mobile Health and Wellness Program. I worked vigorously to secure funding for this important initiative which will provide needed health care services to the families of rural Kentucky. I am pleased to announce that the WKU Mobile Health and Wellness Unit will be dedicated this afternoon in a ceremony in Morgantown, KY.

America has led the world in developing exciting medical advances and innovations during the last decade. New diagnostic tools, like PET Scans and MRI's, allow physicians to detect serious diseases in their earliest stages and treat patients before they become seriously ill. Advancements in pharmaceuticals, biotechnology, and medical devices also allow doctors to successfully cure illnesses that would have been fatal just a few years ago.

Unfortunately, many of the miracles of modern medicine are not always available to the citizens of rural Kentucky. For far too many rural Kentuckians, economic and geographic barriers impede access to even the most basic medical and dental screenings. As a result, these men, women, and children frequently lag behind their peers in many accepted measures of general health.

Western Kentucky University recognizes that limited access to health care services is a critical problem confronting the people of south-central Kentucky. To address this problem, WKU decided that if families living in rural communities are not able to travel to receive adequate care, then WKU should bring health care services to rural communities through a Mobile Health Clinic.

When Dr. Gary Ransdell, President of WKU, approached me with the idea for their mobile health program, I was immediately impressed by the potential of this vehicle to bring quality health care to the citizens of rural Kentucky. Our shared vision is that such a clinic can provide basic health care services such as physicals, well-child check-ups, PSA's, mammographies, and basic dental screenings. With that in mind, I was proud to use my position on the Senate Appropriations Committee to secure \$700,000 for this important initiative in the Fiscal Year 2001 Labor, Health and Human Services, Education Appropriations Bill.

I believe that all Kentuckians, whether they live in the smallest hollows or the biggest cities, should have access to basic health care services and the most modern screening technologies. WKU's Mobile Health and Wellness Program, which will be dedicated today, is an important step in that direction. I look forward to working with Western Kentucky University on this and other successful programs designed to improve the lives of Kentucky's citizens.●

TRIBUTE TO BAE SYSTEMS

• Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to the Business Unit of BAE Systems of Nashua, NH, for being named as one of five companies in the country to receive the Pro Patria Award. The award is given to companies which are supportive of military reservists.

The Information and Electronic Warfare Systems business unit received the award on October 11, 2001, at a ceremony at the Pentagon following a presidential proclamation ceremony in the Rose Garden of the White House.

BAE was nominated for the Pro Patria Award by Pete Kilger, department manager for BAE's Systems Engineering in the Information Dominance Systems area and a member of the Naval Reserve. BAE was chosen for the prestigious award because of its outstanding support and understanding for employees in the military reserves.

BAE does work for the U.S. military services and values the exemplary contributions of employee reservists and the contributions they make to New Hampshire and the country. BAE is one of the largest employers of reservists in the state providing benefits including paying reservists on military duty the difference between their military and civilian pay.

I commend BAE Systems for the many contributions they have made to the defense industry. Their concern for company employees who are reservists in the United States military is exemplary. The people of New Hampshire and the country owe a debt of gratitude to BAE Systems for the economic and defense benefits provided by their hard work and dedication.

BAE will continue to provide expertise which will be of benefit to the military personnel in the country with its involvement in the production of the next generation fighter jets. BAE Systems will have two teams working on electronic warfare systems for the F-35, also known as the Joint Strike Fighter. The contract won by BAE will eventually lead to the replacement of fighter planes used by the U.S. Navy, Air Force, and Marines and Britain's Royal Navy and Air Force. It is truly an honor and a privilege to represent BAE Systems and their employees in the United States Senate.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF IRAN EMERGENCY DECLARED ON NOVEMBER 14, 1979 IS TO CONTINUE IN EFFECT BEYOND NOVEMBER 14, 2001—MESSAGE FROM THE PRESIDENT—PM 56

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Iran emergency declared by Executive Order 12170 on November 14, 1979, is to continue in effect beyond November 14, 2001, to the *Federal Register* for publication. The most recent notice continuing this emergency was published in the *Federal Register* on November 13, 2000 (65 Fed. Reg. 68061).

Our relations with Iran have not yet returned to normal, and the process of implementing the January 19, 1981, agreements with Iran is still underway. For these reasons, I have determined that it is necessary to continue the national emergency declared on November 14, 1979, with respect to Iran, beyond November 14, 2001.

GEORGE W. BUSH.

THE WHITE HOUSE, November 9, 2001.

REPORT ON THE CONTINUATION OF EMERGENCY REGARDING WEAPONS OF MASS DESTRUCTION DECLARED ON NOVEMBER 14, 1994 IS TO CONTINUE IN EFFECT BEYOND NOVEMBER 14, 2001—MESSAGE FROM THE PRESIDENT—PM 57

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication. The notice states that the national emergency with respect to the unusual

and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the proliferation of nuclear, biological, and chemical weapons (weapons of mass destruction) and the means of delivering such weapons declared by Executive Order 12938 on November 14, 1994, is to continue in effect beyond November 14, 2001. The most recent notice continuing this emergency was published in the *Federal Register* on November 13, 2000 (65 Fed. Reg. 68063).

The proliferation of weapons of mass destruction and the means of delivering them continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared on November 14, 1994, regarding weapons of mass destruction, beyond November 14, 2001.

GEORGE W. BUSH.

THE WHITE HOUSE, November 9, 2001.

PERIODIC REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO THE 1979 IRANIAN EMERGENCY AND ASSETS BLOCKING FROM THE PERIOD BEGINNING MAY 2001 THROUGH OCTOBER 2001—MESSAGE FROM THE PRESIDENT—PM 58

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979.

GEORGE W. BUSH.

THE WHITE HOUSE, November 9, 2001.

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 10:41 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 768. An act to amend the Improving America's Schools Act of 1994 to extend the favorable treatment of need-based educational aid under the antitrust laws, and for other purposes.

At 11:03 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 264. Concurrent resolution expressing the sense of Congress to welcome

the Prime Minister of India, Atal Bihari Vajpayee, on the occasion of his visit to the United States, and to affirm that India is a valued friend and partner and an important ally in the campaign against international terrorism.

The message also announced that pursuant to 44 U.S.C. 2501, the Speaker appoints the following Member of the House of Representatives to the National Historical Publications and Records Commission: Mr. BLUNT of Missouri.

The message further announced that pursuant to 22 U.S.C. 2761 and clause 10 of rule 1, the Speaker appoints the following Members of the House of Representatives to the British-American Interparliamentary Group in addition to Mr. PETRI of Wisconsin, Chairman, and Mr. GALLEGLY of California, Vice Chairman, appointed on May 1, 2001: Mr. BERUTER of Nebraska, Mr. TAYLOR of North Carolina, Mr. HORN of California, Mr. GREEN of Wisconsin, Mr. BROWN of South Carolina, Mr. SPRATT of South Carolina, Mr. PRICE of North Carolina, Mr. POMEROY of North Dakota, Mr. CLYBURN of South Carolina, and Mr. ALLEN of Maine.

The message also announced that pursuant to section 1238(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398), the Speaker appoints the following member on the part of the House of Representatives to the United States-China Security Review Commission to fill the existing vacancy thereon: Mr. Larry M. Wortzel of Alexandria, Virginia.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-4556. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Trip Limit Adjustment" received on November 8, 2001; to the Committee on Commerce, Science, and Transportation.

EC-4557. A communication from the Acting Assistant General Counsel for Regulations, Office of the General Counsel, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Rehabilitation Short-Term Training (National Rehabilitation Leadership Institute)" (CFDA No. 84.246D) received on November 7, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-4558. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report relative to the United States Participation in and Support of Operation STABILISE; to the Committee on Armed Services.

EC-4559. A communication from the Deputy Secretary of Defense, transmitting, pursuant to the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001,

a report relative to the Study on Impact of Foreign Sourcing of Systems dated October 2001; to the Committee on Armed Services.

EC-4560. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to the United Kingdom; to the Committee on Foreign Relations.

EC-4561. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed technical assistance agreement for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to France; to the Committee on Foreign Relations.

EC-4562. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to Israel; to the Committee on Foreign Relations.

EC-4563. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to Israel; to the Committee on Foreign Relations.

EC-4564. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Review of the Restrictions on Persons of Italian Ancestry During World War II"; to the Committee on the Judiciary.

EC-4565. A communication from the Attorney General, transmitting, the Department of Justice Strategic Plan for Fiscal Years 2001-2006; to the Committee on the Judiciary.

EC-4566. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Interim Final Determination the State Has Corrected the Deficiencies" (FRL7102-4) received on November 8, 2001; to the Committee on Environment and Public Works.

EC-4567. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clean Air Act Approval and Promulgation of Air Quality Implementation Plan for Montana; Revisions to the Missoula City-County Air Pollution Control Program" (FRL7086-3) received on November 8, 2001; to the Committee on Environment and Public Works.

EC-4568. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clean Air Act Final Approval of Operating Permit Programs: Tennessee and Memphis-Shelby County" (FRL7103-2) received on November 8, 2001; to the Committee on Environment and Public Works.

EC-4569. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Delegation of National Emission Standards for Hazardous Air Pollutants for

Source Categories; State of Arizona; Arizona Department of Environmental Quality" (FRL7100-4) received on November 8, 2001; to the Committee on Environment and Public Works.

EC-4570. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Request for Qualifications and Preliminary Proposals for Training and Outreach Coordination Support to the Chesapeake Bay Program" received on November 8, 2001; to the Committee on Environment and Public Works.

EC-4571. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, California State Implementation Plan Revisions; San Joaquin Valley Unified Air Pollution Control District, and South Coast Air Quality Management District" (FRL7100-6) received on November 8, 2001; to the Committee on Environment and Public Works.

EC-4572. A communication from the District of Columbia Auditor, transmitting, a report entitled "Fiscal Year 2000 Annual Report on Advisory Neighborhood Commissions"; to the Committee on Governmental Affairs.

EC-4573. A communication from the District of Columbia Financial Responsibility and Management Assistance Authority, transmitting, pursuant to law, a report on the suspension of operations on Sunday, September 30, 2001 at 12:00 PM; to the Committee on Governmental Affairs.

EC-4574. A communication from the Director of the Office of Procurement and Assistance Management, Department of Energy, transmitting, pursuant to the Federal Activities Inventory Reform Act of 1988, a report on the annual list of government activities not inherently governmental in nature; to the Committee on Governmental Affairs.

EC-4575. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Annual Report for the Office of Justice Programs for Fiscal Year 2000; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-216. A resolution adopted by the Board of Supervisors of Yuma County, Arizona relative to September 11, 2001; to the Committee on Foreign Relations.

POM-217. A resolution adopted by the County Commission of Baldwin County, Alabama relative to Supporting Defense Against Terrorists Attacks; to the Committee on Foreign Relations.

POM-218. A resolution adopted by the Council of Berkeley County, South Carolina relative to September 11, 2001; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions, without amendment.

S. 1274: A bill to amend the Public Health Service Act to provide programs for the prevention, treatment, and rehabilitation of stroke. (Rept. No. 107-97).

By Mr. BAUCUS, from the Committee on Finance, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 3090: A bill to provide tax incentives for economic recovery.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KERRY:

S. 1670. A bill to amend the Small Business Investment Act of 1958 with respect to subsidy fees; to the Committee on Small Business and Entrepreneurship.

By Mr. BAUCUS (for himself and Mr. GRASSLEY):

S. 1671. A bill to amend the Trade Act of 1974 to provide for duty-free treatment under the Generalized System of Preferences (GSP) for certain hand-knotted or hand-woven carpets and leather gloves; to the Committee on Finance.

By Mr. EDWARDS:

S. 1672. A bill to prevent terrorist hoaxes and false reports; to the Committee on the Judiciary.

By Mrs. LINCOLN (for herself, Mr. HUTCHINSON, Mr. HELMS, Mr. MILLER, Ms. LANDRIEU, and Mr. BREAUX):

S. 1673. A bill to provide for the continuation of agricultural programs through fiscal year 2011; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SMITH of Oregon:

S. 1674. A bill to amend the Agricultural Adjustment Act to authorize the Secretary of Agriculture to issue marketing orders for cranberries; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. BOXER (for herself and Mr. AKAKA):

S. Res. 177. A resolution expressing the sense of the Senate that United States Postal Service employees should be commended for their outstanding service and dedication since the terrorist attacks of September 11, 2001; considered and agreed to.

ADDITIONAL COSPONSORS

S. 980

At the request of Mr. FITZGERALD, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Ohio (Mr. DEWINE), and the Senator from Missouri (Mrs. CARNAHAN) were added as cosponsors of S. 980, a bill to provide for the improvement of the safety of child restraints in passenger motor vehicles, and for other purposes.

S. 990

At the request of Mr. REID, his name was added as a cosponsor of S. 990, a bill to amend the Pittman-Robertson Wildlife Restoration Act to improve the provisions relating to wildlife conservation and restoration programs, and for other purposes.

S. 1249

At the request of Mr. WELLSTONE, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1249, a bill to promote the economic security and safety of victims of domestic and sexual violence, and for other purposes.

S. 1274

At the request of Mr. DORGAN, his name was added as a cosponsor of S. 1274, a bill to amend the Public Health Service Act to provide programs for the prevention, treatment, and rehabilitation of stroke.

S. 1377

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. 1377, a bill to require the Attorney General to establish an office in the Department of Justice to monitor acts of inter-national terrorism alleged to have been committed by Palestinian individuals or individuals acting on behalf of Palestinian organizations and to carry out certain other related activities.

S. 1479

At the request of Mr. BOND, the names of the Senator from New York (Mr. SCHUMER), the Senator from New York (Mrs. CLINTON), and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1479, a bill to require procedures that ensure the fair and equitable resolution of labor integration issues in transactions for the combination of air carriers, and for other purposes.

S. 1522

At the request of Mr. CONRAD, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 1522, a bill to support community-based group homes for young mothers and their children.

S. 1578

At the request of Mr. DORGAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1578, a bill to preserve the continued viability of the United States travel industry.

S. 1618

At the request of Mr. DEWINE, his name was added as a cosponsor of S. 1618, a bill to enhance the border security of the United States, and for other purposes.

S. 1643

At the request of Mrs. MURRAY, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Missouri (Mrs. CARNAHAN) were added as cosponsors of S. 1643, a bill to provide Federal reimbursement to State and local governments for a limited sales, use and retailers' occupation tax holiday.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SMITH of Oregon:

S. 1674. A bill to amend the Agricultural Adjustment Act to authorize the

Secretary of Agriculture to issue marketing orders for cranberries; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1674

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MARKETING ORDERS FOR CANEBERRIES.

(a) IN GENERAL.—Section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(1) in subsection (2)(A), by inserting “canberries (including raspberries, blackberries, and loganberries),” after “other than pears, olives, grapefruit, cherries,”; and

(2) in subsection (6)(I), by striking “tomatoes,” and inserting “tomatoes, canberries (including raspberries, blackberries, and loganberries),”.

(b) CONFORMING AMENDMENT.—Section 8e(a) of the Agricultural Adjustment Act (7 U.S.C. 608e-1(a)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended in the first sentence by striking “or eggplants” and inserting “eggplants, or canberries (including raspberries, blackberries, and loganberries)”.

By Mr. EDWARDS:

S. 1672. A bill to prevent terrorist hoaxes and false reports; to the Committee on the Judiciary.

Mr. EDWARDS. Mr. President, I rise to introduce the Punishing Terrorist Hoaxes Act of 2001.

In the days since September 11, all of us have learned that anthrax hoaxes are no joking matter. They are acts of terror in the true sense of the word because they inflict great fear and anxiety on innocent people. In addition, these hoaxes drain resources from police and emergency workers—resources desperately needed not only for the real war on terror, but for all of the ordinary emergencies that continue to arise every single day.

According to recent reports, there have been some 160 anthrax and other terrorism hoaxes since September 11. In Connecticut, one hoax triggered the evacuation of 800 government employees for two days. Hoaxes in Virginia and Oregon have shut down post offices. In my State of North Carolina, from Greensboro to Chapel Hill, hoaxes have targeted and terrified workers at family planning medical clinics—workers who already must live with death threats day in and day out.

I have spoken with law enforcement officials in North Carolina who believe we need new Federal legislation specifically to fight hoaxes. At a hearing of the Judiciary Committee's Subcommittee on Technology, Terrorism, and Government Information earlier this week, officials from the Bush Administration requested that legislation. In response to several questions that I asked, they articulated the very

real need: Current law prohibits terrorist “threats,” but terrorism hoaxes may not always be viewed as threats because the people perpetrating the hoaxes are not able and do not intend to carry out actual terrorist acts. Yet these hoaxes must be punished.

The legislation I propose builds on proposals by other Senators on both sides of the aisle, including Senator LEAHY, Senators BIDEN and HATCH, and Senators SCHUMER and DEWINE. There are two things that distinguish the legislation I propose, and I want to highlight those.

First, my proposal includes “findings” about the need for this legislation. In recent decisions holding that Federal laws are not proper exercises of Congress's “commerce clause” power and therefore are not constitutional, the Supreme Court has said that “findings” about a real Federal need are important. Although I don't agree with those recent cases, I want to do everything I can to make sure this statute is upheld in the courts. The addition of findings is one way to do that while still enacting the ban we need.

Second, my proposal establishes two Federal hoax crimes, not just one. All persons who perpetrate hoaxes are punishable by up to two years in prison. In addition, persons who perpetrate hoaxes with intent to cause fear, in a manner reasonably likely to cause an emergency response, are punishable by up to five years in prison. The line we are drawing is a line between people who really and truly think they are “just joking” and people who want to terrorize others.

Both kinds of hoaxes should be felony crimes. And the person who wants to inflict fear deserves a stiffer sentence than the person who does not. That is a line we regularly draw in the criminal law. We punish people with evil motives more than people who are reckless or stupid. Federal law makes that distinction in the Bomb Hoax Act, 18 U.S.C. §35, which sets up a lesser offense requiring no criminal intent, and a greater offense requiring that the perpetrator act “maliciously.”

I ask the Congress to enact the Punishing Terrorist Hoaxes Act of 2001. And whether we enact this legislation or one of my colleagues' proposals, I ask the Congress to enact an anti-hoax bill before we go out of session. We owe it to police officers, public health officials, and the American people.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 177—EXPRESSING THE SENSE OF THE SENATE THAT UNITED STATES POSTAL SERVICE EMPLOYEES SHOULD BE COMMENDED FOR THEIR OUTSTANDING SERVICE AND DEDICATION SINCE THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001

Mrs. BOXER (for herself and Mr. AKAKA) submitted the following resolution;

which was considered and agreed to:

S. RES. 177

Whereas on September 11, 2001, the Nation was victimized by a horrific terrorist attack, the likes of which have not been seen in United States history;

Whereas terrorist attacks continued on United States soil after September 11, 2001, in the form of anthrax-tainted letters;

Whereas these anthrax-tainted letters have led to the deaths of 4 individuals, including 2 United States Postal Service employees;

Whereas numerous United States Postal Service employees are currently taking antibiotics to protect them from potential anthrax exposure; and

Whereas the United States Postal Service continues to deliver mail, on the order of approximately 680,000,000 pieces per day, to ensure that the daily operation of our citizens and our companies may continue unaffected, despite these dangers: Now, therefore, be it

Resolved, That the Senate—

(1) commends the men and women of the United States Postal Service for their outstanding service, hard work, and dedication during this time of national emergency; and

(2) will continue to work with the United States Postal Service to ensure the safety and well-being of postal workers as they carry out their duties and responsibilities.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Order Nos. 541 through 546; that the nominations be confirmed; that the motions to reconsider be laid upon the table; that any statements relating to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

ENVIRONMENTAL PROTECTION AGENCY

Kimberly Terese Nelson, of Pennsylvania, to be an Assistant Administrator of the Environmental Protection Agency.

DEPARTMENT OF STATE

Eric M. Javits, of New York, for the rank of Ambassador during his tenure of service as U.S. Representative to the Conference on Disarmament.

Sichan Siv, of Texas, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador.

Sichan Siv, of Texas, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during this tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations.

Richard S. Williamson, of Illinois, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.

Richard S. Williamson, of Illinois, to be Alternate Representative of the United States

of America for Special Political Affairs in the United Nations, with the rank of Ambassador.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

SENSE OF CONGRESS TO WELCOME THE PRIME MINISTER OF INDIA

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 264 just received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 264) expressing the sense of Congress to welcome the Prime Minister of India, Atal Bihari Vajpayee, on the occasion of his visit to the United States, and to affirm that India is a valued friend and partner and important ally in the campaign against international terrorism.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. BYRD. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to; that the preamble be agreed to; that the motion to reconsider be laid upon the table; and that any statements relating to the concurrent resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 264) was agreed to.

The preamble was agreed to.

U.S. POSTAL SERVICE COMMENDATION

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 177, submitted earlier today by Senator BOXER.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 177) expressing the sense of the Senate that United States Postal Service employees should be commended for their outstanding service and dedication since the terrorist attacks on September 11, 2001.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BYRD. Mr. President, I ask unanimous consent that the resolution and

the preamble be agreed to, en bloc; that the motion to reconsider be laid upon the table; and that any statements and supporting documents relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 177) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

AUTHORIZATION FOR PRINTING

Mr. BYRD. Mr. President, I ask unanimous consent that the Rules Committee be discharged from consideration of H. Con. Res. 130 and that the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 130) authorizing printing of the book entitled "Asian and Pacific Islander Americans in Congress."

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. BYRD. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, with no intervening action or debate; that the motion to reconsider be laid upon the table; and that any statements relating to the concurrent resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 130) was agreed to.

AUTHORITY FOR COMMITTEE TO REPORT

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Finance have until 4 p.m. today to report the economic recovery stimulus bill, notwithstanding the adjournment of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR RECORD TO REMAIN OPEN UNTIL 2 P.M.

Mr. BYRD. Mr. President, I ask unanimous consent that the RECORD remain open today until 2 p.m. for the submission of statements and the introduction of legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, NOVEMBER 13, 2001

Mr. BYRD. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10:30 a.m., Tuesday November 13; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that the Senate begin consideration of S.J. Res. 28; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. for the weekly party conferences.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, on behalf of the majority leader, I again remind our colleagues that the next rollcall votes will occur at 5 p.m. on Tuesday next.

ADJOURNMENT UNTIL 10:30 A.M. TUESDAY, NOVEMBER 13, 2001

Mr. BYRD. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 1:09 p.m., adjourned until Tuesday, November 13, 2001, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate November 9, 2001:

CORPORATION FOR PUBLIC BROADCASTING

CHERYL FELDMAN HALPERN, OF NEW JERSEY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR THE REMAINDER OF THE TERM EXPIRING JANUARY 31, 2004, VICE DIANE D. BLAIR.

DEPARTMENT OF ENERGY

MARGARET S.Y. CHU, OF NEW MEXICO, TO BE DIRECTOR OF THE OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT, DEPARTMENT OF ENERGY, VICE IVAN ITKIN, RESIGNED.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

ADOLFO A. FRANCO, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE MARK L. SCHNEIDER.

OVERSEAS PRIVATE INVESTMENT CORPORATION

COLLISTER JOHNSON, JR., OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2001, VICE LOTTIE LEE SHACKELFORD, TERM EXPIRED.

COLLISTER JOHNSON, JR., OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2004. (REAPPOINTMENT)

NATIONAL MEDIATION BOARD

EDWARD J. FITZMAURICE, JR., OF TEXAS, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2004, VICE ERNEST W. DUBESTER, RESIGNED.

November 9, 2001

CONGRESSIONAL RECORD—SENATE

S11663

CONFIRMATIONS

Executive nominations confirmed by
the Senate November 9, 2001:

ENVIRONMENTAL PROTECTION AGENCY

KIMBERLY TERESE NELSON, OF PENNSYLVANIA, TO BE
AN ASSISTANT ADMINISTRATOR OF THE ENVIRON-
MENTAL PROTECTION AGENCY.

DEPARTMENT OF STATE

ERIC M. JAVITS, OF NEW YORK, FOR THE RANK OF AM-
BASSADOR DURING HIS TENURE OF SERVICE AS U.S.

REPRESENTATIVE TO THE CONFERENCE ON DISAR-
MAMENT.

SICHAN SIV, OF TEXAS, TO BE REPRESENTATIVE OF
THE UNITED STATES OF AMERICA ON THE ECONOMIC
AND SOCIAL COUNCIL OF THE UNITED NATIONS, WITH
THE RANK OF AMBASSADOR.

SICHAN SIV, OF TEXAS, TO BE AN ALTERNATE REP-
RESENTATIVE OF THE UNITED STATES OF AMERICA TO
THE SESSIONS OF THE GENERAL ASSEMBLY OF THE
UNITED NATIONS DURING HIS TENURE OF SERVICE AS
REPRESENTATIVE OF THE UNITED STATES OF AMERICA
ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED
NATIONS.

RICHARD S. WILLIAMSON, OF ILLINOIS, TO BE AN AL-
TERNATE REPRESENTATIVE OF THE UNITED STATES OF

AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY
OF THE UNITED NATIONS DURING HIS TENURE OF SERV-
ICE AS ALTERNATE REPRESENTATIVE OF THE UNITED
STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS
IN THE UNITED NATIONS.

RICHARD S. WILLIAMSON, OF ILLINOIS, TO BE ALTER-
NATE REPRESENTATIVE OF THE UNITED STATES OF
AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE
UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT
TO THE NOMINEES' COMMITMENT TO RESPOND TO RE-
QUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY
CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

WAIVING POINTS OF ORDER
AGAINST CONFERENCE REPORT
ON H.R. 2620, DEPARTMENTS OF
VETERANS AFFAIRS AND HOUS-
ING AND URBAN DEVELOPMENT,
AND INDEPENDENT AGENCIES
APPROPRIATIONS ACT, 2002

SPEECH OF

HON. SHERWOOD L. BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 8, 2001

Mr. BOEHLERT. Mr. Speaker, as Chairman of the House Science Committee, I rise in strong support of the FY 2002 VA, HUD and Independent Agencies Appropriations Conference Report. My good friends Chairman WALSH, and Ranking Minority Member MOLLOHAN have put together a conference report that is very good for science, good for the space program, and good for the environment. I thank them for their outstanding leadership.

Chairman WALSH shares my belief that basic research provides the foundation for economic growth and for the tremendous advances we have made in areas like biomedical research. The appropriation for the National Science Foundation contained within this conference report reflects these beliefs. Chairman WALSH is to be commended for the more than 8 percent increase that he has provided for the Foundation.

The bill also contains funding for the National Mathematics and Science Partnerships Program that was proposed by President Bush and that is authorized by my bill—H.R. 1858—that was unanimously reported out of the Science Committee. This program will bring colleges and universities and school districts together to form partnerships to improve the quality of elementary and secondary math and science education. I look forward to working closely with Chairman WALSH and NSF to see that this program is properly implemented.

I want to particularly thank the conferees for including funding for the Noyce Scholarship Program. Named for the co-founder of Intel, this program provides scholarships to talented mathematics, science, and engineering students in exchange for a commitment to teach two years for each year of scholarship. I am passionately committed to attracting young people to the profession of teaching and look forward to welcoming the first class of Noyce Scholars.

I also want to commend the Committee for providing funding for the Tech Talent Act that I introduced on October 15, of this year. This program will encourage colleges and universities to think more creatively about how they educate our future scientists, mathematicians and engineers.

The conferees are also to be commended for a bill that protects and expands NASA's scientific programs in Science, Aeronautics, and Technology while striking the right balance for the Space Station. This bill sends a clear signal that Congress is not going to bail

out NASA for its management failures. It also makes clear that we're willing to work with the Administration to identify additional resources to improve station capabilities, if we see the right management reforms and performance improvements at NASA.

Yesterday, the House Science Committee heard testimony from Tom Young, the Chairman of the International Space Station (ISS) Management and Cost Evaluation (IMCE) Task Force and Sean O'Keefe, the Deputy Director of the Office of Management and Budget. The Task Force concluded that without significant management and budget reforms, NASA would not be able to complete the U.S. Core Complete station within the budget that was agreed upon earlier this year. Mr. Young and Mr. O'Keefe recommended, and I concur, the NASA must be required to demonstrate to Congress that it can manage the U.S. Core Complete Station—both on time and on budget—before any decisions are made to expand the capabilities of the station.

I also want to stress that the ISS was intended to be a research platform that would permit scientists to carry out research that could only be conducted in a space environment. It is important that we not lose this focus upon science and that we closely examine the research program that will be supported by the station. The Science Committee has asked the National Academy of Science to review this research program and I look forward to their findings. I concur with the conferees' recommendation that this study be expanded to evaluate the research programs that could be conducted on the ISS with a three- or a six-person crew.

I particularly appreciate the Committee's commitment to new space technology and its effort to bridge the gap between NASA and the Air Force. By directing a modest amount of funding to the Air Force Research Lab, the bill encourages NASA and the Air Force to pool their efforts on technologies that will benefit both agencies and the American people. Space based radar technology, for example, is vital to our national security, but also has immense applications in Earth science. A development program that reduces the cost of synthetic aperture radar technology will benefit both.

Similarly, the bistatic radar technology developed at the Rome Research Laboratory has immense potential for upgrading our national launch range tracking capabilities at a low cost. By demonstrating this technology, we may finally break the logjam that has undermined our space launch competitiveness.

The conferees have also, at my request, addressed a matter that is of great importance to me—the LANDSAT Data Continuity Mission. The Land Remote Sensing Policy Act of 1992 (P.L. 102-555) directs the LANDSAT Program to consider options, with preference given to a commercial solution, to maintain the continuity of LANDSAT data beyond LANDSAT 7.

While NASA's Earth Science Program has responded to several of my concerns, I con-

tinue to be deeply concerned that NASA's acquisition strategy for the LANDSAT Data Continuity Mission (LDCM) places too much emphasis on government satellite engineering and design during the formulation phase of the program. I urge that the Director of the Office of Science and Technology Policy continue to review this program to ensure that preference is given to technically and economically sound commercial data buy proposals that will meet our nation's data continuity needs. I applaud the conferees for including language in the conference report that restates our expectation that NASA will pursue commercial data purchase approaches to all Earth Science Program Announcements for Opportunity.

Let me turn for a moment to the budget for the Environmental Protection Agency, an agency that Congress should elevate to cabinet level status. I appreciate the efforts of Chairman WALSH and his colleagues in the House and Senate to provide a responsible budget to help meet the nation's environmental needs. On the whole, the conference report is good news for EPA. Clearly, many of us would prefer to see higher funding levels for some of the agency's programs, but the conferees have done an admirable job of balancing competing needs and working within difficult fiscal constraints.

As Chairman of the Science Committee, I am particularly pleased the bill increases funding for the Science and Technology account from \$640 million in the budget request to \$698 million.

Admittedly much of this funding is for site-specific or project-specific activities. Even so, I think it is important to continue a trend of increasing agency resources for basic and applied research, including drinking water research under the Safe Drinking Water Act.

Mr. Speaker, the recent experiences with arsenic confirm the importance of science in making key regulatory decisions. I commend the Administration and the conferees in advancing the effort to replace the 50 parts per billion standard with a more protective 10 parts per billion standard. I hope Congress will provide additional funding to research and develop more cost-effective technologies to meet the SDWA standards as contemplated by Administrator Whitman.

As a member of the Transportation and Infrastructure Committee and the Congressional Water Infrastructure Caucus, I am pleased the conference report rejects the proposed cut to the Clean Water SRF but I'm disappointed it doesn't provide more than \$1.35 billion for the program. I appreciate the constraints facing the conferees but would encourage the Appropriations Committee to find a way to fund some of the important water infrastructure and ecosystem restoration programs, such as the new sewer overflow control grants program and the reauthorized Clean Lakes program. I hope there are opportunities down the road to target assistance for such efforts.

I would also continue to note my concern with the Superfund program. The bill provides \$1.27 billion. The Appropriators are doing their

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

best under the circumstances. Congress needs to change the circumstances; comprehensive reform and, at a minimum, a reauthorization of the Corporate Environmental Income Tax (which expired on December 31, 1995) should be the next course of action.

Mr. Speaker, this is a good bill for science, a good bill for the space program, and a good bill for the environment. It aptly illustrates the tremendous leadership provided by my good friend from New York, Chairman WALSH, and I urge my colleagues to support it.

INTRODUCTION OF THE HAZARDOUS MATERIAL TRANSPORTATION SAFETY REAUTHORIZATION ACT OF 2001

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 9, 2001

Mr. OBERSTAR. Mr. Speaker, I join Chairman YOUNG in introducing (by request) the Ad-

ministration's bill to reauthorize the U.S. Department of Transportation's (DOT) hazardous materials program. Given the recent threats to our nation's security, it is particularly important that we have in place a program that strengthens the Department of Transportation's inspection and enforcement authority over hazardous materials movements. To address the threats to the security and safety associated with the transportation of hazardous materials, DOT inspectors need clear authority to open and inspect packages they believe might contain hazardous materials and to issue emergency orders to stop unsafe practices that pose an immediate threat to life, property, and the environment.

The bill also addresses the problem of undeclared hazardous materials shipments by mail. The bill authorizes the United States Postal Service to collect fines and recover damages for violations of hazardous materials regulations. The proposal calls for substantial increases in penalties for those who would violate Federal hazardous materials laws and regulations.

However, I have a number of concerns with the Administration's proposal that I hope we will address during consideration of any hazardous materials legislation. This is not the time to compromise on the safety and security of hazardous materials transportation.

The risks from serious hazmat releases to employees of hazmat transporters and the public-at-large are simply too great to allow for legislation that offers anything but the highest level of protection. I look forward to working with the Chairman, the Committee on Transportation and Infrastructure, and the Administration to craft a hazardous materials reauthorization bill that will best meet the needs of hazardous materials transporters, their workers, and the American people.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S11637–S11663

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 1670–1674, and S. Res. 177. **Page S11660**

Measures Reported:

S. 1274, to amend the Public Health Service Act to provide programs for the prevention, treatment, and rehabilitation of stroke. (S. Rept. No. 107–97)

H.R. 3090, to provide tax incentives for economic recovery, with an amendment in the nature of a substitute. **Page S11660**

Measures Passed:

Welcoming India's Prime Minister: Senate agreed to H. Con. Res. 264, expressing the sense of Congress to welcome the Prime Minister of India, Atal Bihari Vajpayee, on the occasion of his visit to the United States, and to affirm that India is a valued friend and partner and an important ally in the campaign against international terrorism. **Page S11662**

Commending Postal Employees: Senate agreed to S. Res. 177, expressing the sense of the Senate that United States Postal Service employees should be commended for their outstanding service and dedication since the terrorist attacks of September 11, 2001. **Page S11662**

Book Printing Authorization: Committee on Rules and Administration was discharged from further consideration of H. Con. Res. 130, authorizing the printing of the book entitled, "Asian and Pacific Islander Americans in Congress", and the resolution was then agreed to. **Page S11662**

Budget and Emergency Deficit—Agreement: A unanimous-consent-time agreement was reached providing for consideration of S.J. Res. 28, suspending certain provisions of law pursuant to section 258(a)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985, at 10:30 a.m., on Tuesday, November 13, 2001, with a vote on final passage of the resolution to occur following the vote on confirmation of the nomination of Edith Brown Clement. **Page S11647**

Nomination—Agreement: A unanimous-consent agreement was reached providing that the debate time on the nomination of Edith Brown Clement, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, be changed to begin at 4:45 p.m. on Tuesday, November 13, 2001, with the vote on confirmation of the nomination to occur at 5 p.m. **Page S11647**

Messages from the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of Iran emergency declared on November 14, 1979 is to continue in effect beyond November 14, 2001; to the Banking, Housing, and Urban Affairs. (PM–56) **Page S11658**

Transmitting, pursuant to law, a report on the continuation of emergency regarding weapons of mass destruction declared on November 14, 1994 is to continue in effect beyond November 14, 2001; to the Banking, Housing, and Urban Affairs. (PM–57) **Pages S11658–59**

Transmitting, pursuant to law, the periodic report on the national emergency with respect to the 1979 Iranian emergency and assets blocking from the period beginning May 2001 through October 2001; to the Banking, Housing, and Urban Affairs. (PM–58) **Page S11659**

Nominations Confirmed: Senate confirmed the following nominations:

Kimberly Terese Nelson, of Pennsylvania, to be an Assistant Administrator of the Environmental Protection Agency.

Eric M. Javits, of New York, for the rank of Ambassador during his tenure of service as U.S. Representative to the Conference on Disarmament.

Sichan Siv, of Texas, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador.

Sichan Siv, of Texas, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative

of the United States of America on the Economic and Social Council of the United Nations.

Richard S. Williamson, of Illinois, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.

Richard S. Williamson, of Illinois, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador.

Page S11663

Nominations Received: Senate received the following nominations:

Cheryl Feldman Halpern, of New Jersey, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for the remainder of the term expiring January 31, 2004.

Margaret S.Y. Chu, of New Mexico, to be Director of the Office of Civilian Radioactive Waste Management, Department of Energy.

Adolfo A. Franco, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Collister Johnson, Jr., of Virginia, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2001.

Collister Johnson, Jr., of Virginia, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2004. (Reappointment)

Edward J. Fitzmaurice, Jr., of Texas, to be a Member of the National Mediation Board for a term expiring July 1, 2004.

Page S11662

Messages From the House: Page S11659

Executive Communications: Pages S11659–60

Petitions and Memorials: Page S11660

Executive Reports of Committees: Page S11660

Additional Cosponsors: Page S11660

Statements on Introduced Bills/Resolutions: Pages S11660–61

Additional Statements: Pages S11656–58

Adjournment: Senate met at 10 a.m., and adjourned at 1:09 p.m., until 10:30 a.m., on Tuesday, November 13, 2001. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11662.)

Committee Meetings

(Committees not listed did not meet)

BUDGET AND EMERGENCY DEFICIT

Committee on the Budget: On Thursday, November 8, committee ordered unfavorably reported S.J. Res. 28, suspending certain provisions of law pursuant to section 258(a)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ECONOMIC RECOVERY

Committee on Finance: On Thursday, November 8, committee ordered favorably reported H.R. 3090, to provide tax incentives for economic recovery, with an amendment in the nature of a substitute entitled "Economic Recovery and Assistance for American Workers Act."

House of Representatives

Chamber Action

Measures Introduced: 5 public bills, H.R. 3273–3276, were introduced.

Page H8034

Reports Filed: Reports were filed today as follows:

Conference report on H.R. 2330, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002 (H. Rept. 107–275);

H.R. 2985, to amend the Federal Trade Commission Act to increase civil penalties for violations involving certain proscribed acts or practices that exploit popular reaction to an emergency or major disaster declared by the President, and to authorize the Federal Trade Commission to seek civil penalties for such violations in actions brought under section 13 of that Act (H. Rept. 107–276);

H.R. 2887, to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children, amended (H. Rept. 107–277); and

Conference report on H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002 (H. Rept. 107–278).

Page H8034

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Culberson to act as Speaker pro tempore for today.

Page H7961

Guest Chaplain: The prayer was offered by the guest Chaplain, Rev. David Nuss, Catholic Diocese of Toledo, Toledo, Ohio.

Page H7961

United States-China Security Review Commission: The Chair announced the Speaker's appointment of Mr. Larry M. Wortzel of Alexandria, Virginia to the United States-China Security Review Commission.

Page H7961

National Historical Publications and Records Commission: The Chair announced the Speaker's appointment of Representative Blunt to the National Historical Publications and Records Commission.

Page H7962

Senate messages: Messages received from the Senate appear on page H7961.

Referral: S. Con. Res. 81 was held at the desk.

Page H7961

Quorum Calls—Votes: No quorum calls or recorded votes developed during the proceedings of the House today.

Adjournment: The House met at 10 a.m. and adjourned at 10:05 p.m.

Committee Meetings

FEDERAL GOVERNMENT—COMPUTER SECURITY

Committee on Government Reform: Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations held a hearing on "Computer Security in the Federal Government: How do the Agencies Rate?" Testimony was heard from Robert F. Dacy, Director, Information Security, GAO; and Mark A. Forman, Associate Director, Information Technology and E-Government, OMB.

CONGRESSIONAL PROGRAM AHEAD

Week of November 12 through November 17, 2001

Senate Chamber

On *Monday*, Senate will not be in session.

On *Tuesday*, at 10:30 a.m., Senate will consider S.J. Res. 28, suspending certain provisions of law pursuant to section 258(a)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985. Also, at 4:45 p.m., Senate will consider the nomination of Edith Brown Clement, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, with a

vote on confirmation of the nomination to occur at 5 p.m.; followed by a vote on final passage of S.J. Res. 28.

During the balance of the week, Senate may consider any other cleared legislative and executive business, including appropriation bills and conference reports when available.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: November 13, business meeting to resume consideration of S. 1628, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, 8:30 a.m., SR-328A.

Committee on Banking, Housing, and Urban Affairs: November 13, Subcommittee on Housing and Transportation, to hold hearings to examine state and local responses to lead based poisoning, 2:30 p.m., SD-538.

November 14, Subcommittee on International Trade and Finance, to hold hearings to examine hawala—referring a creditor to a third party to receive his/her money; and underground terrorist financing mechanisms, 2:30 p.m., SD-538.

Committee on Energy and Natural Resources: November 14, to hold hearings to examine the nomination of Kathleen Burton Clarke, of Utah, to be Director of the Bureau of Land Management, Department of the Interior, 9:30 a.m., SD-366.

November 14, Subcommittee on Public Lands and Forests, to hold oversight hearings to examine the investigative report of the Thirtymile Fire and the prevention of future fire fatalities, 2:30 p.m., SD-366.

Committee on Environment and Public Works: November 14, Subcommittee on Fisheries, Wildlife, and Water, to hold oversight hearings to examine national water supply issues, 9:30 a.m., SD-406.

November 14, Subcommittee on Superfund, Toxics, Risk, and Waste Management, to hold hearings on S. 1602, to help protect the public against the threat of chemical attack, 2 p.m., SD-406.

November 15, Full Committee, to hold hearings to examine the effects of S. 556, to amend the Clean Air Act to reduce emissions from electric powerplants, on the environment and the economy, 9:30 a.m., SD-406.

Committee on Foreign Relations: November 14, business meeting to consider pending calendar business, 10:30 a.m., SD-419.

November 14, Full Committee, to hold hearings to examine the nominations of Gaddi H. Vasquez, of California, to be Director, and Josephine K. Olsen, of Maryland, to be Deputy Director, both of the Peace Corps, 4 p.m., SD-419.

November 15, Subcommittee on International Operations and Terrorism, with the Subcommittee on Near Eastern and South Asian Affairs, to hold joint hearings to examine U.S. efforts to deliver aid to Afghanistan, 2 p.m., SD-419.

November 15, Subcommittee on Near Eastern and South Asian Affairs, with the Subcommittee on International Operations and Terrorism, to hold joint hearings to examine U.S. efforts to deliver aid to Afghanistan, 2 p.m., SD-419.

Committee on Governmental Affairs: November 13, Permanent Subcommittee on Investigations, to hold hearings to examine how the Immigration and Naturalization Service processes persons arrested for illegal entry into the U.S. outside ports of entry, 9:30 a.m., SD-342.

November 14, Full Committee, business meeting to consider pending calendar business, 9:15 a.m., SD-342.

November 14, Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia, with the Committee on Governmental Affairs, to hold joint hearings to examine improvement processes concerning airline security, 10:30 a.m., SD-342.

November 14, Full Committee, with the Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia, to hold joint hearings to examine improvement processes concerning airline security, 10:30 a.m., SD-342.

November 14, Subcommittee on International Security, Proliferation and Federal Services, to hold hearings to examine combating proliferation of weapons of mass destruction with non-proliferation programs and proposed legislation entitled the Non-Proliferation Assistance Coordination Act, 2:30 p.m., SD-342.

November 15, Full Committee, to hold oversight hearings to examine the Medicare payment policies for ambulance services of the Centers for Medicare and Medicaid Services of the Department of Health and Human Services, 9:15 a.m., SD-342.

Committee on Health, Education, Labor, and Pensions: November 15, to hold hearings to examine the national immunization program and preparation for public health challenges in the 21st century, 10 a.m., SR-325.

Select Committee on Intelligence: November 14, to hold closed hearings on intelligence matters, 2:30 p.m., S-407, Capitol.

Committee on the Judiciary: November 13, to hold hearings to examine homeland defense issues, focusing on sharing information with local law enforcement, 10 a.m., SD-226.

November 14, Subcommittee on Technology, Terrorism, and Government Information, to hold hearings to examine new technologies for terrorism prevention, focusing on biometric identifiers, 10 a.m., SD-226.

Committee on Rules and Administration: November 15, to hold hearings to examine the Capitol Police Board's Capitol Perimeter Security Plan and other matters involving security for the Capitol complex, 9 a.m., SR-301.

House Chamber

To be announced.

House Committees

Committee on Agriculture, November 14, Subcommittee on Conservation, Credit, Rural Development and Research, hearing to review the Buena Vista Watershed Proposal, 10 a.m., 1300 Longworth.

November 15, full Committee, to consider the Buena Vista Watershed Proposal; followed by a hearing to review the USDA Biosecurity Programs and Authorities, 9:30 a.m., 1300 Longworth.

Committee on Education and the Workforce, November 14, hearing on "Economic Recovery and Assistance to Workers-Minority Day," 2 p.m., 2175 Rayburn.

November 14, Subcommittee on Workforce Protections, hearing on "'Beck' Rights 2001: Are Worker Rights Being Adequately Enforced?" 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce. November 15, hearing on bioterrorism and proposals to combat terrorism, 10 a.m., 2123 Rayburn.

November 15, Subcommittee on Commerce, Trade, and Consumer Protection, hearing entitled "Cyber Security: Private-Sector Efforts Addressing Cyber Threats," 1 p.m., 2322 Rayburn.

November 15, Subcommittee on Health, hearing entitled "Raising Health Awareness Through Examining Benign Brain Tumor Cancer, Alpha One, and Breast Implant Issues," 2 p.m., 2123 Rayburn.

Committee on Government Reform, November 13, Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations, the Subcommittee on Criminal Justice, Drug Policy and Humans Resources, and the Subcommittee on National Security, Veterans Affairs and International Relations, joint hearing on "Law Enforcement: Are Federal, State and Local Agencies Working Together Effectively?" 9:30 a.m., 2154 Rayburn.

November 14, full Committee, hearing on "Comprehensive Medical Care for Bioterrorism Exposure—Are We Making Evidence-Based Decisions? What are the Research Needs?" 1 p.m., 2154 Rayburn.

November 15, Subcommittee on the District of Columbia, hearing on the "Emergency Preparedness in the Nation's Capital-Economic Impact of Terrorists Attacks," 10 a.m., 2154 Rayburn.

November 16, Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations, hearing on "Does America Need A National Identifier?" 10 a.m., 2154 Rayburn.

Committee on International Relations, November 14, hearing on the Message is America: Rethinking U.S. Public Diplomacy, 10:15 a.m., 2172 Rayburn.

November 15, Subcommittee on Asia and the Pacific, hearing on Northeast Asia after 9/11: Regional Trends and Interests, 2:30 p.m., 2172 Rayburn.

Committee on the Judiciary, November 14, Subcommittee on Crime, hearing on the implementation legislation for the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism; followed by markup of H.R. 3209, Anti-Hoax Terrorism Act of 2001, 10 a.m., 2237 Rayburn.

November 15, Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing on the Operations of Field Judicial Misconduct and Rescue Statutes, 10 a.m., 2141 Rayburn.

November 15, Subcommittee on Immigration and Claims, hearing on H.R. 3231, Immigration Reform and Accountability Act of 2001, 2 p.m., 2237 Rayburn.

November 16, Subcommittee on the Constitution, hearing on H.J. Res. 14, proposing an amendment to the Constitution of the United States regarding regulations on the amounts of expenditures of personal funds made by candidates for election for public office, 10 a.m., 2237 Rayburn.

Committee on Resources, November 13, Subcommittee on National Parks, Recreation and Public Lands, hearing on the following bills: H.R. 2234, Tumacacori National Historical Park Boundary Revision Act of 2001; and H.R. 2238, to authorize the Secretary of the Interior to acquire Fern Lakes and the surrounding watershed in the states of Kentucky and Tennessee for addition to Cumberland Gap National Historical Park, 2 p.m., 1334 Longworth.

Committee on Rules, November 13, hearing on the President's "Freedom to Manage" Initiative, 4 p.m., H-313 Capitol.

November 13, to consider the conference report to accompany H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, 5:30 p.m., H-313 Capitol.

Committee on Science, November 14, hearing on H.R. 3178, Water Infrastructure Security and Research Development Act, and the Development of Anti-Terrorism Tools for Water Infrastructure, 10 a.m., 2318 Rayburn.

November 15, to mark up H.R. 3178, Water Infrastructure Security and Research Development Act, 10 a.m., 2318 Rayburn.

Committee on Small Business, November 14, to mark up H.R. 3230, American Small Business Emergency Relief and Recovery Act of 2001, 10 a.m., 2360 Rayburn.

November 15, hearing on a national sales tax holiday, and its potential to serve as a stimulus for our nation's small businesses, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, November 15, Subcommittee on Water Resources and Environment, hearing on the Future of the TMDL Program: How to Make TMDLs Effective Tools for Improving Water Quality, 9:30 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, November 14, Subcommittee on Oversight and Investigations, hearing to review the roles of the Departments of Veterans Affairs and Defense in educating the Nation's medical students and current health care professionals to diagnose and treat casualties of weapons of mass destruction, 10 a.m., 334 Cannon.

Committee on Ways and Means, November 15, Subcommittee on Human Resources, hearing on Teen Pregnancy Prevention, 10:30 a.m., B-318 Rayburn.

Permanent Select Committee on Intelligence, November 14, executive, hearing to review Intelligence Community Analytic Activities, 2:30 p.m., H-405 Capitol.

November 15, Subcommittee on Intelligence Policy and National Security, executive, hearing on Quadrennial Intelligence Community Review, 1:30 p.m., H-405 Capitol.

November 15, Subcommittee on Terrorism and Homeland Security, executive, hearing on FBI Information Sharing, 10 a.m., H-405 Capitol.

Next Meeting of the SENATE

10:30 a.m., Tuesday, November 13

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Tuesday, November 13

Senate Chamber

Program for Tuesday: Senate will consider S.J. Res. 28, suspending certain provisions of law pursuant to section 258(a)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Also, at 4:45 p.m., Senate will consider the nomination of Edith Brown Clement, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, with a vote on confirmation of the nomination to occur at 5 p.m.; followed by a vote on final passage of S.J. Res. 28 (listed above).

(Senate will recess from 12:30 p.m. until 2:15 p.m., for their respective party conferences.)

House Chamber

Program for Tuesday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

Boehlert, Sherwood L., N.Y., E2051
Oberstar, James L., Minn., E2052



Congressional Record

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