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*1st Session* }

SENATE

{ REPORT  
108-144

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE  
JUDICIARY, AND RELATED AGENCIES APPROPRIATION  
BILL, 2004

SEPTEMBER 5, 2003.—Ordered to be printed

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

**REPORT**

[To accompany S. 1585]

The Committee on Appropriations reports the bill (S. 1585) making appropriations for the Departments of Commerce, Justice, and State, the judiciary, and related agencies for the fiscal year ending September 30, 2004, and for other purposes, reports favorably thereon and recommends that the bill do pass.

*Amount in new budget (obligational) authority*

Total bill as reported to Senate .....	\$37,637,536,000
Amount of appropriations, 2003 .....	37,999,565,000
Amount of budget estimates, 2004, as amended ...	38,345,235,000
The bill as reported to the Senate:	
Below the appropriations for 2003 .....	362,029,000
Below the estimates for 2004 .....	707,699,000

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## BACKGROUND

### PURPOSE OF THE BILL

This bill makes appropriations for the Departments of Commerce, Justice, State, the Judiciary and Related Agencies for the period October 1, 2003, through September 30, 2004. Functional areas include the pay, allowances, and support of personnel, operation and maintenance, procurement of equipment and systems, construction, and research.

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

### HEARINGS

The Subcommittee on Commerce, Justice, State, the Judiciary and Related Agencies Appropriations began hearings on the fiscal year 2004 budget request on March 6, 2003, and concluded them on April 10, 2003, after holding 5 separate sessions. The subcommittee heard testimony from representatives of the Departments of Commerce, Justice, State, the Federal Bureau of Investigation and the Securities and Exchange Commission.

### SUMMARY OF THE BILL

The budget estimates for the departments and agencies included in the accompanying bill are contained in the budget of the United States for fiscal year 2004 submitted on February 3, 2003.

The total amount of new budget authority recommended by the Committee for fiscal year 2004 is \$37,637,536,000. This amount is a decrease of \$362,029,000 below appropriations enacted for fiscal year 2003 for these departments and agencies. The Committee recommendation is \$707,699,000 below the budget estimates. The following paragraphs highlight major themes contained in this bill:

### TERRORISM

The simplified explanation for September 11 was that we failed to “connect the dots”. Post-September 11 reforms were intended to consolidate and unify intelligence gathering, analysis, and enforcement. Instead, we now have more agencies and organizations in the counterterrorism game than ever before.

An April 2003 General Accounting Office [GAO] report on terrorist watch lists highlights the result. Nine agencies maintain twelve watch lists that are often inconsistent and incompatible. GAO’s conclusion: vital information is still “not available to the right people at the right time.”

The new Terrorist Threat Integration Center, which stood up May 1, 2003, demonstrates clearly that sensitivities over “turf” still drive decisions. Though counterterrorism assets will be co-located, distinct bureaucratic identities, management structures, and allegiances will be maintained. Claims that mere proximity will promote unity can be debunked by taking a short stroll through the Capitol.

As long as we lack a “commander” leading a unified counterterrorism apparatus, we will remain vulnerable to terrorist attacks. That decision, who will answer directly to the President as the unified commander of the war on terrorism, is the most important domestic security issue before the Nation. Until that decision is made, all else in the war is in doubt.

In the interim, the Committee recommendation does what it can to eliminate duplicative functions, consolidate related activities, or otherwise streamline counterterrorism agencies funded by this Act.

#### PROTECTING AMERICA’S CHILDREN

The Commerce, Justice, State, and the Judiciary appropriations bill is the natural home of programs that keep our children safe. Programs such as the Safe Schools Initiative and Cops In Schools have for years enhanced the physical security of schools while creating a rapport between law enforcement officials and youths. Coupled with anti-drug, youth violence, and after-school programs, these initiatives have improved the condition of America’s at-risk youth. The Committee’s newest initiative, training School Resource Officers to prevent and deter acts of terrorism, receives funding again this year. September 11 demonstrated that terrorists are in constant search of new ways to harm the United States. We cannot ignore the disturbing reality that our schools could be targeted. The bill therefore includes funding to help schools take steps to prepare for this contingency. The threat to American children does not end at U.S. borders, however, and the Committee has also continued an initiative under the State Department to enhance the security of schools attended by American children overseas. Finally, the bill does much in the area of protecting children from violence in the media as well as protecting their privacy on the Internet. The bill continues support for the Federal Trade Commission’s [FTC’s] efforts to work with the entertainment industry to prevent the marketing of violent games, movies, and music to children, as well as FTC’s efforts to protect children from fraud, abuse, or abduction stemming from the Internet.

#### INFORMATION TECHNOLOGY ENHANCEMENTS

In times of budget shortfalls, agencies have often looked first to their information technology [IT] budgets for savings. The result, seen again and again by the Committee, has been that new investments quickly degraded, leading to a costly and inefficient “collapse-crisis-rebuild” cycle for computer and communications networks. The Committee has found such practices unacceptable and years ago began directing hundreds of millions, if not billions, of dollars to the development, testing, deployment, operation and maintenance, and refreshment of IT programs. This year is no different.

Within the Department of Justice [DOJ], the Committee recommendation includes substantial investments in critical IT programs, including enhancements for the Office of the Chief Information Officer to enhance the Office's role as manager and coordinator of IT programs at DOJ; Legal Activities Office Automation, the computer modernization program for many of DOJ's management, litigating, and law enforcement components; the Federal Bureau of Investigation's computer network Trilogy and its Top Secret/Sensitive Compartmented Information Local Area Network; and the Organized Crime and Drug Enforcement Task Force's data fusion center. The Committee directs DOJ to include funding for the operation, maintenance and refreshment of these programs in its fiscal year 2005 budget submission. Within the Department of State, the Committee recommendation includes substantial investments in the Capital Investment Fund, which funds the Department's IT programs. The State Department in the past has demonstrated that, with additional funding, it can complete IT projects on-time and under budget. The Committee expects the same for the Department's next major global IT project, State Messaging and Archive Retrieval Toolset [SMART], for which a substantial increase is provided.

#### REPROGRAMMINGS, REORGANIZATIONS, AND RELOCATIONS

As in previous years, section 605 is included under title VI of the general provisions of the bill. Reprogramming procedures are the gentleman's agreement that provides agencies with flexibility while ensuring proper oversight of those agencies by Congress. The current Administration has missed no opportunity to undermine this agreement. They will fail.

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

- Reprogramming of funds, whether permanent or temporary, in excess of \$500,000 or 10 percent, whichever is less, between programs or activities. In addition, the Committee desires to be notified of reprogramming actions which are less than these amounts where so directed or if such actions would have the effect of committing the agency to significant funding requirements in future years;
- Increasing funds or personnel by any means for any project or activity for which funds have been denied or restricted;
- Creating new programs, offices, agencies, or commissions, or substantially augmenting existing programs, offices, agencies, or commissions;
- Relocating offices or employees;
- Reorganizing offices, programs, or activities, including consolidations, expansions, and changes in names or designations;
- Contracting out or privatizing any functions or activities presently performed by Federal employees funded by this subcommittee;
- Initiating construction projects in excess of \$500,000 not specifically approved by the Committee; and

—Adding, expanding, converting, or altering space in any newly-constructed facility for a period of one year after contract close-out of the new facility.

For the purpose of the paragraph above, a construction project includes all cost activities necessary to produce a complete and usable facility. Projects include construction, addition, expansion, conversion, or acquisition of an existing building, land, or structure. This limitation applies to the total cost of the project regardless of the fiscal year that funds designated or used for the project were appropriated. This includes renovation projects which substantially expand or result in a change in the type of space or facility (garage to office, storage to garage, storage to office, etc.). This includes construction involving more than one building or structure or utility system or site improvements at a location which support the provision of a complete and usable facility.

The Committee directs each department, commission, or agency to provide their current number of political appointees and the number as of January 30, 2004. These amounts should be broken out by pay level. This report should be provided to the Committees on Appropriations no later than April 10, 2004. Also, the Committee shall be notified when the number of political appointees rises above 10 percent from either of the previous 2 years or when five or more political appointees are added in a given year. The Committee should be notified 30 days before either of these situations occurs. Similar notification should be provided when the same number of personnel positions is converted from political appointments to civil service positions.

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

## BUDGETARY IMPACT OF BILL

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

[In millions of dollars]

	Budget authority		Outlays	
	Committee allocation	Amount of bill	Committee allocation	Amount of bill
Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts in the Budget Resolution for 2004: Subcommittee on Commerce, Justice, and State, the Judiciary, and Related Agencies:				
Discretionary .....	36,989	36,989	40,193	<sup>1</sup> 40,193
Mandatory .....	642	642	654	<sup>1</sup> 654
Projection of outlays associated with the recommendation:				
2004 .....				<sup>2</sup> 26,586
2005 .....				6,951
2006 .....				3,049
2007 .....				1,599
2008 and future years .....				844
Financial assistance to State and local governments for 2004 .....	NA	1,260	NA	171

<sup>1</sup> Includes outlays from prior-year budget authority.

<sup>2</sup> Excludes outlays from prior-year budget authority.

NA: Not applicable.

*Proper Budgeting.*—The Committee is aware that it is routine practice at the Office of Management and Budget [OMB] to non-recur capital investments and to force agencies to seek operations and maintenance, repair, and modernization funds as program increases rather than adjustments to base. The result, seen again and again by the Committee, is that new investments quickly degrade, leading to a costly and inefficient “collapse-crisis-rebuild” cycle for computer and communications networks, specialized equipment, vehicles, and facilities. The Committee, as the advocate of the taxpayer, has made substantial capital investments in the Departments of Justice, Commerce, and State in the last 7 years. The Committee intends to protect that investment and expects the agencies to do the same. Therefore, the Committee urges OMB to properly recur capital investments in the fiscal year 2005 budget request and thereafter.

*Liaison.*—The Committee shares the desire of the House to channel most of its inquiries and requests for information and assistance through the budget offices or comptroller organizations, but reserves the right to call upon any individual or organization in any agency under its jurisdiction. The Committee continues to stress the natural affinity between these offices and the Appropriations Committee, which makes a close working relationship imperative.

TITLE I—DEPARTMENT OF JUSTICE AND RELATED AGENCY  
 RELATED AGENCY

FOREIGN TERRORIST TRACKING TASK FORCE

Appropriations, 2003 .....	\$61,597,000
Budget estimate, 2004 .....	.....
House allowance .....	61,597,000
Committee recommendation .....	72,607,000

The Committee recommends an appropriation of \$72,607,000.

This account funds the Foreign Terrorist Tracking Task Force [FTTTF]. The recommendation is \$72,607,000 above the budget request.

The FTTTF is an independent, inter-agency data fusion operation working in cooperation with the FBI, but is not and shall not be a part of the FBI. The FTTTF stood up on an ad hoc basis after the terrorist attacks on September 11, 2001 and is charged with denying terrorists entry into the United States and locating, detaining, prosecuting, and deporting terrorists that have already entered the country. The FTTTF's advanced information technology capabilities are intended to compensate for profound shortcomings in Justice Department, particularly FBI, data warehousing, mining, and analysis capabilities. These advanced networking capabilities are also intended to eliminate the barriers that had led to past communications and information-sharing failures. Besides heavy Justice Department participation, Treasury, State, DOD, CIA, NSA, HHS, SSA, and OPM all have staff onboard.

The Committee is aware that the Organized Crime and Drug Enforcement Task Force [OCDETF] needs a system that can automate and exploit huge volumes of information collected from multiple Federal agencies similar, if not identical, to that used by the FTTTF. The Committee recommendation therefore includes \$22,017,000 for OCDETF to leverage the FTTTF architecture to create an OCDETF data warehouse that can quickly ingest, organize, analyze, and disseminate the voluminous drug trafficking investigative information of its agencies, as well as critical pieces of public source information.

DEPARTMENT OF JUSTICE

The Committee has made funding for combating terrorism and crime the centerpiece of the fiscal year 2004 appropriations bill. The Committee recommends \$18,508,920,000 in new budget (obligational) authority in the accompanying bill for the Department of Justice.

*Modular Cost Budgeting and Chronic Shortfalls.*—Built into the cost of every new Justice Department employee are funds to partially cover so-called “modular costs”, the costs of equipment, vehi-



cles, facilities, and training integral to an employee's ability to perform his or her duty. Yet components are, almost without exception, desperately short of equipment, vehicles, facilities, and training. The reasons for this are unclear. However, it seems apparent that the modular cost approach has lulled components into ignoring necessary capital investments. It has also grossly inflated the cost of new employees without commensurate benefit. Built-in capital investment funds are siphoned off for purposes unknown while the Committee finds itself responsible for pulling together funds to address significant shortfalls in everything from computers to fingerprint powder. The Committee believes that the long-term health of the Department requires a new approach to budgeting. Therefore, the Justice Department is directed to drop modular cost budgeting beginning with the fiscal year 2005 request. The costs associated with hiring new employees shall only include personnel salaries and benefits. Costs associated with new hires characterized broadly as "Contractual Services and Supplies", "Acquisition of Assets", and "Items with Multiple Object Classes" shall be budgeted directly in separate and identifiable capital investment lines in the request of each component. Justice Management Division is directed to submit a report on how this will be achieved not later than November 30, 2003. The Committee is prepared to impose a hiring freeze in fiscal year 2004 should the Department fail to abide by this directive.

*Consolidation of Decision Units.*—The Committee does not agree with the Department's proposal to consolidate existing decision units. All accounts within the Department of Justice therefore shall continue to use their fiscal year 2003 decision units throughout the budget process, unless otherwise specified in the following recommendation.

*Cross-Cutting Efficiencies.*—The Committee recommendation does not incorporate the Department's proposed savings resulting from "cross cutting efficiencies". While the Committee commends the Department's attempt to increase efficiencies in current operations, find new and different ways to do business, and in some cases reduce or eliminate lower performing or lower priority programs, the Committee does not believe the proposed savings are realizable in fiscal year 2004. Rather, these targeted cuts would create havoc to these agencies and hamper their ability to accomplish their missions.

The Committee directs the Department to review the proposed "cross-cutting efficiencies" and submit a plan to the Committees on Appropriations not later than February 13, 2004, setting forth a realistic time frame for which these savings can be absorbed.

*Department Coordination.*—In light of the transfer of the Bureau of Alcohol, Tobacco, Firearms and Explosives [ATF] to the Department of Justice and the Federal Bureau of Investigation's [FBI's] refocused mission, the Committee believes the Department of Justice must redefine the roles of each of its law enforcement agencies to ensure they are not duplicating efforts, particularly in the areas of drugs, explosives, and fugitive apprehension.

The Committee directs the Department of Justice to submit a report to the Committees on Appropriations by February 13, 2004, that identifies the core mission or missions for each of its law en-

forcement agencies. The report shall also include specific steps the Department has taken or plans to take, including examples, to eliminate duplicative functions, consolidate related activities, share critical information, and ensure cooperation among the agencies.

As one step to eliminate duplication of efforts, the Committee believes the agency with primary jurisdiction over fugitive apprehension, the United States Marshals Service [USMS], should be solely responsible for fugitive cases that fall under the Unlawful Flight statutes. The Marshals Service has the expertise and the resources, including district and regional fugitive task forces and the international fugitive program, to effectively adopt this mission. Moreover, consolidation of these duties to one agency will provide State and local law enforcement with a single point of contact for fugitive matters and will allow the USMS to improve the coordination of all Federal, State, and local fugitive investigations. Therefore, the Committee directs the Attorney General to transfer all of the functions of the FBI with regard to the location and apprehension of State or local fugitives under the Unlawful Flight statutes to the USMS.

#### GENERAL ADMINISTRATION

##### SALARIES AND EXPENSES

Appropriations, 2003 .....	\$90,477,000
Supplemental appropriations, 2003 .....	5,000,000
Budget estimate, 2004 .....	133,772,000
House allowance .....	106,664,000
Committee recommendation .....	116,171,000

The Committee recommends an appropriation of \$116,171,000. The recommendation is \$17,601,000 below the budget request. The recommendation includes a transfer of \$5,437,000 from the United States Marshals Service, Salaries and Expenses account for management of seized assets.

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

*Office of Intelligence Policy and Review.*—The Committee remains concerned about the Foreign Intelligence Surveillance Act [FISA] warrant process. The Committee expects the Office of Intelligence Policy and Review [OIPR] to continue balancing Constitutional protections against investigative imperatives. In that capacity, the Committee expects OIPR to be directly involved at every stage of every wiretap case. In fiscal year 2003, the Committee provided an additional \$7,000,000 to OIPR for program enhancements, increasing OIPR's base budget by 81 percent. These significant personnel and infrastructure enhancements should be sufficient to address the increase in FISA requests. OIPR is directed to continue to provide quarterly briefings to the Committees on Appropriations on FISA-related activities, issues, compliance with Congressional directives, perceived abuses, and needed statutory corrections.

*Financial Management System.*—For almost a decade, the Department's policy on financial management systems has been for each component to take care of its own needs. The result has been stove-piped financial systems that are inflexible, unreliable, untimely, manually intensive, and that do not meet the needs of the

components or the Department. The Department is now pursuing a Department-wide financial system with the hope that it will make financial reporting and program performance more timely, accurate, and accessible. The Committee supports the Department's efforts and will consider the use of existing resources for a Unified Financial Management System, subject to section 605 of this Act.

*Robert F. Kennedy [RFK] Building Security.*—The Committee recently provided the Department with nearly \$8,000,000 for security improvements to the RFK building and for pilot projects to determine the security needs of other Department facilities. The Committee will consider a reprogramming of available resources for additional security enhancements once the pilot projects are complete and a proposal for security requirements for all DOJ facilities has been submitted.

*Facilities.*—The current piecemeal solution to office space has become increasingly burdensome and expensive. The Committee is aware that 1,000,000 square feet of leased Department of Justice space will be expiring in the next 3 years. The cost to renew these leases or move to newly leased space that will demand security upgrades will be astronomical. The Committee includes \$1,547,000 for the Department to conduct a feasibility study for the consolidation of all Department facilities currently located within the District of Columbia metropolitan area. The study shall only consider locations west of the Catoclin Mountains and within 50 miles of the Old National Road and shall be submitted to the Committees on Appropriations not later than September 17, 2004.

*Information Technology Enhancements.*—The Department has struggled to keep pace with the rapid change in information technology [IT], which has been only further complicated by the decentralized structure and extensive delegation of these responsibilities to the Department's components. Negative results have included frequent turnover of top Information Resources Management [IRM] executives; reactive rather than proactive IRM management; and fragmented or overlapping functions. To address these issues, the Committee approved a reorganization of the Office of the Chief Information Officer [CIO] that would allow the Office of the CIO to focus on sharing of information, securing and protecting information, providing reliable, trusted, and cost-effective IT services, and using IT to improve program effectiveness and performance. The Committee recommendation includes \$2,500,000 for the CIO to strengthen the Office's role as manager and coordinator of IT projects at the Department.

Increasing information sharing and reliance on IT, especially for law enforcement and national security purposes, comes at the risk of increasing the potential damage that could result from malicious attacks or the exposure and misuse of sensitive information. A number of Justice components are currently looking to various technology solutions to improve the security of their IT systems. However, there is no overall departmental approach or architecture to guide these efforts. As a result, these perceived solutions may simply offer an isolated and patchwork response and not an integrated and comprehensive defense. The Committee therefore includes \$7,000,000 for the CIO to strengthen the Department's management and oversight of IT security.

To ensure that the Department is enhancing rather than duplicating efforts of its components, the Committee directs the Attorney General to submit a report to the Committees on Appropriations not later than November 15, 2003, with a spend plan and explanation of the role the CIO will play with respect to the Department's components, prior to the obligation of any of these funds.

IDENTIFICATION SYSTEMS INTEGRATION

Appropriations, 2003 .....	.....
Budget estimate, 2004 .....	\$34,077,000
House allowance .....	20,677,000
Committee recommendation .....	.....

The Committee does not recommend an appropriation for this new account.

The request seeks to meld a disparate group of activities under this heading. As noted last year, there are no advantages in merging funding for the Joint Automated Booking System, Automated Biometric Identification System/Integrated Automated Fingerprint Identification System integration, and other information technology enhancements into a single account. Historically, such mergers have hindered program progress and complicated program oversight. The other initiatives placed under this heading rightly belong under "General Administration, Salaries and Expenses" or as separate accounts under "General Administration".

JOINT AUTOMATED BOOKING SYSTEM

Appropriations, 2003 .....	\$15,869,000
Budget estimate, 2004 .....	.....
House allowance .....	.....
Committee recommendation .....	23,176,000

The Committee recommends an appropriation of \$23,176,000. The recommendation is \$23,176,000 above the budget request.

This account centrally funds development, acquisition, and deployment of the Joint Automated Booking System [JABS]. The Committee has not adopted an administration proposal to merge funding for JABS, Automated Biometric Identification System/Integrated Automated Fingerprint Identification System integration, and other information technology enhancements into a single new account.

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

JABS automates the collection of fingerprint, photographic, and biographical data during the booking process and provides a mechanism to rapidly and positively identify an individual based on a fingerprint submission to the FBI's Integrated Automated Fingerprint Identification System. The JABS booking submissions also provide "real-time" updating of the FBI's criminal master files that are available to all Federal, State, and local law enforcement agencies.

JABS has proven to be one of the most successful programs at the Department. This year, JABS was awarded the Federal Executive Leadership Council's Showcase of Excellence Award. The Showcase of Excellence award recognizes projects that improve the

quality of services delivered to people and that promote inter- or intra-agency collaboration that reduce duplicative systems.

*Bureau of Alcohol, Tobacco, Firearms, and Explosives.*—The recommendation includes \$3,200,000 to deploy JABS to the Bureau of Alcohol, Tobacco, Firearms, and Explosives [ATF]. The fiscal year 2004 budget request did not anticipate ATF’s move to the Department of Justice and therefore did not include funding for ATF’s booking station requirements.

*User Fee.*—The Department of Homeland Security [DHS] and other law enforcement agencies are increasingly accessing JABS and consequently driving up the cost of the system. The Committee does not believe that the Justice Department should bear the cost burden of this system alone. Therefore, the Committee directs the Attorney General to submit a report to the Committees on Appropriations by March 31, 2004, that examines the implementation of a user fee for JABS, including all possible users, recommended fee levels, likely collections, and the potential impact such a fee would have on the system.

AUTOMATED BIOMETRIC IDENTIFICATION SYSTEM/INTEGRATED  
AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM INTEGRATION

Appropriations, 2003 .....	\$8,941,000
Budget estimate, 2004 .....	
House allowance .....	
Committee recommendation .....	

The Committee does not recommend an appropriation for this account. This effort rightly falls under the purview of the Homeland Security Appropriations Subcommittee.

LEGAL ACTIVITIES OFFICE AUTOMATION

Appropriations, 2003 .....	\$15,838,000
Budget estimate, 2004 .....	33,240,000
House allowance .....	30,136,000
Committee recommendation .....	66,240,000

The Committee recommends an appropriation of \$66,240,000. The recommendation is \$33,000,000 above the budget request.

This account centrally funds acquisition, deployment, and maintenance of Legal Activities Office Automation [LAOA] systems, the largest components of which are the Justice Consolidated Network [JCN] and the Justice Consolidated Office Network [JCON].

LAOA is the computer modernization program for many of the Department’s management, litigating, and law enforcement components, including the Antitrust Division, the U.S. Attorneys, the U.S. Marshals Service, the U.S. Trustees, the Executive Office for Immigration Review, the Community Relations Service, the offices funded through the “General Administration” and “General Legal Activities” accounts, the Bureau of Prisons, and the Office of Justice Programs. These components make up approximately 71,000 Department employees, all of whom will be end users of LAOA. The Committee has pushed hard in previous years to increase the funds for, and widen the scope of, JCN and JCON to maximize the benefits of a common computer system across components. This year, the Committee recommendation incorporates the U.S. Parole Commission.

## NARROWBAND COMMUNICATIONS

Appropriations, 2003 .....	\$63,936,000
Budget estimate, 2004 .....	140,083,000
House allowance .....	103,171,000
Committee recommendation .....	103,171,000

The Committee recommends an appropriation of \$103,171,000. The recommendation is \$36,912,000 below the budget request. The Committee is aware that there will be carryover balances available in fiscal year 2004 in excess of \$56,200,000. None of these funds shall be obligated until a spend plan has been submitted and approved by the Committees on Appropriations.

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

## COUNTERTERRORISM FUND

Appropriations, 2003 .....	\$993,000
Supplemental appropriations, 2003 .....	20,000,000
Budget estimate, 2004 .....	
House allowance .....	1,000,000
Committee recommendation .....	

The Committee does not recommend an appropriation for this account. The recommendation is identical to the request. The Committee is aware that there will be carryover balances available in fiscal year 2004 in excess of \$70,274,000.

The purpose of this fund is to cover the costs incurred in reestablishing the operational capability of a Justice Department office or facility which has been damaged or destroyed as a result of any domestic or international terrorist incident. It may also be used to cover the costs of providing support to counter, investigate, or prosecute domestic or international terrorism.

## ADMINISTRATIVE REVIEW AND APPEALS

Appropriations, 2003 .....	\$190,290,000
Budget estimate, 2004 .....	197,240,000
House allowance .....	193,530,000
Committee recommendation .....	194,111,000

The Committee recommends an appropriation of \$194,111,000. The recommendation is \$3,129,000 below the budget request.

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

BIA is the highest administrative body for interpreting and applying immigration laws. BIA hears appeals of decisions of immigration judges and certain decisions of Immigration and Naturalization Service officers in a wide variety of proceedings. Decisions of BIA are subject to judicial review in the Federal Courts.

In September 2002, a regulation that streamlines BIA’s appellate procedures from a three-judge panel to a single judge adjudicating appeals became effective. Now, review by three judges is only required where BIA must correct clear errors of fact, interpret the law, or provide guidance regarding the exercise of discretion. The purpose of this regulation was to enable BIA to resolve simple cases quickly and reserve its limited resources for more complex cases. The Committee recommendation includes the \$4,000,000 offset proposed in the budget request for cost savings resulting from this regulation.

The Committee is concerned, however, that any costs saved by BIA are now being spent three-fold by the Civil Division, which must defend BIA’s decisions in Federal Court. BIA’s expedited adjudication of its cases means more appeals of those decisions to the Federal Courts, many of which are filed for no other reason than to delay removal proceedings. Accordingly, the Committee directs BIA, in coordination with the Civil Division, to submit a report to the Committees on Appropriations no later than March 21, 2004, listing the single-judge decisions that have been appealed to the Federal Courts, and the Civil Division’s costs to defend those decisions over the past 3 years.

DETENTION TRUSTEE

Appropriations, 2003 .....	\$768,578,000
Supplemental appropriations, 2003 .....	40,000,000
Budget estimate, 2004 .....	810,125,000
House allowance .....	810,125,000
Committee recommendation .....	849,876,000

The Committee recommends an appropriation of \$849,876,000. The recommendation is \$39,751,000 above the budget request.

The Detention Trustee oversees Federal detainees.

*Prisoner Jail Days.*—The Committee recommendation includes an additional \$34,705,000 for an anticipated increase of 405,924 prisoner jail days. This funding pays for the housing, subsistence, medical care, and medical guard services for detainees in the custody of the United States Marshals Service [USMS] and is regarded as a mandatory expense by the Committee.

*National Health Services Contract.*—The Detention Trustee has begun the process of implementing a National Health Services contract for detainee medical requirements, oversight, and billing consolidation. Cost efficiencies are sure to follow. The Committee therefore includes the proposed \$3,000,000 offset to the Detention Trustee budget, which reflects the savings resulting from this contract.

*Efficiency.*—The Committee is concerned that the Detention Trustee is attempting to address detention needs by contracting to construct a facility. The fiscal year 2003 Appropriations Act language under this heading does not include construction as an allowable use of funds. Rather, the Detention Trustee was and is directed to utilize existing State, local, and private detention space to meet detention needs.

*Streamlining.*—The recommendation does not include the requested offset of \$6,000,000 for supposed cost reductions associated with moving prisoners to their designated Bureau of Prison [BoP]

facility faster. The Committee believes this request is premature since actual processing efficiencies by district are still unknown. The Committee directs the Attorney General to submit a report to the Committees on Appropriations not later than June 4, 2004, surveying each region's ability to reduce detention days from the time of sentencing to the time of commitment to a BoP facility, as well as the increased costs this shift will have on BoP.

*Independence of the Federal Detention Trustee.*—Prior to the creation of the Detention Trustee in fiscal year 2001, the Bureau of Prisons [BoP], the United States Marshals Service [USMS], and the Immigration and Naturalization Service [INS] had to compete for control of bed space for detainees. These constant turf battles resulted in inadequate planning and severe mismanagement of detention space within the Department of Justice. The Detention Trustee has already started to address these problems. In fiscal year 2002, the Detention Trustee wrote and submitted two reports describing Federal detention practices relating to both criminal and immigration proceedings that will serve as a basis for which future process improvements can be assessed. The Detention Trustee has also been working towards improving Intergovernmental Agreements [IGAs] to ensure the Department achieves the “best value” when acquiring non-Federal detention resources.

The Committee is aware that the Department has considered returning to the days of the turf wars. In September, 2002, the Department submitted a reorganization proposal to the Office of Management and Budget [OMB] that would have collapsed the Detention Trustee into BoP. This proposal never left OMB and the Department claims it has been permanently shelved. The Committee believes there is a continued need for the Detention Trustee to independently oversee detention resources for the Department. Even the INS has expressed an interest in continuing to rely on the Detention Trustee as the manager and clearinghouse for its detention space despite its transfer to the Department of Homeland Security. Accordingly, the Committee will not entertain proposals to eliminate or transfer the Detention Trustee to another component or Department.

While the Trustee has management responsibility for detention and control of funding for bed space, detention personnel still remain under the control of the various components. Without control of personnel, the Trustee will be forced to regularly contend with Presidentially-appointed officials in the USMS and the BoP of this or any future Administration who may disagree with the Trustee's “guidance”. If the Trustee is to effectively manage bed space, he must control the experts that negotiate inter-governmental agreements. Therefore, not later than 45 days after enactment of this Act, the Justice Department is directed to transfer such personnel from the USMS and BoP to the Detention Trustee as may be necessary to give the Trustee full operational control of bed space management. To the degree possible, such transfers should be voluntary and involve a minimum of disruption.

*Justice Prisoner and Alien Transportation System.*—Like detention bed space, endless disputes over the Justice Prisoner and Alien Transportation System [JPATS] distracted managers from the complex task of operating an airline in a high security environment. As



importantly, the lack of a sufficiently powerful manager left the program without an advocate in all-important budget debates. The result was a wide-body fleet in such a ruinous condition that only the dedication of the maintenance personnel and pilots has kept these aircraft in the air. These problems left managers little time to explore possible efficiencies in routing, scheduling, or other operational areas. The Committee believes the responsibility for the safe and secure transportation of prisoners should rest with only one component within the Department, the Detention Trustee. The Committee is aware that the Detention Trustee may be absorbing JPATS, but funding for the operations, maintenance, and management of JPATS remains with the United States Marshals Service [USMS] and the Bureau of Prisons [BoP]. The Committee recommendation therefore transfers funding for JPATS from USMS and BoP to the Detention Trustee.

In addition, the Committee is aware that the Marshals Service is encountering greater difficulty in the transport of overseas fugitives to the United States, especially in cases where USMS is transporting combative or high profile fugitives, including those accused of terrorism and violent crimes. The Committee therefore directs the Detention Trustee to treat extraordinary extraditions or deportations as a priority mission for JPATS. The Detention Trustee shall notify the Committee on Appropriations should this mandate require additional aviation assets for the JPATS fleet.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2003 .....	\$56,566,000
Supplemental appropriations, 2003 .....	2,500,000
Budget estimate, 2004 .....	62,029,000
House allowance .....	56,245,000
Committee recommendation .....	60,840,000

The Committee recommends an appropriation of \$60,840,000. The recommendation is \$1,189,000 below the budget request.

The Office of Inspector General [OIG] was recently given oversight of the Federal Bureau of Investigation [FBI] and the Drug Enforcement Administration [DEA]. Since then, the OIG has completed a number of major reviews, including the FBI's management of its information technology investments, the FBI's counterterrorism program, and the DEA's control of the diversion of controlled pharmaceuticals. Currently, the OIG has more than 40 ongoing reviews, including an examination of the FBI's Legal Attache program, the FBI's DNA Laboratory, the Hanssen espionage case, and the recent espionage case in Los Angeles involving FBI agents and an alleged Chinese double agent.

The OIG has also received new responsibilities under the USA Patriot Act (Public Law 107-56), in which the OIG was directed to review all information and receive complaints of abuses of civil rights and civil liberties by Department of Justice employees and officials. In a 12-month period, the OIG has received more than 1,200 complaints suggesting Patriot Act-related civil rights or civil liberties connections. The 2003 Supplemental Appropriations Act included an additional \$2,500,000 for the OIG to support these increased responsibilities. The Committee supports the significant role the OIG plays at the Department and will entertain requests

for additional resources for OIG should they become necessary during the fiscal year.

U.S. PAROLE COMMISSION

SALARIES AND EXPENSES

Appropriations, 2003 .....	\$9,876,000
Budget estimate, 2004 .....	10,862,000
House allowance .....	10,609,000
Committee recommendation .....	10,718,000

The Committee recommends an appropriation of \$10,718,000. The recommendation is \$144,000 below the budget request.

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

In fiscal year 2001, the Committee directed the Justice Department to detail as many attorneys and personnel to the Commission as were necessary to address increased litigation and warrant work resulting from the transfer of the parole caseload from the District of Columbia. The Committee directs the Department to continue to detail as many attorneys and personnel as are necessary to the Commission, specifically detailing no less than four personnel at any one time from the Bureau of Prisons. The Attorney General shall submit a list of these detailed attorneys and personnel to the Committees on Appropriations not later than January 15, 2004.

LEGAL ACTIVITIES

GENERAL LEGAL ACTIVITIES

Appropriations, 2003 .....	\$607,351,000
Budget estimate, 2004 .....	665,346,000
House allowance .....	620,533,000
Committee recommendation .....	632,637,000

The Committee recommends an appropriation of \$632,637,000. The recommendation is \$32,709,000 below the budget request.

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

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

LEGAL DIVISIONS

[In thousands of dollars]

Office of the Solicitor General .....	8,045
Tax Division .....	78,985
Criminal Division .....	136,078
Civil Division .....	204,130
Environment and Natural Resources Division .....	78,496
Office of Legal Counsel .....	5,745
Civil Rights Division .....	110,168
INTERPOL USNCB .....	10,626

LEGAL DIVISIONS—Continued  
 [In thousands of dollars]

Office of Dispute Resolution .....	364
Total .....	632,637

*Professional Standards.*—The more than 10,000 Justice Department attorneys making up the class suing the Justice Department for nearly \$500,000,000 in unpaid overtime recently prevailed in their suit. Thus, some of the highest paid employees in the Federal service, with an average salary of more than \$104,000, will now receive benefits heretofore limited to hourly wage employees. The Committee is not anxious to add to the ranks of the disgruntled.

*Corporate Fraud Task Force.*—The Committee supports enhancing resources for the Criminal and Tax Divisions to investigate, prosecute, and litigate criminal and civil corporate fraud cases. The Committee directs both divisions to transfer the requested fiscal year 2004 increases to the Corporate Fraud Task Force from existing resources, subject to Section 605 of this Act.

*Radiation Exposure Compensation Act Administrative Expenses.*—Claims filed under the Radiation Exposure Compensation Act [RECA] have increased five-fold since 2000. The 2004 workload is expected to reach nearly 5,000, compared to a 1,200 case workload in 2000. The Committee recommendation therefore includes an additional \$1,000,000 for the Civil Division for processing RECA claims.

*Immigration Litigation.*—Immigration litigation has been, not surprisingly, the fastest growing component of the Civil Division’s workload. Court challenges handled by the Civil Division have more than doubled in the past 5 years, including a 68 percent increase from fiscal year 2001 to fiscal year 2002. Increases are the result of enhanced enforcement of existing and new laws affecting immigrants, as well as the Board of Immigration Appeal’s [BIA’s] streamlining of administrative appeal procedures. BIA’s streamlining has resulted in cases moving faster through the administrative process, which has meant increased appeals to the Federal Courts—a means of last resort before deportation. Therefore, the Committee recommendation includes an additional \$3,500,000 to address the increasing caseload for immigration litigation. The Committee expects the Civil Division to fully cooperate with BIA’s review of the impact its streamlining has had on its caseload.

*Tribal Trust Fund Litigation.*—At least 21 lawsuits have been filed by Indian Tribes seeking billions of dollars for alleged mismanagement of Tribal assets by the Bureau of Indian Affairs [BIA]. Some of the cases seek an order requiring the United States to perform multi-million dollar, multi-year accounting, and others seek a money judgment for losses the Tribes claim they have suffered. The Committee believes additional resources to defend against this litigation are essential, but believes they should be paid for by BIA and not the Department. Accordingly, the Committee directs the Environment and Natural Resources Division [ENRD] to seek reimbursement of not less than \$3,060,000 by BIA not later than 30 days after enactment of this Act.

*Hazardous Materials Transportation.*—The Committee supports increases for the Hazardous Materials Transportation initiative, which will focus on investigating and prosecuting violators of hazardous material transportation and handling laws. The Committee directs ENRD to redirect existing resources for that purpose, subject to Section 605 of this Act.

*Interpol.*—The Committee recommendation includes \$932,000 for the United States National Central Bureau [USNCB] for increased dues required by the International Criminal Police Organization (Interpol). The USNCB is responsible for paying dues to Interpol annually. The Interpol Executive Committee approved an increase in the 2004 dues at the Interpol General Assembly in October 2002 to address the emerging international criminal terrorist threats and the resulting need to communicate and exchange law enforcement information.

#### THE NATIONAL CHILDHOOD VACCINE INJURY ACT

Appropriations, 2003 .....	\$4,002,000
Budget estimate, 2004 .....	4,028,000
House allowance .....	4,028,000
Committee recommendation .....	4,028,000

The Committee recommends a reimbursement of \$4,028,000 for legal costs. The recommendation is identical to the budget request.

This account covers Justice Department expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986.

#### ANTITRUST DIVISION

##### SALARIES AND EXPENSES

Appropriations, 2003 .....	\$133,133,000
Budget estimate, 2004 .....	141,898,000
House allowance .....	128,133,000
Committee recommendation .....	141,898,000

The Committee recommendation assumes a total of \$141,898,000 in budget (obligational) authority. The recommendation is identical to the budget request.

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

In light of the significant decrease in merger activity and the decline of pre-merger filings requiring review, the Division has assured the Committee that this funding level is sufficient to meet its mission of vigorously enforcing our Nation's antitrust laws.

#### U.S. ATTORNEYS

##### SALARIES AND EXPENSES

Appropriations, 2003 .....	\$1,493,993,000
Budget estimate, 2004 .....	1,556,784,000
House allowance .....	1,526,253,000
Committee recommendation .....	1,507,879,000

The Committee recommends an appropriation of \$1,507,879,000. The recommendation is \$48,905,000 below the budget request. The Committee is aware that the U.S. Attorneys will receive \$158,371,000 in reimbursements in fiscal year 2004.

This account supports the Executive Office for U.S. Attorneys and the 94 U.S. Attorneys offices throughout the United States and its territories. The U.S. Attorneys serve as the principal litigators for the U.S. Government for criminal and civil matters. As in the past, Committee recommendation focuses the efforts of the U.S. Attorneys on those crimes where the unique resources, expertise, or jurisdiction of the Federal Government can, or must, be most effective.

*Professional Standards.*—The more than 10,000 Justice Department attorneys making up the class that sued the Justice Department for nearly \$500,000,000 in unpaid overtime recently prevailed in their case. Thus, some of the highest paid employees in the Federal service, with an average salary of more than \$104,000, will now receive benefits heretofore limited to hourly wage employees. The Committee is not eager to add to the ranks of the disgruntled.

*Information Technology [IT] Infrastructure.*—The Committee supports the use of existing resources for the U.S. Attorneys' IT infrastructure, subject to Section 605 of this Act, including the development of the Enterprise Case Management System [ECMS] as well as the Electronic Case Filing [ECF] system. ECMS will expedite the preparation and validation of statistical reports, as well as the administration and maintenance of the centralized system. ECF will reduce the time and burden of filing documents with the Federal Courts and the time to coordinate cases with investigative agencies. To ensure these improvements are consistent with the Department's overall IT approach and architecture, the Committee directs the U.S. Attorneys to consult with the Office of the Chief Information Officer prior to moving forward on this project.

*Corporate Fraud Task Force.*—In fiscal year 2003, the U.S. Attorneys received an additional \$13,000,000 for 76 full-time equivalents to support the Department's Corporate Fraud Task Force. This increase was not accounted for in the fiscal year 2004 budget request. Should additional resources be needed for the vigorous pursuit and prosecution of corporate fraud cases, the U.S. Attorneys may redirect available resources, subject to Section 605 of this Act.

*Workforce Imbalance.*—The Committee supports the U.S. Attorneys' desire to correct the balance between its attorneys and support personnel since a balanced staff will better leverage attorney resources. Therefore, the U.S. Attorneys may redirect available resources to increase paralegal, financial and IT support personnel, subject to Section 605 of this Act. The Committee expects the U.S. Attorneys to consider retraining eligible legal secretaries for these positions, since office automation advances, such as voice mail and computers, have changed workflow processes and the role of legal secretaries has significantly changed.

*Civil Defensive Litigation.*—The Committee is aware that civil defensive cases are unique in that they are non-delegable and cannot be declined. The U.S. Attorneys' offices must defend these cases to protect the interests of the United States by safeguarding public funds and programs, and defending policy initiatives and statutes.

The Committee is also aware that civil defensive cases are on the rise: from 155,660 in 1992 to 160,383 in 2001. The Committee supports the reallocation of resources to better address this significant increase and complexity of caseload over the last several years, subject to Section 605 of this Act.

*Project Seahawk.*—The Committee recommendation includes \$10,000,000 for the continuation of Project Seahawk, a pilot project to enhance intermodal security and law enforcement within our Nation’s coastal cities. The pilot will provide a national model for cities that experience heavy volumes of intermodal traffic by establishing a streamlined process to address criminal activity that may compromise or impede the movement of intermodal traffic within the U.S. Project Seahawk shall continue to be coordinated under the U.S. Attorneys and include Federal, State, and local law enforcement.

In addition, the recommendation includes \$3,766,000 to expand Project Seahawk to include New York City, Philadelphia, Baltimore, New Orleans, Galveston, and Long Beach.

*Legal Education.*—The Committee recommendation provides \$19,023,000 for legal education and distance learning at the National Advocacy Center [NAC] as requested by the Administration. NAC State and local training funds are provided under the Office of Justice Programs.

*Violent Crime Task Forces.*—The Committee recommendation includes \$1,500,000 to continue and expand task force activities associated with Operation Streetsweeper.

*Criminal Prosecution.*—The Committee directs the Department to report on the number of cases referred for Federal prosecution by local, State, and Federal agencies under USC 922 (a)(1)(a), USC 922(m), 922(b), 924(a)(3), USC 922(j), USC 922(a)(6), USC 922(k) on rates of prosecution; on Department efforts to increase enforcement of these statutes; and impediments to enforcement that may necessitate a change in these statutes.

U.S. TRUSTEE SYSTEM FUND

Appropriations, 2003 .....	\$155,736,000
Budget estimate, 2004 .....	175,172,000
House allowance .....	166,157,000
Committee recommendation .....	170,168,000

The Committee recommends a total of \$170,168,000 in budget authority. The recommendation is \$5,004,000 below the budget request.

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

The Committee recommendation includes not less than \$750,000 for the Bankruptcy Training Center at the National Advocacy Center, in support of the Trustees’ continuing education program.

The Committee recommendation also includes \$1,104,000 for information technology [IT] infrastructure improvements, such as enhancements to IT security, bandwidth, and the Automated Case Management System. To ensure these improvements are consistent with the Department’s overall IT approach and architecture, the

Committee directs the U.S. Trustee to consult with the Office of the Chief Information Officer prior to the obligation of any of these funds.

FOREIGN CLAIMS SETTLEMENT COMMISSION

Appropriations, 2003 .....	\$1,129,000
Budget estimate, 2004 .....	1,212,000
House allowance .....	1,205,000
Committee recommendation .....	1,207,000

The Committee recommends an appropriation of \$1,207,000. The recommendation is \$5,000 below the budget request, and fully provides for the adjudication of claims against: Germany relating to World War II; Cuba relating to the Castro regime; and Iraq relating to the U.S.S. *Stark* incident and Desert Shield/Storm.

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

U.S. MARSHALS SERVICE

SALARIES AND EXPENSES

Appropriations, 2003 .....	\$676,051,000
Supplemental appropriations, 2003 .....	8,000,000
Budget estimate, 2004 .....	720,806,000
House allowance .....	678,672,000
Committee recommendation .....	602,274,000

The Committee recommends an appropriation of \$602,274,000. The recommendation is \$118,532,000 below the budget request.

The Committee recommendation reflects the transfer of all joint Federal, State, local, and foreign law enforcement activities previously funded within the U.S. Marshals Service [USMS] to a new account titled "Interagency Law Enforcement Support", the transfer of the Justice Prisoner and Alien Transportation System [JPATS] Fund to the Office of the Detention Trustee, and the transfer of seized assets management to the Justice Management Division.

The core missions of the USMS include the apprehension of fugitives, protection of the Federal judiciary, protection of witnesses, execution of warrants and court orders, and the custody and transportation of accused and unsentenced prisoners.

The Committee recommendation does not support the Marshal's proposal to collapse its current decision units. Rather, the Committee recommendations are displayed in the following table:

UNITED STATES MARSHALS SERVICE

[In thousands of dollars]

Activity	Amount
Protection of the Judicial Process .....	309,917
Prisoner Transportation .....	14,941
Fugitive Apprehension .....	165,779
D.C. Superior Court .....	27,478
Service of Legal Process .....	18,308
Training Academy .....	4,566
ADP/Telecommunications .....	36,115

## UNITED STATES MARSHALS SERVICE—Continued

[In thousands of dollars]

Activity	Amount
Management & Administration .....	53,337
Vacancy Savings .....	(28,167)
Total, Salaries and Expenses .....	602,274

The Committee expects to be consulted prior to any deviation from the above plan. The Committee recommendations are discussed in more detail in the following paragraphs.

*Courthouse Security Personnel.*—The Committee is aware that USMS is not hiring up to its authorized levels. Specifically, the USMS is projecting to hire only 4,212 full-time equivalents [FTE] in fiscal year 2003, which is 282 FTE short of the authorized and funded level. While the Committee supports providing the Marshals with sufficient resources to meet its core missions, the Committee sees little reason to fund the requested additional personnel until USMS hires up to its current authorized and funded levels. Only then will the Marshals know its true needs.

The Committee believes the USMS is manipulating these vacancies to recover and then redirect funds to other areas. By leaving the projected 282 FTE slots vacant, for example, the USMS gains nearly \$28,167,000. Rather than provide the USMS with a slush fund that is below the radar of Congressional oversight, the Committee recommendation directs a portion of those funds to areas most in need of additional resources, including courthouse security equipment and construction. Prior to the obligation of any funding that is not specifically accounted for in the Committee recommendation, the USMS shall submit a spend plan, subject to approval, to the Committees on Appropriations. The USMS shall also submit a deployment plan for all personnel on board as of January 1, 2004, by position location, and assignments, to the Committees on Appropriations, not later than January 31, 2004.

The Committee recommendation includes \$2,766,000 (excluding a \$500,000 transfer from the Justice Detainee Information System) to improve and maintain the Warrant Information Network and to continue subscriptions to various government and private networks and on-line services and \$5,701,000 for Electronic Surveillance Unit recurring costs. This funding level shall be treated as a permanent increase to base.

*Special Assignments.*—Special assignment funding is intended for contingencies such as the Vieques and World Bank protests. In the past, the USMS used this account to pay for long established missions or capital investments. That abuse was ended by the Committee. If routine items reappear under “Special Assignments”, the Committee will eliminate the subaccount and let the USMS handle contingency funding the way all other law enforcement agencies do, through the reprogramming process.

*Courthouse Security Equipment.*—This subaccount funds security equipment, telephone systems, and cabling. The Committee recommendation provides \$13,394,000 for courthouse security equipment. Each year hereafter, not less than this level of funding shall recur for USMS courthouse security equipment and the USMS



shall submit a list of projects for such funding to the Committees on Appropriations not later than 30 days after the date of enactment of this Act.

The funding provided will outfit courthouses in the following locations:

USMS COURTHOUSE SECURITY EQUIPMENT

[In thousands of dollars]

	Committee recommendation
Detainee Facilities:	
Tucson, AZ .....	250
Fayetteville, AR .....	300
Colorado Springs, CO .....	100
Grand Junction, CO .....	155
Tallahassee, FL .....	95
Athens, GA .....	350
Davenport, IA .....	350
Sioux City, IA .....	350
East St. Louis, IL .....	160
Peoria, IL .....	150
Indianapolis, IN .....	15
Springfield, MA .....	750
Bangor, ME .....	10
Charlotte, NC .....	100
Raleigh, NC .....	690
Wilmington, NC .....	250
Newark, NJ .....	330
Roswell, NM .....	95
Santa Fe, NM .....	375
Rochester, NY .....	250
Lawton, OK .....	230
McAlester, OK .....	75
Tulsa, OK .....	350
Hato Rey, PR .....	50
Ponce, PR .....	235
Del Rio, TX .....	300
El Paso, TX .....	400
Marshall, TX .....	450
Victoria, TX .....	20
Madison, WI .....	75
Milwaukee, WI .....	75
Casper, WY .....	225
Jackson Hole, WY .....	90
Yellowstone, WY .....	75
Subtotal, detainee facilities .....	7,775
Minor Repairs .....	350
ADT Security Equipment Maintenance .....	1,876
Security Engineering Services .....	673
Safety Program .....	2,003
Information Security, Personnel, Equipment, and Related Costs (Physical) .....	717
Total, USMS Security Equipment .....	13,394

The Committee expects to be consulted prior to any deviation from the above plan.

*Fugitive Apprehensions.*—Over the past few years, the Committee has established and funded task forces in New York City, Los Angeles, Chicago, and Atlanta. These task forces are intended to be dedicated full-time to the pursuit of the most dangerous fugitives, although USMS leadership has largely undercut the value of

the latter two task forces by leaving personnel answerable to the districts. The Committee therefore directs that the Chicago and Atlanta fugitive task forces answer only to headquarters, not the districts, as is the case with the New York City and Los Angeles task forces. Nevertheless, the Committee recommendation includes an additional \$9,476,000 to ensure the full annualization and necessary equipment and vehicles for these task forces. In addition, the Committee recommendation provides an increase of \$2,750,000 over the fiscal year 2003 funding level for electronic surveillance unit [ESU] training and equipment, including funding for surveillance vans and light aircraft, bucket trucks, a central signal collection system, secure communications equipment, various tracking systems, and night vision equipment.

*International Fugitives.*—To avoid creating a safe haven for felons in the Caribbean, the Committee established a permanent Marshals presence in Jamaica, the Dominican Republic, and Mexico last year. The Committee recommendation includes \$3,016,000 for non-personnel costs for these offices.

*Vehicles.*—The USMS’ approach to fleet management is “run to failure”. Though Federal guidelines call for replacing sedans after 3 years or 60,000 miles and sport utility vehicles after 4 years or 40,000 miles to avoid chronic problems with availability and excessive operations and maintenance costs, the USMS has no fleet replacement cycle. As a result, deputies are chasing fugitives or transporting prisoners in vehicles whose unreliability pose an unnecessary risk. The Committee recommendation includes \$15,379,000 in base resources for vehicle purchases. This shall be treated as a permanent increase to the base. None of these vehicles are to be assigned to headquarters.

*Office of Inspector General Audit.*—The Committee is aware that the Office of the Inspector General [OIG] is conducting an audit of the Marshals Service’s budget activities during fiscal years 2002 and 2003. The audit will focus on “(1) the executive direction provided by USMS management in implementing the budget; (2) issues surrounding upgrading and maintaining the USMS’ motor vehicle fleet; (3) creation of new operational units within the USMS; and (4) reprogramming activities”. The Committee directs the Marshals to fully cooperate with this and any other audit or investigative activities conducted by the OIG.

CONSTRUCTION

Appropriations, 2003 .....	\$15,028,000
Budget estimate, 2004 .....	.....
House allowance .....	1,371,000
Committee recommendation .....	25,964,000

The Committee recommends an appropriation of \$25,964,000. The recommendation is \$25,964,000 above the budget request. Each year hereafter, not less than this level of funding shall recur for USMS construction and the USMS shall submit a list of projects for such funding to the Committees on Appropriations not later than 30 days after the date of enactment of this Act.

This account funds construction, relocations, and furniture at existing courthouses.

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

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

USMS CONSTRUCTION  
[In thousands of dollars]

	Committee recommendation
Construction:	
Tucson, AZ .....	1,000
Colorado Springs, CO .....	200
Tallahassee, FL .....	125
Benton, IL .....	100
Rockford, IL .....	90
Indianapolis, IN .....	100
Bangor, ME .....	200
Billings, MT .....	20
Charlotte, NC .....	2,200
Santa Fe, NM .....	500
Cincinnati, OH .....	250
McAlester, OK .....	100
Tulsa, OK .....	500
Harrisburg, PA .....	300
Hato Rey, PR .....	500
Ponce, PR .....	250
Charleston BPA, SC .....	6,561
North Charleston, SC .....	5,337
Houston, TX .....	2,675
Victoria, TX .....	750
St. Thomas, VI .....	500
Casper, WY .....	550
Jackson Hole, WY .....	100
Yellowstone, WY .....	200
Subtotal, construction .....	23,108
Planning, Design, and Relocation [PDR]:	
Fresno, CA .....	350
Colorado Springs, CO .....	20
Tallahassee, FL .....	25
Newnan, GA .....	110
Davenport, IA .....	30
Lincoln, NE .....	420
Newark, NJ .....	175
Santa Fe, NM .....	75
Tulsa, OK .....	125
Eugene, OR .....	125
Ponce, PR .....	50
Casper, WY .....	50
Yellowstone, WY .....	20
Subtotal, PDR .....	1,575

## USMS CONSTRUCTION—Continued

[In thousands of dollars]

	Committee recommendation
Minor repairs .....	531
Security specialist consultants/construction engineers .....	750
Total, USMS Construction .....	25,964

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

## FEES AND EXPENSES OF WITNESSES

Appropriations, 2003 .....	\$175,645,000
Budget estimate, 2004 .....	156,145,000
House allowance .....	156,145,000
Committee recommendation .....	156,145,000

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

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

## COMMUNITY RELATIONS SERVICE

Appropriations, 2003 .....	\$9,412,000
Budget estimate, 2004 .....	9,526,000
House allowance .....	9,526,000
Committee recommendation .....	9,526,000

The Committee recommends an appropriation of \$9,526,000. The recommendation is identical to the budget request.

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

## ASSETS FORFEITURE FUND

Appropriations, 2003 .....	\$21,759,000
Budget estimate, 2004 .....	22,949,000
House allowance .....	21,759,000
Committee recommendation .....	22,949,000

The Committee recommends an appropriation of \$22,949,000. The recommendation is identical to the budget request.

This account provides funds to supplement existing resources to cover additional investigative expenses of the Federal Bureau of Investigation, Drug Enforcement Administration, and U.S. Marshals Service, such as awards for information, purchase of evidence, equipping of conveyances, and investigative expenses leading to seizure. Funds for these activities are provided from receipts deposited in the assets forfeiture fund resulting from the forfeiture of assets. Expenses related to the management and disposal of assets

are also provided from the assets forfeiture fund by a permanent indefinite appropriation.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

Appropriations, 2003 .....	\$369,712,000
Budget estimate, 2004 .....	541,844,000
House allowance .....	
Committee recommendation .....	415,010,000

The Committee recommends an appropriation of \$415,010,000. The recommendation is \$126,834,000 below the budget request.

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

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

INTERAGENCY CRIME AND DRUG ENFORCEMENT

[In thousands of dollars]

	Committee recommendation
<b>Investigations:</b>	
Alcohol, Tobacco, Firearms and Explosives .....	11,600
Drug Enforcement Administration .....	172,846
Federal Bureau of Investigation .....	122,147
State and Local Overtime Program .....	105
United States Marshals Service .....	2,148
Subtotal, investigations .....	308,846
<b>Prosecutions:</b>	
Criminal Division .....	3,495
Tax Division .....	995
United States Attorneys .....	101,674
Subtotal, prosecutions .....	106,164
Total, Interagency Crime and Drug Enforcement .....	415,010

The Committee expects to be consulted prior to any deviation from the above plan.

*Automated Investigative Technology.*—The Committee recognizes the Organized Crime Drug Enforcement Task Force [OCDETF] program’s need for a mechanism to systematically analyze and make connections among the volumes of drug report information gathered by investigative agents and support staff, including addresses, names, financial information, business relationships, debriefing information and drug intelligence. Only with such a mechanism can all of the pieces of nationwide trafficking organizations be known. The Committee is aware that the Foreign Terrorist Tracking Task Force [FTTTF] already has a system in place that can automate and exploit huge volumes of information collected from multiple Federal agencies. The Committee recommendation therefore includes \$22,017,000 within FTTTF for OCDETF to leverage the

FTTTF architecture to create an OCDETF data warehouse that can quickly ingest, organize, analyze and disseminate the voluminous drug trafficking investigative information of its agencies, as well as critical pieces of public source information.

INTERAGENCY LAW ENFORCEMENT SUPPORT

Appropriations, 2003 .....	
Budget estimate, 2004 .....	
House allowance .....	
Committee recommendation .....	\$551,784,000

The Committee recommends an appropriation of \$551,784,000. The recommendation is \$551,784,000 above the budget request. The Committee is aware that \$232,900,000 is also available from the Asset Forfeiture Fund, bringing the total availability of funding for the Interagency Law Enforcement Support account to \$804,684,000.

This new account funds the administration and support of joint Federal, State, local, and foreign law enforcement activities. The Committee has consolidated investments across multiple accounts to better identify and highlight multi-agency investigations and initiatives. The Justice Department shall make the sustenance and expansion of joint operations a top priority.

The Committee recommendations are displayed in the following table:

INTERAGENCY LAW ENFORCEMENT SUPPORT

[In thousands of dollars]

	Committee recommendation
United States Marshals Service (USMS): Fugitive Task Forces .....	6,533
Subtotal, USMS .....	6,533
Asset Forfeiture Fund (AFF):	
Equitable Sharing .....	206,000
Joint Federal/State and Local Law Enforcement Operations .....	20,575
Criminal Division, Organized Crime Drug Enforcement Task Force [OCDETF] .....	6,325
Subtotal, AFF .....	232,900
Federal Bureau of Investigation (FBI):	
Counterterrorism:	
Joint Terrorism Task Force [JTTF] Program Support:	
Background Investigations .....	911
Equipment (Computers and Radios) .....	853
Travel/Training .....	1,654
Operational Costs .....	1,146
Vehicle Costs .....	889
Supplies .....	802
Rent and Renovations .....	869
State and Local Overtime .....	5,000
Training:	
FBI Academy State and Local Training:	
Personnel .....	10,726
Travel .....	554
Supplies .....	1,585
Maintenance/Utilities .....	969
Equipment .....	236
Meals .....	377

## INTERAGENCY LAW ENFORCEMENT SUPPORT—Continued

[In thousands of dollars]

	Committee recommendation
Field State and Local Training:	
Personnel .....	9,176
Travel .....	214
Supplies .....	114
Maintenance/Utilities .....	48
Equipment .....	122
Critical Incidence Response Group:	
Personnel .....	3,607
Travel/Training .....	970
Other ADP Services .....	978
Equipment .....	110
Violent Crimes:	
Safe Streets Task Forces:	
Vehicle Rental and Maintenance .....	3,786
Rent .....	463
Telephones/Utilities .....	259
Office Supplies and Miscellaneous Services .....	120
State and Local Overtime .....	5,000
Indian Country Training .....	440
Laboratory:	
Travel .....	880
Automated Data Processing Services .....	5,503
Miscellaneous Services .....	3,695
Training .....	586
Equipment .....	7,679
Supplies .....	2,282
Criminal Justice Information Services (CJIS):	
Personnel .....	130,574
Travel .....	3,115
Rent .....	5,521
Services .....	55,432
Supplies .....	2,198
Equipment .....	19,001
Subtotal, FBI .....	288,444
Drug Enforcement Administration (DEA):	
Hazardous Waste clean up (Methamphetamine) .....	4,100
Lab Processing of drug evidence .....	1,608
Training for Interstate transit inspections .....	300
El Paso Intelligence Center response to drug interdictions .....	270
Marijuana Eradication .....	10,113
Overtime and Equipment for State and Local Task Force Officers .....	3,950
Training .....	3,260
Subtotal, DEA .....	23,601
Alcohol, Tobacco, Firearms, and Explosives (ATF):	
State, Local and International Training Division .....	1,117
Youth Crime Gun Interdiction Initiative .....	671
Gang Resistance Education and Training .....	14,760
Canine Training .....	1,590
State and Local Training .....	3,421
Crime Gun Traces .....	24,900
State and Local Overtime .....	2,500
Subtotal, ATF .....	48,959
Bureau of Prisons [BoP]:	
National Institute of Corrections .....	21,747
Contract Confinement in State and Local Facilities .....	162,500

INTERAGENCY LAW ENFORCEMENT SUPPORT—Continued  
[In thousands of dollars]

	Committee recommendation
Subtotal, BoP .....	184,247
Total, Interagency Law Enforcement Support .....	784,684

The proposed distribution of funds should be handled as an omnibus reprogramming to be submitted to the Committees on Appropriations not later than 45 days after date of enactment of this Act.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

Appropriations, 2003 .....	\$4,215,973,000
Supplemental appropriations, 2003 .....	367,192,000
Budget estimate, 2004 .....	4,639,569,000
House allowance .....	4,576,730,000
Committee recommendation .....	3,885,989,000

The Committee recommends an appropriation of \$3,885,989,000. The recommendation is \$753,580,000 below the budget request. The reduction is mostly attributable to the full use of \$367,192,000 in fiscal year 2003 supplemental appropriations in fiscal year 2004 and the transfer of all joint Federal, State, local, and foreign law enforcement activities to a new account titled "Interagency Law Enforcement Support". The Committee is aware that up to \$263,457,000 in additional uncommitted carryover will also be available to apply to this account. A reduction of \$72,607,000 is attributable to the Foreign Terrorist Tracking Task Force achieving independent status.

The Committee disagrees with the Federal Bureau of Investigation's [FBI] decision to non-recur a number of fiscal year 2003 initiatives and expects funding for the following programs to be fully recurred in fiscal year 2004: \$6,548,000 for the Joint Terrorism Task Forces; \$21,025,000 for the computer intrusion program; \$10,000,000 for digital storage/retrieval; \$3,032,000 for secure video conferencing; \$4,000,000 for regional mitochondrial DNA labs; and \$10,000,000 for training.

The Committee recommendation also does not support the FBI's proposal to collapse its current decision units. Rather, the Committee recommendations are displayed in the following table:

FEDERAL BUREAU OF INVESTIGATION

[In thousands of dollars]

Activity	Amount
Criminal, Security, and Other Investigations:	
Organized Criminal Enterprises .....	415,907
White-Collar Crime .....	537,999
Other Field Programs .....	1,888,361
Subtotal .....	2,856,167
Law Enforcement Support:	
Training, Recruitment, Applicant .....	167,737



## FEDERAL BUREAU OF INVESTIGATION—Continued

[In thousands of dollars]

Activity	Amount
Forensic Services .....	181,350
Information Management, Automation, and Telecommunications .....	275,778
Technical Field Support and Services .....	453,449
Criminal Justice Services .....	211,556
Subtotal .....	1,289,870
Subtotal, Law Enforcement Support .....	4,146,037
Program Direction:	
Management and Administration .....	409,488
Transfer to Interagency Law Enforcement Support .....	(288,444)
Fiscal Year 2003 Supplemental .....	(367,192)
Total, FBI .....	3,885,989

The Committee expects to be consulted prior to any deviation from the above plan. The Committee recommendations are discussed in more detail in the following paragraphs.

*Strategic Growth.*—The FBI has undergone a transformation that has turned the Bureau from an investigative agency into an intelligence-gathering agency and has shifted its focus to counterterrorism, counterintelligence, and cybercrime. Many agents are now either permanently or temporarily conducting violent crime, drug, and white-collar crime investigations. Decision-making authority previously delegated to field divisions is now centered at headquarters. The FBI's new mission has attracted new dollars, increasing the Bureau's budget by 51 percent in just 3 years, from \$3,041,095,000 in fiscal year 2000 to \$4,583,165,000 in fiscal year 2003. This level of increases, however, cannot realistically be sustained. The FBI must make the best use of its current assets and must have a strategic, long-term plan before proposing continued growth. The FBI shall submit a 5-year plan to the Committees on Appropriations not later than May 10, 2004, detailing the FBI's roadmap to meet its top priority missions, including proposed agent and support personnel levels for each division, as well as plans for information technology operation, maintenance, and refreshment.

*Rightsizing and Rebalancing the Workforce.*—The Committee has given the FBI significant flexibility to move resources and personnel to respond to the September 11, 2001 terrorist attacks, the war on terrorism, and the war in Iraq. In addition to the 1,600 agents permanently assigned to the Counterterrorism Division [CTD], for example, the FBI has temporarily assigned on average between 950 and 1,700 special agents and supervisors to CTD at various times in the last 2 years. For the FBI to complete its transformation, it must realign its resources to properly reflect its new mission. The Committee therefore directs that all agents temporarily assigned to CTD as of April 1, 2003 be made permanent, effective immediately upon public release of this report.

The FBI must also rebalance its workforce. Significant funding increases provided in recent years have been targeted for operations and have not been complemented by increases in adminis-

trative and other support functions. This disconnect has significantly hindered the FBI, as evidenced by a recent study by Resource Consultants, Inc. [RCI] which found that agents and key investigative support personnel, including intelligence, financial, and investigative analysts, and language specialists, are spending on average 18 percent of their time on clerical/administrative work, rather than investigative work. The FBI has also not had the administrative support to hire to authorized and funded personnel levels or to meet deadlines regarding Congressional reporting requirements and Congressional inquiries. Accordingly, the Committee recommendation includes an additional \$75,871,000 for support personnel for the FBI's headquarters and field operations, including administrative functions, information and lead management, communications exploitation, analytical support, and support for executive offices and other entities. The FBI shall submit a deployment plan for such personnel to the Committees on Appropriations prior to the obligation of any of these funds.

The Committee recommendation also includes an additional \$1,405,000 for the National Security Law Unit, which provides critical legal support to the FBI's Counterterrorism Division.

*Joint Terrorism Task Forces.*—For the first time, the FBI is coordinating efforts with Federal, State and local law enforcement in a meaningful way. Joint Terrorism Task Forces [JTTF] have become the conduit for information sharing and investigative cooperation. The Committee recommendation includes \$25,200,000 to operate the JTTFs in all 56 field offices and selected resident agencies, \$12,124,000 of which is provided in the Interagency Law Enforcement Support account. The Committee expects these funds to be properly recurred in fiscal year 2005.

Additional funding will not be provided for the JTTF Information Sharing Initiative, however, until the initial pilot project is completed, proven successful, and the legal challenges to the system have been addressed.

*Counterintelligence Program.*—The Intelligence Community has acknowledged that the United States is facing more complex threats to its people, information, and technology than ever before. Traditional notions of counterintelligence that focus on hostile intelligence services and theft of highly classified national defense information do not begin to cover the full range of threats that confront our most critical national interests. The United States is facing a growing challenge from non-traditional threats, including non-state actors, and there is a host of new sophisticated technologies and tools being deployed against the United States. In response, the FBI has centralized and strengthened its counterintelligence program. Centralization will ensure that the FBI has clear strategic objectives and is engaged in a cooperative and collaborative effort with other members of the Intelligence Community. The Committee recommendation includes additional resources to enable the FBI to develop, implement, and enhance this centralized program, including \$21,848,000 for 313 support positions for Counterintelligence Investigations and Support; \$24,590,000 for Surveillance Support and Training; and \$9,542,000 for Tactical Operations. Funding for additional counterintelligence agents may be

provided through the redirection of existing resources, subject to Section 605 of this Act.

*Cyber Investigations Initiative.*—Cybercrime and cyberterrorism are constantly evolving and growing into greater potential threats to our national and economic security. The FBI must have the personnel and equipment to stay ahead of, or at least keep pace with, constant technological advances. The Committee recommendation therefore includes an additional \$61,527,000 for the Cyber Investigations Initiative. Of that amount, \$39,533,000 shall be for the Special Technologies and Applications Section to properly staff this newly-created Section; \$18,040,000 shall be for the Computer Analysis Response Team, including training, and for the Regional Computer Forensic Laboratories [RCFLs], including personnel for the RCFL National Program Office; and \$3,594,000 shall be for the Innocent Images National Initiative. Available resources may be used to support requested increases for the Internet Tip Line, subject to Section 605 of this Act.

*Technology Investments.*—The Committee was impressed by the FBI's foresight to request additional funding for operations, maintenance, and refreshment for its technology investments. It is imperative that the FBI maintain operational readiness of its technology systems to support its missions. For operations and maintenance of the FBI's technology investments, the Committee recommendation includes \$61,689,000 for Trilogy and \$2,000,000 for the Top Secret/Sensitive Compartmented Information [TS/SCI] Local Area Network [LAN]. The Committee recommendation also includes \$10,500,000 for the second phase of the initiative to upgrade the Information Technology infrastructure at Legal Attache offices; \$18,558,000 for the Trilogy Technology Refreshment Program; and \$18,611,000 to begin deployment of TS/SCI LAN to the field divisions.

*Training.*—The Committee has long supported basic and advanced training for FBI agents, analysts, and other support personnel. The Committee recommendation includes an additional \$17,559,000 for training, which includes \$2,450,000 for intelligence analysis training; \$14,027,000 for field and headquarters counterterrorism training; and \$1,082,000 for cybercrime training.

*Emergency Response Teams.*—The FBI currently has a variety of units able to respond to crisis situations, such as the Hostage Rescue Team, Foreign and Domestic Emergency Support Teams, National Capitol Response Team, Critical Incident Response Group, Special Weapons and Tactics Teams, and Flying Squads. Each of these teams is supported by other units that ensure they are properly equipped and deployed, such as the Rapid Deployment Logistics Unit, which focuses on pre-event readiness and actual deployment assistance, and the Crisis Response Unit, which focuses on communications and technical capabilities and equipment. The sheer number and variety of response teams illustrates the need to streamline functions to avoid duplication and inefficiencies. The Committee directs the FBI to submit a reorganization proposal to the Committees on Appropriations not later than January 20, 2004 that consolidates all response functions.

Until such duplications are eliminated and true purposes defined, the Committee will not provide funding increases to the ex-

isting response teams, except for aviation support, which will underpin whatever response capabilities result from the reorganization. The Committee is aware that the FBI's aviation fleet for response teams is not sufficient to meet the national security needs of the Bureau. Accordingly, the Committee recommendation includes \$56,000,000 for two MH-60M helicopters and the required personnel, logistics, and training necessary to support these highly sophisticated helicopters. The FBI shall consult with the Committee prior to the deployment of such helicopters.

*Hazardous Devices School.*—While the Committee has supported the FBI's past efforts to train public safety bomb technicians at the FBI's Hazardous Devices School [HDS], the Committee now believes that all explosives training should be consolidated under the law enforcement agency that has explosives as a core mission: the Bureau of Alcohol, Tobacco, Firearms and Explosives [ATF]. Accordingly, the Committee directs the FBI to work with the ATF to develop and implement a plan to consolidate and relocate all ATF explosives training from Fort A.P. Hill to the HDS. The FBI shall continue to participate in explosives training, but ATF shall assume all management and training responsibilities for HDS.

*Forensic DNA Initiatives.*—Forensic DNA analysis has rapidly developed into a vital tool used to support an increasing number of investigative efforts. It is now possible to obtain DNA profiles from evidence previously discarded as meaningless, such as fingernail scrapings, cigarette butts, stamps, envelope flaps, ski masks, baseball caps, weapons, eyeglasses, or toothbrushes. Biological material recovered from such items can be used by DNA examiners to identify an individual to a reasonable degree of scientific certainty. The FBI's DNA program supports cases ranging from the September 11 terrorist attacks to "cold cases" which were originally examined prior to the advent of DNA profiling. To increase throughput of DNA cases and incorporate productivity improvements by replacing manual processes, the Committee recommendation includes an additional \$2,692,000 for the DNA program.

The recommendation also includes an additional \$591,000 for the Federal Convicted Offender [FCO] program. The FCO program's authority to collect DNA samples was expanded by the USA Patriot Act (Public Law 107-56) to include additional crimes of violence and terrorism-related offenses. This funding will support additional positions to manage and type Federal convicted offender samples, purchase equipment, and fund additional expenses related to this effort.

*Criminal Justice Information Services Division.*—The Committee recommendation includes \$357,000,000, including fee collections, for the Criminal Justice Information Services Division [CJIS].

In December 2001, the FBI developed a technology refreshment plan for all CJIS systems to upgrade system architecture to ensure that the system does not become antiquated. The improvements include updating hardware and software systems that are approaching obsolescence. Under no circumstances is the FBI to divert funding collected through the CJIS user fee for any purpose other than CJIS, its refreshment plan, or a subsequent modernization plan for the current facility.

*Background Clearances.*—In fiscal year 2002, there was a 300 percent increase in Law Enforcement Initiative clearances such as task force personnel, chaplains, Foreign Intelligence Surveillance Act technicians, and other non-compensated/non-FBI personnel. It is imperative that the FBI provide thorough and expeditious background checks. The Committee recommendation therefore includes an additional \$5,050,000 for Background Investigative Contract Services and \$968,000 for Contract Adjudicators to analyze the background checks.

*Polygraph Program.*—The importance of the polygraph program at the FBI has never been more clear. Earlier this year, the second top-level counterintelligence agent in the same number of years was indicted for wrongdoing. This time, the agent was accused of improperly handling classified material and having an improper relationship with his asset. He was never polygraphed at the FBI. Nor was Robert Hanssen. Post-Hanssen, the polygraph program was expanded to include periodic polygraph examinations for individuals who have broad access to the FBI's most sensitive information and for employees leaving for and returning from permanent foreign assignments. The expanded polygraph program is intended to ensure the initial and continued trustworthiness of all persons who are being granted a security clearance by the FBI, whether that clearance entails access to unclassified FBI information and facilities or Sensitive Compartmentalized Intelligence information. The Committee recommendation includes \$6,419,000 above the fiscal year 2003 level for additional positions, specialized training, equipment, travel, and expert quality control reviews for the polygraph program.

*Security.*—The Committee supports the FBI's efforts to provide a safe and secure workplace for its personnel and will consider the use of available resources for requested enhancements for technical and physical security, police force and guard services, and defensive programs unit, subject to Section 605 of this Act.

*Communications Application.*—The Committee does not support providing additional funding for Communications Applications. Such capabilities are already available to the FBI through the Drug Enforcement Administration's Special Operation Division.

*Legal Attaches.*—The Committee is aware of the important role of the FBI's Legal Attache [Legat] offices, particularly with receiving and pursuing investigative leads in support of the war on terrorism. The Committee, however, strongly opposes further expanding the Legat program until the FBI has performed a comprehensive and meaningful review of the program. Such a review shall focus on the connection of each existing office to the pursuit of the FBI's top priority missions.

*Intellectual Property Rights.*—Industrial espionage, by both erstwhile friends and obvious foes, has become the growth industry in the counterintelligence world. The struggle for domination among major powers is now played out in largely economic terms. Ideas and innovation are the sinews of national strength. Within the funds made available for counterintelligence activities, \$5,000,000 shall only be available to combat industrial espionage and other threats to the intellectual property rights of manufacturers and researchers in the United States.

*Corporate Crime Reporting.*—The Committee is concerned that the Federal Bureau of Investigation [FBI] does not provide adequate information on corporate crime activities, such as pollution, accounting fraud, corruption, price fixing and tax evasion. While the FBI's Crime in the United States report provides information on street crime from 17,000 enforcement officials around the country, no similar report exists for corporate crime. The Committee expects the FBI to provide the Committee with information about the resources that it would take to produce a comprehensive report that includes all criminal, civil and administrative actions brought against a company, including resolution of the case. The report should also examine the trends and the number of civil cases referred by the Securities and Exchange Commission [SEC] and other agencies to U.S. Attorneys for criminal prosecution. Of these cases, the report should consider how many of those referrals were disposed, how many defendants were actually prosecuted, how many found guilty and how many were sent to jail.

#### CONSTRUCTION

Appropriations, 2003 .....	\$1,242,000
Budget estimate, 2004 .....	1,242,000
House allowance .....	44,791,000
Committee recommendation .....	

The Committee recommends an appropriation of \$44,791,000. The recommendation is \$44,791,000 above the budget request. Of that amount, \$33,617,000 shall be for a Cyber Counter-Terrorism Training Center that shall be located along the Boston Post Road to train all Justice law enforcement agencies in cyber investigations and computer forensics. The FBI shall submit a site and design proposal to the Committees on Appropriations prior to the obligation of any of these funds. In addition, \$9,932,000 is recommended to complete the fit out of the new wing of the Engineering Research Facility.

#### DRUG ENFORCEMENT ADMINISTRATION

##### SALARIES AND EXPENSES

Appropriations, 2003 .....	\$1,550,773,000
Budget estimate, 2004 .....	1,558,743,000
House allowance .....	1,601,327,000
Committee recommendation .....	1,512,281,000

The Committee recommends an appropriation of \$1,512,281,000. The recommendation is \$46,462,000 below the budget request. The Committee recommendation reflects the transfer of all joint Federal, State, local, and foreign law enforcement activities previously funded within the Drug Enforcement Administration [DEA] to a new account titled "Interagency Law Enforcement Support". The Committee is aware that up to \$179,000,000 in additional carry-over will also be available to apply to this account.

The Committee recommendation does not support the DEA's proposal to collapse its current decision units from ten to three units. Rather, the Committee recommendations are displayed in the following table:

## DRUG ENFORCEMENT ADMINISTRATION

[In thousands of dollars]

Activity	Amount
Enforcement of Federal Laws and Investigations:	
Domestic Enforcement .....	518,918
Foreign Cooperative Investigations .....	208,199
Drug and Chemical Diversion Control .....	20,526
State and Local Task Forces .....	200,028
Enforcement and Prevention .....	8,750
Subtotal .....	956,421
Investigative Support:	
Intelligence .....	129,294
Laboratory Services .....	60,518
Training .....	24,903
Research, Engineering, and Technical Operations .....	117,799
ADP .....	138,976
Subtotal .....	471,490
Program Direction:	
Management and Administration .....	107,971
Subtotal .....	107,971
Transfer to Interagency Law Enforcement Support .....	(23,601)
TOTAL .....	1,512,281

The Committee expects to be consulted prior to any deviation from the above plan. The Committee recommendations are discussed in more detail in the following paragraphs.

*Additional Domestic Enforcement Agents.*—Since the September 11, 2001, terrorist attacks, Federal law enforcement agencies have shifted agents from drug-related cases to counterterrorism investigations. This necessary shift in Federal priorities has resulted in the DEA, the country's only Federal agency dedicated to the single mission of drug eradication, to fill the drug enforcement gap. While it is unrealistic to believe that increased funding would eliminate the drug trade in its entirety, the diversion of other Federal agents to homeland security demands that the DEA concentrate its efforts fully on disrupting the flow of narcotics into and within America. Therefore, the recommendation includes \$10,000,000 for additional domestic enforcement agents.

Additionally, the Committee has transferred Mobile Enforcement Team [MET] resources and existing personnel from State and Local Task Forces to Domestic Enforcement, as proposed in the budget request. The MET program was created in response to drug-related violent crime in local communities across the nation. METs work in conjunction with local law enforcement by assisting in targeting and arresting local dealers. While this program has been effective at removing low-level "street pushers," its effectiveness in eliminating the supply lines and major suppliers is suspect. The DEA is directed to submit a report to the Committees on Appropriations not later than May 24, 2004, describing what the impact of eliminating the MET program will be on local communities.

*Regional Enforcement Teams.*—While the Committee appreciates DEA's effort to restructure and focus on dismantling major drug networks, the agency cannot become rigid and formulaic; a component of the agency must be dedicated and prepared to respond to emerging drug trends. The Regional Enforcement Team [RET] program was established to give the DEA specialized, flexible teams ready to deploy resources and respond to the shift by major drug cartels away from centralized bases of operations in major metropolitan cities to larger numbers of regional command posts in smaller, less populated areas across the nation. RET team deployments have proven to be very successful at dismantling drug trafficking organizations in targeted areas at a very low cost per operation. Since the program's inception in 1999, the RET has been deployed twenty times and has had a significant impact on national investigations. The Committee continues to support this program and has included funding within Domestic Enforcement for its continuation.

*Overseas Offices.*—The Committee remains concerned about the lack of oversight of DEA overseas offices and the evaluation process to determine their effectiveness. While the recommendation does not restrict the DEA from opening overseas offices in fiscal year 2004, due to the lack of information regarding foreign office evaluations, the recommendation does not include funding for more than the current number of overseas offices (57 Country Offices and 17 Resident Offices). The DEA may therefore only open a new office after first submitting a written report to the Committees on Appropriations providing justification for the new office and proposing the closure of an existing office.

*International Training.*—The recommendation does not include the requested \$1,500,000 for the International Training Program. To date, DEA's international counter-narcotics training for foreign narcotics law enforcement officers has been funded through a Memorandum of Understanding with the Department of State. The Committee encourages DEA to work with the Department of State to resolve any concerns regarding reimbursements for this program.

*Training.*—The drug market in the United States remains one of the most lucrative in the world. The DEA and local law enforcement face enormous challenges in trying to stem the flow of drugs through the numerous traffic lanes that exist. One of the principal transit routes continues to be the Southwest border with Mexico. In fact, it is estimated that as much as 65 percent of cocaine smuggled into the United States is routed through Mexico. While the DEA and other law enforcement agencies have done a remarkable job in addressing this problem, it is readily apparent that the United States will not be able to solve this problem alone. The United States must continue to work with Mexico as a partner to dismantle the organizations that control these transit routes. In order to do this, there must be a concerted effort to work with not only Mexican Federal Officials, but also with local Mexican law enforcement. There are currently five regional academies located throughout Mexico, including the southern states of Chiapas and Michoacan. The regional academies are administered by Sistema Nacional de Seguridad Publica, a division of Secretaria de



Seguridad Publica, which is responsible for public security in Mexico. The Committee is aware that U.S. law enforcement agencies have provided training courses and technical assistance to the regional academies. The Committee commends past work in this area and expects all training of Mexican law enforcement officers (Federal, State, and local) provided by the DEA to be conducted in concert with the five regional academies. The DEA is instructed to provide the Committees on Appropriations a report no later than June 30, 2004, detailing Mexican training programs and enrollment rates, as well as training programs conducted in other foreign countries and their enrollment rates.

*Research, Engineering and Technical Operations.*—Strides in technology continue to improve daily lives. Technology has simplified and streamlined everything from communications to banking. Unfortunately, the technology revolution has also assisted drug kingpins in their ability to launder money, communicate, and direct drug distributions. Therefore, within the amounts provided for Research Engineering and Technical Operations, \$1,500,000 shall be for the DEA to work in collaboration with the Dante B. Fascell North South Center to analyze the role that information technology is playing in the drug trade.

*Demand Reduction Program/Integrated Drug Enforcement Assistance.*—The Administration strategy to reduce drug use by 10 percent over 2 years and 25 percent over 5 is based on three core principals: (1) preventing drug use before it starts, (2) treating drug users, and (3) disrupting the drug markets. Through the Demand Reduction Program and Integrated Drug Enforcement Assistance [IDEA], the DEA provides outreach to local communities to ensure effective programs are in place to enhance enforcement and prevention. The agency's Demand Reduction Program is unique in that it does not conduct research or disburse grants. Rather, the program provides a Demand Reduction Coordinator to work directly with local communities, offering support in the development of drug prevention and education programs. Similarly, IDEA is a coordinated anti-drug initiative that combines law enforcement with long-term community follow-up to reduce drug demand. The plan involves assisting local communities with the formation of a coalition designed to reduce demand through prevention, education and treatment. Both the Demand Reduction Program and the IDEA initiative have been highly successful in reducing demand for drugs. The recommendation provides \$8,750,000 to continue these two programs.

*Methamphetamine.*—Methamphetamine is a synthetic drug that is widely abused and manufactured within the United States. Through its production and chemical composition, the drug poses a major threat to the health of its users and to the environment. The Committee therefore remains committed to providing sufficient resources to the DEA to support methamphetamine enforcement and the safe cleanup of clandestine methamphetamine laboratories. The Committee encourages the DEA to continue its efforts to identify, target, disrupt and disseminate Priority Targets trafficking methamphetamine; train and assist State and local authorities to recognize and properly address the cleanup of small toxic labs [STLs]; identify and regulate major producers and distributors of

important precursor chemicals to ensure they are not diverted for illicit use; and conduct demand reduction and other training programs to increase public awareness and educate law enforcement personnel, prosecutors, and other professionals on the dangers of methamphetamine.

The Committee directs DEA to ensure sufficient personnel are assigned to methamphetamine cases. Additionally, the Committee directs DEA to provide quarterly reports to the Committees on Appropriations on the DEA's enforcement efforts, including efforts to target methamphetamine precursor chemicals to avoid their diversion and to promote demand reduction of methamphetamine.

*Modernization Program.*—The Committee recognizes the need to upgrade the DEA's aviation fleet. For example, at least 10 of the DEA's current LEH's are Vietnam-era surplus helicopters that are nearing the end of their useful lives. Therefore, the Committee supports the use of available resources, subject to section 605 of this Act, to procure additional fixed wing, rotary wing, lighter-than-air, and unmanned aerial vehicles using existing contract authority.

*"Drug Diversion Control Fee" Account.*—The Committee has provided \$91,499,000 for DEA's Drug Diversion Control Program. The Committee has not included requested enhancements because the final rule proposing a fee increase to support such enhancements has not yet been published. The request is therefore premature, as the DEA cannot yet collect the fees to support program increases. Should the DEA determine that these enhancements more accurately reflect the mission of the Drug Diversion Control Program than current activities, the DEA may redirect existing resources within this account through the reprogramming process.

#### BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

##### SALARIES AND EXPENSES

Appropriations, 2003 .....	\$801,188,000
Budget estimate, 2004 .....	851,987,000
House allowance .....	831,199,000
Committee recommendation .....	829,593,000

The Committee recommends an appropriation of \$829,593,000. The recommendation is \$22,394,000 below the request.

The Committee recommendation reflects the transfer of all joint Federal, State, local, and foreign law enforcement activities previously funded within the Bureau of Alcohol, Tobacco, Firearms and Explosives [ATF] to a new account titled "Interagency Law Enforcement Support".

The ATF is responsible for enforcing Federal laws relating to alcohol, tobacco, firearms, explosives, and arson and regulations relating to firearms, explosives and arson.

*Safe Explosives Act.*—The Homeland Security Act of 2002 includes a provision, known as the Safe Explosives Act, that amends Title XI of the Organized Crime Control Act of 1970. The Safe Explosives Act requires that all persons who wish to obtain explosives, even for limited use, must obtain a Federal license or permit and restricts the ability of felons and other prohibited persons from receiving or possessing explosive materials. The Act also increases qualifications for licensing and permits to include fingerprints, pho-

tographs and identifying information to conduct criminal history background checks on all applicants. As the law enforcement agency with the most training and experience with explosives, ATF was charged with implementing and enforcing this Act.

The Committee recommendation includes an additional \$10,000,000 to implement the Safe Explosives Act and \$4,000,000 to upgrade databases and systems, space alterations, and other costs related to creating the National Explosives Licensing Center [NELC] at the Bureau of Alcohol, Tobacco, Firearms and Explosives National Tracing Center. The Committee expects ATF to submit a detailed spend plan prior to the obligation of any of these funds. The NELC will be responsible for reviewing and processing applications for all Federal explosives licenses and permits. The NELC staff will coordinate inspection applications with the appropriate field offices; serve as the official repository of explosives inspection reports and explosives license/permit applications; maintain the Federal explosives license database; issue licenses/permits and coupons; and provide explosives certifications and status information.

*Youth Gun Crime Interdiction Initiative.*—The Committee recommendation includes an additional \$13,000,000 for the Youth Gun Crime Interdiction Initiative [YCGII]. YCGII focuses agent and inspector resources on reducing youth violence by interrupting the illegal supply of firearms to youths and juveniles through crime gun tracing. This level of funding will allow the program to expand to an additional 10 cities, which will be selected based on a number of factors, including their youth and juvenile crime rates as reflected in the Uniform Crime Reports, identification of the city as a trafficking source or market, a history of firearms tracing, and the desire to participate in the program.

*Training.*—ATF provides advanced and specialized training programs for Federal, State, local, and international law enforcement agencies, as well as industry at Fort A.P. Hill, the Canine Training Center, the Federal Law Enforcement Training Center, Eglin AFB, and a number of other ad hoc training sites. Training includes comprehensive explosives detection, explosives identification, explosives detection canine handlers, post blast investigation, advanced explosives destruction techniques, and underwater explosives recovery training. The Federal Bureau of Investigation [FBI] has its own explosives training at the Hazardous Devices School [HDS] located at Redstone Arsenal in Huntsville, AL. The Committee believes all explosives training should be consolidated under the law enforcement agency that has explosives as a core mission: ATF. Accordingly, the Committee directs the ATF, in consultation with the FBI, to develop and implement a plan to consolidate and relocate all ATF explosives training from Fort A.P. Hill to the HDS. Additionally, ATF will assume all management and training responsibilities for the HDS. However, the Committee expects the FBI to participate in and continue to utilize the HDS for explosives training. Further, Justice Management Division is directed to submit quarterly reports to the Committees on Appropriations beginning January 1, 2004, on the progress of consolidating explosives training under the ATF at the HDS.

*Coordination with the Alcohol and Tobacco Tax and Trade Bureau.*—The regulatory and revenue collecting functions relating to alcohol and tobacco were transferred to the newly created Alcohol and Tobacco Tax and Trade Bureau [TTB] within the Department of the Treasury under the Homeland Security Act of 2002. The enforcement functions relating to those industries, however, have remained the jurisdiction of ATF. The Committee believes coordination of these functions remains critical to meeting the missions of both agencies. The Committee therefore directs the ATF to submit a report to the Committees on Appropriations not later than May 20, 2004, to specify efforts being made to ensure ATF and TTB have coordinated regulatory, revenue collecting and enforcement missions.

*Overseas Offices.*—Along with a number of Justice law enforcement agencies, including the Federal Bureau of Investigation, the Drug Enforcement Administration, and the United States Marshals Service, the Committee is aware that ATF has offices in Canada, Colombia, France, and Mexico. The Committee directs the ATF to submit a report to the Committees on Appropriations not later than May 1, 2004, detailing the mission of each office, the coordination efforts of each office with other law enforcement agencies within the region, and the Bureau’s future plans for expansion of their overseas presence.

FEDERAL PRISON SYSTEM

The Committee does not support the budgeting format for the Federal Prison System as outlined in the Department of Justice budget submission. Therefore, as in previous years, the Committee aligns the budget request submitted by the Office of Management and Budget as follows:

SALARIES AND EXPENSES

Appropriations, 2003 .....	\$4,044,788,000
Budget estimate, 2004 .....	4,677,214,000
House allowance .....	4,461,257,000
Committee recommendation .....	3,872,791,000

The Committee recommends an appropriation of \$3,872,791,000. The recommendation is \$804,423,000 below the budget request. This recommendation shall be expended in the following manner:

SALARIES AND EXPENSES

[In thousands of dollars]

Inmate Care and Programs .....	1,493,305
Institution Security and Administration .....	1,897,523
Contract Confinement .....	332,359
Management and Administration .....	149,604
Total, Salaries and Expenses .....	3,872,791

The Committee recommendation reflects the transfer of all joint Federal, State, local and foreign law enforcement activities previously funded within the Bureau of Prisons [BOP] to a new account titled “Interagency Law Enforcement Support”.

The recommendation also transfers Justice Prisoner and Alien Transportation System [JPATS] funding to the Office of the Detention Trustee.

*Activation of New Prison Facilities.*—The Committee recommendation includes funding for activation of eight new facilities which will add 9,280 beds:

ACTIVATION OF NEW PRISON FACILITIES

[In thousands of dollars]

USP Hazelton, WV (1,088 beds) .....	40,587
USP Canaan, PA (1,088 beds) .....	40,599
USP Terre Haute, IN (960 beds) .....	12,192
FCI Victorville, CA (1,152 beds) .....	40,610
FCI Forrest City, AR (1,152 beds) .....	38,771
FCI Herlong/Sierra, CA (1,280 beds) .....	41,165
FCI Williamsburg, SC (1,280 beds) .....	38,054
FCI Bennettsville, SC (1,280 beds) .....	41,250
Total, Activations (9,280 beds) .....	293,228

*Female Inmates.*—The Committee understands the BOP is working on a long-term plan for housing female inmates. The Committee directs the BOP to submit this detailed plan to the Appropriations Committee as soon as possible. The Committee encourages the BOP to consider the use of contract facilities and directs them to evaluate this option before finalizing these plans.

The Committee commends the BOP on its work to address and prevent sexual misconduct. With funds provided in earlier appropriations acts, the National Institute of Corrections has made useful progress in providing training and technical support to correctional systems throughout the country to eliminate staff sexual misconduct with inmates, in providing training in investigating cases, and in training “trainers” in order that employees at every level will be more aware of, and better prepared to deal with, these cases. The Committee directs the BOP to continue these efforts and to report to the Committee by March 31, 2004 on progress made in this area.

*Bed Space Demands.*—The Bureau of Prisons is directed to meet bed space needs using excess State, local, and private prison capacity, if these facilities meet Bureau of Prison standards.

BUILDINGS AND FACILITIES

Appropriations, 2003 .....	\$396,632,000
Budget estimate, 2004 .....	.....
House allowance .....	202,840,000
Committee recommendation .....	345,805,000

The Committee recommends a total of \$345,805,000 for the construction, modernization, maintenance, and repair of prison and detention facilities housing Federal prisoners. This amount is \$345,805,000 above the budget request.

The Committee continues to strongly support the BOP’s construction program, designed to provide sufficient inmate beds to manage overcrowding in facilities and maintain them in a safe and secure manner for staff, inmates and surrounding communities.

The Committee recommendation includes funding for facilities with prior year funding as follows:

BUILDINGS AND FACILITIES

[In thousands of dollars]

FCI Yazoo City, MS .....	33,160
USP Berlin, NH (with work camp and protective custody unit) .....	154,500
FCI Beckley, WV .....	41,000
FCI Glenville, WV .....	41,600
FCI Mid Atlantic .....	40,300

The Committee does not support the inclusion of specifically directed appropriations listed as rescissions in the Bureau's budget submission. The Committee reiterates the direction in the Conference Report to the fiscal year 2003 Appropriations Act that, "No funds appropriated for the Federal Prison System in this or prior Appropriations Acts for the construction of new facilities may be rescinded or cancelled." The BOP shall move forward with all current projects as planned. The Bureau shall comply with this direction in all future budget submissions.

FEDERAL PRISON INDUSTRIES, INC.

(LIMITATION ON ADMINISTRATIVE EXPENSES)

Appropriations, 2003 .....	\$3,407,000
Budget estimate, 2004 .....	3,429,000
House allowance .....	3,429,000
Committee recommendation .....	3,429,000

This Committee recommends a limitation on administrative expenses of \$3,429,000 for the Federal Prison Industries, Inc. The recommendation is identical to the budget request.

The Committee continues to strongly support Federal Prison Industries [UNICOR] and recognizes its importance in the efficient and safe management of Federal prisons. UNICOR provides prison inmates with the opportunity to learn important work habits, participate in meaningful employment which keeps them productively occupied during work hours, and develop improved job skills which reduces recidivism. The Committee also recognizes the necessity for UNICOR to grow as the inmate population increases. Finally, UNICOR is a self-supporting revolving fund the resources of which are derived from sales of its products. In the future, the BOP is directed to submit only UNICOR's appropriations language exhibit.

OFFICE OF JUSTICE PROGRAMS

Appropriations, 2003 .....	\$2,616,060,000
Budget estimate, 2004 .....	2,173,855,000
House allowance .....	3,491,261,000
Committee recommendation .....	2,630,637,000

The Committee recommends \$1,973,251,000 for the Office of Justice Programs [OJP]. The recommendation is \$200,604,000 below the budget request.

The Committee does not support the budgeting format for OJP as outlined in the Department of Justice budget submission. Therefore, as in previous years, the Committee aligns the budget request

submitted by the Office of Management and Budget as outlined below.

MANAGEMENT AND ADMINISTRATION

Appropriations, 2003 .....	
Budget estimate, 2004 .....	
House allowance .....	\$40,000,000
Committee recommendation .....	29,000,000

The Committee recommends an appropriation of \$29,000,000. The recommendation is \$29,000,000 above the budget request. In light of the new management and administrative responsibilities of the OJP office, the Committee recommends a staffing level of not more than 500 full-time equivalents.

JUSTICE ASSISTANCE

Appropriations, 2003 .....	\$199,983,000
Budget estimate, 2004 .....	2,124,801,000
House allowance .....	209,131,000
Committee recommendation .....	136,500,000

The Committee recommends an appropriation of \$136,500,000. The recommendation is \$1,988,301,000 below the budget request.

The Committee recommendations are displayed in the following table:

JUSTICE ASSISTANCE  
[In thousands of dollars]

	Committee recommendation
National Institute of Justice .....	50,000
Office of Science and Technology .....	[20,000]
The National Law Enforcement and Corrections Technology Centers .....	[21,000]
Bureau of Justice Statistics .....	25,000
Missing Children .....	32,500
Regional Information Sharing System .....	29,000
<b>Total, Justice Assistance .....</b>	<b>136,500</b>

*Office of Science and Technology [OS&T].*—The Committee commends the efforts of the leadership of the National Institute of Justice’s Office of Science and Technology and the continuing partnership that OS&T has developed with the National Institute of Standards and Technology.

To implement the mission of OS&T, the Committee recommends \$20,000,000 for OS&T from within the overall amount provided for NIJ.

*The National Law Enforcement and Corrections Technology Centers [NLECTC].*—The Committee commends the work that NIJ’s OS&T, and through it the NLECTC system, have done to improve the capabilities of the law enforcement and corrections communities. To further the work of the NLECTC system, the Committee recommends \$21,000,000 for the continued support of the system. Of the amount provided, the Committee directs that funds be distributed in the following manner to the Centers:

## THE NATIONAL LAW ENFORCEMENT AND CORRECTIONS TECHNOLOGY CENTERS

[In thousands of dollars]

	Amount
Northeast Regional Center .....	3,000
Southeast Regional Center .....	3,000
Rocky Mountain Regional Center .....	3,000
Western Regional Center .....	3,000
National Center .....	3,000
Northwest Center .....	3,000
Technology Specialty Centers .....	3,000
Total, Regional and Specialty Centers .....	21,000

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

- \$4,500,000 for the National Crime Prevention Council (McGruff Program);
- \$800,000 for the Haymarket Center's Rehabilitative Confinement Program;
- \$200,000 for Merit School of Music's alternative to crime and violence programs in Chicago, Illinois;
- \$850,000 for the Mistral Security Non-Toxic Drug Detention and Identification Aerosol Technology;
- \$2,000,000 for the Ohio Palmprint AFIS Program; and
- \$1,500,000 for the National Judicial College.

*Missing Children Program.*—The issue of child exploitation has been raised to the forefront of the national conscience due to the recent string of child pornography and missing children cases that have been highlighted in the media over the last few months. The Committee continues to strongly support the Missing and Exploited Children Program run by the Bureau of Justice Assistance. The Committee recommends \$32,500,000 to continue and expand efforts to protect the Nation's children, especially in the areas of locating missing children, as well as the growing wave of child sexual exploitation found on the Internet.

Within the amounts provided, the Committee has included the following:

(1) \$12,500,000 for the Internet Crimes Against Children Task Forces. These task forces assist State and local law enforcement agencies in acquiring the knowledge, equipment, and personnel resources necessary to successfully prevent, interdict, and investigate cases of child exploitation on the Internet. These task forces shall work in concert with I-Safe America to emphasize Internet safety education for grades K-12 to prevent child predation on the Internet.

(2) \$20,000,000 for the National Center for Missing and Exploited Children [NCMEC]. The NCMEC is the clearinghouse and national resource center regarding the issue of missing and exploited children. In addition to the other critical work performed by the center, this appropriation will also allow the NCMEC to maintain the training programs provided by the Jimmy Ryce Law Enforcement Training Center, continue the successful CyberTipline program, continue the Police Technology Project (LOCATER) and expand the NetSmartz Workshop. Of the funds appropriated for



the NCMEC, \$3,000,000 shall be directed specifically for the Jimmy Ryce Law Enforcement Training Center.

*Regional Information Sharing System [RISS].*—The Committee recommends an appropriation of \$29,000,000. The RISS program provides funds to maintain six regionally-based information sharing centers which allow for information and intelligence services to be disseminated nationwide addressing major, multi-jurisdictional crimes. The Committee commends the ongoing collaboration between RISS and Law Enforcement On-Line [LEO], particularly with regard to the decision to provide access to RISS Anti-Terrorism Information Exchange [ATIX] resources to any user holding a valid LEO account, regardless of whether the user also holds a RISS account. The Committee recognizes that the relationship between RISS and LEO is dynamic and evolving, and strongly supports further collaboration.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

Appropriations, 2003 .....	\$2,030,990,000
Budget estimate, 2004 .....	
House allowance .....	1,640,861,000
Committee recommendation .....	1,461,075,000

The Committee recommends an appropriation of \$1,461,075,000. The recommendation is \$1,461,075,000 above the budget request.

The Committee recommendations are displayed in the following table:

STATE AND LOCAL LAW ENFORCEMENT  
[In thousands of dollars]

	Committee recommendation
Local Law Enforcement Block Grant .....	150,000
Boys and Girls Clubs .....	[80,000]
State Criminal Alien Assistance Program .....	250,000
Indian Assistance .....	18,000
Byrne Grants:	
Formula .....	500,000
Discretionary .....	88,575
Violence Against Women Act Programs .....	406,000
Drug Courts .....	43,500
Safe Return Program .....	500
Law Enforcement Family Support Programs .....	1,000
Senior Citizens Against Marketing Scams .....	2,000
Motor Vehicle Theft Prevention .....	1,500
<b>Total, State and Local Law Enforcement Assistance .....</b>	<b>1,461,075</b>

*Indian Country Grants.*—The Committee understands that the Comprehensive Indian Resources for Community Law Enforcement [CIRCLE] initiative is working well. The Committee urges the Department to consider ways to expand the CIRCLE project into other communities.

The Committee notes that the Department of Justice and other Federal agencies have provided grants to tribes in Alaska for courts, police officers, and law enforcement equipment. Because the previous administration recognized 227 separate tribes in Alaska, there are not sufficient funds for each tribe to have its own court system and police force. Therefore, the Committee has included a

general provision in the bill clarifying that funds should not be made available to tribes in Alaska for courts or police until a more efficient delivery system can be developed such as consolidation. However, to ensure that judicial services continue in Alaska Native villages, the funds that have previously been granted to tribes will now be allocated to the State of Alaska to increase magistrates and fund the Village Public Safety Officer Program until such system can be developed.

Within the amount provided, the Committee directs that grants be provided for the following prison construction projects:

- \$900,000 for the Lower Brule Sioux Tribe Detention Facility;
- and
- \$2,900,000 for the Yankton Sioux Tribe Juvenile Detention Facility.

*Edward Byrne Grants to States.*—Within the amount provided for Byrne formula grants, the Committee urges Governors and relevant State and local officials to review the following proposals and provide grants if warranted: Arkansas Methamphetamine Lab Project, Criminal Justice Institute; Barron-Rusk County, Wisconsin Drug Task Force; Caddo Parish, Louisiana Methamphetamine Enforcement; Clackamas County Juvenile Justice Detention Facility; Catholic Charities of Maine Rapid Response Program; COPS Methamphetamine Drug Hot Spots Program, Arkansas State Police; Drug Endangered Children rapid response team in Iowa; Arizona methamphetamine program; Sedgwick County, Kansas rapid dispatch capability; Law Enforcement Innovation Center at Knoxville, Tennessee; Drug Interdiction Team to seize illegal drugs transported into Iowa; Enhancing illegal drug trafficking investigations by State and local authorities in Iowa; Arizona violent crime scene response; Georgia VeriTracks program; Greenbrook Project, Maryland; Iowa Drug-Free Workplace Education Project; Marion County, Oregon Methamphetamine Lab Surveillance and Seizure Program; Meth Safe housing pilot project, Iowa Office of Drug Control Policy; Methamphetamine enforcement efforts in Nevada; Methamphetamine enforcement, State of Indiana; Methamphetamine Interdiction Program in Northwest Louisiana; Methamphetamine Montana Initiative; Methamphetamine Program for Washington State; Multnomah County, Oregon Children's Receiving Center; National Fatherhood Initiative; Nebraska Methamphetamine Drug Hot Spots Program; Idaho methamphetamine initiative; Nebraska Statewide Drug Enforcement and Lab equipment; California Methamphetamine Strategy [CALMS]; Lewis & Clark Bicentennial Bi-State Safety Project; New York City Specially-Targeted Offenders Program; Nebraska Statewide Drug Treatment and Prevention; Oglala, South Dakota Youth Court/Court Systems; Maine Rural Substance Abuse Partnership; Oregon Meth Lab Surveillance and Seizure Program; Phoenix House Los Angeles Methamphetamine Initiative in California; Project Peacemaker; Savannah, Georgia Impact Program; ShareHouse Methamphetamine Treatment Project in North Dakota; South Central and East Central Iowa Meth Lab Task Forces; Texas State University Advanced Law Enforcement Rapid Response Training Center; St. Croix District Attorney's Office Initiative to Combat Methamphetamine; and Stop Meth Environments in Lane County, Oregon; Chicago Project for Violence

Prevention; Elderly Fraud Prevention Initiative in Iowa; Arkansas State Police's Methamphetamine Drug Hot Spots Program; Methamphetamine Drug Program for Washington State.

Within the amount provided for Byrne discretionary grants, the Committee expects the Bureau of Justice Assistance to review the following proposals and provide grants if warranted:

- \$2,000,000 for the First Tee program;
- \$250,000 for the Abilene, Texas, Emergency Response and Public Safety Communications Systems Replacement;
- \$1,100,000 for an alcohol interdiction program designed to investigate and prosecute bootlegging crimes as part of a state-wide effort to reduce fetal alcohol syndrome in Alaska;
- \$150,000 for the Alabama Criminal Justice Training Center;
- \$210,000 for the Alaska DARE Coordinator;
- \$1,000,000 for the Alaska Native Justice Center;
- \$650,000 for the Alaska Public Safety Academy;
- \$750,000 for the Alaska Youth Community Policing Initiative;
- \$500,000 for the Alcorn State University Minority Law Enforcement program;
- \$1,500,000 to An Achievable Dream, Virginia;
- \$2,000,000 for the Baltimore City, Maryland, Drug Enforcement and Eradication Program;
- \$126,000 for basic law enforcement equipment at the Kansas Bureau of Investigation;
- \$300,000 for an Amber Alert/ORN Integration Program at the Ohio Bureau of Criminal Identification and Investigation;
- \$500,000 to establish the Belknap, New Hampshire, Regional Special Operations program;
- \$175,000 for Bolivar County, Mississippi, Sheriff's Department;
- \$2,000,000 for the California Anti-Terrorism Information Center;
- \$250,000 for the Catholic Charities of Maine, Rapid Response Program;
- \$500,000 for the Center on Domestic Violence at the University of Colorado in Denver;
- \$1,146,000 for Child-Safe Personalized Weapons-Smart Gun, New Jersey;
- \$300,000 for the Citizenship and Justice Academy, Mississippi;
- \$300,000 for the Philadelphia, Pennsylvania, Safe Streets Initiative;
- \$500,000 for the Community Action Neighborhood Empowerment Program in Erie County, New York;
- \$100,000 to the city of Custer, South Dakota, for emergency warning system equipment;
- \$1,000,000 for the Davidson County, Tennessee, Drug Court Program;
- \$1,900,000 for a case management system for the Delaware State courts;
- \$4,000,000 for the Eisenhower Foundation for the Youth Safe Haven program;
- \$750,000 for Emergency Services Equipment Upgrade in Midwest City, Oklahoma;
- \$1,000,000 for the Five County Southeastern Utah Methamphetamine Project;

- \$4,400,000 for Hawaii County Comprehensive Methamphetamine Response;
- \$5,000,000 for program operations at the Institute of Security Technology Studies, New Hampshire;
- \$500,000 for the Iowa Tank Lock Methamphetamine Initiative;
- \$602,000 for Jackson, Mississippi, Public Safety Automated Technologies;
- \$300,000 to the John Hope Settlement House in Providence, Rhode Island, for a family support center;
- \$200,000 for the Las Vegas, Nevada, Metropolitan Police Forces' Special Weapons and Tactics [SWAT] Team;
- \$500,000 for Law Enforcement Radio Infrastructure Project in Wake County, North Carolina;
- \$750,000 for the Leadership Institute in Judicial Education at the University of Memphis in Memphis, Tennessee;
- \$250,000 to the Louisiana Commission on Law Enforcement for its Methamphetamine Task Force in Claiborne, Grant, Natchitoches, Rapides, Vernon, Webster, and Winn Parishes;
- \$500,000 for methamphetamine enforcement in Mississippi;
- \$750,000 for the Louisiana Methamphetamine Task Force;
- \$400,000 to Milton R. Abrahams Legal Clinic at Creighton University, Nebraska;
- \$500,000 for the Institutional Security Program at Mississippi University for Women;
- \$400,000 for the Missouri Fire Training Program;
- \$400,000 to the Montana Food Bank Network/Montana Correctional Enterprises for cannery operations;
- \$100,000 for the Morgan County, Kentucky, Sheriff's Department;
- \$2,500,000 for the Missouri MOSMART Program;
- \$300,000 for Mujeres Latinas En Accion, Illinois, to expand its community-based program for domestic abuse and sexual assault victims;
- \$2,000,000 to the Municipality of Anchorage, Alaska, for statewide enhancement of local law enforcement agencies to improve response to illegal drug and alcohol use;
- \$400,000 to the Medical University of South Carolina for an innovative and effective program which helps single head-of-household women with children reject a life of crime and drugs and build a self supporting lifestyle;
- \$4,750,000 for the Executive Office of U.S. Attorneys to support the National District Attorneys Association's participation in legal education training at the National Advocacy Center;
- \$2,000,000 for the National Center for Justice and the Rule of Law, Mississippi;
- \$500,000 to the University of South Carolina for the National Center for Prosecutorial Ethics;
- \$500,000 for crime prevention programs run through the National Crime Prevention Council (McGruff the crime dog);
- \$1,600,000 for the National Fatherhood Initiative;
- \$150,000 for the University of North Dakota's Native Americans Into Law program to recruit and retain American Indian law students;
- \$250,000 to the Network Against Sexual Violence in Missouri;

- \$1,000,000 for the New Mexico Administrative Office of the Courts to support Dependency Drug Courts in three judicial districts;
- \$500,000 for technology upgrades for the New Hampshire Department of Motor Vehicles substation;
- \$500,000 for the New Hampshire Phoenix House information technology upgrade project;
- \$250,000 for the North Kingstown, Rhode Island, Police Department Emergency Operations Center;
- \$1,500,000 for continuation of Operation Streetsweeper;
- \$250,000 for Partners for Downtown Progress in Alaska;
- \$500,000 for the Pittsburgh, Pennsylvania, Police Bureau's Virtual Perimeter Video Surveillance system, which allows live monitoring of multiple locations by robotic cameras;
- \$122,000 for the Powder Springs Police Force in Cobb County, GA for new equipment;
- \$750,000 to Prairie View Prevention Services in Sioux Falls, South Dakota to continue methamphetamine use prevention programs in South Dakota, and to facilitate integration of prevention and treatment services for at-risk youth;
- \$300,000 to the Prince George's County, Maryland, Neighborhood Watch Program;
- \$750,000 for the New Jersey Department of State for Project ACTION;
- \$250,000 for Project Return, Inc. in Nashville, Tennessee;
- \$5,000,000 for the Southeast National Law Enforcement and Corrections Technology Center for the implementation of Project SEAHAWK. Funding is provided for the acquisition of communications equipment, computer software and hardware technology, and research and development needed to execute the project;
- \$300,000 for the Protection of Senior Citizens, Indianapolis, Indiana, Housing Authority;
- \$1,000,000 for the inclusion of the New Hampshire Department of Motor Vehicles in the public safety communications network;
- \$1,000,000 for the Montana Public Safety Services Office;
- \$500,000 for equipment and supplies for the Ocean Springs, Mississippi police department;
- \$3,000,000 for the Innovative Partnerships for High Risk Youth demonstration project run by Public/Private Ventures;
- \$250,000 for the University of Arkansas' program to reduce Family Violence through Workplace Interventions;
- \$1,500,000 to fund meth lab task forces in Iowa's south central and east central counties;
- \$300,000 for Marion County, Oregon, Methamphetamine Lab Surveillance and Seizure Program;
- \$100,000 for the Multnomah County, Oregon Children's Receiving Center;
- \$100,000 for the Ridge House in Nevada;
- \$500,000 for the Minot State University, North Dakota, rural methamphetamine project;

- \$275,000 to the South Dakota Association of County Commissioners to fund an upgrade in 9–1–1 wireless systems statewide;
- \$2,000,000 for the SEARCH National Technical Assistance and Training Program;
- \$750,000 for Fisk University’s Security Enhancement Initiative, Nashville, Tennessee;
- \$1,100,000 for Security Enhancements Programs for the South Carolina Palmetto Expo Center;
- \$80,000 for the Shelbyville, Kentucky, Police Department;
- \$100,000 to the Alabama Sentencing Commission for a simulation model of the Alabama sentenced offender population;
- \$695,000 for the South Carolina Domestic Violence Reduction Initiative, of which \$150,000 is for Safe Passage which assists victims in Chester, Lancaster, and York Counties; \$150,000 for Safer Harbor which assists victims in Greenville and Anderson Counties; \$175,000 for Safe Homes which assists victims in Spartanburg; and \$220,000 for the Cumbee Center to Assist Abused Persons, which assists victims in Aiken, Barnwell, Allendale, Edgefield, McCormick, and Saluda Counties;
- \$444,000 to the Southwest Montana Drug Task Force to deter the use, distribution, and manufacture of dangerous drugs;
- \$200,000 Stamford Geographic Information System, Connecticut;
- \$1,000,000 for the Strategic Medical Intelligence Initiative Partnership at the University of Pittsburgh Medical Center;
- \$300,000 for the Children’s Medical Assessment Center in South Carolina to extend forensic healthcare services to outlying rural areas, and to extend the tracking and medical case management programs to all law enforcement jurisdictions in the local Tri-County area;
- \$250,000 for the National Judicial College;
- \$250,000 for the National Council of Juvenile and Family Court Judges;
- \$400,000 for MidAmerica Nazarene University’s Criminal Justice/Forensic Science Initiative, Kansas;
- \$1,000,000 for the Tools for Tolerance program, California;
- \$1,000,000 for Behavioral Health Research at the University of Connecticut;
- \$250,000 for University of Southern Mississippi’s Rural Law Enforcement Training Initiative;
- \$200,000 for the UNLV Boyd School of Law;
- \$1,100,000 for the Vermont Drug Task Force;
- \$250,000 to the Washington Public Building Mapping System;
- \$100,000 for the Western District of Kentucky Federal Fugitive Task Force;
- \$400,000 for the Institute for American Values;
- \$500,000 to continue the efforts of the Wisconsin Methamphetamine Initiative; and
- \$250,000 for equipment and supplies for the Richton, Mississippi police department.

*Violence Against Women Act Programs.*—Within the funds appropriated, no less than \$185,000,000 shall be used for general formula grants to the States. The fiscal year 2004 funding will be

used to develop and implement effective arrest and prosecution policies to prevent, identify, and respond to violent crimes against women, strengthen programs addressing stalking, and provide much needed victims services. This includes specialized domestic violence court advocates who obtain protection orders. In addition, programs should be strengthened to encourage reporting of domestic violence by providing assurances that law enforcement and attorney support systems would be available. This funding is to be distributed to States to significantly enhance the availability of services, prosecutors, and law-enforcement officials to women and children who are subjected to domestic violence. Within the amount provided, \$950,000 shall be for a domestic violence protection unit in Alaska to enforce a zero tolerance policy for domestic violence. Within the amounts provided, \$500,000 shall be directed for the Standing Together Against Rape [STAR] program in Alaska.

*Drug Courts.*—The Committee recommends an appropriation of \$43,500,000. The Committee notes that localities can also access funding for drug courts from the Local Law Enforcement Block Grants.

WEED AND SEED PROGRAM

Appropriations, 2003 .....	\$58,542,000
Budget estimate, 2004 .....	.....
House allowance .....	51,811,000
Committee recommendation .....	58,542,000

The Committee recommends an appropriation of \$58,542,000. The recommendation is \$58,542,000 above the budget request.

COMMUNITY ORIENTED POLICING SERVICES

Appropriations, 2003 .....	\$977,624,000
Budget estimate, 2004 .....	157,377,000
House allowance .....	682,993,000
Committee recommendation .....	656,636,000

The Committee recommends an appropriation of \$656,636,000. The recommendation is \$499,259,000 above the budget request. The Committee provides funding under this account as outlined below.

The Committee is concerned by the Department of Justice’s continued attempts to diminish the ability of the Community Oriented Policing Services [COPS] office to accomplish their mission. The mission of the COPS office is to advance community policing practices within law enforcement agencies and to significantly improve public safety in neighborhoods throughout the country through partnerships with communities, policing agencies, and other public and private organizations. While the Committee appreciates the Department’s need to address its Federal counterterrorism responsibility, this need should not preclude the Department from executing other agency responsibilities such as local law enforcement programs aimed at ensuring community safety.

Of particular concern to the Committee is the Department’s continued insistence on understaffing the COPS office and the significant risk this inadequate staffing level can have on services as a result. The Committee understands that the current staffing level is only 153 of the 235 authorized (65 percent manning). The Com-

mittee also understands that the office needs a minimum of 200 personnel to maintain the current quality services the States have come to expect from this office. Therefore, the Committee directs the COPS office to develop a plan to relieve this personnel shortage and report back to the Committees on Appropriations no later than 2 months after the date of enactment of this Act. Further, the Department of Justice is directed to provide a report to the Committees on Appropriations no later than April 1, 2004, detailing the actions the Department is undertaking to ensure adequate staffing levels within the COPS office.

The Committee recommendations are displayed in the following table:

COMMUNITY ORIENTED POLICING SERVICES  
[In thousands of dollars]

	Committee recommendation
Public Safety and Community Policing Programs .....	260,000
Hiring .....	[200,000]
Training and Technical Assistance .....	[20,000]
Bullet Proof Vest Grant Program .....	[25,000]
Indian Country .....	[20,000]
Police Corps .....	[15,000]
Crime Fighting Technology Programs .....	294,636
Law Enforcement Technology Program .....	[83,960]
Interoperable Communications Technology Program .....	[140,000]
Crime Identification Technology Act .....	[36,626]
DNA Backlog Elimination/Crime Lab Improvement Program .....	[34,050]
Prosecution Assistance .....	30,000
Gun Violence Reduction .....	[15,000]
Southwest Border Prosecutions .....	[15,000]
Community Crime Prevention .....	37,000
Project Sentry .....	[10,000]
Offender Re-entry Program .....	[5,000]
Safe Schools Initiative .....	[17,000]
Police Integrity Program .....	[5,000]
Management and Administration .....	35,000
Total, Community Oriented Policing Services .....	656,636

The Committee expects to be consulted prior to any deviation from the above plan.

PUBLIC SAFETY AND COMMUNITY POLICING PROGRAMS

*COPS Hiring Program.*—The recommendation includes \$200,000,000 for the hiring of school resource officers.

*Bullet-proof Vests Grant Program.*—Of the funds provided, such sums as may be necessary are for NIST's Office of Law Enforcement Standards to continue support for the ballistic resistant and stab resistant material compliance testing programs, as well as for other technical support related to public safety weapons and protective systems.

*Indian Country.*—The Committee recommends that 5 percent of the COPS funds be provided directly to tribal judicial systems to assist Tribal Courts with the caseload associated with increased arrests as a result of more stringent tribal law enforcement.



## CRIME-FIGHTING TECHNOLOGIES PROGRAMS

*Law Enforcement Technology Program.*—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:

- \$550,000 for a radio system upgrade in Cary, North Carolina;
- \$300,000 to Abbeville, South Carolina, Sheriff's Department for mobile data computers and in-car cameras;
- \$1,000,000 to the City of Allentown, Pennsylvania, for funding to develop computer mapping and weekly accountability sessions;
- \$3,000,000 to the Anchorage, Alaska, 9–1–1 Dispatch program;
- \$635,000 for the Arkansas Justice Xchange Project;
- \$1,050,000 for police technology grants to be equally divided between the cities of Barre, St. Albans, and Springfield, Vermont;
- \$500,000 the Ohio Bureau of Criminal Identification and Investigation Crime Laboratory System Improvement Project;
- \$250,000 to Brown County, South Dakota to integrate the Regional Communications Center into the South Dakota State Radio System;
- \$850,000 to the City of Greenville, South Carolina, Police Department for communication system upgrades;
- \$2,000,000 for a grant to the Southeastern Law Enforcement Technology Center's Coastal Plain Police Communications initiative for regional law enforcement communications equipment;
- \$400,000 for the Colorado Sex Offender Registry;
- \$1,500,000 for Computer Aided Dispatch in Modesto, California;
- \$50,000 for investigative capability of the Kansas Bureau of Investigation's Computer Crime Section;
- \$3,000,000 for the Consolidated Advanced Technologies for Law Enforcement (CAT lab) program at the University of New Hampshire;
- \$750,000 for the Criminal Justice Information Integration Project, City of Minneapolis;
- \$500,000 for the Minnesota Department of Public Safety's CriMNet system;
- \$50,000 for the Doña Ana County, New Mexico, Sheriff's Department for the purchase of a bomb robot;
- \$750,000 for the Downriver Mutual Aid, Michigan, to provide equipment upgrades to the region's police departments;
- \$475,000 for Salem County, New Jersey, for its Emergency 9–1–1 Dispatch & Communication System;
- \$1,000,000 for Wayne County, Michigan, to develop a county-wide emergency communications system and complete its Global Positioning System project;
- \$275,000 for Hoboken, New Jersey, emergency communications system;
- \$1,000,000 for the Enforcement Technology Program in the City of Macon, Georgia;

- \$175,000 to the Billings, Montana Police Department to enhance the mobile data technology to provide constant locations of all cars;
- \$400,000 for equipment upgrades, City of Gary, Indiana;
- \$500,000 for Fairbanks, Alaska, Criminal Justice Data Sharing;
- \$1,000,000 for a firing range, City of Council Bluffs, Iowa;
- \$250,000 for the Georgia Sheriff's Department Multi-Level Law Enforcement Technology System;
- \$500,000 to Greenwood County, South Carolina, Sheriff's Department for the purchase of mobile data computers and communications upgrades;
- \$350,000 to the Hampton County, South Carolina, Sheriff's Department for the purchase of computers and surveillance equipment necessary to patrol high crime areas of the county;
- \$1,500,000 for Harris County, Texas, to purchase and install equipment for a redundant control emergency communications center;
- \$2,500,000 for the Harrison County, Mississippi, Public Safety Automated Systems;
- \$900,000 for the Internet Project at the Criminal Justice Institute, University of Arkansas at Little Rock;
- \$1,300,000 for Passaic County, New Jersey, Interoperable Communications project;
- \$250,000 for Jackson County, Mississippi, Critical Incident Response Team;
- \$300,000 for the Jasper County, South Carolina, Sheriff's Department for the purchase of mobile data computers and in-car cameras;
- \$3,000,000 for the J-ONE information system in New Hampshire;
- \$2,500,000 to the Kenai Peninsula, Alaska, Borough Emergency Operations Center;
- \$2,500,000 for the Land Mobile Radio project in Alaska;
- \$500,000 for Louisiana Statewide Digital Upgrade of Interoperable Public Safety Communications System;
- \$3,000,000 to Berkeley, Charleston and Dorchester Counties, South Carolina, for a shared information system for local law enforcement;
- \$200,000 for Lubbock, Texas, Law Enforcement Technology;
- \$150,000 for Marion County, Mississippi, COPS equipment;
- \$500,000 for the Matanuska Susitna, Alaska, Borough Emergency Response Radio Network;
- \$100,000 for the Mayfield, Kentucky, Police Department;
- \$680,000 for Chippewa County, Michigan, to establish a Michigan Public Safety Communications System;
- \$4,000,000 for equipment for the Mississippi Bureau of Narcotics;
- \$120,000 to the Billings, Montana, Police Department for Command and Control equipment;
- \$350,000 to the Newberry County, South Carolina, Sheriff's Department for the purchase of mobile data computers;

- \$3,000,000 for technology and equipment for the New Hampshire Department of Safety Statewide Interagency Emergency Operations and Communications System Center;
- \$2,000,000 to provide digital radio equipment and technology to the New Hampshire Department of Safety;
- \$250,000 to the New Hampshire Police Standards and Training for technology and upgrades;
- \$1,000,000 for a replacement communications system for Buchanan County, Missouri, the City of St. Joseph, and Heartland Health Law Enforcement Communications System;
- \$3,000,000 for Northeastern Massachusetts Law Enforcement Council Communications Upgrades;
- \$480,000 for the Ohio Bureau of Criminal Identification and Investigation Fiber Interconnect Project;
- \$2,000,000 for the Oklahoma Department of Public Safety;
- \$900,000 to the Southeastern Law Enforcement Technology Center for the deployment of shot spotter technology;
- \$125,000 for the Plymouth State College, New Hampshire, police department for technology upgrades;
- \$500,000 for the City of Fairfield, California, Police CAD/RMS Dispatch and Records Project;
- \$1,250,000 for the Records Interoperability Initiative through the Consolidated Advanced Technologies for Law Enforcement;
- \$1,000,000 to the City of Memphis, Tennessee, to install a regional law enforcement communications system;
- \$1,600,000 for the Mississippi Ridgeland Police Department;
- \$100,000 for the Simpson County, Kentucky, 9-1-1 Center;
- \$4,000,000 to the Southeastern Law Enforcement Technology Center to partner with SPAWAR System Center Charleston to advance research and development into software radio technology;
- \$2,000,000 to South Carolina Law Enforcement Division to continue funding for equipment to support a Federal and State collaboration of investigators and forensics experts to solve high technology crimes through one center;
- \$500,000 to the South Dakota Police Chiefs' Association and South Dakota Sheriffs' Association for technology and equipment;
- \$1,000,000 to Louisville-Jefferson County, Kentucky, for Public Safety Communications System for a common interoperable voice and data communications system;
- \$250,000 to the Southeastern Law Enforcement Technology Center to develop and deploy affordable spatial analysis software tools;
- \$850,000 for Spartanburg County, South Carolina, for an advanced 9-1-1 notification system;
- \$600,000 for Spokane, Washington, Intelligence/Information Sharing Computer Systems;
- \$500,000 to the State of Wisconsin's Office of Justice Assistance to create an integrated data-sharing system linking the criminal justice system throughout the State;
- \$125,000 for Tchula, Mississippi, for police equipment;

- \$250,000 for the Adams County, Illinois, Sheriff's Department to upgrade law enforcement and communication technologies and to modernize equipment;
- \$1,000,000 to the University of Kentucky's Law School Electronic Access Project;
- \$2,000,000 for the UNH/Keene State College Chemical Environmental Management System;
- \$400,000 for a Unified Public Safety Communications Center in Osceola, Florida;
- \$500,000 to Union County, South Carolina, Sheriff's Department for mobile data computers and communications upgrades;
- \$350,000 for VeriTracks in Georgia;
- \$2,000,000 to the State of Alaska for training Village Public Safety Officers and small village police offices and acquisition of emergency response and search and rescue equipment for rural communities;
- \$500,000 to procure and evaluate Voice Monitoring and Logging equipment with embedded TACSCAN capability at designated locations;
- \$500,000 to West Valley City, Utah Police Department for public safety communications system upgrades;
- \$2,000,000 for the Wireless Network and Mobile Data Terminal Program in the City of Jackson, Tennessee; and
- \$20,000 to the Yemassee, South Carolina, Police Department for the purchase of radios and in-car cameras.

*COPS Interoperable Communications Technology Program.*—The Committee recommends \$140,000,000 to continue the Office of Community Oriented Policing Services [COPS] Interoperable Communications Technology Program, being designed and implemented by the COPS office, in consultation with the Office of Science and Technology [OS&T] within the National Institute of Justice, as well as the Bureau of Justice Assistance [BJA]. The Committee continues to seek to utilize the expertise of all three organizations so as to create a grant program that is highly responsive to the immediate needs of the State and local law enforcement community and that takes full advantage of the expertise and lessons learned from OS&T's and BJA's research and development in the field of interoperable law enforcement communications, particularly project AGILE.

This program should address the critical need of law enforcement to improve cross-jurisdictional communication and information sharing. The Committee directs the COPS office to develop and submit to the Committees on Appropriations, no later than 45 days after the implementation of this Act, proposed guidelines for the program. Consistent with the COPS office's existing grant programs, the COPS Interoperable Communications Technology Program should include a 25 percent local match requirement.

The Committee understands and supports the need for minimum standards for law enforcement communications technology. Therefore, OS&T should assist COPS in incorporating existing minimum standards into the formulation of this grant program. The Committee also provides, within available amounts, \$1,000,000 to be transferred to NIST to continue the efforts of the Office of Law Enforcement Standards [OLEs] regarding the development of a com-

prehensive suite of minimum standards for law enforcement communications.

*Crime Identification Technology Act.*—The Committee recommends \$36,626,000 to be used and distributed pursuant to the Crime Identification Technology Act of 1998, Public Law 105–251, of which \$10,000,000 is to be transferred to the NIJ to develop technologies to improve school safety.

The Committee has provided \$2,500,000 for the Alaska Criminal Justice Information System to integrate Federal, State and local criminal records along with social service and other records. It expects the system design to include the capability to provide background checks on potential child care workers for child care providers and families with the permission of the job applicant. The State should consult with the National Instant Check System for technical expertise.

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:

- \$1,000,000 for equipment for Fairleigh-Dickinson University's, New Jersey, Computer Forensic Laboratory;
- \$700,000 to Western Forensic Science and Law Enforcement Training Center, Colorado;
- \$300,000 for Orem City, Utah, Automatic Fingerprint Identification System;
- \$170,000 for the Case Management/Central Docketing System in Kansas;
- \$150,000 for the Coahoma County, Mississippi, Sheriff's Department;
- \$9,400,000 for the South Carolina Judicial Department to continue purchasing equipment for the integration of the case docket system into a state-of-the-art comprehensive database to be shared between the court system and law enforcement;
- \$500,000 for the Minnesota Department of Public Safety's CriMNet system;
- \$1,000,000 for the establishment of a forensic DNA analysis lab at North Dakota State University;
- \$250,000 for Georgia State University to create an enhanced capacity in urban communities to better understand crime and to improve criminal justice and anti-crime efforts through improved planning, assessment, and evaluation of on-going and emerging crime problems;
- \$2,000,000 for Oakland County, Michigan, to initiate an Identification Based Information System [IBIS];
- \$1,000,000 for the NEMESIS project in Saint Louis County, Minnesota;
- \$600,000 for the Orem City, Utah Consolidated Records Management System;
- \$3,000,000 for the South Carolina Law Enforcement Division [SLED] to continue funding for necessary equipment for SLED's criminal justice information system, to convert existing databases and integrate systems for accurate and rapid processing of information to support identifications for criminal and civilian purposes;

- \$56,000 for the Kansas Telephone-Toll Analysis System; and
- \$4,000,000 for West Virginia University’s Forensic Identification Program.

*DNA Backlog Elimination.*—Within the amount provided, \$15,000,000 is available for Paul Coverdell Forensics Sciences Improvement grants, including \$316,000 to improve the Idaho State Police’s forensic capabilities.

Within the overall amounts recommended for the DNA Backlog Elimination Programs, 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:

- \$1,000,000 to Allegheny County, Pennsylvania, to improve its forensic laboratories;
- \$200,000 to Brown University in Providence, Rhode Island for a nanotechnology study of DNA sequencing methods;
- \$3,000,000 to the South Carolina Law Enforcement Division for continued funding to support the growing State and local law enforcement needs in the only full service forensic laboratory in South Carolina;
- \$1,000,000 to the University of Alabama at Birmingham’s Forensic Science Institute;
- \$500,000 to establish a police science laboratory at Holyoke Community College, Massachusetts;
- \$1,000,000 for Honolulu, Hawaii, Police Department’s Crime Lab Improvements;
- \$3,000,000 to Louisville, Kentucky, Regional Computer Forensic Laboratory;
- \$3,300,000 for Marshall University’s Forensic Science Program;
- \$500,000 for medical examiner upgrades for the Jefferson County, AL Medical Examiner’s Office;
- \$1,000,000 for the Mississippi Crime Lab to address forensic backlog;
- \$800,000 for the Ohio Attorney General’s Office Crime Laboratory System Improvement Project;
- \$500,000 for the Regional Crime Lab at Missouri Southern State College;
- \$500,000 for forensics, crime scene collection, and drug detection abilities upgrades at the Sandy City Utah Crime Lab;
- \$500,000 for planning, design, and equipment for the State of Vermont Forensic Laboratory;
- \$1,000,000 for Sam Houston State University to develop the Texas Center for Forensic Sciences, with a primary focus in the area of digital forensic science;
- \$1,000,000 for Texas Tech University’s Institute for Forensic Sciences; and
- \$250,000 for Washoe County, Nevada Sheriff’s Department of Forensics and DNA Analysis.

*Improving Forensic Capabilities.*—The National Institute of Justice [NIJ], in conjunction with its own Office of Science & Technology, the American Society of Crime Lab Directors, the American Academy of Forensic Sciences, the International Association for Identification, and the National Association of Medical Examiners, is directed to develop a plan which will address the needs of the crime lab and medical examiner community beyond the “DNA Ini-

tiative” and report back to the Committees on Appropriations no later than 180 days from the date of enactment of this Act. The report should address the following: (1) manpower and equipment needs, (2) continuing education policies, (3) professionalism and accreditation standards, and (4) the level of collaboration needed between Federal forensic science labs and State/local forensic science labs for the administration of justice.

#### COMMUNITY CRIME PREVENTION

*Safe Schools Initiative.*—The Committee recommends \$17,000,000 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 the threat of terrorism, crime, disorder, 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:

- \$750,000 for Alaska’s Community in Schools Mentoring Program;
- \$1,000,000 for the New England Amer-I-Can Program;
- \$1,700,000 for the University of Montana, Pathways to Discovery Project, a community based after-school program for at-risk youth;
- \$1,000,000 for the University of Montana to facilitate a state-wide community-based curriculum development initiative that promotes responsible behavior and reduces youth violence in schools and communities;
- \$250,000 for the Uhlich Children’s Home, Illinois, to support its school-based violence prevention, mentoring, leadership, and training programs;
- \$1,000,000 for the School Securities Technologies Assistance Resource Center at Sandia National Laboratories in New Mexico;
- \$250,000 to the Sioux Falls School District, in Sioux Falls, South Dakota for the Department of Corrections to School Transition Project;
- \$250,000 for the Rock Island County, IL Regional Office of Education to implement the Step Ahead Program; and
- \$1,500,000 to provide community-based, cost effective alternative programs for juveniles who are, have been or may be subject to compulsory care, supervision or incarceration in public or private institutions in several States including South Carolina.

*Management and Administration.*—Within the recommended appropriation, the Committee provides \$35,000,000 for Management and Administration [M&A] of all COPS programs. Committee concerns regarding the fiscal year 2004 request for COPS M&A are expressed above. In addition, reimbursable services provided by OJP will remain at the same level as the previous year.

## JUVENILE JUSTICE PROGRAMS

Appropriations, 2003 .....	\$273,517,000
Budget estimate, 2004 .....	
House allowance .....	462,282,000
Committee recommendation .....	232,330,000

The Committee recommends an appropriation of \$232,330,000. The recommendation is \$232,330,000 above the budget request.

The Committee recommendations are displayed in the following table:

JUVENILE JUSTICE  
[In thousands of dollars]

	Committee recommendation
Formula Grants (Part B) .....	100,000
Discretionary Grants (Part C) .....	39,330
Youth Gangs (Part D) .....	7,000
Discretionary Grants for State Challenge Activities (Part E) .....	5,000
Juvenile Mentoring Program (JUMP) (Part G) .....	16,000
Big Brother/Big Sister .....	[6,000]
At Risk Children Program (Title V) .....	50,000
Enforcing Underage Drinking Laws Program .....	[25,000]
Victims of Child Abuse Act .....	15,000
Total, Juvenile Justice .....	232,330

The Committee expects to be consulted prior to any deviation from the above plan.

Within the amount provided for (Part B), the Committee urges Governors and relevant State and local officials to review the following proposals and provide grants if warranted: A Child Is Missing Program in Rhode Island; After School Program, YMCA of Greater Indianapolis; Alabama Community Intensive Treatment Program; Azalea Road Park Program in North Carolina; Beating the Odds Program of Pennsylvania; Boys and Girls Home of Nebraska Juvenile Justice Programs; Words Can Heal Program of Colorado; New York City High Risk Neighborhood Delinquency Reduction Program; Disproportionate Minority Youth Confinement Pilot of Michigan; California Law Enforcement Internet Safety for Children; Champ Chicota Youth Mentoring Program in Louisiana; Children Who Witness Violence Program, Cleveland, Ohio; Children's Law Center of Maine; Community Empowerment Association's "Friend-2-Friend" Mentoring Program of Pennsylvania; Community Juvenile Justice Center of Montana; Community Outreach to Low-Income Families, Main Street Counseling of Orange, New Jersey; Comprehensive Child Abuse Center of Virginia; Family First Foundation of Pennsylvania; Iowa YMCA Rural Youth Mentoring Initiative; Juvenile Justice Center at Suffolk University; Leadership Academy, Abbeville, Alabama; Life Directions Peer Mentoring Partnership of Oregon; National Fatherhood Initiative; Louisiana Youth Seminar; Marion County, Oregon Juvenile Co-Occurring Disorders Pilot Project; Maine KidsPeace Therapeutic Foster Care Offices; Milwaukee Summer Stars; Kansas Temporary Lodging for Children Program; Milwaukee Youth Empowerment Sites; North Carolina KidsPeace Therapeutic Foster Care; Nevada



Gang Database; New Mexico Cooperative Extension After-School Program; Omaha Council Bluffs Metropolitan YMCA; Our Club Program, Pulaski County, Arkansas Council for Children and Youth Services; Program for At Risk Youth, Greater Miami Tennis Foundation; Project Youth Anti-Violence Education in Kansas; Relief Nursery Services to Children of Incarcerated Parents in Oregon; River Rangers After-School Program of Rhode Island; Safer Learning Center of Illinois; SPEAK UP Hotline in New York; STOP the Violence—Students Taking On Prevention of California; Teen Angels program in New Jersey; The Restitution Earned, Accountability Learned Program in Nevada; New York City Commercial Sexual Exploitation of Children Program; Tuscaloosa YMCA At-Risk Youth Program; University of Delaware's Center for Drug and Alcohol Studies; Urban League of Eastern Massachusetts After-School Program; Youth Shelter Project in Clatsop County, Oregon; and Youth, Prepared for Success, New Jersey Council of Urban Leagues.

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

- \$2,000,000 for the Alaska Child Abuse Investigation Program;
- \$600,000 for the Alaska Children's Trust;
- \$750,000 to the Alaska Mentoring Demonstration Project;
- \$375,000 for the YMCA of Albuquerque, New Mexico, for after-school programs for at-risk children;
- \$150,000 for the City of Battle Creek, Michigan to implement the Around the CLOCK program;
- \$500,000 for the Birmingham Educational Technology Center;
- \$3,000,000 for the Cal Ripken Sr. Foundation for youth prevention programs aimed at leadership, teamwork, and drug prevention;
- \$100,000 to Chicano Awareness Center Teen Court Program, Nebraska;
- \$700,000 for Louisiana Children Advocacy Centers to assist in child victim interrogation;
- \$75,000 for the Children's Treatment Program in the Sioux Falls Rape and Domestic Abuse Center;
- \$100,000 for the City of Wrangell, Alaska, Youth Court;
- \$1,000,000 for Court House, Inc. Youth Programs, Colorado;
- \$475,000 for Covenant House New Jersey for its Rights of Passage Program;
- \$1,500,000 for the Crimes Against Children Research Center, New Hampshire;
- \$900,000 to the Wisconsin Families and Schools Together [FAST] program;
- \$500,000 to the Oglala Sioux Tribe in Pine Ridge, South Dakota, for the Flowering Tree program;
- \$2,000,000 to expand and replicate the Girl Scouts' Beyond Bars and PAVE programs;
- \$1,000,000 for the Girls and Boys Town USA National Projects;
- \$300,000 for the Iowa Child Advocacy Domestic Violence Initiative;
- \$5,000,000 for continuation and expansion of the Junior Achievement program;

- \$500,000 for the Juvenile and Offender Treatment and Prevention Project in Tulsa County, Oklahoma;
- \$400,000 for the juvenile fire setting prevention program;
- \$423,000 for improvements to the Juvenile Justice Information System in the State of Hawaii;
- \$1,400,000 for the Las Vegas, Nevada, Family Development Foundation;
- \$750,000 for the Los Angeles, California, CLEAR Program;
- \$500,000 for LOVE Social Services in Fairbanks, Alaska;
- \$750,000 to the Low Country Children’s Center in South Carolina for continued support for a collaborative effort among local organizations in Charleston that provide full services to children who have been abused;
- \$800,000 for Pennsylvania’s Martin Luther King, Jr. Center for Non-Violence to continue its Life Skills program which enables students to work alongside business and industry mentors;
- \$1,900,000 for the National, Coordinated Law-Related Education program;
- \$425,000 for the New Mexico Police Athletic League to implement a statewide Law Enforcement Health Program that will deal with girls’ health and domestic violence issues;
- \$60,000 for the Northern New Mexico Boys and Girls Club to serve at-risk children in Taos County and Northern New Mexico;
- \$300,000 for the Ohio Attorney General’s Office Amber Alert/SORN Program;
- \$100,000 to Omaha Boys and Girls Club Gang Prevention Project;
- \$300,000 for the Open Door Youth Gang Alternative;
- \$250,000 to Opportunities Industrialization Centers of America [OIC] for a program that works with adjudicated youth and provides alternative sentencing and job skills;
- \$250,000 to Our Home, Inc. in Huron South Dakota for programming and equipment at its Parkston, South Dakota juvenile group care facility;
- \$100,000 for the Grant Sawyer Center for Justice Studies at the University of Nevada, Reno;
- \$500,000 for the outdoor education and outreach program run by the Daniel Webster Council of the Boy Scouts of America;
- \$250,000 to Prevent Child Abuse Vermont to test its child abuse prevention model on a state-wide basis;
- \$50,000 for operations at the Prevent Child Abuse New Hampshire program;
- \$150,000 for Rialto, California, Police Activities League [PAL] Program;
- \$827,000 for Iowa Rural Mentoring Program;
- \$100,000 to the Rutland, Vermont, Area Prevention Coalition;
- \$900,000 for the Wisconsin Safe and Sound Program based in Milwaukee, Wisconsin;
- \$2,000,000 for the South Carolina Truancy and Dropout Prevention Initiative;
- \$245,000 to South Dakota Coalition for Children;

- \$500,000 for the State of Wisconsin Office of Justice Assistance to create a program that provides services to children who witness adult domestic violence;
- \$150,000 to support Project Blanket, a drug and alcohol prevention program for juveniles in jail operated by Strength Incorporated in Pittsburgh, Pennsylvania;
- \$300,000 for the Teen Shelter Project in Alabama;
- \$500,000 for the University of Southern Mississippi’s Family Network Partnership Program;
- \$1,000,000 to Western Kentucky University Spotlight Youth;
- \$1,000,000 for the Wynona Lipman Child Advocacy Center in Newark, New Jersey;
- \$125,000 for the Jefferson County, Colorado, Youth System Improvement Initiative; and
- \$500,000 for the Youth Violence Prevention Research Project at the University of South Alabama.

*Enforcing the Underage Drinking Laws Program.*—Within the funds provided in Title V, the Committee provides \$25,000,000 for grants to assist States in enforcing underage drinking laws. Within the program for underage drinking, OJP shall make an award to the Alaska Federation of Natives to continue an Underage Drinking Prevention Program in rural Alaska including assessment and education, focusing on the children of alcoholics.

*Victims of Child Abuse Act.*—The Committee recommends \$15,000,000 for the various programs authorized under the Victims of Child Abuse Act [VOCA]. Within the funds provided, \$9,000,000 shall be for Regional Child Advocacy Centers Programs.

PUBLIC SAFETY OFFICERS BENEFITS

Appropriations, 2003 .....	\$53,028,000
Budget estimate, 2004 .....	49,054,000
House allowance .....	56,554,000
Committee recommendation .....	56,554,000

The Committee recommends an appropriation of \$56,554,000. The recommendation is \$7,500,000 above the budget request. The recommendation provides all mandatory funding for death benefits under the Public Safety Officers Benefits Program. This program provides a lump-sum death benefit payment to eligible survivors of Federal, State, and local public safety officers whose death was the direct and proximate result of a traumatic injury sustained in the line of duty. In addition, \$4,000,000 is provided to pay for disability benefits to public safety officers who are permanently disabled in the line of duty. Further, \$3,500,000 is available for the program which provides payments for education purposes to the dependents of Federal, State, and local public safety officers who are killed or permanently disabled in the line of duty.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The Committee recommends the following general provisions:

Section 101 makes up to \$5,500 of the funds appropriated to the Department of Justice available for reception and representation expenses.

Section 102 prohibits the use of funds in this title for certain activities.

Section 103 prohibits the use of funds in this title for certain activities that could be undertaken by individuals.

Section 104 requires female prisoners to be escorted when off prison grounds.

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

Section 106 allows the Department of Justice, subject to the Committee's reprogramming procedures, to transfer up to 5 percent between appropriations, but limits to 10 percent the amount that can be transferred into any one appropriation.

Section 107 allows the Attorney General to convey seized property of limited or marginal value.

Section 108 sustains the Justice Department's grant making capabilities.

Section 109 limits the funds available for certain law enforcement activities.

Section 110 extends a demonstration project through September 30, 2004.

Section 111 limits certain representation payments or reimbursements.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

The Committee recommends a total of \$6,369,146,000 for the Office of the United States Trade Representative, the International Trade Commission, and the Department of Commerce for fiscal year 2004.

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

Appropriations, 2003 .....	\$34,772,000
Supplemental appropriations, 2003 .....	3,300,000
Budget estimate, 2004 .....	36,994,000
House allowance .....	41,994,000
Committee recommendation .....	36,994,000

The Committee recommends an appropriation of \$36,994,000 for the Office of the United States Trade Representative [USTR]. The recommendation is identical to the budget request.

The USTR is responsible for developing and coordinating United States international trade, commodity, and direct investment policy, and leading negotiations with other countries on such matters. Its areas of responsibility include all matters relating to the World Trade Organization, including implementation of the Uruguay Round of multilateral trade agreements; trade, commodity, and direct investment matters dealt with by certain international institutions; industrial, agricultural and services trade policy; and trade-related intellectual property protection and environmental issues.

The foreign policy agenda of the United States is increasingly dominated by economic interests rather than political interests. This is due largely to the growth of the global free market economy. However, it is also due, in part, to the floundering of certain U.S. agencies that are charged with representing those political interests. Regardless of the cause, trade negotiations now represent the better part of the United States' relations with other countries. The USTR has become, and will remain for the foreseeable future, a dominant force in American diplomacy. The recommendation acknowledges this reality.

*World Trade Organization [WTO].*—The Committee is aware of the WTO Appellate Body's January 16, 2003, ruling regarding the Continued Dumping and Subsidy Offset Act. The Committee directs the Office of the US Trade Representative, in consultation with the Department of Commerce, to immediately initiate negotiations within the World Trade Organization to seek express recognition of the existing right of WTO Members to distribute monies collected from antidumping and countervailing duties. The agency

shall consult with and provide regular reports, every 60 days, to the Committee on negotiations.

#### INTERNATIONAL TRADE COMMISSION

##### SALARIES AND EXPENSES

Appropriations, 2003 .....	\$53,649,000
Budget estimate, 2004 .....	58,295,000
House allowance .....	57,000,000
Committee recommendation .....	58,295,000

The Committee recommends an appropriation of \$58,295,000. The recommendation is identical to the budget request.

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

The Committee lauds the Commission on its IT program, specifically its long range approach to an advanced electronic filing system [EDIS II]. The Committee understands the critical need for, and potential cost savings of, this program and believes the ITC is working on a logical approach to this issue. The Committee expects the ITC to place greater emphasis on this effort and submit quarterly reports to the Committees on Appropriations on the status of the EDIS II project, beginning on March 31, 2004.

An area of significant concern for the Commission is the statutory requirement for a balanced financial statement. The Committee expects the Commission to continue its best efforts to comply with the current statute and produce a balanced financial statement.

#### DEPARTMENT OF COMMERCE

##### INTERNATIONAL TRADE ADMINISTRATION

##### OPERATIONS AND ADMINISTRATION

Appropriations, 2003 .....	\$359,838,000
Budget estimate, 2004 .....	382,123,000
House allowance .....	395,123,000
Committee recommendation .....	372,053,000

The Committee recommends an appropriation of \$372,053,000. The recommendation is \$10,070,000 below the budget request. The recommendation anticipates \$3,000,000 in fees, not \$13,000,000, as proposed in the budget request.

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

##### ITA FUNDING [In thousands of dollars]

	Amount
Trade development .....	69,000
Market access and compliance .....	32,178

ITA FUNDING—Continued  
[In thousands of dollars]

	Amount
Import Administration .....	46,636
U.S. and Foreign Commercial Service .....	202,040
Administration/Executive Direction .....	25,199
Offsetting Fee Collections .....	(3,000)
Total ITA .....	372,053

*Trade Development.*—The Committee recommends an appropriation of \$69,000,000 for Trade Development. The recommendation includes \$10,000,000 for the National Textile Center, \$3,000,000 for the Textile/Clothing Technology Corporation, \$1,000,000 for the Kansas World Trade Center, and \$500,000 for the International Trade Processing Center.

*Market Access and Compliance.*—The Committee recommends an appropriation of \$32,178,000 for Market Access and Compliance. The Committee directs the Office of Market Access and Compliance to continue with their compliance efforts and recommends \$30,178,000 within available funds for this purpose.

The Committee recommends \$2,000,000 within available funds for ITA to continue to place and maintain support for compliance officers in China, Japan, and the European Union, and other key markets so that they can detect and swiftly address compliance problems U.S. companies face in these markets.

*Import Administration.*—The Committee recommends an appropriation of \$46,636,000. The recommendation includes \$2,000,000 for the Import Administration to continue to place and maintain overseas enforcement officers, and to monitor compliance with the World Trade Organization and other international commitments on antidumping and subsidies.

The Committee recommendation includes \$4,500,000 for the Import Administration to monitor import data and customs flows for surges in key markets and sectors, such as steel and lumber, and take immediate action when such surges are detected. Such action should include using resources to expedite unfair trade cases so United States-based companies can receive relief at the earliest possible date. In addition, the Import Administration must vigorously monitor foreign subsidies so that action can be taken if the subsidies violate trade agreements.

*United States and Foreign Commercial Service [US&FCS].*—The Committee recommends an appropriation of \$202,040,000.

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

The Committee is aware of the Commercial Service's concern regarding the State Department's proposal for the Capital Security Cost-Sharing Program. The Committee directs the Department of

Commerce to budget accordingly for this added cost in fiscal year 2005.

*Administration and Executive Direction.*—The Committee recommends an appropriation of \$25,199,000.

Any changes to the funding levels provided for in this bill and report, including carryover balances, are subject to the standard re-programming procedures set forth in section 605 of this Act.

*World Trade Organization.*—The Committee is aware of the WTO Appellate Body's January 16, 2003, ruling regarding the Continued Dumping and Subsidy Offset Act. The Committee directs the Office of the U.S. Trade Representative, in consultation with the Department of Commerce, to immediately initiate negotiations within the World Trade Organization to seek express recognition of the existing right of WTO Members to distribute monies collected from antidumping and countervailing duties. The agency shall consult with and provide regular reports, every 60 days, to the Committee on negotiations.

#### BUREAU OF INDUSTRY AND SECURITY

Appropriations, 2003 .....	\$66,291,000
Budget estimate, 2004 .....	78,169,000
House allowance .....	68,203,000
Committee recommendation .....	73,060,000

The Committee recommends an appropriation of \$73,060,000. The recommendation is \$5,109,000 below the budget request.

The Bureau of Industry and Security [BIS] is the principal agency involved in the development, implementation, and enforcement of export controls for dual-use technologies. The Export Enforcement Division detects, prevents, investigates, and assists in the sanctioning of illegal dual-use exports.

Within the amount provided under this heading, \$33,153,000 is for export administration, \$33,386,000 is for export enforcement, and \$6,521,000 is for management and policy coordination.

The Committee is aware that \$4,675,000 in prior-year unobligated balances was available to the BIS in fiscal year 2003. The BIS has assumed these funds to be part of its "base" operating budget for fiscal year 2004. The Committee does not concur with this budgetary maneuver, particularly because the carryover is due to a decrease in the number of chemical weapons inspections, which will decrease further yet in fiscal year 2004. The Committee regards this funding as an unexplained increase and does not include it in the recommendation. The recommendation also does not include the \$434,000 requested by BIS to restore the .65 percent across-the-board rescission applied to the fiscal year 2003 Omnibus Appropriations Act, as is consistent with the Committee's recommendations for all other accounts funded under this Act.

#### ECONOMIC DEVELOPMENT ADMINISTRATION

Appropriations, 2003 .....	\$318,680,000
Budget estimate, 2004 .....	364,404,000
House allowance .....	318,680,000
Committee recommendation .....	387,680,000

The Committee recommends an appropriation of \$387,680,000. The recommendation is \$23,276,000 above the budget request.



The Economic Development Administration [EDA] provides grants to local governments and nonprofit agencies for public works, planning, and other projects designed to facilitate economic development. Funding amounts for the two appropriations accounts under this heading are displayed below.

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

Appropriations, 2003 .....	\$288,115,000
Budget estimate, 2004 .....	331,027,000
House allowance .....	288,115,000
Committee recommendation .....	357,115,000

The Committee recommends an appropriation of \$357,115,000. The recommendation is \$26,088,000 above the budget request.

The Committee recommendation provides funding of \$272,115,000 for public works grants (title I), \$24,000,000 for planning assistance, \$10,500,000 for trade adjustment assistance, \$40,900,000 for economic adjustment grants (title IX), \$9,100,000 for technical assistance, and \$500,000 for research.

The Committee is aware of several proposals for economic development or adjustment assistance and strongly urges EDA to consider applications for the following proposals within applicable procedures and guidelines and provide a grant, if warranted: the Center for Advanced Vehicular Systems, Dallas, Texas Alternative Zone to Commerce, the University of Southern Mississippi Manufacturing Improvements for Shipbuilding Project, the Mississippi Technology Alliance, the Boise State Technology & Entrepreneurial Center (TECenter), the University of Southern Mississippi National Center for Excellence in Economic Development and Entrepreneurship, the Economic Development Resource Office at Montana Tech, the Idaho U. extension program for e-commerce, the Montana State University-Northern Applied Technology Center, the Minnesota Westside Intercept project, the Southwest Area Career Center, the University of Missouri St. Louis Information Technology Business Incubator, the Downtown Denver Railyard Redevelopment Project, the Natural Resources Research Institute's Taconite Demonstration Project, the Presque Isle Industrial Council, the River Valley Growth Council Insulated Housing Project, the University of Northern Iowa Alliance for International Business Development and Education, the Rural Northeast Oklahoma Economic and Business Development Program, the New Product Development and Commercialization Center for Rural Manufacturers, the Elmore County Development Authority, the Central Alabama Community College Entrepreneurial Center, the expansion and upgrade of the ship repair facility in Seward, Alaska, the Manufacturing Training and Technology Center at the University of New Mexico, and the Harney County, Oregon Business Incubator Startup.

The Committee expects EDA to continue its efforts to assist communities impacted by economic dislocations relating to industry downswings as well as to assist communities impacted by downturns due to environmental concerns. This includes the timber, steel, and coal industries, United States-Canadian trade-related issues, communities in New England, the mid-Atlantic, Hawaii, and Alaska impacted by fisheries regulations, and communities in

the Southeast impacted by downturns due to the North American Free Trade Agreement [NAFTA].

For several years the Committee has directed EDA to focus on communities in the Southeast that have been impacted by economic downturns resulting from the implementation of NAFTA. The Assistant Secretary shall report to the Committees on Appropriations by July 1, 2004 on the efforts to date EDA has put forth toward the impacted communities and the successes of those efforts.

The Committee urges the EDA to consider whether the creation of the position of an EDA representative for Nevada is warranted.

#### SALARIES AND EXPENSES

Appropriations, 2003 .....	\$30,565,000
Budget estimate, 2004 .....	33,377,000
House allowance .....	30,565,000
Committee recommendation .....	30,565,000

The Committee recommends an appropriation of \$30,565,000. The recommendation is \$2,812,000 below the budget request.

#### MINORITY BUSINESS DEVELOPMENT AGENCY

##### MINORITY BUSINESS DEVELOPMENT

Appropriations, 2003 .....	\$28,718,000
Budget estimate, 2004 .....	29,487,000
House allowance .....	29,000,000
Committee recommendation .....	28,718,000

The Committee recommends an appropriation of \$28,718,000. The recommendation is \$769,000 below the budget request.

The Committee is aware that the Office of Native American Business Development has not established all of the Native American Business Centers in their organization plan. The Committee urges the Agency to establish all of the centers as outlined in their plan as soon as possible.

#### ECONOMIC AND STATISTICAL ANALYSIS

##### SALARIES AND EXPENSES

Appropriations, 2003 .....	\$62,515,000
Budget estimate, 2004 .....	84,756,000
House allowance .....	75,000,000
Committee recommendation .....	84,756,000

The Committee recommends an appropriation of \$84,756,000. The recommendation is identical to the the budget request. The recommendation represents a 35.6 percent increase over the fiscal year enacted 2003 level. The fiscal year 2003 appropriation for Economics and Statistical Analysis [ESA] represented a 15 percent increase above the prior fiscal year. The Committee has supported such large increases for this account in recognition of the fact that relevant, accurate, and timely economic measures are more important now than ever before. The health of the United States' economy is inextricably linked to our national security.

The ESA is responsible for the collection, tabulation, and publication of a wide variety of economic, demographic, and social statis-

tics and provides support to the Secretary of Commerce and other Government officials in interpreting the state of the economy and developing economic policy. The Bureau of Economic Analysis [BEA] and the Under Secretary for Economic Affairs are funded in this account.

The Committee recommends \$78,292,000 for BEA and \$6,464,000 for program support, as requested. The recommendation will allow the BEA to improve the accuracy of its reports by replacing extrapolated data with real-time monthly data from retail outlets. This will provide data users more current economic measures to make better informed business, monetary, and fiscal decisions. In addition, the recommendation will allow the BEA to conduct quarterly surveys to gather more frequent and comprehensive data for the Nation's largest and most volatile industries. The Committee acknowledges that the BEA needs to accomplish these new initiatives in order to remain adaptive to the dynamic United States economy.

#### BUREAU OF THE CENSUS

Appropriations, 2003 .....	\$550,878,000
Budget estimate, 2004 .....	661,961,000
House allowance .....	661,961,000
Committee recommendation .....	550,878,000

The Committee recommends an appropriation of \$550,878,000. The recommendation is \$111,083,000 below the budget request. The Committee's recommendations for the Census Bureau accounts are described in more detail in the following paragraphs.

#### SALARIES AND EXPENSES

Appropriations, 2003 .....	\$181,811,000
Budget estimate, 2004 .....	220,908,000
House allowance .....	220,908,000
Committee recommendation .....	181,811,000

The Committee recommends an appropriation of \$181,811,000. The recommendation is \$39,097,000 below the budget request. This account provides for the salaries and expenses associated with the statistical programs of the Bureau of the Census, including measurement of the Nation's economy and the demographic characteristics of the population. These programs are intended to provide a broad base of economic, demographic, and social information used for decision-making by governments, private organizations, and individuals.

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

The Committee recommendation includes an increase of \$3,300,000 for the Electronic Government ("E-Government") initiative. This initiative responds to business demands for E-Government services by permitting businesses to file electronically in any one of 100 surveys. This program will provide necessary new tools for collecting data and improving data quality.

The Committee requests that the Bureau provide the Committees on Appropriations a report on the reimbursements it has received for work requested by other Federal agencies or private or-

ganizations. The report should be provided no later than May 1, 2004.

#### PERIODIC CENSUSES AND PROGRAMS

Appropriations, 2003 .....	\$369,067,000
Budget estimate, 2004 .....	441,053,000
House allowance .....	441,053,000
Committee recommendation .....	369,067,000

The Committee recommends an appropriation of \$369,067,000. The recommendation is \$71,986,000 below the budget request. The Committee is aware that the Census Bureau will also have available to it approximately \$12,163,000 in recoveries of prior year obligations.

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

The Committee recommends \$215,476,000 for the 2010 Decennial Census under the Demographic Statistics Program.

For other programs under this account, the Committee recommends the following:

#### PERIODIC CENSUSES AND PROGRAMS

[In thousands of dollars]

	Amount
Economic census .....	61,258
Census of governments .....	6,000
Intercensal demographics estimates .....	9,000
Electronic information collection .....	6,541
Geographic support .....	39,792
Data processing system .....	31,000

#### NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

Appropriations, 2003 .....	\$73,279,000
Budget estimate, 2004 .....	21,407,000
House allowance .....	32,544,000
Committee recommendation .....	85,542,000

The Committee recommends an appropriation of \$85,542,000. The Committee recommendation is \$64,135,000 above the budget request.

#### SALARIES AND EXPENSES

Appropriations, 2003 .....	\$14,604,000
Budget estimate, 2004 .....	18,869,000
House allowance .....	14,604,000
Committee recommendation .....	15,042,000

The Committee recommends an appropriation of \$15,042,000. The recommendation is \$3,827,000 below the budget request. The Department has requested a 29 percent increase over the fiscal year 2003 enacted level for this account. Such an increase is unwarranted, given the fact that the budget request seeks to discontinue the Public Telecommunications Facilities Planning and

Construction [PTFPC] grant program, which, until fiscal year 2004, represented nearly 60 percent of the National Telecommunications and Information Administration [NTIA] budget. The recommendation does not include an increase for salaries and expenses of NTIA because of the large reduction to PTFPC.

The Committee retains language from previous years allowing the Secretary of Commerce to collect reimbursements from other Federal agencies for a portion of the cost of coordination of spectrum management, analysis, and operations. The Committee directs the NTIA to leverage these funds to establish a paperless system for spectrum issue resolution, certification, satellite coordination, and frequency authorization.

#### PUBLIC BROADCASTING FACILITIES, PLANNING, AND CONSTRUCTION

Appropriations, 2003 .....	\$43,273,000
Budget estimate, 2004 .....	2,538,000
House allowance .....	2,538,000
Committee recommendation .....	55,000,000

The Committee recommends an appropriation of \$55,000,000. The recommendation is \$52,462,000 above the budget request. The Public Telecommunications Facilities Planning and Construction [PTFPC] program awards competitive grants that help public broadcasting stations, State and local governments, Indian tribes, and nonprofit organizations construct facilities to bring educational and cultural programming to the American public using broadcasting and non-broadcasting telecommunications technologies. The primary focus of the PTFPC program has been assisting public broadcasters in making the transition from analog to digital broadcasting.

#### TECHNOLOGY OPPORTUNITIES PROGRAM

Appropriations, 2003 .....	\$15,402,000
Budget estimate, 2004 .....	.....
House allowance .....	15,402,000
Committee recommendation .....	15,500,000

The Committee recommends an appropriation of \$15,500,000. The recommendation is \$15,500,000 above the budget request. The Committee directs the NTIA to limit eligibility for this program.

For the last 2 fiscal years, the Administration has slated the Technology Opportunities Program [TOP] for elimination. The reason for the elimination, according to the Department, is that the program has fulfilled its mission. However, there are great numbers of Americans that could benefit from the TOP program. The Committee therefore recommends continued funding for this program.

The Committee is aware of several proposals for information infrastructure grants and strongly urges NTIA to consider applications for the following proposals within applicable procedures and guidelines and to provide a grant, if warranted, to: (1) the Lawson State Community College Information Technology Training and Placement Center, (2) the Eastern New Mexico University Communications Center, (3) the American Indian Higher Education Consortium's Indians into Technology Program, and (4) Southern Louisiana University for an E-government initiative.

The Regional Information Sharing System [RISS] program under the Department of Justice provides technology support funding for law enforcement entities. The Committee recommendation therefore prohibits law enforcement entities eligible to receive funding under the RISS program from applying for TOP funds. The Committee expects NTIA to give preference to applications from consortia for which no other funding source exists.

#### PATENT AND TRADEMARK OFFICE

##### SALARIES AND EXPENSES

Appropriations, 2003 .....	\$1,182,000,000
Budget estimate, 2004 .....	1,395,055,000
House allowance .....	1,138,700,000
Committee recommendation .....	1,217,460,000

The Committee recommends total budgetary resources of \$1,217,460,000. The recommendation is \$177,595,000 below the budget request.

The United States Patent and Trademark Office [USPTO] is charged with administering the patent and trademark laws of the United States. USPTO examines patent applications, grants patent protection for qualified inventions, and disseminates technological information disclosed in patents. USPTO also examines trademark applications and provides Federal registration to owners of qualified trademarks. The USPTO is subject to the policy direction of the Secretary of Commerce, but the agency has independent control of its budget, expenditures, personnel, procurement and other administrative and management functions. Patent laws administered by the USPTO encourage invention, innovation, and investment. The USPTO plays a critical role in promoting the continued development of intellectual property in this country. For established companies, new patents improve competitiveness, increase productivity, help bring new products and services to market, and create jobs.

In fiscal year 2002, the Committee directed the USPTO to develop a 5-Year Strategic Plan. There is currently legislation pending in the Senate and House of Representatives that would make available to the USPTO additional resources to implement the Strategic Plan. This legislation proposes a fee restructuring that would result in an additional \$192,000,000 for the USPTO in fiscal year 2004. The USPTO maintains that these additional funds are critical to its achievement of the objectives outlined in the Strategic Plan, namely, to enhance the quality of patent and trademark examining, continue with E-government initiatives, redirect patent examiner expertise back to the core government function of examination, expand bilateral and multilateral agreements to strengthen intellectual property rights globally and reduce duplication of effort among intellectual property offices, and begin reducing pendency. The Committee vigorously supports the USPTO's efforts to attain these objectives, but questions the assumption that past failure to attain these objectives was the result of inadequate funding and that future ability to attain these objectives is dependent upon the hiring of hundreds, if not thousands, of additional personnel. In particular, the Committee is aware of technologies that would

greatly improve the quality of patent examinations at very low cost.

Because the legislation has not been enacted, the USPTO does not yet have the authority to increase its fees. The fiscal year 2004 request for the USPTO, which assumes the fee increase, is therefore artificially high. While the Committee supports the objectives of the Strategic Plan, the Committee's 302(b) allocation will not allow it to absorb the difference between funding requested and funding available. Until the legislation and the fee increase are enacted into law, the Committee expects USPTO to immediately begin implementing the programs and achieving the objectives of the Strategic Plan within current funding levels.

Any deviations from the funding distribution provided for in this Act and in its accompanying statement, including carryover, are subject to the standard reprogramming procedures set forth in section 605 of this Act.

#### TECHNOLOGY ADMINISTRATION

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

##### SALARIES AND EXPENSES

Appropriations, 2003 .....	\$9,822,000
Budget estimate, 2004 .....	8,015,000
House allowance .....	7,822,000
Committee recommendation .....	

The Committee does not recommend an appropriation for the Technology Administration. The recommendation is \$8,015,000 below the budget request. Instead, the Committee recommendation redistributes the functions under this heading to other organizations within this title.

#### NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Appropriations, 2003 .....	\$707,505,000
Budget estimate, 2004 .....	496,818,000
House allowance .....	460,059,000
Committee recommendation .....	835,228,000

The Committee recommends an appropriation of \$835,228,000. The recommendation is \$338,410,000 above the budget request. The recommendation provides that up to \$7,772,000 may be transferred from the Scientific and Technical Research and Services account to the working capital fund, which the National Institute of Standards and Technology [NIST] uses to purchase equipment for its laboratories.

NIST is directed to consult with the Committees on Appropriations before proceeding with further implementation of competitive outsourcing.

A description of each NIST account and the corresponding Committee recommendation follows:

#### SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

Appropriations, 2003 .....	\$357,075,000
Budget estimate, 2004 .....	379,849,000
House allowance .....	357,862,000
Committee recommendation .....	383,375,000

The Committee recommends an appropriation of \$383,375,000. The recommendation is \$3,526,000 above the budget request. The recommendation assumes \$1,000,000 in prior year unobligated balances, bringing the total amount available for this account to \$384,375,000. The fiscal year 2003 enacted levels were not available at the time the fiscal year 2004 budget request was developed. Consequently, the fiscal year 2004 budget request, as presented, has no basis. The recommendation provides the maximum funding deemed prudent for this account.

The Committee's recommendations are displayed in the following table:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

[In thousands of dollars]

	Committee recommendation
Electronics and Electrical Engineering .....	50,114
Manufacturing Engineering .....	23,034
Chemical Science and Technology .....	44,077
Physics .....	51,725
Material Science and Engineering .....	59,865
Building and Fire Research .....	24,456
Computer Science and Applied Mathematics .....	56,732
Technology Assistance .....	18,458
National Quality Program .....	6,207
Research Support Activities .....	49,707
Total, STRS .....	384,375

Within the funds made available for Electronics and Electrical Engineering, \$4,000,000 is for the Office of Law Enforcement Standards, \$1,500,000 is for the For Inspiration and Recognition of Science and Technology [FIRST] Program, and \$500,000 is for the Boston Museum of Science and FIRST to develop a joint engineering exhibition. Within the funds made available for Manufacturing Engineering, \$1,000,000 is for a spreadsheet engineering initiative at the Tuck School of Business. Within the funds made available for Chemical Science and Technology, \$1,000,000 is to restore reductions in environmental measurements at the Hollings Marine Laboratory. Within the funds made available for Building and Fire Research, \$600,000 is for a school safety and preparedness project at the National Infrastructure Institute and \$4,000,000 is for NIST to continue its investigation into the World Trade Center collapse, as requested. Within the funds made available for the National Quality Program/Malcolm Baldrige National Quality Award, \$600,000 is for the National Medal of Technology Program. Within the funds made available for Research Support Activities, \$5,100,000 is for maintenance and operation costs and \$5,500,000 is for equipment costs associated with the Advanced Measurement Laboratory. The Committee directs that no funds be used for FAIR Act studies in support of the A-76 contracting process.



## INDUSTRIAL TECHNOLOGY SERVICES

Appropriations, 2003 .....	\$284,760,000
Budget estimate, 2004 .....	39,607,000
House allowance .....	39,607,000
Committee recommendation .....	369,223,000

The Committee recommends an appropriation of \$369,223,000. The recommendation is \$329,616,000 above the budget request.

*Manufacturing Extension Partnership Program [MEP].*—The Committee recommends an appropriation of \$106,623,000 to fully fund all of the MEP centers. The recommendation is \$94,023,000 above the request.

*Advanced Technology Program [ATP].*—The Committee recommends an appropriation of \$259,600,000. The recommendation is \$206,993,000 above the request. This amount, when combined with approximately \$8,283,000 in carryover, will fully fund ATP awards and provide \$50,000,000 for the creation of focused competitions for technologies relating to homeland security. Within the amounts made available for ATP, \$46,833,000 shall be used for administrative costs, internal laboratory support, and for Small Business Innovation Research Program requirements. The National Institute of Standards and Technology may not apply a contracts and grants processing surcharge to the ATP program.

*Homeland Security Competition.*—The Committee is aware of the critical need to support research and development [R&D] into new technologies to combat terrorism. The mission of ATP—to provide an early-stage investment for the development of innovative technologies that promise both commercial and security benefits for the Nation—is ideally suited to help meet this need. There is a precedent within the ATP program for funding R&D for homeland security technologies. The “Gene Chip”, for example, has enabled the creation of a less expensive and more portable means of detecting chemical and biological weapons. The Committee is aware that there are large government-wide funding increases in fiscal year 2004 for R&D into new technologies to combat terrorism. However, it is not clear yet how agencies responsible for homeland security will select and vet projects. ATP has a proven record of tapping the most promising technologies, and overseeing their rapid development and eventual commercialization. ATP awards are made on the basis of rigorous peer-reviewed competitions and include input from the National Academy of Engineering. Grant proposals are evaluated by one of several technology-specific boards staffed by experts. The recommendation therefore includes \$50,000,000 for dedicated, thematic competitions for emerging homeland security technologies. The Department of Commerce is directed to report to the Committee on its plan for the initiation of these competitions within 60 days of enactment of this Act.

*Technology Program Consolidation.*—The Committee recommends the transfer of the Office of Technology Competitiveness and the Office of Manufacturing Competitiveness from the Office of the Under Secretary for Technology to the National Institute of Standards and Technology’s Industrial Technology Services. The recommendation includes \$3,000,000 for the ongoing activities of these two offices.

## CONSTRUCTION OF RESEARCH FACILITIES

Appropriations, 2003 .....	\$65,670,000
Budget estimate, 2004 .....	69,590,000
House allowance .....	62,590,000
Committee recommendation .....	84,630,000

The Committee recommends an appropriation of \$84,630,000. The recommendation is \$15,040,000 above the budget request and fully funds the highest priority safety, capacity, maintenance, and repair projects at NIST. Of the amounts provided, \$28,770,000 is for central utility plant and primary electrical upgrades at NIST's Boulder, Colorado laboratory, \$5,000,000 is for expenses relating to the relocation and equipping of NIST's Advanced Measurement Laboratory [AML] in Gaithersburg, Maryland, \$3,360,000 is for the renovation of Building 220 on the Gaithersburg campus, and \$24,000,000 is for safety, capacity, maintenance, and major repairs.

The Committee has been supportive of NIST's requests for additional resources to improve its aging infrastructure. With the AML nearing completion, NIST must now address its remaining facility needs. In 1998, NIST published the Facilities Improvement Plan. However, much has changed since this document was prepared. The Committee therefore directs that NIST update its Facilities Improvement Plan prior to the obligation of any funds provided under this account. This plan should detail NIST's short-term and long-term priorities, provide current cost estimates, and timelines for completion. Additionally, the updated facilities plan should address how the facility improvements correspond with NIST's strategic planning. The updated plan will guide the replacement, renovation, and repair of the Institute's buildings so that NIST can continue to provide U.S. industry and science with the best possible measurement system.

## NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

Appropriations, 2003 .....	\$3,187,723,000
Budget estimate, 2004 .....	3,338,889,000
House allowance .....	3,219,764,000
Committee recommendation .....	3,779,392,000

The Committee recommends an appropriation of \$3,779,392,000 for National Oceanic and Atmospheric Administration [NOAA]. Transfers total \$52,000,000. The recommendation is \$440,503,000 above the budget request. During this time of continued budgetary constraint, the Committee recommendation continues to make funding for ocean, coastal, fisheries, and atmospheric programs a high priority.

As in past years, the Committee expects NOAA and the Department to adhere to the direction given in this section of the Committee report, particularly language regarding consultation with Congress, and to observe the reprogramming procedures detailed in section 605 in the general provisions of the accompanying bill. Unlike past years, however, the Committee intends to enforce congressional direction ruthlessly.

*Fisheries in Distress.*—In the past few years, the Committee has been showered with requests for emergency relief for devastated

fisheries from the Bay of Fundy to the Bering Sea. The causes for the collapse of fisheries are many and varied. The one consistency is that no region of the country is unaffected. It is no exaggeration to say that the fate of a multi-billion dollar industry that puts food on many a table hangs in the balance. NOAA, increasingly entangled in litigation, has lost control of the situation. The Committee's response has been ad hoc and reactive, little better than a band aid on a gaping wound. It can only be hoped that the Pew and Ocean Commission reports will prove the call to arms that they are intended to be. In the meantime, the Committee expects to join the National Marine Fisheries Service in a major exploration of the causes of collapse, current and future management activities and options, and the likelihood of sustainable recovery.

OPERATIONS, RESEARCH, AND FACILITIES

Appropriations, 2003 .....	\$2,298,481,000
Budget estimate, 2004 .....	2,392,300,000
House allowance .....	2,180,454,000
Committee recommendation .....	2,696,520,000

The Committee recommends an appropriation of \$2,696,520,000. The recommendation is \$304,220,000 above the budget request. Committee recommendations for specific line offices are displayed in the following table:

NOAA OPERATIONS, RESEARCH, AND FACILITIES  
[In thousands of dollars]

	Committee recommendation
National Ocean Service .....	508,619
National Marine Fisheries Service .....	672,452
Oceanic and Atmospheric Research .....	394,470
National Weather Service .....	696,857
National Environmental Satellite and Data Information Services .....	148,840
Program Support .....	327,282
Total Operations, Research, and Facilities (including transfers) .....	2,748,520

The Committee recommendations are discussed in more detail below.

*Pacific Salmon Funding.*—The Committee remains concerned that it lacks assurances that funding provided for Pacific Salmon will contribute to the recovery of species listed under the Endangered Species Act [ESA]. The Committee has continually noted that the Secretary could potentially face severe adverse legal consequences for failure to make progress under the ESA, and that just providing funding for habitat restoration was not enough. For a plan to have at least a modicum of certainty of success, it must address the “four H’s”—habitat, hatcheries, hydropower, and harvest—and section 6 agreements that would set forth commitments by the Secretary, States, Treaty Tribes, and other relevant entities. Unfortunately, the Committee’s warnings have been underscored by the recent district court decision finding that the Secretary’s Pacific salmon recovery plans for the Columbia River, which rely solely upon off-site habitat and hatchery programs—only two of the “four H’s” that play a part in salmon recovery—did not provide any

certainty of success. In concluding NOAA failed to comply with the ESA, the court specifically noted “the absence in the record of any binding commitments by the States, Treaty Tribes, and private parties to fund or implement the responsibilities devolved upon them by NOAA as well as the lack of certainty as to the range-wide off-site mitigation actions.” The Committee takes this caution seriously. Consequently, the Committee directs the National Marine Fisheries Service [NMFS] Administrator to provide no funding for any recovery program for ESA-listed salmon unless that program can be shown to be part of an effort to address the “four H’s” and section 6 agreements. The Committee directs the NMFS Administrator to report to the Committees on Appropriations on each proposal for which funding is provided detailing what steps the proposal includes addressing habitat, hatcheries, hydropower, and harvest issues relating to the recovery of the stock for which the proposal has been submitted.

In addition, the Committee continues to note the lack of accountability and performance standards for resources distributed to restore endangered and threatened salmon through the Pacific Coastal Salmon Recovery Fund. The ESA imposes substantial legal obligations on the Secretary of Commerce with regard to the not less than twenty-six runs of Pacific salmon listed as endangered. As noted above, failure to make progress toward recovery under the ESA poses adverse legal consequences for NOAA. Further, the “Executive Report for the Washington Comprehensive Monitoring Strategy and Action Plan for Watershed Health and Salmon Recovery” states that current monitoring activities are not comprehensive and are lacking in nearly every category. In light of the considerable funds that have been provided to date for salmon recovery, it is unacceptable that no mechanism yet exists for providing assurances that the stocks are, in fact, recovering. The Executive Report also noted that validation monitoring is the only type of monitoring that can establish “cause and effect” relationships between fish, habitat, water quality, water quantity, and management actions. The Committee directs that 2 percent of the funding provided through the Pacific Coastal Salmon Recovery Fund shall be used for validation monitoring. The Committee directs NOAA to provide an annual report to the Committee no later than March 30 of each year on the projects funded through the Pacific Salmon Recovery Fund and the results of the validation monitoring for funded projects.

NATIONAL OCEAN SERVICE

The Committee recommends an appropriation of \$508,619,000 for the National Ocean Service [NOS]. Committee recommendations are displayed in the following table:

NATIONAL OCEAN SERVICE

[In thousands of dollars]

	Committee recommendation
NOS Operations—Salaries and Expenses .....	150,051

## NATIONAL OCEAN SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Navigation Services:	
Mapping & Charting:	
Coastal Mapping:	
Coastal Mapping .....	535
MS/LA Digital Coast .....	2,000
Shoreline Mapping .....	7,465
Chesapeake Bay .....	2,000
Hydrographic Surveys:	
Address Survey Backlog/Contracts .....	24,300
EEZ Outer Continental Shelf Ocean Bottom Claims .....	3,200
Gulf of Alaska .....	2,500
North Pacific .....	1,000
North Pacific Maritime Boundary Line .....	1,500
Hydrographic Surveys .....	1,339
Vessel Lease/Time Charter .....	11,100
Joint Hydrographic Center .....	4,250
Joint Hydrographic Center—Bathymetric Research .....	3,200
Marine Modeling & Geospatial Technology .....	2,146
Nautical Charting:	
Electronic Navigational Charts .....	5,350
Nautical Charting .....	6,759
Navigational Services .....	1,885
Subtotal, Mapping and Charting .....	80,529
Geodesy:	
Geodetic Survey (Height Modernization):	
Pacific Regional Geodetic Survey (CA/OR/WA) .....	1,500
Washington .....	1,000
SE Regional Geodetic Survey (NC/SC/GA/FL/AL/MS/LA) .....	1,000
Louisiana .....	500
Mississippi .....	1,000
North Carolina .....	1,000
South Carolina .....	500
Upper Great Lakes RGS (MI/IN/IL/WI/MN) .....	500
National Spatial Reference System .....	2,150
Subtotal, Geodesy .....	9,150
Tide & Current Data:	
Alaska Current & Tide Data .....	1,500
Upper Cook Inlet Tidal Research .....	500
Nat'l Water Level Observation Network (NWLON) .....	1,500
National Water Level Program .....	1,620
Subtotal, Tide & Current Data .....	5,120
Total, Navigation Services .....	94,799
Ocean Resources, Conservation, & Assessment:	
Coastal Assessment Program:	
Aquatic Research Consortium—MS .....	2,500
Coastal Observing Systems:	
Alliance for Coastal Technologies .....	2,500
CA Ctr. for Integrative Coastal Research (CI-CORE) .....	1,000
Carolina Coastal Ocean Observing & Prediction Sys .....	2,500
Center for Coastal Ocean Observation & Analysis .....	2,500
Center for Integrated Marine Technologies .....	2,500
Coastal Marine Research & Monitoring Program .....	2,500
Coastal Observation Technology System .....	2,500
Coastal Ocean Research & Monitoring Program .....	2,500
Coordination/Competitive Grant Pilot Fund .....	5,000

## NATIONAL OCEAN SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Gulf of Alaska Ecosystem Monitoring .....	750
Long Island Sound Coastal Observing System .....	1,800
Wallops Ocean Observation Project .....	2,000
Coastal Rest. & Enhance. thru S&T (CREST) .....	500
Coastal Services Center .....	19,000
Coastal Storms .....	2,750
Coastal Watershed Groundwater Assessment—NH .....	500
Coop Institute for Coastal and Estuarine Enviro Tech .....	6,550
Coral Reef Program:	
National Program .....	26,050
Florida—National Coral Reef Institute .....	1,000
Hawaii Initiative .....	1,500
Nature Conservancy of HI Marine Program .....	250
Puerto Rico Coral Reef Initiative .....	500
JASON Education and Outreach .....	1,000
Lake Pontchartrain .....	100
National Fish and Wildlife Foundation—NFWF .....	1,500
Pacific Services Center .....	2,000
B-WET Hawaii .....	500
Sarasota Bay—Mote .....	250
Subtotal, Coastal Assessment Program .....	94,500
Response and Restoration:	
Aquatic Resource Environmental Initiative—KY .....	100
Center for Marine Spill Response Technology .....	2,000
Coastal Protection and Restoration Project .....	664
Damage Assessment Program .....	2,282
Edisto Beach Marsh Restoration .....	100
Estuarine and Coastal Assessment .....	600
Estuarine Restoration Program .....	600
Marine Debris Removal:	
Alaska .....	500
South Carolina .....	175
Oil Pollution Act of 1990 .....	809
Spill Response and Restoration Program .....	810
Water Control Impoundments SC .....	250
Subtotal, Response and Restoration .....	8,890
Coastal Research:	
Long-term Estuary Assessment Group (LEAG) .....	1,200
Murrell's Inlet Special Area .....	200
Prince William Sound Science Center .....	500
South Florida Ecosystem .....	100
Subtotal, Coastal Research .....	2,000
National Centers for Coastal Ocean Science (NCCOS):	
Ctr for Coastal Environ'l Health & Biomoleclr Research .....	7,923
Extramural Research (HAB/Pfisteria/Hypoxia) .....	3,857
LUCES & high salinity estuaries (Baruch) .....	2,000
Oxford, MD .....	3,000
Extramural Research (HAB/Pfisteria/Hypoxia) .....	3,857
Center for Coastal Fisheries Habitat Research .....	1,148
Extramural Research (HAB/Pfisteria/Hypoxia) .....	3,857
Center for Coastal Monitoring & Assessment .....	2,196
Extramural Research (HAB/Pfisteria/Hypoxia) .....	3,857
Center for Sponsored Coastal Ocean Research .....	3,857
Marine Environment Health Research Lab (MERHL) .....	4,000

## NATIONAL OCEAN SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Subtotal, NCCOS .....	39,552
Coastal Management:	
CZM Grants .....	70,963
Marine Protected Areas .....	2,269
National Estuarine Research Reserve System .....	20,320
Subtotal, Coastal Management .....	93,552
Marine Sanctuary Program:	
Marine Sanctuary Continuing Activities .....	21,282
Northwest Straits Citizens Advisory Commission .....	1,200
Subtotal, Marine Sanctuary Program .....	22,482
Payment to OMAO .....	2,793
GRAND TOTAL, NATIONAL OCEAN SERVICE—ORF .....	508,619

The Committee expects to be consulted prior to any deviation from the above plan. Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

*Budget Structure.*—The Committee recommendation divides the budget for NOS into two broad categories: salaries and expenses [S&E] and programs. Reductions in some program lines reflect the teasing out of S&E from each line and the consolidation of all S&E in one line, “NOS Operations—Salaries & Expenses”. The Committee commends NOS for its thorough grasp of its own budget and its willingness to work with Congress to improve the above table. Funds provided under program, project, or activity lines shall not be used for S&E, nor shall program funds be available to pay internal or external “taxes” charged by NOS, NOAA, or the Department of Commerce.

*Navigation.*—The Committee recommends \$3,200,000 for bathymetric surveys off the Southeast Coast of the United States and the Gulf of Alaska in accordance with the data needs identified by a Joint Hydrographic Center on the potential expansion of United States lands beyond the Exclusive Economic Zone. Within the funding recommendation for Shoreline Mapping, the Committee recommends that NOS focus on mapping the shoreline of the North Slope of Alaska.

*Geodetic Survey (Height Modernization).*—To achieve efficiencies, the Committee recommendation combines height modernization efforts in several States into Southeast, Upper Great Lakes, and Pacific regional geodetic survey pilots. NOS is directed to develop and submit to the Committees on Appropriations plans for the pilots, including detailed cost and schedule information, not later than April 1, 2004. The plans should serve as models for other regions. In addition, funds provided under this heading require a 100 percent match from State, local, or private sources. Should participants’ match fall short of appropriated levels, NOS may, on a dollar for dollar basis, partially release funds matching the lesser

amounts available to participants as long as NOS can certify that at least a minimum operating capability will be achieved. The balance of funds in such an eventuality shall be transferred to the NOS "National Spatial Reference System" line.

*Physical Oceanographic Real-Time System [PORTS].*—The intent of Section 103(a) of the recently-passed Hydrographic Services Improvement Act has become the source of considerable confusion. Some interpret 103(a) to mean that NOS is now responsible for all costs associated with real-time hydrographic monitoring systems, including PORTS. Others believe that 103(a) in no way undercuts the cost sharing arrangement that underpins this very popular and successful program. One thing that is clear is that PORTS would be immediately unaffordable were NOS to bear the full cost of the program. Lacking a definitive interpretation, no funds are recommended for PORTS until the ambiguity is cleared up.

*Various.*—The Committee recommendation consolidates all NOAA coral reef appropriations under NOS. A spending plan for coral reef funding shall be delivered to the Committees on Appropriations not later than January 15, 2004. The Committee recommendation includes \$2,000,000 for the Baruch Institute's research and monitoring of small, high-salinity estuaries, of which \$1,200,000 is for the Land Use-Coastal Eco-System Study [LUCES] program.

*Ocean and Coastal Observing Systems.*—The Committee has provided \$20,000,000 during the past 2 years for establishment of an integrated interagency ocean and coastal observing system. A recently-delivered report outlines NOAA's strategy for establishing a national network: (1) inventory existing or planned local or regional systems, their capabilities, and costs, and (2) establish a management framework to coordinate coverage and investments. Unfortunately, these prerequisites will not be completed until year's end.

The Committee strongly supports NOAA's efforts to coordinate the growing number of individual micro-regional coastal observing systems and pilot projects into truly regional systems. This effort is essential to ensuring technical connectivity and data compatibility among all the systems so that they may support a national system that provides benefits to the public and improves the availability, timeliness, quality, and value of information for Federal missions as well as local decision makers and academia. However, this coordination effort will not succeed if the growth and number of these independent regional systems outstrips the ability of the Federal Government to ensure long-term funding, integration and basic coordination of the plans for the proposed federation of regional systems.

Therefore, the Committee recommendation limits specific funding of systems to those funded in previous years. However, to accommodate continued development and integration of the system, the Committee has established: (1) a dedicated coastal observation fund that may be used by the Assistant Administrator [AA] of NOS to support system coordination efforts and expand existing individual systems into a regional framework; and (2) a competitive grant pilot fund whereby parties interested in joining the system may compete, and if deemed by the AA as contributing to the concept of a national system, may receive funding. The NOAA Admin-



istrator is directed to report to the Committees on Appropriation no later than April 25, 2004 on the future shape of these systems and their integration into the Federal system, including: (1) the non-Federal contribution of each of the individual systems to the envisioned regional or national system, and (2) a description of the benefits to Federal missions and the public at large of such systems.

NOS is urged to consider the: (1) Gulf of Maine Ocean Observing System [GoMOOS], (2) Southern California Coastal Ocean Observing System [SCCOOS], (3) Coastal-Global Ocean Observing System [C-GOOS], and (4) Louisiana State University Wave Current Information System [WAVCIS] for awards under the competitive grant pilot program.

*Coastal Ocean Science.*—The Committee commends the recent efforts of NOS to better account for the base funding levels and specific programmatic increases of the National Centers for Coastal Ocean Science [NCCOS] laboratories. In order to assure that mismanagement does not reoccur in future years, the Committee recommendation reflects those efforts and consolidates into one sub-account all funding for NCCOS and specifies the appropriate funding level for each of the NCCOS laboratories. The Committee recommendation also consolidates all funding for the Oxford Laboratory, previously included in two line offices, into one line. Finally, for the past several years the external research community has suffered the equivalent of a bad roller coaster ride in terms of knowing the amount of external research funding available at the beginning of each fiscal year. The Committee recommendation provides certainty and accountability by specifying the exact level of funding available for external research.

#### NATIONAL MARINE FISHERIES SERVICE

The Committee recommends an appropriation of \$672,452,000 for the National Marine Fisheries Service [NMFS]. Committee recommendations are displayed in the following table:

#### NATIONAL MARINE FISHERIES SERVICE

[In thousands of dollars]

	Committee recommendation
Marine Mammals & Sea Turtles:	
California Sea Lions/Protected Species Management (PSM) .....	750
Cook Inlet Beluga .....	150
Dolphins:	
Bottlenose Dolphin:	
Data Analysis .....	1,500
Research .....	2,500
Take Reduction Teams .....	1,500
Dolphin Encirclement .....	2,293
Manatees—New College (MMP) .....	250
Marine Mammal Protection (MMP)/NMFS Activities .....	3,000
Marine Mammal Strandings:	
Alaska SeaLife Center .....	1,000
Charleston Health and Risk Assessment .....	800
Prescott Grant Program .....	4,000
Marine Mammals, Sea Turtles & Other Species/Endangered Species Act (ESA) .....	3,000
Native Marine Mammals:	
Alaska Eskimo Whaling Commission .....	500
Participation of AEWC in International Whaling Commission Meetings .....	100

## NATIONAL MARINE FISHERIES SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Alaska Harbour Seals .....	150
Aleut Pacific Marine Resources Observers .....	125
Beluga Whale Committee .....	225
Bristol Bay Native Association .....	50
National Fish & Wildlife Foundation (NFWF) Species Mgmt (PSM) .....	750
North Pacific Southern Resident Orca Population (PSM) .....	1,500
Right Whale Activities (ESA) .....	12,500
Sea Turtles:	
ESA .....	7,900
Hawaiian Sea Turtles .....	7,800
Rancho Nuevo Sea Turtles .....	350
Southeastern Sea Turtles .....	300
Seals:	
Harbor Seals:	
Alaska Native Harbor Seal Commission .....	600
NMFS Activities .....	2,000
Sealife Center .....	1,200
State of Alaska .....	1,200
Hawaiian Monk Seals .....	825
Ice Seals (MMP) .....	250
Steller Sea Lions:	
Endangered Species Act .....	850
N. Pacific Universities MM Consortium (and Harbor Seal Research) .....	3,000
Recovery Plan:	
Alaska Fisheries Foundation .....	1,000
Alaska Sea Life Center .....	6,000
Fisheries Management (North Pacific Council) .....	2,000
NMFS Activities .....	5,000
State of Alaska .....	2,000
Univ of AK Gulf Apex Predator .....	1,000
Winter Food Limitation Research (Prince William Sound SC) .....	1,000
Subtotal, Marine Mammals & Sea Turtles .....	80,918
Fish:	
Alaska Fisheries Development Foundation .....	1,500
Alaska Fisheries Information Network (AKFIN) .....	3,600
Alaska Groundfish Monitoring:	
Bering Sea Fishermen's Association Community Development Quota (CDQ) .....	175
Crab Research NMFS .....	473
NMFS Activities .....	2,087
NMFS Field Fishery Monitoring .....	300
NMFS Rockfish Research .....	340
Winter Pollock Survey .....	1,000
Alaska Near Shore Fisheries State of Alaska .....	1,250
Alaskan Groundfish Surveys:	
Calibration Studies .....	240
NMFS Activities .....	661
American Fisheries Act:	
Implementation .....	3,525
N. Pacific Council .....	499
National Standards 4 and 8 State of Alaska .....	499
NMFS Activities .....	2,174
Anadromous Fish Commission—North Pacific .....	750
Anadromous Grants .....	2,100
Atlantic Billfish Research .....	2,500
Atlantic Herring and Mackerel .....	800
Bering Sea Pollock Research .....	945
Bluefin Tuna Tagging:	
Monterey .....	425
UNH .....	1,020
Bluefish/Striped Bass .....	527

## NATIONAL MARINE FISHERIES SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Chesapeake Bay .....	500
Long Island Sound .....	500
Cashes Ledge (Gulf of Maine) Ecosystem Pilot .....	1,000
Charleston Bump .....	650
Billfish Tagging .....	500
Expand Stock Assessments—Improve Data Collection .....	20,014
California Oceanic Cooperative Fisheries Investigation (CalCOFI) .....	1,200
Narragansett Bay (Phase II) .....	1,000
Fish Statistics .....	13,900
Atlantic States Marine Fisheries Commission .....	2,000
Economics & Social Sciences Research .....	4,200
National Standard 8 .....	1,000
Fisheries Development Program:	
Hawaiian Fisheries Development .....	750
Product Quality and Marketing:	
Gulf Shrimp .....	3,000
South Atlantic Shrimp .....	3,000
Product Quality and Safety/Seafood Inspection .....	8,685
Fisheries Management Programs .....	27,657
Gulf Fisheries Information Network (GULF FIN) Data Collection Effort .....	3,500
Gulf of Maine Groundfish Survey .....	567
Halibut Data Collection .....	450
Halibut/Sablefish .....	1,200
Hawaii Stock Management Plan (Oceanic Institute) .....	750
Highly Migratory Shark Fishery Research Program (Mote) .....	2,000
Interjurisdictional Fisheries Grants .....	2,590
International Fisheries Commission State of Alaska .....	400
Interstate Fish Commissions:	
3 Commissions .....	750
Atlantic Cooperative Management .....	7,250
Large Pelagics Research Program (UNH) .....	3,100
Marine Fisheries Initiative (MARFIN):	
NMFS Activities .....	2,500
Monkfish Trawl .....	1,000
Northeast Fisheries Management .....	1,000
Pacific Coast Fisheries Information Network (PACFIN) Catch Effort Data .....	3,000
Recreational Fishery Harvest Monitoring/Rec. Fisheries Info Ntwk (RECFIN) .....	3,950
RECFIN—SC (inshore recreational species assessment/tagging) .....	500
Red Snapper Monitoring and Research .....	5,000
Reduce Fishing Impacts on Essential Fish Habitat (EFH) .....	750
Reducing Bycatch .....	5,000
Gulf/Atlantic Turtle Excluder Device (GSAFD) .....	2,000
Regional Councils .....	15,547
Salmon:	
Atlantic Salmon:	
ESA .....	2,217
Recovery Plan .....	450
Research .....	710
State of Maine Salmon Recovery (PSM) .....	2,128
Chinook Salmon:	
Management .....	150
Pacific Salmon Treaty—Chinook Salmon Agreement .....	1,844
Research at Auke Bay .....	300
State of Alaska .....	1,840
Yukon River Chinook Salmon:	
State of Alaska .....	1,000
Yukon River Drainage Fisheries Assoc .....	499
Pacific Salmon:	
Columbia River:	
Biological Opinion (BIOP) Implementation, including ESA .....	15,100
Endangered Species Studies .....	299
Hatcheries and Facilities .....	11,485

## NATIONAL MARINE FISHERIES SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Hatcheries—Monitor, Evaluation and Reform .....	1,700
Pacific Salmon Treaty .....	5,612
Recovery (ESA) .....	21,197
SW Conservation Project—SW Alaska Conservation Coalition .....	4,250
Western Alaska Salmon Failure—Bering Sea Fisherman's Assoc. ....	3,500
Virginia Fisheries Trawl Survey .....	500
West Coast Groundfish .....	3,520
Subtotal, Fish .....	258,051
Crustaceans & Mollusks:	
Bering Sea Crab (State of Alaska) .....	1,000
Blue Crab Advanced Research Consortium .....	2,500
Chesapeake Bay Oyster Restoration .....	2,000
Horseshoe Crab Research (HCRC) .....	1,300
Lobster Sampling .....	300
Louisiana Shrimper Assistance .....	2,000
Mobile Bay Oyster Recovery .....	2,000
Oyster Restoration (Chesapeake—VIMS) .....	2,250
Scallop Fishery Assessment (MFI) .....	2,500
Shrimp Pathogens: South Carolina .....	650
South Carolina Oyster Recovery .....	1,000
South Carolina Shrimper Assistance .....	2,000
Subtotal, Crustaceans & Mollusks .....	19,500
Enforcement & Observers:	
Enforcement & Surveillance:	
Driftnet Act Implementation .....	1,375
Ghostnet—High Seas Driftnet Detection .....	250
NMFS Activities .....	1,800
Pacific Rim Fisheries .....	150
Science Observer Russian Exclusive Economic Zone (EEZ) .....	250
State Participation—AK/WA .....	200
Enforcement & Surveillance:	
Cooperative Agreements w/States .....	9,500
Vessel Monitoring System .....	2,500
Observers/Training:	
Atlantic Coast Observers .....	3,350
East Coast Observers .....	350
Hawaii Longline Observer Program .....	4,000
N. Pacific Marine Resources Observers .....	1,875
N. Pacific Observer Program .....	800
NE Groundfish Court-Ordered Observers .....	7,500
S. Atlantic/Gulf Shrimp Observers .....	800
West Coast Groundfish Observers .....	5,000
Subtotal, Enforcement & Observers .....	39,700
Habitat Conservation & Restoration:	
Bay Watersheds Education and Training Program .....	2,500
Connecticut River Partnership .....	300
Cooper River Corridor Management .....	125
Fisheries Habit Restoration:	
Bronx River Restoration .....	1,000
Community-Based Restoration Grants .....	12,000
Kenai Peninsula .....	700
LA DNR .....	150
Pinellas County Environmental .....	150
Habitat Conservation .....	9,218
Instream Flow Pilot Program (UNH) .....	600
Marsh Restoration—NH .....	1,000

## NATIONAL MARINE FISHERIES SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Narragansett Bay Marine Education Program (Save the Bay) .....	500
Refine EFH Designations .....	1,000
Sea Grass Restoration (Chesapeake) .....	894
Subtotal, Habitat Conservation & Restoration .....	30,137
Other Activities Supporting Fisheries:	
Antarctic Research .....	1,550
Center for Marine Education and Research (MS) .....	3,000
Conservation & Recovery with States .....	1,000
Consortium for Fisheries & Wildlife Conflict Resolution (UNH/NEA/VIMS/Duke) .....	500
Cooperative Research:	
Cooperative Marine Education & Research .....	200
Cooperative Research—North Pacific Research Board .....	3,000
National Cooperative Research .....	2,750
NE Cooperative Research .....	5,750
Northeast Consortium .....	5,000
SC Cooperative Research .....	2,500
SE Cooperative Research .....	3,250
West Coast Groundfish Cooperative Research .....	1,000
Ecosystem Management:	
Gulf of Mexico .....	6,000
Middle Atlantic .....	6,000
New England .....	6,000
South Atlantic .....	6,000
Endangered Species Act—Fish, Crustaceans, Mollusks .....	2,682
FMP Extended Jurisdiction, State of Alaska .....	1,500
Gulf of Alaska Coastal Communities Coalition .....	425
Hawaiian Community Development .....	500
Information Analysis and Dissemination .....	22,508
Joint Institute for Marine & Atmospheric Research (JIMAR), HI .....	2,500
Magnuson-Stevens Implementation off Alaska .....	7,250
Marine Resources Monitoring, Assessment & Prediction Pgm (MarMap) .....	1,250
National Environmental Policy Act (NEPA) .....	8,000
NEPA Permit Approval Streamlining .....	4,000
New England Multi-Species Survey (SMAST) .....	3,000
Science Consortium on Ocean Research (SCORE)—NH/FL/WA .....	1,500
Southeast Area Monitoring & Assessment Program (SEAMAP) .....	1,750
South Carolina Taxonomic Center .....	500
Subtotal, Other Activities Supporting Fisheries .....	110,865
Overhead:	
Expedite Grant Applications & Awards .....	21,334
Fisheries Enforcement .....	23,734
Other NMFS Activities .....	11,700
Pacific Islands Regional Office .....	5,000
Protect Endangered & Threatened Species .....	63,838
NW Fisheries Science Center (West Coast Groundfish Team) .....	1,700
Regulatory Streamlining & Modernization .....	1,500
Expedite Permit Applications & Approvals .....	3,775
Subtotal, Overhead .....	132,581
Payment to OMAO .....	700
GRAND TOTAL, NATIONAL MARINE FISHERIES SERVICE—ORF .....	672,452

The Committee expects to be consulted prior to any deviation from the above plan. Some of the Committee recommendations dis-

played in the table above are described in more detail in the following paragraphs.

*Base Funding.*—For the second year in a row, NMFS has chosen not to provide the Committee with a coherent description of what is contained in the so-called “base” lines. Therefore the Committee is unable to differentiate between fixed and variable costs within the lines that make up the NMFS account. The Committee has done what it could to eliminate or limit the worst budget excesses, but much work remains to be done. Only funds provided under the heading “Overhead” may be used for NMFS salaries, benefits, or expenses, including rent, utilities, communications, contract and consulting services, supplies, materials, and equipment, travel and transportation of people and things, and printing and reproduction. Funds provided under program, project, or activity lines shall not be used for overhead, including internal or external “taxes” charged by NMFS, NOAA, or the Department of Commerce.

*Regional Office Financial Accountability.*—The Committee has been working to provide budget transparency for each of the line offices as well as for NOAA headquarters. While the Committee has been able to obtain clarity with respect to some line office accounts, the Committee’s efforts to separate and clarify NMFS funding levels for programs, personnel, and expenses have been stymied by the Service. One explanation offered for NMFS’ inability to provide the requested budget information is that the decentralized line office structure provides funding to the regional offices from multiple NMFS accounts without any effort by the regional offices or headquarters to track or report on either the total funding level provided to the regional offices or the regions’ use of the funding. Therefore, the Committee directs the regional offices, in consultation with the program offices from which they receive funding, and through the NMFS Administrator, to submit a spending plan for their activities no later than January 1, 2004. The plan should include the following information: (1) the level of funding received by each regional office from each NMFS baseline for salaries and expenses versus program activities; and (2) the level of funding received by each regional office from each program line for salaries and expenses versus program activities.

*International Conservation of Sea Turtles.*—The Committee remains concerned by the increasing threat to sea turtles, particularly those listed under the Convention on International Trade on Endangered Species of Wild Fauna and Flora [CITES], from activities conducted outside of U.S. control, including incidental capture in the longline and shrimp trawl fisheries of other nations. In the past, the Department of State has ignored the Committee’s direction to: (1) negotiate strong, enforceable management, reporting, and data collection measures (including economic measures) focused on reducing incidental capture of sea turtles in commercial fisheries under regional management agreements for living marine resources; (2) develop a trans-Pacific international turtle conservation agreement to include Pacific island and Pacific rim nations; and (3) with the Secretary of Commerce, seek international agreements to establish standards and measures for bycatch reduction that are comparable to U.S. standards. The Committee therefore directs the Secretary of Commerce to assume these responsibilities.

The Secretary of Commerce shall report back to the Committee by February 1, 2004, detailing actions taken to comply with this and previous direction during fiscal years 2002 and 2003.

The Committee is also concerned that the conservation benefits of the new U.S. regulations requiring use of larger turtle excluder devices [TEDs], which take effect this year, will be lost if such requirements are not also applicable in other shrimp trawling nations who seek to import shrimp to the United States, as required in the 1990 “shrimp-turtle law” (Public Law 101–162). While American fishermen are being asked to take on additional economic burdens, shrimp fleets in some other nations have barely demonstrated compliance with the previously established TED requirements as well as the obligations of the Inter-American Sea Turtle Convention. This has not provided American shrimpers the level conservation playing field intended by Congress in the 1990 law. The Committee directs the Secretary of Commerce to take immediate steps to ensure that these newly promulgated turtle protection requirements are met by other nations who import shrimp to the United States, pursuant to the requirements of Public Law 101–162 by May 4, 2004. The Committee also directs the Secretary to submit a report, within 90 days of enactment of this Act, setting forth the following: (1) specific criteria used by the Secretary to determine whether to certify that a nation’s regulatory program is “comparable” to the U.S. program under Public Law 101–162; (2) a list of nations that the Secretary has de-certified under the law from 2000–2003; (3) case-specific inspection findings, rationales, and criteria (including trip reports and cables) used in 2000–2003 to determine whether or not to certify nations pursuant to Public Law 101–162; (4) a timeline and detailed actions that the Secretary will take to ensure the new TED measures are adopted by shrimp-importing nations prior to May 2004, the next certification date; (5) describe any failure to maintain or use TEDs noted during dockside or at-sea inspections in shrimp importing nations, and explain why, in instances where such failures were noted, the nation was not de-certified.

The Committee recommendation includes \$12,500,000 for North Atlantic right whale activities, to be distributed in the manner described in the following table:

NORTHERN RIGHT WHALE PRESERVATION

[In thousands of dollars]

	Amount
Reduce ship strikes .....	3,730
Whale detection technologies .....	[1,255]
Reduce entanglement .....	2,500
Gear modification .....	[500]
Pilot Buyback/Recycling—Gear Purchase Program .....	[1,500]
Training/Disentanglement Teams .....	[500]
Biology .....	1,755
Recovery coordination .....	140
Competitive Grants/Personnel Costs .....	2,950
State programs .....	1,425

The Committee expects to be consulted prior to any deviation from the above plan. The Office of Protected Resources shall submit

a report to the Committees on Appropriations on fiscal year 2003 accomplishments not later than January 15, 2004.

*Decline of Pacific Marine Mammals.*—The Committee expects NOAA to continue its research initiative on Pacific decadal oscillation, predator-prey relationships with particular emphasis on killer whale predation on sea lion pups, and to explore other factors in the marine environment that may be contributing to the decline of Stellar sea lions and other marine mammal populations.

*Enforcement of International Dolphin Agreement.*—The Committee remains concerned that Mexico and other non-United States parties to the International Dolphin Conservation Program [IDCP], of which the United States is a member, are not fully complying with the requirements of the IDCP, particularly with respect to accurate reporting of dolphin interactions and mortality. The Committee recommendation includes \$2,293,000 for research and monitoring activities associated with dolphin encirclement in the eastern tropical Pacific [ETP] and the IDCP to be distributed in the manner described in the following table:

INTERNATIONAL DOLPHIN CONSERVATION PLAN

[In thousands of dollars]

Research Activities:	
Fishery Effects .....	250
Gear for Reduction of by-catch .....	250
Ecosystem Studies .....	238
Collection and Analysis of Biological Samples .....	60
Coastal Stocks Research .....	40
Small Vessel sets on Dolphins .....	200
Research Cruises .....	945
Days at Sea for Research Cruise .....	125
Research Program Management .....	75
Implementation and Monitoring Activities:	
Local Management Fund .....	40
Travel for document verification .....	20
Data entry and document contracts .....	50
Total .....	2,293

The Committee expects to be consulted prior to any deviation from the above plan.

Increased funding is provided for additional biological sampling, further research on cow-calf separation, herd sizes on which sets are made, and development of alternative gear for reducing by-catch of dolphins, turtles and other species in the ETP and the occurrence of and impacts on dolphin populations from vessels with a carrying capacity of less than 400 short tons that are reportedly setting on dolphins in the ETP. Funding for salaries and expenses, and agency assessments has been more accurately aligned under the salaries and expenses heading. The Committee further directs NOAA, in consultation with key United States stakeholders, to continue evaluating and documenting any lack of compliance by the non-United States parties to the IDCP with its provisions, including through on-site visits and discussions with government officials, observers and others with first-hand knowledge of country practices, and to submit a written report describing the findings to the Committee no later than May 1, 2004. The report should include an updated evaluation of compliance with the on-board ob-



server program, an updated report of dolphin interactions and mortality, the latest operational requirements for vessels, the extent to which vessels with a carrying capacity of less than 400 short tons are setting on dolphins, and all actions taken in the past year by parties to follow-up on infractions identified by the international review panel.

*Gulf/Atlantic Turtle Excluder Device.*—Funds made available under this heading shall be provided to the Gulf and South Atlantic Fisheries Development Foundation to conduct a field testing program of the new, larger Turtle Excluder Device required by regulation in order to determine and document the most effective and efficient use and configuration of such devices in terms of sea turtle exclusion and shrimp retention.

*Fisheries Research and Management.*—Of the amount provided for the recreational fishing information network [RECFIN] program, the Committee expects that \$500,000 will be used to continue the effort to enhance the annual collection and analysis of economic data on marine recreational fishing. The Committee also expects that the Pacific, Atlantic, and Gulf States shall each receive one-third of the remaining RECFIN funds. The Committee recommends that the \$750,000 for the Interstate Fish Commissions be equally divided among the three commissions. As in prior fiscal years, funds appropriated for the Hawaii Fisheries Development and Hawaii Stock Management Plan programs shall be administered by the Oceanic Institute.

*Seafood Inspections.*—The Committee firmly opposes efforts to list the activities of the NOAA Seafood Inspection program under the FAIR Act inventory as providing “not inherently governmental functions”. Such a determination would be contrary to both common sense and public welfare. The NOAA Seafood Inspection program inspects or certifies approximately seventeen percent of the fishery products consumed in the United States, provides inspection and certification of more than 142,000,000 pounds of U.S. exports, and routinely evaluates the safety, wholesomeness, proper labeling, and quality of fish and fishery products. In addition to ensuring specific product safety, the adequacy of sanitation and hygienic practices of processing facilities and the processes used in the manufacture of food are also inspected. Both the United States Department of Agriculture and the Food and Drug Administration have already determined that their food inspection functions are inherently governmental, and any other determination for the NOAA program would damage efforts to improve seafood safety and undermine efforts to better coordinate and improve Federal seafood safety efforts, including efforts to protect against bioterrorist threats.

*Hatcheries.*—The Committee intends funding for the Mitchell Act hatcheries to meet production, mass marking, and monitoring and evaluation needs.

*Fisheries Enforcement.*—Since 9/11, port security has become the primary mission of the Coast Guard. A minor responsibility in peacetime, the Coast Guard had committed few ships and personnel to port security prior to 9/11. As a result, the Coast Guard has had to redirect assets dedicated to the enforcement of fisheries laws to the new port security mission. Today, and for the foresee-

able future, the Coast Guard will be unable to enforce these laws. NOAA and State departments of natural resources must fend for themselves. That being so, the Under Secretary of Commerce for Oceans and Atmosphere, in consultation with the Commandant of the United States Coast Guard, shall report to the Committees on Appropriations not later than December 1, 2003 on the feasibility of transferring from the Coast Guard to NOAA such authorities, liabilities, and assets as are necessary for NOAA to enforce the fisheries laws of the United States that were being enforced by the Coast Guard on September 10, 2001.

*Enforcement and Surveillance.*—The Committee recommends continued support at last year's level for marine forensics and southeast fisheries' law enforcement.

*Ecosystem Management.*—NMFS' approach to managing marine resources, as reflected in the chart above, is mission-, action-, or species-specific. NMFS personnel in New England are, for example, criss-crossing the Gulf of Maine researching, assessing, surveying, or otherwise scrutinizing right whales, dogfish, and lobster, but doing so in isolation or at best with little coordination. Whether because it is too complex or crosses too many disciplines, the study of all life within a column of water in a comprehensive, coordinated way is not being done. As a result, there is no understanding of, or preparation for, potential unintended consequences on ecosystems as NMFS' renders its decisions in a species-specific manner. The Committee believes that ecosystem management is the wave of the future, though it acknowledges that a revolution in ocean politics will have to occur first. The recommendation includes modest funding to initiate regional ecosystem management pilot projects in the Atlantic and Gulf of Mexico. The pilots purposely cover bodies of water that are contiguous, because the one influences the others. The Committee expects the four pilots to be closely coordinated and for each pilot to integrate with existing NMFS or local oceans programs. Ultimately, should the pilots prove successful, the Committee would expect to fold more specific initiatives into the larger ecosystem approach. NMFS is directed to report to the Committees on Appropriations not later than December 1, 2003 on its plans for implementing the pilots.

*Stewardship of Capital Investments.*—The Committee is aware that a number of NMFS facilities are in deplorable condition, including labs in Beaufort, NC and Mukilteo, WA. A Committee-directed facilities master plan was due June 30, 2003. Hopefully, when received, it will answer questions regarding the need to replace, rehabilitate, consolidate, or close NMFS labs. While reserving judgment on the fate of specific facilities, the Committee recommendation does transfer funding for "NMFS Facilities Maintenance", previously provided under this heading, to the Program Support subaccount. The Committee believes that NOAA headquarters is more inclined than NMFS to protect taxpayers' investments. For the same reason, funds for "Computer Hardware and Software", previously provided under this heading, have been transferred to the Procurement, Acquisition, and Construction account. NOAA headquarters is directed to submit spending plans to the Committees on Appropriations prior to the obligation of any NMFS facilities maintenance or computer funds.

## OCEANIC AND ATMOSPHERIC RESEARCH

The Committee recommends an appropriation of \$394,470,000 for Oceanic and Atmospheric Research [OAR]. Committee recommendations are displayed in the following table:

## OCEANIC AND ATMOSPHERIC RESEARCH

[In thousands of dollars]

	Committee recommendation
Climate Research:	
Laboratories & Joint Institutes .....	48,907
Climate & Global Change Program .....	71,051
Accelerating Climate Models—IRI .....	1,500
Aerosols—Climate Interaction .....	2,000
Subtotal, Climate & Global Change Program .....	74,551
Climate Observations & Services:	
ARGO-Related Costs .....	10,950
Baseline Operations .....	2,500
Carbon Cycle .....	4,300
Climate Change Assessments .....	650
Climate Data & Info and CLASS in PAC .....	1,000
Climate Modeling Center (GFDL) .....	5,000
Climate Reference Network .....	3,000
Global Climate Atmospheric Observing System .....	4,000
Regional Assessments, Education and Outreach .....	2,750
Weather-Climate Connection .....	900
Subtotal, Climate Observations & Services .....	35,050
Climate Partnership Programs:	
Abrupt Climate Change Research .....	1,600
Arctic Research Initiative (SEARCH) .....	2,074
Central CA Ozone Study .....	250
East Tennessee Ozone Study .....	300
Subtotal, Climate Partnership Programs .....	4,224
Total, Climate Research .....	162,732
Weather & Air Quality Research:	
Laboratories & Joint Institutes .....	37,713
U.S. Weather Research Program:	
Energy Security (CA) .....	2,000
Hurricane & Tropical Storm Research .....	5,314
Targeted Wind Sensing .....	2,000
Subtotal, U.S. Weather Research Program .....	9,314
Weather & Air Partnership Programs:	
AIRMAP .....	5,000
New England Air Quality Study .....	3,000
Remote Sensing Research (ISU/BCAL) .....	1,000
STORM .....	1,000
Tornado Severe Storm Research (PAR Evaluation) .....	1,500
Subtotal, Weather & Air Partnership Programs .....	11,500
Total, Weather & Air Quality Research .....	58,527
Ocean, Coastal, and Great Lakes Research:	
Laboratories & Joint Institutes .....	19,148
Chesapeake Bay "dead zone" research (prevention)—Oxford .....	4,500

## OCEANIC AND ATMOSPHERIC RESEARCH—Continued

[In thousands of dollars]

	Committee recommendation
Great Lakes Environmental Research Laboratory (Michigan):	
Lake Erie "dead zone" research (Stone Lab) .....	448
Lake Erie observation buoys .....	2,000
Solvent research (Notre Dame) .....	250
Milfoil (NH) .....	590
Subtotal, Ocean, Coastal, and Great Lakes Research .....	26,936
National Sea Grant College Program:	
Continuing Activities .....	66,160
Fish Extension .....	2,000
Gulf of Mexico Oyster Initiative .....	1,000
Marine Invasive Species Program .....	250
Subtotal, National Sea Grant College Program .....	69,410
National Undersea Research Program (NURP):	
Aquarius II .....	1,200
Continuing Activities .....	15,000
National Institute for Undersea Science and Technology .....	5,000
Subtotal, National Undersea Research Program (NURP) .....	21,200
Ocean Exploration .....	13,200
Submersible Microtechnology Research .....	994
NMNH East Wing (Oceans) .....	2,000
Ocean & Coastal Partnership Programs:	
Aquatic Ecosystems—Canaan Valley Institute .....	2,300
Arctic Research .....	2,000
Cooperative Institute for Arctic Research .....	350
Cooperative Institute for New England Mariculture and Fisheries .....	3,000
Gulf of Maine Habitat Restoration Initiative (GOM Council) .....	1,000
Institute for Science, Technology & Public Policy (Texas A&M) .....	1,000
Lake Champlain Research Consortium .....	300
National Invasive Species Act:	
Alaska .....	1,500
Nutria—Chesapeake Bay .....	545
Prevent & Control Invasive Species .....	800
NOAA Marine Aquaculture Program .....	3,131
Pacific Tropical Ornamental Fish .....	500
Ocean Health Initiative .....	10,000
Subtotal, Ocean & Coastal Partnership Programs .....	26,426
Total, Ocean, Coastal, and Great Lakes Research .....	160,166
High Performance Information Technology .....	12,945
Payment to OMAO .....	100
GRAND TOTAL NOAA RESEARCH—ORF .....	394,470

The Committee expects to be consulted prior to any deviation from the above plan. Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

*Budget Structure.*—For the second year in a row, OAR has chosen not to provide the Committee with a coherent description of what is contained in the so-called "base" lines. Therefore, the Committee is unable to differentiate between fixed and variable costs

within the lines that make up the OAR account. OAR leadership is playing a dangerous game, being particularly vulnerable to budget reductions for reasons known all too well. The recommendation continues a trend begun last year to look outside OAR for research expertise. Funds provided under program, project, or activity lines shall not be used for overhead, including internal or external "taxes" charged by OAR, NOAA, or the Department of Commerce.

*Tinkering.*—OAR is supposed to be conducting applied research that directly supports the operations of other NOAA line offices. Too often, however, OAR research appears disconnected from the immediate-, near-, and even medium-term needs of the rest of NOAA. The result is that the line offices have developed their own research programs in parallel with that of OAR. Budget pressures leave no room for "science projects", nor duplication of effort. The Committee suspects that the drift of research in unproductive directions is largely due to the artificial separation of OAR from the line offices it supports. NOAA is directed to report to the Committees on Appropriations on the costs and benefits of breaking OAR up into its constituent parts and distributing those parts as desirable to the other line offices. The report should specifically address how the newly configured research sector will directly assist line offices in developing timely solutions to problems confronting NOAA now and in the next 5 years.

*Solar Observation.*—The "Atmospheric" in NOAA does not extend to the astral. Absolutely no funds are provided for solar observation. Such activities are rightly the bailiwick of the National Aeronautics and Space Administration and the Air Force.

*Phased Array Radar [PAR] Evaluation.*—Elements of this initiative are perplexing. The National Severe Storms Lab intends to couple a Navy SPY-1 phased array radar (found on Aegis-class cruisers) with artificial intelligence-based decision support systems in the hopes of almost doubling tornado warning times. This is a desirable goal, but depends, in large part, on the successful commercialization of the SPY-1. That quest, achieving desired performance at a far lower cost, would seem to be an engineering and manufacturing feat, not the outcome of weather research. At the same time, the now venerable SPY-1 is older than the WSR-88D NEXRAD weather radar it would replace. The WSR-88D is not scheduled for retirement for decades. By then, phased array radar performance should be far better at far lower cost. Unsure where this project is ultimately headed, the Committee recommendation funds SPY-1 tornado detection and tracking testing under this heading. A parallel assessment of the practicality of commercializing the SPY-1 or a successor for weather forecasting is funded under the National Weather Service.

*NISA Alaska.*—The Committee recommends \$1,500,000 to address the proliferation of exotic species such as Atlantic salmon in the marine environment in the North Pacific. Of this amount, \$750,000 is for the Pacific States Marine Fisheries Commission to prevent the escapement of Atlantic salmon from Alaska streams and to address other invasive species issues including mitten crab and green crab.

*Ocean, Coastal, and Great Lakes Research.*—The Committee is alarmed by recent reports regarding the formation of a massive

“dead zone” in the Chesapeake Bay. The recommendation includes research funds to develop immediate and near-term preventive measures to reduce the runoff of phosphorous and nitrogen into the Bay. Within the amount provided for the Great Lakes Environmental Research Lab, the Committee recommends that NOAA support research programs on aquatic invasive species mitigation and reduction in the Lake Champlain Basin. Of the amount provided for the National Undersea Research Program, \$7,500,000 is for research conducted through the east coast NURP centers and \$7,500,000 is for the west coast NURP centers, including the Hawaiian and Pacific Center and the West Coast and Polar Regions Center. The Committee expects level funding will be available for Aquarius, ALVIN, and program administration.

#### NATIONAL WEATHER SERVICE

The Committee recommends an appropriation of \$696,857,000 for the National Weather Service [NWS]. Committee recommendations are displayed in the following table:

#### NATIONAL WEATHER SERVICE

[In thousands of dollars]

	Committee recommendation
Operations and Research:	
Salaries, Benefits, and Expenses:	
Local Warnings and Forecasts .....	505,675
Central Forecast Guidance .....	45,102
Systems Operation & Maintenance (O&M):	
Advanced Weather Interactive Processing System (AWIPS) .....	37,570
Automated Surface Observing System (ASOS) .....	8,248
Next Generation Weather Radar (NEXRAD) .....	42,340
Subtotal, Salaries, Benefits, and Expenses .....	638,935
Programs:	
Advanced Hydrological Prediction Services .....	6,098
Air Quality Forecasting Pilot Program .....	3,000
Alaska Data Buoys .....	1,700
Aviation Weather .....	2,500
Delaware River Basin Flood System .....	900
High Resolution Temperature Forecasting .....	4,200
Hurricane Mitigation Alliance (SUSF) .....	3,750
Microforecasting/Mesonets:	
Data Collection:	
DE Environmental Observing System (DEOS) .....	312
KY Environmental Monitoring Network (WKU) .....	667
North Dakota Ag Weather Network .....	340
Data Assimilation, Analysis, & Distribution:	
DRI Great Basin Water & Climate Initiative .....	750
JSU Assembling Sys/Atmospheric Dispersion Frcstg .....	990
USU Weather & Climate Database Mgmt System .....	500
Mt. Washington Observatory .....	1,000
NC Flood Warning System .....	1,215
New England Weather Technology Initiative .....	500
NOAA Profiler Network .....	4,150
Pacific Island Compact .....	3,550
Phased Array Radar (PAR) Engineering/Manufacturing .....	1,500
Susquehanna River Basin Flood System .....	1,300
Sustain Cooperative Observer Network .....	1,890
Tsunami Hazard Mitigation .....	4,300
Pacific Ocean Monitoring Buoy Augmentation .....	600

## NATIONAL WEATHER SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Tsunami Warning & Environ'l Obs for AK (TWEAK) .....	2,000
Weather Radio Transmitters:	
Weather Radio Transmitters Base .....	2,320
WFO Maintenance .....	7,390
Subtotal, Programs .....	57,422
Payment to OMAO .....	500
GRAND TOTAL NATIONAL WEATHER SERVICE—ORF .....	696,857

The Committee expects to be consulted prior to any deviation from the above plan. Various Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

*Budget Structure.*—The Committee recommendation divides the budget for NWS into two broad categories: salaries and expenses [S&E] and programs. The Committee commends NWS for its thorough grasp of its own budget and its willingness to work with Congress to improve the above table. Funds provided under program, project, or activity lines shall not be used for S&E, nor shall program funds be available to pay internal or external “taxes” charged by NWS, NOAA, or the Department of Commerce.

*Network Integrity.*—The “1995 Secretary’s Report to Congress on Adequacy of NEXRAD Coverage and Degradation of Weather Services” requested further studies of several sites, including Williston, ND and Erie, PA. This year, as in the past, the Committee recommendation includes such sums as are necessary to continue current operations at these sites.

*NEXRAD Coverage.*—The area running from northern California through central Oregon to the Washington border is one of the few regions of the country not covered by a NEXRAD facility. The NWS is directed to submit a report to the Committees on Appropriations as to whether such a facility is required and, if so, where such a facility should be sited to maximize coverage and integration into the national weather radar network.

*NOAA Profiler Network [NPN].*—The abrupt decision to shut-down the NPN came as a surprise. Though the Committee is aware that the 404 MHz frequency being used by the NPN will be unavailable by mid-decade, no analysis has been done to determine the value of the data produced by the NPN, the method and cost of collecting valuable NPN data by other means, or the cost of shutting the NPN down. Lacking adequate justification, the Committee recommendation funds NPN operations for at least 1 more year. The NWS is directed to undertake a cost and operational effectiveness analysis [COEA] comparing the \$10,000,000 cost to upgrade the NPN over the next decade versus the short, medium, and long-term costs of ending the NPN program. The COEA shall be delivered to the Committees on Appropriations not later than March 31, 2004.

*Phased Array Radar [PAR] Engineering and Manufacturing.*—As mentioned elsewhere, the Committee recommendation includes funds for an assessment of the practicality of commercializing the Navy’s SPY–1 radar or a successor for weather forecasting. To be successful, a civilian version of the SPY–1 will need to have comparable or better performance at far lower cost. The NWS should coordinate with the Navy, the manufacturer, and the National Severe Storms Lab to get the fullest understanding of the costs and benefits of converting a military radar for civilian weather forecasting. The NWS shall submit a feasibility study to the Committees on Appropriations not later than May 1, 2004.

*Microforecasting/Mesonets.*—Funds provided under this heading require a 100 percent match from State, local, or private sources. Should participants’ match fall short of appropriated levels, NWS may, on a dollar for dollar basis, partially release funds matching the lesser amounts available to participants as long as NWS can certify that at least a minimum operating capability will be achieved. The balance of funds in such an eventuality shall be transferred to the NWS maintenance lines on a priority basis. NWS shall also certify prior to the release of funds that proposed mesonets do not reopen the debate over the: (1) consolidation of Federal weather forecasting offices, or (2) transfer of agriculture-related weather activities to the Department of Agriculture.

*Flash Floods.*—Prior to release of funds for the Delaware River Basin Flood System and the North Carolina Flood Warning System, NWS is directed to submit reports on the total cost of these systems, including installation, operation, maintenance, and upgrade, as well as the need for the systems, based on historical flood data and the current level of development in flood plains. Also, funds provided for flood systems require a 100 percent match from State, local, or private sources.

*NOAA Weather Radio [NWR].*—The NWS shall report back to the Committees on Appropriations not later than December 1, 2003 on the merits of expanding the NWR network to include Kemmerer and Dubois, Wyoming. If merited, the Committee expects the NWS to budget for this expansion in fiscal year 2005.

NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE

The Committee recommends an appropriation of \$148,840,000 for the National Environmental Satellite, Data, and Information Service [NESDIS]. Committee recommendations are displayed in the following table:

NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE

[In thousands of dollars]

	Committee recommendation
Environmental Satellite Observing Systems:	
Product Processing and Distribution .....	23,771
Satellite Command and Control .....	36,871
Subtotal, Environmental Satellite Observing Systems .....	60,642



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

[In thousands of dollars]

	Committee recommendation
Product Development, Readiness & Application:	
Global Wind Demonstration .....	4,000
Joint Center/Accelerate Use of Satellites .....	1,500
NESDIS Activities .....	19,500
Subtotal, Product Development, Readiness & Application .....	25,000
Interagency Global Positioning System Executive Board Secretariat (IGEB) .....	600
Office of Space Commercialization .....	600
Total, Satellite Systems .....	86,842
NOAA's Data Centers & Information Services:	
Archive, Access & Assessment:	
Archive, Access & Assessment/Climate Database Modernization:	
KY .....	2,900
MD .....	2,900
Quality assurance/quality control (NC) .....	2,900
WV .....	2,900
NESDIS Activities .....	26,750
Subtotal, Archive, Access & Assessment .....	38,350
Coastal Data Development .....	4,513
Coastal Remote Sensing—CSC .....	500
Regional Climate Centers .....	4,000
International Pacific Research Center (U of HI) .....	2,000
Environmental Data Systems Modernization .....	12,335
Total, NOAA's Data Centers & Information Services .....	61,698
Payment to OMAO .....	300
GRAND TOTAL NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE—ORF ....	148,840

The Committee expects to be consulted prior to any deviation from the above plan.

*Budget Structure.*—The Committee did not find the “base” breakout submitted by NESDIS particularly enlightening in terms of differentiating between fixed and variable costs within the lines that make up the NESDIS account, although it did identify with precision where the salaries of full time equivalents are. It should be a simple task for NESDIS to divide its budget, on a line by line basis, into two broad categories: salaries and expenses [S&E] and programs. NESDIS is directed to do so and submit the results to the Committees on Appropriations not later than October 1, 2003. Also, funds provided under program, project, or activity lines shall not be used for overhead, including internal or external “taxes” charged by NESDIS, NOAA, or the Department of Commerce.

*Data Dissemination.*—The Committee is concerned that with the significant increase in oceanographic and environmental data collection in Hawaii and the American Flag Territories, including the Northwestern Hawaiian Islands, NOAA has inadequate capacity to provide timely data and services to the region. The Committee directs NOAA through the National Ocean Service, the National Oceanographic Data Center, and the National Climatic Data Cen-

ter to submit a report to Congress that details the region's oceanographic and environmental data and information requirements, identifies gaps in existing service, makes recommendations for the establishment of a Pacific Ocean and Environment Information Center that would address such needs, and identifies potential coordination or partnerships with other Federal facilities in the region that might enhance the effectiveness of such a center.

## PROGRAM SUPPORT

The Committee recommends an appropriation of \$327,282,000 for NOAA program support. Committee recommendations are displayed in the following table:

PROGRAM SUPPORT  
[In thousands of dollars]

	Committee recommendation
<b>Corporate Services:</b>	
Commerce Administrative Management System (CAMS) .....	8,229
Educational Partnership Program/Minority Serving Institutions (EPPMSI) .....	7,500
E-gov .....	3,000
Information Technology (IT) Security .....	1,050
National Ocean Science Competition .....	1,500
Office of Acquisition & Grants .....	2,700
Grants On-Line .....	1,200
Office of the Chief Administrative Officer .....	15,255
Facilities Staff .....	1,250
Office of the Chief Financial Officer .....	11,791
Office of the Chief Information Officer .....	3,800
Office of Human Resources .....	2,484
Office of Program Analysis & Evaluation .....	1,553
Payment to the DoC Working Capital Fund .....	38,758
Payment to the NOAA Business Management Fund .....	60,104
Program Planning and Integration .....	2,000
Under Secretary and Associate Offices .....	17,524
<b>Total, Corporate Services .....</b>	<b>179,698</b>
<b>Facilities:</b>	
Energy Management .....	550
Environmental Compliance .....	2,564
Maintenance, Repairs and Safety (non-NWS):	
Backlog .....	13,000
Cyclical .....	6,684
Pribilof Islands Cleanup .....	10,000
<b>Total, Facilities .....</b>	<b>32,798</b>
<b>Marine Operations &amp; Maintenance:</b>	
<b>Marine Services:</b>	
AGATE PASS (Coastal YTT) Operations .....	350
FAIRWEATHER Operations .....	5,700
HIIALAKAI (Vindicator) Operations .....	4,200
LITTLEHALES Operations .....	350
Marine Services (Fleet Operations) .....	68,797
NOAA Corps Pay Differential .....	1,000
Univ-Nat'l Oceanographic Lab Sys (UNOLS) (Days at Sea—West Coast) .....	2,500
<b>Subtotal, Marine Services .....</b>	<b>82,897</b>
<b>Fleet Planning and Maintenance:</b>	
AGATE PASS (Coastal YTT) Maintenance .....	250
FAIRWEATHER Maintenance .....	800

## PROGRAM SUPPORT—Continued

[In thousands of dollars]

	Committee recommendation
Fleet Planning and Maintenance .....	11,277
LITTLHALES Maintenance .....	100
Subtotal, Fleet Planning and Maintenance .....	12,427
Total, Marine Operations and Maintenance .....	95,324
Aviation Operations:	
Aircraft Services .....	18,267
Total, Aircraft Services .....	18,267
Future Health Care Benefits for Current Officers .....	1,195
Total, Marine and Aviation Operations .....	114,786
GRAND TOTAL PROGRAM SUPPORT—ORF .....	327,282

The Committee expects to be consulted prior to any deviation from the above plan.

*Truth in Budgeting.*—NOAA covers the costs of certain central services through a system of internal “taxation”. The costs of other central services are covered through a payment to the Department of Commerce’s Working Capital Fund. Rather than budget for these expenses, NOAA has always skimmed funds from program, project, and activity lines. Congressional supporters of NOAA have been understandably frustrated by these hidden taxes on essential programs. The Committee recommendation eliminates the taxation system by adding new lines under Program Support that totally fund central services. Henceforth, funding in program, project, and activity lines shall be available only for those programs, projects, and activities unless NOAA submits, and Congress approves, a re-programming.

*Information Security.*—Rather than reinvent the wheel, the Chief Information Officer [CIO] should consult with the Federal Bureau of Investigation [FBI] on information security. Like NOAA, the FBI started from zero on security. In the new Security Division/Information Assurance Section, the FBI married the right people to the right programs and brought information security to the Bureau on time and within budget. The CIO would benefit from the many lessons learned from the FBI experience. The recommendation includes seed money to start this process.

## INTERNATIONAL FISHERIES COMMISSIONS

Appropriations, 2003 .....	\$16,989,000
Budget estimate, 2004 .....	20,043,000
House allowance .....	16,989,000
Committee recommendation .....	20,743,000

The Committee recommends an appropriation of \$20,743,000. The recommendation is \$700,000 above the budget request.

This account funds the U.S. share of the expenses of international fisheries commissions; participation in the International Council for the Exploration of the Sea; participation in the North

Pacific Marine Sciences Organization; travel expenses of the U.S. commissioners and their advisors; and salaries of non-Government employees of the Pacific Salmon Commission for days actually worked as commissioners and panel members and alternates.

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

## INTERNATIONAL FISHERIES COMMISSIONS

[In thousands of dollars]

	Committee recommendation
Antarctic Treaty .....	75
Commission for the Conservation of Antarctic Marine Living Resources .....	74
Expenses of the U.S. Commissioners .....	140
Great Lakes Fishery Commission .....	12,948
Inter-American Sea Turtle Convention Commission .....	120
Inter-American Tropical Tuna Commission .....	2,100
International Commission for the Conservation of Atlantic Tunas .....	165
International Council for the Exploration of the Seas .....	122
International Pacific Halibut Commission .....	2,180
International Whaling Commission .....	116
North Atlantic Salmon Conservation Organization .....	27
North Pacific Anadromous Fish Commission .....	104
North Pacific Marine Science Organization .....	166
Northwest Atlantic Fisheries Organization .....	156
Pacific Salmon Commission .....	2,250
<b>Total .....</b>	<b>20,743</b>

The Committee expects to be consulted prior to any deviation from the above plan.

Of the amount provided for the Great Lakes Fishery Commission [GLFC], not less than \$700,000 shall be used to eradicate lampreys in Lake Champlain. The GLFC is directed to give priority to States that have provided matching grants when distributing lampricide funds.

## LITIGATION AND SETTLEMENT FUND

Appropriations, 2003 .....	
Budget estimate, 2004 .....	
House allowance .....	
Committee recommendation .....	\$5,000,000

The Committee recommends an appropriation of \$5,000,000. The recommendation is \$5,000,000 above the budget request.

This new account funds certain legal costs associated with the growing number of lawsuits filed against the National Oceanic and Atmospheric Administration [NOAA]. The funds are only intended for extraordinary costs associated with unanticipated filings or settlements. In the past, NOAA has had to loot programmatic accounts to cover unbudgeted litigation costs.

## PROCUREMENT, ACQUISITION, AND CONSTRUCTION

Appropriations, 2003 .....	\$678,412,000
Supplemental appropriations, 2003 .....	65,000,000
Budget estimate, 2004 .....	822,399,000
House allowance .....	794,059,000
Committee recommendation .....	990,127,000

The Committee recommends an appropriation of \$990,127,000.  
The recommendation is \$167,728,000 above the request.  
Committee recommendations are displayed in the following table:

PROCUREMENT, ACQUISITION, AND CONSTRUCTION

[In thousands of dollars]

	Committee recommendation
NOS:	
Coastal and Estuarine Land Conservation Program (CELCP):	
Discretionary .....	2,125
Orange Beach (Robinson Island), AL .....	2,000
Brea/Tonner Creek, CA .....	500
Elkhorn Slough/Moss Landing, CA .....	1,500
San Pablo Bay, CA .....	1,000
Sand Hill Bluff (Santa Cruz Co.), CA .....	2,000
Salt Island Overlook (Westbrook), CT .....	300
Coastal Lands, HI .....	3,000
Westwego, LA .....	1,600
Monomoy River (Harwich), MA .....	2,500
Chesapeake, Eastern Shore (Glatfelter properties), MD .....	6,000
Royal River (Yarmouth), ME .....	1,600
Saugatuck Dunes, MI .....	2,500
Watervale Dunes, MI .....	3,000
Deer Island, MS .....	2,000
Seacoast, NH .....	2,000
Barneget Bay, NJ .....	3,000
Gunning Island, NJ .....	1,500
Lotus Point (Lake Erie), NY .....	375
Bass Islands, OH .....	3,000
Grand River (Lake County), OH .....	1,000
Lake Erie Shoreline (Canal Basin), OH .....	5,000
South Slough Watershed, OR .....	2,000
Third Beach (Middletown), RI .....	750
Crow's Nest (Stafford Co.), VA .....	4,000
Bainbridge Island, WA .....	3,000
Maury Island, WA .....	2,000
Saxine Creek/Bibon Swamp (Bayfield County), WI .....	750
Subtotal, Coastal and Estuarine Land Conservation Program .....	60,000
Estuarine Land Acquisition & Construction:	
ACE Basin .....	4,500
Apalachicola NERR, FL .....	1,500
Delaware NERR:	
St. Jones River .....	250
Blackbird Creek .....	2,250
Jacques Cousteau NERR, NJ .....	3,000
NERRS Discretionary .....	10,000
Old Woman Creek NERR, OH .....	400
Port Aransas, TX .....	3,375
Subtotal, Estuarine Acquisition & Construction .....	25,275
Sec. 2 (FWCA) Coastal/Estuarine Land Acquisition:	
Bonneau Ferry, SC .....	14,000
Great Bay Partnership, NH .....	6,000
Subtotal, Sec. 2 (FWCA) Coastal/Estuarine Land Acquisition .....	20,000
Marine Sanctuaries Construction .....	1,625
Subtotal, Marine Sanctuary Construction .....	1,625

## PROCUREMENT, ACQUISITION, AND CONSTRUCTION—Continued

[In thousands of dollars]

	Committee recommendation
Other NOS Facilities:	
Cedar Point Coastal Research Facility, MS .....	2,000
Fort Johnson Joint Laboratory (SCDNR) Modernization .....	2,000
Kasitsna Bay Laboratory .....	4,000
Marine Environmental Health Research Laboratory Expansion & Equip .....	6,000
Subtotal, Other NOS Facilities .....	14,000
Total NOS—PAC .....	120,900
NMFS:	
Systems Acquisition: Computer Hardware & Software .....	3,492
Subtotal, NMFS Systems Acquisition .....	3,492
Construction:	
Honolulu Lab .....	12,000
Pascagoula Laboratory .....	2,000
Subtotal, NMFS Construction .....	14,000
Total, NMFS—PAC .....	17,492
OAR:	
Systems Acquisition: Research Supercomputing (GFDL) .....	7,550
Subtotal, OAR Systems Acquisition .....	7,550
Construction: Barrow Arctic Research Center (Phase I) .....	8,500
Subtotal, OAR Construction .....	8,500
Total, OAR—PAC .....	16,050
NWS:	
Systems Acquisition:	
Advanced Weather Interactive Processing System (AWIPS) .....	14,134
Automated Surface Observing System (ASOS) .....	5,125
Next Generation Weather Radar (NEXRAD) .....	12,000
NWS Telecommunications Gateway (NWSWG) Legacy Replacement .....	2,870
Radiosonde Network Replacement .....	6,989
Weather and Climate Supercomputing .....	19,285
Subtotal, NWS Systems Acquisition .....	60,403
Construction: WFO Construction .....	13,630
Subtotal, NWS Construction .....	13,630
Total, NWS—PAC .....	74,033
NESDIS:	
Systems Acquisition:	
Geostationary Systems .....	277,554
Polar Orbiting Systems .....	391,083
NPOESS Pre-/Unplanned Product Improvements .....	10,510
Subtotal, NESDIS Systems Acquisition .....	679,147
Construction: Suitland Facility .....	8,217

## PROCUREMENT, ACQUISITION, AND CONSTRUCTION—Continued

[In thousands of dollars]

	Committee recommendation
Subtotal, NESDIS Construction .....	8,217
Total, NESDIS—PAC .....	687,364
Program Support:	
Aircraft Upgrade & Replacement:	
G-IV Instrumentation Upgrades .....	4,600
Required Regulatory Upgrades to Aircraft .....	1,343
WP-3D Navigation Upgrade .....	1,645
Subtotal, Aircraft Upgrade & Replacement .....	7,588
Fleet Upgrade & Replacement:	
Fisheries Research Vessel .....	53,000
Hiialakai (Vindicator) equipment fit out .....	2,500
Ship Acquisition, Conversion & Maintenance (climate/hydro/fisheries/enforce/explore) .....	5,500
Sonar for Long-Range Fisheries Research .....	5,700
Subtotal, OMAO Fleet Upgrade & Replacement .....	66,700
Total, Program Support—PAC .....	74,288
GRAND TOTAL PAC .....	990,127

The Committee expects to be consulted prior to any deviation from the above plan. Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

*Land Acquisition and Construction.*—The funds included in the Committee recommendation will be used expressly to acquire lands or interests in lands that include significant conservation, recreation, ecological, historical or aesthetic values or to construct interpretive, scientific, or stewardship facilities at the sites. In keeping with the statute, Section 2 (Fish & Wildlife Coordination Act) acquisition projects are not dependent upon receipt of local, State, or private matching funds.

*Other NOS Facilities.*—The Committee is very concerned about the repeated delays and inaccurate cost estimates related to the Katsisna Bay Laboratory redevelopment project. The Committee is providing \$4,000,000 to complete Phases I and II of this project. The Committee expects that: (1) all construction on phases I and II to be complete by September 15, 2004; (2) any cost overruns will be paid for out of the Program Support funds related to the operation of the Under Secretary's office; (3) no funds will be expended on activities not listed as priority I and II items in the January 2002 Katsisna Bay Laboratory Redevelopment Master Plan; and (4) any funds remaining at the end of fiscal year 2004 will be deobligated and returned to the United States Treasury.

*All Hazard National Warning Network NOAA Weather Radio.*—Timely local warning of natural and man-made disasters has been identified by the Administration as a priority. The fiscal year 2004 request seeks funds to improve the timeliness of NOAA Weather Radio [NWR] network alerts. While the goal is commendable, the Committee questions the method. Though NWRs are popular in

areas of the country particularly susceptible to violent weather, less than 10 percent of Americans are reported to own one. The Committee is aware of a number of other technological solutions, such as telephony-based warning systems, that could more quickly reach a far larger percentage of at-risk populations. Before investing in NWR network improvements, the Committee would like to review the Administration's overall plan for emergency broadcasts. Therefore, NOAA, in cooperation with the Federal Communications Commission, the Department of Homeland Security, and other relevant agencies, is directed to submit to the Committees on Appropriations a comprehensive, inter-agency plan detailing the costs and benefits of the various technological solutions for timely local warning of disasters, proposed and planned investments based upon that assessment, and performance improvements expected.

*Turbo Commander Replacement.*—Rather than replace this aircraft, NWS is directed to contract out its snow survey work. NWS should submit its plan for doing so to the Committees on Appropriations not later than November 1, 2003.

*Fisheries Research Vessel.*—The recommendation includes full funding for the third vessel of the class to allow NOAA to exercise an advantageously-priced contract option.

PACIFIC COASTAL SALMON RECOVERY FUND

Appropriations, 2003 .....	\$129,155,000
Budget estimate, 2004 .....	90,000,000
House allowance .....	90,000,000
Committee recommendation .....	90,000,000

The Committee recommends \$90,000,000 for Pacific Coastal Salmon Recovery Fund. The recommendation is identical to the budget request. Within the funding for the Pacific Coastal Salmon Recovery Fund, the Committee recommends \$26,000,000 for the State of Washington, \$26,000,000 for the State of Alaska, \$11,000,000 for the State of Oregon, \$11,000,000 for the State of California, \$8,500,000 for the Pacific Coastal Tribes, \$5,000,000 for the State of Idaho, and \$2,500,000 for the Columbia River Tribes. Of the funds provided for the State of Alaska, \$5,000,000 is for the Arctic Yukon-Kushokwim Sustainable Salmon initiative, \$1,000,000 is for construction of salmon mitigation passes, \$1,000,000 is for the Cook Inlet Fishing Community Assistance Program, \$500,000 is for the Yukon River Drainage Association, \$500,000 is for Fort Richardson fisheries, \$500,000 is for Elmendorf AFB hatcheries, \$500,000 is for Fort Wainwright fisheries, \$450,000 is for universal quality standards, \$450,000 is for competitive analysis of global salmon, \$250,000 is to restore the king salmon runs in Coffman Cove, \$250,000 is to enable the State of Alaska to participate in discussions regarding the Columbia River hydrosystem management, and \$100,000 is for United Fishermen of Alaska's subsistence program. Of the amount provided for the State of Washington, \$5,000,000 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 funding shall be spent in accordance with the terms and conditions of the Forest and Fish Report and consistent with the requirements of the Endangered Species Act and Clean



Water Act. Also within the amount provided for the State of Washington, \$1,590,000 is for the purchase of two new mass marking trailers. Of the amount provided to the State of Oregon, \$1,100,000 is for conservation mass marking at the Columbia River Hatcheries.

FISHERMEN'S CONTINGENCY FUND

Appropriations, 2003 .....	\$1,000
Budget estimate, 2004 .....	956,000
House allowance .....	
Committee recommendation .....	1,000

The Committee recommends an appropriation of \$1,000 for the fishermen's contingency fund. The recommendation is \$955,000 below the request. The Committee expects NOAA to cover necessary expenses by using carryover funds.

The fishermen's contingency fund provides compensation to U.S. fishermen for damage or loss of fishing gear and any resulting loss because of natural or man-made obstructions related to oil and gas exploration, development, and production on the Outer Continental Shelf.

FOREIGN FISHING OBSERVER FUND

Appropriations, 2003 .....	\$1,000
Budget estimate, 2004 .....	191,000
House allowance .....	
Committee recommendation .....	1,000

The Committee recommends an appropriation of \$1,000 for the foreign fishing observer fund. The recommendation is \$190,000 below the request. The Committee expects NOAA to cover necessary expenses by using carryover funds.

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

FISHERIES FINANCE PROGRAM ACCOUNT

Appropriations, 2003 .....	\$287,000
Budget estimate, 2004 .....	
House allowance .....	
Committee recommendation .....	

The Committee notes that an appropriation is not necessary for the fisheries finance program account.

DEPARTMENT MANAGEMENT

SALARIES AND EXPENSES

Appropriations, 2003 .....	\$44,662,000
Budget estimate, 2004 .....	57,191,000
House allowance .....	44,662,000
Committee recommendation .....	44,662,000

The Committee recommends an appropriation of \$44,662,000 for Departmental Management. The recommendation is \$12,529,000 below the budget request. The Committee notes that the Depart-

ment's request for fiscal year 2004 represents nearly a 19 percent increase over the fiscal year 2003 level, which represented a 19 percent increase over the fiscal year 2002 level.

OFFICE OF THE INSPECTOR GENERAL

Appropriations, 2003 .....	\$20,501,000
Budget estimate, 2004 .....	23,378,000
House allowance .....	22,000,000
Committee recommendation .....	21,116,000

The Committee recommends an appropriation of \$21,116,000. The recommendation is \$2,262,000 below the budget request.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

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

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

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

Section 205 permits the Department of Commerce franchise fund to retain a percentage of earnings from services provided for capital investments.

Section 206 provides funding for 4 grants and a cooperative agreement.

Section 207 promotes seafood consumption.

Section 208 limits the increases the Department may request for a certain account.

Section 209 improves a National Institute of Standards and Technology program.

Section 210 allows the Secretary of Commerce to enter into cooperative agreements with joint and cooperative institutes.

Section 211 terminates the interest of the Economic Development Administration in and to certain property.

Section 212 clarifies the relationship between the National Oceanic and Atmospheric Administration and one of its joint labs.

Section 213 extends emergency steel loan guarantees.

Section 214 upholds the right of Congress to establish immigration quotes.

TITLE III—THE JUDICIARY

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

The Committee recommends a total appropriation of \$5,076,665,000 for the judiciary. The recommendation is \$353,344,000 below the budget request. The Committee is aware that a total of \$276,200,000 in fees, reimbursables, and carryover is available in various accounts across this title to supplement direct appropriations, as well as additional funding as a result of the fiscal year 2003 supplemental.

Steady growth in costs associated with defender services, court security, GSA rental payments, and pay and benefits at a time of declining resources continues to put serious pressure on the judiciary budget. The Committee urges the judiciary to make every effort to contain “mandatory” costs, particularly staff salaries.

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

Appropriations, 2003 .....	\$45,458,000
Supplemental appropriations, 2003 .....	1,535,000
Budget estimate, 2004 .....	57,477,000
House allowance .....	55,360,000
Committee recommendation .....	59,414,000

The Committee recommends an appropriation of \$59,414,000 for the Justices, their supporting personnel, and the costs of operating the Supreme Court, excluding the care of the building and grounds. The recommendation is \$1,937,000 above the budget request.

*Data Systems.*—The Committee lauds the Court for their successes in their information technology [IT] modernization program in recent years, and believes even more emphasis should be placed on the IT systems planned for the future. Therefore, of the funds provided, the Committee directs that \$2,500,000 shall be used for Data System Operational Support as outlined in the budget request. The personnel required to implement, monitor and maintain these systems will be as specified in the paragraph below.

The Committee is aware of unfunded requirements in the Court’s automation program. The Committee believes the computer operating system conversion is a vital cornerstone of the Supreme Court’s future efforts. The Committee is also aware that due to the nature of the Court calendar the IT staff has a reduced time frame within which they are able to implement large-scale system changes. Therefore, within the funds provided, the Committee directs \$3,400,000 be expended as described in the Data Systems Of-

office's computer operating system conversion project plan as presented to the Committee.

*Personnel Increases.*—The Committee understands the Supreme Court's total long-term requirements for an increase in personnel, such as increasing the security posture for the Court, are a top priority. Therefore, within the funds provided, the Court shall make the following personnel increases as outlined in the budget request:

PERSONNEL INCREASES  
[Dollars in thousands]

Job description	FTE	Cost
Automation Support Unit Technicians .....	2.0	\$103
Systems Accountants .....	3.0	286
Telephone Operators .....	2.0	72
Programmer-Analyst/SW Developer .....	1.0	54
Secretary (for Data Office) .....	1.0	45
Library Technology Assistant .....	1.0	45
Special Collections Librarian .....	1.0	45
<b>Total .....</b>	<b>11.0</b>	<b>650</b>

The Committee understands that by recommending approval of the Court's request for additional Systems Accountants the Court will use these new government employees to replace contract personnel, at a considerable savings to the Court. The Court is directed to report to the Committee on Appropriations the actual amount of this savings.

*Other Program Increases.*—Within the funds provided, the Committee supports the Metrocheck transit subsidy program increase as requested. The Committee directs the Supreme Court to submit the financial plan, to include expected annual O&M cost, for the proposed firearms training system as soon as these costs are determined.

CARE OF THE BUILDING AND GROUNDS

Appropriations, 2003 .....	\$41,355,000
Budget estimate, 2004 .....	4,658,000
House allowance .....	10,591,000
Committee recommendation .....	4,658,000

The Committee recommends an appropriation of \$4,658,000 for personnel and other services relating to the Supreme Court building and grounds, which is supervised by the Architect of the Capitol. The recommendation is identical to the budget request.

U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

Appropriations, 2003 .....	\$20,195,000
Supplemental appropriations, 2003 .....	973,000
Budget estimate, 2004 .....	22,422,000
House allowance .....	20,665,000
Committee recommendation .....	20,662,000

The Committee recommends an appropriation of \$20,662,000. The recommendation is \$1,760,000 below the budget request.

The Committee does not support the request for a video conference project (\$215,000) without further justification. The Committee does, however, support the request for courtroom renovations as described in the budget request.

The Committee supports the addition of a supervisory level on-site deputy U.S. Marshal.

The Committee does not support a Deputy Circuit Executive (\$130,000), as the budget justification has not shown a workload need, in relation to the other Circuits, for such a position.

U.S. COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

Appropriations, 2003 .....	\$13,609,000
Supplemental appropriations, 2003 .....	50,000
Budget estimate, 2004 .....	14,206,000
House allowance .....	14,068,000
Committee recommendation .....	13,210,000

The Committee recommends an appropriation of \$13,210,000. The recommendation is \$996,000 below the budget request. The Committee understands the U.S. Court of International Trade will have a carryover balance of \$195,976 in fiscal year 2003 funds to augment this appropriation.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

Appropriations, 2003 .....	\$3,777,015,000
Budget estimate, 2004 .....	4,188,352,000
House allowance .....	4,004,176,000
Committee recommendation .....	3,894,021,000

The Committee recommends an appropriation of \$3,894,021,000. The recommendation is \$294,331,000 below the budget request. Of the \$294,331,000 reduction from the budget request, \$158,970,000 shall be distributed in the following manner:

REDUCTIONS FROM REQUEST

[In thousands of dollars]

	Amount
Supplies .....	(3,000)
Non-pay Inflationary and Contractual Services .....	(7,000)
Cafeteria-style Flexible Benefits .....	(15,886)
Unfunded Fiscal Year 2003 Workload Requirements .....	(97,000)
Increase of 427 FTE's .....	(28,200)
Courtroom Audio Systems .....	(4,384)
Court Operations Support Center .....	(2,500)
Background checks .....	(1,000)

The Committee understands that \$276,200,000 is available from fees and carryforward balances to augment appropriated amounts. As the Judiciary recomputes their actual balances in these accounts throughout fiscal year 2003, the Committee will expect reprogramming request within accounts as consistent with Section 605 of this Act.

Within the amount recommended, \$1,816,000 shall be used to complete the renovation of the new Federal District Courthouse in Natchez, Mississippi.

The Committee has seen no statistical support for the requested staff increase. The sophisticated scientific formula offered in the budget request does not justify such a large increase, particularly when courts are using funds for existing vacancies to finance automation equipment. Therefore, the Committee does not support the request for the additional staff members. The Committee is concerned about supporting the current employees and ensuring no one is forced into a Reduction-In-Force situation.

The Committee fully supports the Judiciary's budget request for the Judiciary Information Technology Fund [JITF]. The Committee would like to see an even greater emphasis on automation in the local courts. To this end, the Committee expects the full recommended appropriation for the JITF, as reflected in the budget request, be deposited into this account. The Committee lauds the Judicial Committee on Information Technology (IT Committee) and their Chairman for their successes helping the Courts run more efficiently through the use of new automation. Of particular note, the Committee is impressed and encouraged by the new Case Management/Electronic Case File system [CM/ECF]. This new and innovative system allows judges, their staffs, the bar and the general public to work within the judicial system with greater efficiency. This new system is currently implemented in many bankruptcy and district courts and will soon begin implementation in the appellate courts. The CM/ECF system is already showing its potential to revolutionize the management and handling of case files and within the next few years should show significant cost savings throughout the Judiciary. The Committee on Appropriations expect a report on the savings generated by this program at the earliest possible date.

The Committee understands that the time required to hear Court cases can be reduced by as much as 15 percent through the use of new automation in the courtroom. The Committee is concerned about the pace of courtroom modernization and urges the Judiciary to place an increased emphasis on courtroom technologies and accelerate the pace of modernization efforts.

The Committee has learned that many courts are in need of additional automation support. The Judiciary receives great benefits from the development of automation initiatives at the local court level. These local initiatives are tremendously beneficial to the local courts and the sharing of the technology with other courts will realize savings to the entire Judiciary. The Committee lauds the Office of Information Technology for including an Information Technology Grant program in the "Long Range Plan for Information Technology in the Federal Judiciary", specifically, goal 7, initiative 1. The Committee fully supports this program. However, the Committee understands that even though the Judiciary has been including requests for funds for IT grants in their "base" request in fiscal year 2004 and prior years, no grants have been distributed to the courts. To assist in this effort, and accelerate the pace of this program, the Committee directs that no less than \$2,500,000 of the funds appropriated for the JITF be set aside specifically for the Local Initiatives Program to be used to establish and operate a Na-

tional Clearinghouse, conduct training at the Circuit level, and provide Information Technology Grants. These funds are also in addition to the \$339,500 the Administrative Office [AO] outlined in the fiscal year 2004 financial plan for IT Grants and the carryforward from the \$176,200 in the fiscal year 2003 financial plan. This program shall come under the exclusive and direct management and oversight of the Chairman, Committee on Information Technology. The Committee directs the AO to report to the Committees on Appropriations the proposed process and structure to operate the Clearinghouse, evaluate initiatives and oversee the Local Initiatives Program, within 90 days of enactment of this Act. In addition, the AO shall report on the status of this program no later than April 1, 2004 and October 1, 2004. The status report shall contain an activity report from the Clearinghouse, a list of the courts that received the grants in fiscal year 2003 and fiscal year 2004, the project supported, and the amount of the grant.

*Budget Decentralization.*—The Committee understands that the Judiciary's budget decentralization program is extremely beneficial to the local courts and compliments the Administrative Office of the U.S. Courts [AO] for its support. This program is the only way some courts can operate. It gives the courts some flexibility to handle situations unique to their particular needs. The Committee expects this program to continue.

*Court Formulas.*—Even though budget decentralization is a good first step, the Committee has learned from numerous courts that the formulas used to determine staffing requirements and court allocations do not work. There is no place where logic is given sufficient weight in the equation. Some courts have to use staffing allocations just to operate the court, knowing this adds an extra burden on the remaining staff, while other courts have more than sufficient staffing levels. The present formulas are not flexible enough to consider differences in court operations. If caseload numbers are the main value of the staffing formula the courts with unique situations do not receive appropriate credit. In addition, formulas that only consider the District level and not the Divisional level seriously shortchange courts such as El Paso, which is a division unto itself, has the highest caseload level in the Judiciary and has a severe shortage of staff. The shortage in staff is evident in every office, but most apparent in the Probation and Pretrial Services office. The fact that the El Paso court operates as smoothly as it does in such austere conditions is a testament to the professionalism and dedication of the Judges and staff in the court. Therefore, the Committee sees the formula problem as a severe detriment to the courts and directs the AO to immediately review the entire court formula program and make the necessary adjustments. As soon as this review is complete, but not later than March 31, 2004, a copy of the review and recommended adjustments shall be forwarded to the Committees on Appropriations.

*Court Operations Support Center [COSC].*—The Committee is concerned about the daily operation of the COSC and as such directs the Administrative Office to submit to the Committees on Appropriations a report on the job classifications and grade level of the 47 personnel assigned to the COSC. In addition, the report shall contain a detailed financial plan outlining the annual oper-

ating cost. This report shall be submitted no later than May 3, 2004.

VACCINE INJURY TRUST FUND

Appropriations, 2003 .....	\$2,766,000
Budget estimate, 2004 .....	3,293,000
House allowance .....	3,293,000
Committee recommendation .....	3,293,000

The Committee recommends an appropriation of \$3,293,000. The recommendation is identical to the budget request.

DEFENDER SERVICES

Appropriations, 2003 .....	\$534,961,000
Budget estimate, 2004 .....	635,481,000
House allowance .....	613,948,000
Committee recommendation .....	595,006,000

The Committee recommends an appropriation of \$595,006,000. The recommendation is \$40,475,000 below the budget request.

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

*Criminal Justice Act Panel Attorney Rates.*—In fiscal year 2002, the Committee provided a significant increase in CJA panel attorney hourly rates. This large increase was funded and approved by Congress because the hourly rates authorized in 1986 had not kept pace with inflation and many Federal judges were reporting difficulty in finding qualified counsel willing to accept CJA appointments at rates that were one-third to one-half the rates charged in private practice.

This year, the request included an additional increase in the CJA hourly rate from \$90 to \$113 for non-capital cases and from \$125 to \$157 for capital cases. The Committee has not seen any empirical evidence from the Administrative Office [AO] to support such a large increase. In future budget submissions, the AO is asked to include such data as an accompaniment to the request. The Committee urges the AO to survey appropriate judges and report as soon as practical to the Committee statistical data supporting the issues as reported by the judges.

Of the \$40,475,000 reduction from the budget submission, \$15,255,000 shall be distributed in the following manner:

REDUCTIONS FROM REQUEST

[In thousands of dollars]

	Amount
Panel Attorney Adjustment (2 percent) .....	(989)
Panel Attorney Adjustment (2 percent) .....	(258)
Supplies .....	(397)
Panel Attorney Rate Increase .....	(10,378)
Panel Attorney Rate Increase .....	(2,633)
New Offender Offices .....	(600)



## FEES OF JURORS AND COMMISSIONERS

Appropriations, 2003 .....	\$54,281,000
Budget estimate, 2004 .....	53,181,000
House allowance .....	53,181,000
Committee recommendation .....	53,181,000

The Committee recommends an appropriation of \$53,181,000. The recommendation reflects the judiciary's reestimate of fiscal year 2004 requirements.

This account provides for the fees and allowances of grand and petit jurors and for the compensation of land commissioners and jury commissioners.

## COURT SECURITY

Appropriations, 2003 .....	\$266,655,000
Budget estimate, 2004 .....	311,171,000
House allowance .....	288,941,000
Committee recommendation .....	266,058,000

The Committee recommends an appropriation of \$266,058,000. The recommendation is \$45,113,000 below the budget request.

The Committee is concerned about the security of the U.S. Court-houses and the safety of all judicial employees and urges the Administrative Office [AO] to work closely with the U.S. Marshals Service to forge an effective and lasting accommodation to achieve this common goal. In past years several attempts have been made to align the funding with either the AO or the Service, or a combination of both. The Committee has not received the study on the management of this program and the unique relationship between the U.S. Marshals Service and the Federal Judiciary as requested last year. However, the Committee is anxious to assist in this area and will review any proposal that most efficiently protects these vital resources.

## ADMINISTRATIVE OFFICE OF THE U.S. COURTS

## SALARIES AND EXPENSES

Appropriations, 2003 .....	\$63,087,000
Budget estimate, 2004 .....	71,908,000
House allowance .....	66,968,000
Committee recommendation .....	63,717,000

The Committee recommends an appropriation of \$63,717,000. The recommendation is \$8,191,000 below the budget request.

Of the \$8,191,000 reduction from the budget request, \$1,820,000 shall be distributed in the following manner:

## REDUCTIONS FROM REQUEST

[In thousands of dollars]

	Amount
Equipment/Supplies .....	(30)
Cyclical Replacement .....	(400)
Staffing Increases .....	(958)
Cafeteria-style Flex Benefits .....	(432)

The Committee understands the need for cyclical replacement of automation equipment in the AO and lauds the Office of Internal Services for their efforts to control inventory and catalogue all automation equipment purchased in the AO. The Committee is impressed as well with their diligence in holding down costs in this area. However, the Committee understands there is a problem controlling all new computer/automation equipment purchased for the AO within each Directorate. This confounds the AO's cyclical replacement process. Therefore, the Committee does not fund the \$400,000 request for additional equipment.

The Committee has not been informed as to the AO's plan for complying with the National Archives & Records Administration records management requirements for the AO or the courts. The Committee understands the present storage schedules need to be updated to reflect current records and electronic systems. Absent any mention in the budget request, the Committee is concerned with funding additional program increases in the future. The Committee urges the AO to develop a comprehensive records management plan for the Judiciary, to include current and outyear funding requirements, and inform the Committee of this plan as soon as possible.

The Committee has seen no statistical support for the requested staff increase that ties directly to the staffing levels in the courts. The sophisticated scientific formula offered in the budget request does not justify the request. Therefore, the Committee does not recommend an appropriation for the additional nine staff members (\$958,000). The Committee is more concerned with supporting the current employees and ensuring no one is forced into a Reduction-In-Force situation.

The Committee understands the request for cafeteria-style flex benefits has not been supported by the Authorizing Committees. In addition, the request is not consistent in each account throughout the Judiciary's budget submission. Therefore, the Committee does not support the request (\$432,000) at this time.

The Committee is very concerned with the unusually large amount of funds spent on travel and travel related expenses by AO personnel. The Committee urges the AO to take a harder look at the amount of travel by AO personnel and attempt to realize some cost avoidance in this area before making adjustments to allotments to local courts. The AO shall report to the Committees on Appropriations on a semi-annual basis the total amount of travel funds expended by AO personnel, broken down by Directorate.

FEDERAL JUDICIAL CENTER  
SALARIES AND EXPENSES

Appropriations, 2003 .....	\$20,720,000
Budget estimate, 2004 .....	21,660,000
House allowance .....	21,440,000
Committee recommendation .....	22,434,000

The Committee recommends an appropriation of \$22,434,000. The recommendation is \$774,000 above the budget request.

The Federal Judicial Center [FJC] improves the management of Federal judicial dockets and court administration through edu-

cation for judges and staff and research, evaluation, and planning assistance for the courts and the judicial conference. The Committee lauds the FJC's education and training program as a model for the entire judiciary.

#### JUDICIAL RETIREMENT FUNDS

##### PAYMENT TO JUDICIARY TRUST FUNDS

Appropriations, 2003 .....	\$35,300,000
Budget estimate, 2004 .....	29,000,000
House allowance .....	29,000,000
Committee recommendation .....	29,000,000

The Committee recommends an appropriation of \$29,000,000 for payments to the Judicial Officers' Retirement Fund and the Claims Court Judges Retirement Fund. The recommendation is identical to the budget request.

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

#### U.S. SENTENCING COMMISSION

##### SALARIES AND EXPENSES

Appropriations, 2003 .....	\$12,011,000
Budget estimate, 2004 .....	13,200,000
House allowance .....	12,746,000
Committee recommendation .....	12,011,000

The Committee recommends an appropriation of \$12,011,000. The recommendation is \$1,189,000 below the budget request.

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

#### GENERAL PROVISIONS—THE JUDICIARY

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

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

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

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

Section 304 provides a cost of living adjustment for Justices and judges.

Section 305 provides a pay raise for Justices and judges.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

The Committee recommends an appropriation of \$8,030,612,000. The recommendation is \$613,630,000 below the budget request. Security, technology, and infrastructure accounts have received the maximum funding deemed prudent.

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

Appropriations, 2003 .....	\$3,776,848,000
Supplemental appropriations, 2003 .....	98,420,000
Budget estimate, 2004 .....	4,163,544,000
House allowance .....	4,099,961,000
Committee recommendation .....	3,874,778,000

The Committee recommends an appropriation of \$3,874,778,000. The recommendation is \$288,766,000 below the budget request.

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

Within the amount provided, the Committee recommendation includes \$175,000 to support the United States' membership in the Arctic Council and \$40,000 for the Bering Straits Commission. The former includes funds for representation expenses and travel for U.S. delegates.

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

DIPLOMATIC & CONSULAR PROGRAMS

[In thousands of dollars]

	Committee recommendation
Regional Bureaus:	
Bureau of African Affairs .....	246,974
Bureau of East Asian and Pacific Affairs .....	249,258
Bureau of European and Eurasian Affairs .....	516,580
Bureau of Near Eastern Affairs .....	159,800
Bureau of South Asian Affairs .....	73,251
Bureau of Western Hemisphere Affairs .....	242,944
Bureau of International Organization Affairs .....	50,731
Office of International Conferences .....	3,122
FSN Separation Liability Trust Fund .....	8,224
Subtotal, Regional Bureaus .....	1,550,884

## DIPLOMATIC &amp; CONSULAR PROGRAMS—Continued

[In thousands of dollars]

	Committee recommendation
<b>Functional Bureaus:</b>	
Ambassador's Fund for Cultural Preservation .....	1,750
Bureau of Arms Control .....	22,969
Bureau of Consular Affairs .....	2,438
Counterterrorism Research and Development/Office of the Coordinator for Counterterrorism .....	1,800
Bureau of Democracy Human Rights and Labor .....	11,705
Bureau of Diplomatic Security .....	230,822
Diplomatic Telecommunications Service Program Office .....	46,884
Bureau of Economic and Business Affairs .....	26,978
Bureau of Information Resource Management .....	165,287
Bureau of Intelligence and Research .....	43,376
Bureau of Non-Proliferation .....	24,352
Bureau of Oceans and Int'l Environmental and Scientific Affairs .....	26,896
Bureau of Political Military Affairs .....	486
Bureau of Population, Refugees, and Migration .....	30,182
Bureau of Public Affairs .....	14,069
Bureau of Verification and Compliance .....	649,994
Subtotal, Functional Bureaus .....	649,994
<b>Management:</b>	
Office of the Secretary .....	72,905
Deputy Secretary for Management and Resources .....	6,024
Bureau of Resource Management .....	81,438
Office of Protocol .....	6,050
Subtotal, Management .....	166,417
<b>Administration:</b>	
Bureau of Administration .....	332,727
Bureau of Human Resources .....	109,304
Bureau of Human Resources—Special Complement .....	76,046
Diplomatic Readiness Initiative Year III .....	67,428
Foreign Service Institute .....	104,515
Continuing Overseas Language Training .....	10,000
Bureau of Legislative Affairs .....	129,484
Post Assignment Travel .....	829,504
Subtotal, Administration .....	829,504
<b>Offices:</b>	
Office of Foreign Missions .....	4,273
Office of International Criminal Justice .....	1,071
Office of International Information Programs .....	45,023
Office of International Health Affairs .....	2,000
Office of Strategic Planning for Public Diplomacy .....	2,000
Office of the Legal Advisor .....	29,239
Office of the Medical Director .....	83,606
Trafficking in Persons .....	83,606
Subtotal, Offices .....	83,606
Subtotal, Diplomatic and Consular Programs, Non-Security .....	3,280,405

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

## DEPARTMENT MANAGEMENT

*Reprogrammings.*—The Committee reminds the Department that reprogramming notifications are required in the case of (1) a re-

programming of funds, whether permanent or temporary, in excess of \$500,000 or 10 percent, whichever is less, between programs or activities; (2) increasing funds or personnel by any means for any project or activity for which funds have been denied or restricted; (3) creating new programs, offices, agencies, or commissions, or substantially augmenting existing programs, offices, agencies, or commissions; (4) relocating offices or employees; (5) reorganizing offices, programs, or activities, including consolidations, expansions, and changes in names or designations; (6) contracting out or privatizing any functions or activities presently performed by Federal employees funded by this subcommittee; (7) initiating construction projects in excess of \$500,000 not specifically approved by the Committee; and (8) adding, expanding, converting, or altering of space in any newly constructed facility for a period of 1 year after contract close-out of the new facility. These requirements are clearly stated in the introductions of the fiscal year 2003 and fiscal year 2004 Senate reports. The Committee has restated them under this title for the convenience of the State Department.

The Committee is aware of two instances during fiscal year 2003 in which the Department of State undertook reorganizations without submitting reprogramming requests. The first instance involved the realignment of the Bureau of Political Military Affairs. This change required a reprogramming under sections (3) and (5), as stated above. The Committee did not receive the required reprogramming request, but merely a letter of notification from the Department, dated November 11, 2002. The second instance involved changing the status of the Office of International Information Programs from "Office" to "Bureau". This change required a reprogramming under section (5), as stated above. The Committee did not receive the required reprogramming request, but merely a letter of notification from the Department, dated April 4, 2003. As a consequence of the Department's failure to follow proper reprogramming procedures, the Committee does not recognize either change. The Committee encourages the Department to submit the required reprogrammings to the Committee in order that these changes, if approved, may receive rightful consideration during the fiscal year 2005 appropriations process.

*Bureau of Democracy, Human Rights, and Labor [DRL].*—The Committee is aware that the DRL is delinquent on its reimbursement payments to the Drug Enforcement Administration [DEA] for the international counter-narcotics training DEA provides to foreign narcotics law enforcement officers under an agreement with the State Department. The Committee directs that, within the amounts provided for DRL, \$1,500,000 be transferred to the DEA for the expenses it incurred while carrying out its obligations under the aforementioned agreement. The Committee directs that this joint program continue, but directs the Department of State henceforward to meet its financial obligations under the terms of the agreement.

*Financial Operations.*—The Committee commends the Department of State for the significant improvements it has made in its financial operations. For the past 7 years, the Department has had clean audited financial statements. Additionally, the Department has streamlined and centralized its overseas and domestic financial

operations in Charleston, South Carolina. From Charleston, the Department currently pays over 25,000 Americans both domestically and overseas and over 35,000 local national employees in 180 different countries, bi-weekly, in local currencies. The Office of Management and Budget has undertaken an effort to consolidate payroll operations among the Federal agencies. The Committee understands that the purpose of this effort is to create efficiencies. However, the State Department's financial operations are vastly different from other U.S. agencies' financial operations because they are global. Before the Department expends any resources to consolidate payroll operations, the Department must demonstrate to the Committees on Appropriations that doing so would result in cost-savings to the American taxpayers. Also, before joining a consolidated payroll effort, the Department must submit a reprogramming, in accordance with section 605 of this Act.

#### GLOBAL PRESENCE

*Right-sizing.*—The Department of State currently has no comprehensive process in place for developing the staffing projections that are essential to the right-sizing process. Right-sizing refers to the reconfiguration of overseas U.S. Government personnel to the minimum number necessary to support U.S. national security interests. A key component of the planning process for a new embassy compound is the development of staffing projections. Staffing projections present the number of staff likely to work in the facility and the type of work they will perform. These are the two primary drivers of the size and cost of new facilities. Currently, individual embassies and consulates, in consultation with bureaus and offices at headquarters, are responsible for developing the staffing projections, which the Bureau of Overseas Buildings Operations [OBO] uses to design the new compounds and prepare funding requests. To ensure that new compounds are designed as accurately as possible, OBO designed a system for collecting future staffing requirements that invites the participation of embassy personnel, officials in the regional bureaus, and officials from other relevant Federal agencies. Embassy management and the regional bureaus must review and validate all projections before submitting them to OBO.

As the real property manager for all U.S. properties overseas, OBO has become the default arbiter of all questions pertaining to right-sizing. However, OBO is dependant on the regional bureaus at the State Department and other U.S. agencies for staffing projections and decisions. OBO is not in position to validate or downscale these staffing projections, yet is continually blamed for its tenants' ever-increasing demand for space at overseas posts. OBO has urged headquarters, the regional bureaus, and embassy management to develop a framework for making staffing projections. The fact that OBO has met with resistance at every turn has not gone unnoticed by the Committee. Worse, an April 2003, General Accounting Office [GAO] report found that the embassies and regional bureaus were not even consistently utilizing OBO's system in developing their staffing projections. The GAO report found that many embassies had not conducted a thorough analysis of their future staffing needs. The GAO report also found that the process of developing staffing projections had been managed poorly both in

the field and at Department headquarters. GAO noted that officials at post did not appear to appreciate the importance of the staffing projection process as it relates to the size and cost of new diplomatic facilities. Finally, the GAO report found that none of the embassies surveyed had received formal, detailed guidance on how to develop their projections from the regional bureaus. Based on this, the Committee must assume that the regional bureaus received no guidance from headquarters on how they should assist posts in developing their projections or on how the bureaus themselves should evaluate posts' submissions. This GAO report raises serious concerns about the validity of the Department's past and current staffing projections. The Committee directs the Department to develop a framework for conducting right-sizing analyses, including staffing projections, that will ensure that projected needs are the minimum necessary to support U.S. national security interests. The Committee further directs that the framework include the "tiger team" concept used by the Department to deploy OpenNet Plus. During the deployment of this global information technology network, tiger teams were sent around the world to all of the embassies to install the software and hardware and conduct the training necessary for the deployment of OpenNet Plus. The tiger teams were critical because the embassies had neither the time nor the expertise to do this work themselves. The same can be said of the embassies' ability to conduct thorough and objective evaluations of their past staffing needs and projections of their future staffing needs. The Committee will not entertain any reprogramming requests for the Diplomatic and Consular Programs account before the Department has reported on its plans for meeting this directive.

*U.S. Mission to the Republic of Kazakhstan.*—The Committee commends the United States Ambassador to the Republic of Kazakhstan and the work he and his staff are doing in this extremely challenging region of the world. The Committee supports the Ambassador's decision to consolidate post operations in Astana, after the capital of the Republic of Kazakhstan was moved to Astana from Almaty. The Committee supports the Ambassador's decision to leave a small presence post in Almaty to handle local requirements and recommends such sums as are necessary for this purpose. The Ambassador's decision is consistent with the concepts of regionalization and rightsizing, which the Committee believes should be more thoroughly integrated into all Department planning.

#### HUMAN RESOURCES

*Diplomatic Readiness Initiative.*—The Committee supports the Department's Diplomatic Readiness Initiative [DRI], under which the Department will hire 1,158 new Foreign Service Officers over 3 years. The initiative has allowed the Department to better meet its full human resources requirements and to reform its recruitment and hiring processes. The recommendation includes \$90,000,000 for the third and final year of DRI. This amount includes \$22,572,000 under Worldwide Security Upgrades for an additional 68 consular officers, which is identical to the amount requested. None of the funds provided for DRI in this Act or any other appropriations Act shall be used to hire any Foreign Service



Officer who is not available for worldwide assignment. The Committee directs the Department to submit, no later than September 30, 2004, a report evaluating the success of the DRI initiative and its impact on Department operations.

*Foreign Language Proficiency.*—The Committee is aware of the continued shortage of personnel at the State Department who possess the language skills required for their positions. If our diplomats truly are our “first line of defense” against foreign threats, then their ability to converse fluently in the languages of the countries to which they are posted is critical to national security. Foreign language proficiency should weigh more heavily in the determination of who is hired into and who advances within the Foreign Service. The Committee directs the Department to increase its emphasis on foreign language proficiency in the hiring and promotion of Foreign Services Officers. The Committee directs the Department to report on the changes it makes to its hiring and promotion practices no later than April 14, 2004.

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

#### DIPLOMATIC SECURITY

*Worldwide Security Upgrades.*—The recommendation includes a total of \$594,373,000 for Worldwide Security Upgrades. The Committee recommendations are displayed in the following table:

#### WORLDWIDE SECURITY UPGRADES

[In thousands of dollars]

	Committee recommendation
<b>Ongoing Security Activities:</b>	
Additional Consular Officers .....	22,572
Guards/Worldwide Protection .....	137,046
Physical Security Equipment .....	18,912
Technical Support/Infrastructure .....	68,932
Information/Systems Security .....	51,825
Armored Vehicles .....	10,536
Personnel/Training .....	119,780
Chemical/Biological Program .....	4,057
Radio Program .....	7,413
Perimeter Security Enhancements .....	70,000
TOPOFF II .....	3,000
Subtotal, Ongoing Security Activities .....	514,073
<b>New Programs:</b>	
Secure Operations .....	52,000
National Information Assurance Certification and Accreditation Process .....	28,300
Subtotal, New Programs .....	80,300
Subtotal, Worldwide Security Upgrades .....	594,373

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

*Marine Security Guard [MSG] Program.*—During the 19th century, the United States Navy was frequently called upon to protect American lives and property in remote parts of the world. Marine detachments took part in these operations and, on occasion, were called upon to protect U.S. diplomatic missions. The first such instance took place in 1835, when four marines from the U.S.S. *Brandywine* were assigned to protect the U.S. Consulate in Lima, Peru. The following year, a single Marine was permanently detailed to this task. Following this, legation guard detachments were stationed at various times in Tokyo, Seoul, and Managua. Over time, it became clear that civilian guards were unable to maintain adequate security at overseas missions, and the Department accordingly turned to the United States Armed Forces. Finally, on December 15, 1948, the Secretary of State and the Secretary of the Navy signed a memorandum of agreement which established the present Marine Security Guard program. Today Marines are assigned to Foreign Service posts throughout the world.

After that, the mission of the Marine Security Guard [MSG] detachments assigned to U.S. diplomatic facilities evolved from one of protecting people to one of protecting information. The reasons why this evolution was necessary have, in recent years, been overcome by technologies that assure the integrity of sensitive information. Terrorists have proven their ability to plan and execute sophisticated attacks such as those carried out in Dar Es Salaam, Tanzania and Nairobi, Kenya in 1998, New York, Washington, and Pennsylvania in 2001, and Riyadh, Saudi Arabia in 2003. In this new global security environment, the primary mission of MSG detachments must be to protect embassy personnel. The Committee commends the Department for its efforts to revise its Memorandum of Agreement with the Department of Defense as it pertains to the mission of Marine Corps personnel assigned to U.S. diplomatic posts.

*Growth and Planning.*—The Department's security program has grown exponentially over the last 6 years. Since 1999, the Committee has made \$3,132,600,000 available to the Department for non-capital security alone. Also in that time, the number of Diplomatic Security agents employed by the Department increased by nearly 73 percent, from 782 to 1,350 personnel. While some growth was necessary in order for the Department to respond to the emerging threat of terrorism, growth in the Bureau of Diplomatic Security [DS] followed no pre-developed model or plan. Until recently, the Bureau made staffing and resource decisions without the benefit of a comprehensive strategy. The absence of a strategy made it impossible for the Committee to make informed funding decisions about the Department's security requirements. The Committee commends the Assistant Secretary for Diplomatic Security for recognizing this serious deficiency and for his efforts to build a staffing model that will allow DS to become the kind of robust, efficient, and dynamic security operation the Department needs. The Committee received a draft strategy on June 16, 2003, and is in the process of reviewing it.

The Department's request for Worldwide Security Upgrades for fiscal year 2004 is \$97,296,000 above the fiscal year 2003 funding level. Providing such a substantial increase and locking these funds into specific categories in the midst of the Assistant Secretary's top-to-bottom review would serve neither the Department nor the American taxpayers. The recommendation therefore includes the fiscal year 2003 level for ongoing security activities (with the exception of perimeter security enhancements, which is addressed in a separate section below) plus \$52,000,000 for the Center for Antiterrorism and Security Training, as requested by the Department in fiscal year 2003, and \$28,300,000 to establish a program for compliance with the National Information Assurance Certification and Accreditation process requirements. The Committee would entertain a reprogramming request, a supplemental request, or a combination of the two to provide for any needs that may be identified in the course of this internal review.

*TOPOFF III.*—The Committee commends the Office of the Coordinator for Counterterrorism for its performance in the Top Officials II [TOPOFF II] national domestic counterterrorism exercise series. The Department of State, working in partnership with the Department of Homeland Security, contributed to the design, development, conduct, and evaluation of this exercise. TOPOFF II was a two-year effort which included a series of national exercise activities and culminated in a full-scale, no-notice exercise in May of 2003, in Seattle, Washington, Chicago, Illinois, and in Vancouver, British Columbia, and Ottawa, Ontario, Canada. This is the first exercise of its size conducted by the United States in cooperation with another country. The Committee urges the Secretary of State to consider inviting Mexico to participate in TOPOFF III. Within the funds made available for Worldwide Security Upgrades, \$3,000,000 is for the Department's continued participation in the TOPOFF exercise series.

*Border Security.*—The recommendation includes \$736,000,000, the full amount requested, for the Department's border security program. The border security program, funded from Machine Readable Visa [MRV] fees paid by persons seeking non-immigrant visas to the United States, is a critical component of the Department's efforts to assist and protect United States citizens overseas and safeguard the nation's borders. Disruption of the border security program due to an MRV fee shortfall must be avoided at all costs. The recommendation therefore includes language providing for the automatic transfer of funding from the Diplomatic and Consular Programs account to the account that funds the Department's Border Security Program in the event of continued MRV fee shortfalls in fiscal year 2004.

*Security Enhancements.*—At this time of heightened threat to American posts abroad, the benefits of the security enhancement funds the Committee has provided to the Department since the Dar Es Salaam and Nairobi bombings in 1998 are being realized. Continual security upgrades to existing properties are as important as the Department's security construction program. Accordingly, the Committee recommendation includes \$26,600,000 above the request for perimeter security enhancements under Worldwide Security Upgrades.

*Office of Foreign Missions.*—The Committee continues to believe that the Office of Foreign Missions [OFM] would be more appropriately aligned with other management functions within the Department, rather than with the Bureau of Diplomatic Security [DS]. The Committee therefore directs that OFM be moved out of DS and placed under the Deputy Secretary of State for Management and Resources [M].

#### PUBLIC DIPLOMACY

The Committee acknowledges the critical role that public diplomacy plays both in addressing the root causes of terrorism and in U.S. foreign relations generally.

*Public Diplomacy Strategy.*—In 2002, the Committee directed the Department to promulgate a comprehensive, sustained, and dynamic public diplomacy strategy. The Department has made three attempts to satisfy the Committee's requirements. The first strategy, transmitted in September, 2002, contained a mere checklist of actions taken by the Department in the area of public diplomacy in response to the September 11 attacks. The second strategy, transmitted in February, 2003, articulated the goals of the Department's public diplomacy program and organized its public diplomacy initiatives into themes. This document was the most useful public diplomacy planning tool produced by the Department to date, and the Committee credits the Special Coordinator for Public Diplomacy and Public Affairs for his oversight of this project. The document, however, was not forward-looking. It did not contain a plan for how the Department's public diplomacy function should evolve to meet emerging priorities and needs. The third strategy, transmitted in June, 2003, is the first document to provide a solid foundation from which the Department may now build the comprehensive, dynamic, and sustained public diplomacy strategy the Committee has long envisioned.

The Committee has identified at least five ways in which the Strategy should be refined by the Department before it is implemented. First and most importantly, the Strategy's objectives must be tied to budgetary resources. The refined Strategy should contain cost estimates for the programs it entails as well as a plan for achieving its overall objectives within a realistic budget ceiling. The refined Strategy should also contain recommendations to the Secretary of State and to the Committees on Appropriations on how public diplomacy funding can be more effectively allocated in order to meet the objectives laid out in the Strategy. In generating these recommendations, the Office of Strategic Planning for Public Diplomacy [OSP/PD] should consider whether the Department's current practice of allocating the bulk of its public diplomacy funds to the regional and functional bureaus is prudent, or whether public diplomacy funds should be managed centrally by the Undersecretary for Public Diplomacy.

Second, mechanisms must be built into the Strategy that allow the Department the flexibility to shift public diplomacy programs and resources in response to changing world events and U.S. interests. These mechanisms could include: an organizational structure that permits the Department to quickly reorganize its public diplomacy assets; regular reviews to ensure that the Department's pub-

lic diplomacy programs are consistently meeting their objectives; and modified budget practices that permit the Department to quickly reallocate public diplomacy resources.

Third, the Strategy must provide more guidance on how the Department's public diplomacy components should be coordinating their efforts. As currently written, the Strategy only addresses the issue of coordination in the context of the integration of the former United States Information Agency [USIA]. The refined Strategy must clarify how the various public diplomacy components (the Bureau of Educational and Cultural Affairs, the regional bureaus, the Bureau of Public Affairs, and Office of International Information Programs) should coordinate their program planning and execution. It will be the responsibility of the OSP/PD to ensure that this coordination is occurring once the Strategy is implemented.

Fourth, the Strategy must do more "thinking outside the box". The role of the OSP/PD must eventually be to devise unique and innovative ways of accomplishing the Department's public diplomacy objectives. Creative thinking will be crucial to the achievement of one objective in particular, that of boosting engagement with foreign publics. The Strategy identifies increased engagement with foreign publics as a priority, but lacks specific suggestions for how the Department can achieve this. Even if there were a proven method of reaching foreign publics, this method would not be successful in every country and region of the world. If the Department is going to surmount such challenges in pursuit of its public diplomacy objectives, creative and strategic thinking must be built into the Public Diplomacy Strategy.

Fifth, the Strategy must incorporate the Broadcasting Board of Governors [BBG]. BBG brings considerable public diplomacy experience and assets to the table. The Strategy must define the relationship between the State Department and the BBG and should clarify and harmonize both agencies' missions as they relate to public diplomacy. Coordination with the BBG should be seamless and it is the responsibility of the Undersecretary for Public Diplomacy and OSP/PD to ensure this.

The Department is directed to submit the revised Public Diplomacy Strategy to the Committees on Appropriations no later than March 1, 2004.

The Committee commends the Department for including in the Strategy a plan to expand information outreach programs to convey to foreign publics the United States' commitment to helping the developing nations of the world. The Committee agrees with the Department of State that the United States must do a better job of educating foreign publics about the size and breadth of our international assistance and international volunteer/service programs. Although an improved global image is not the goal of these programs, it can and should be one of their many benefits. In the process of refining its Public Diplomacy Strategy, the Department should include in the Strategy a detailed plan for how the United States' considerable assistance to and volunteer service in developing countries can be utilized as an effective public diplomacy tool.

Along these lines, the Committee vigorously supports the concept of Information Resource Centers [IRCs]. The purpose of the Depart-

ment's IRCs is to expand the advocacy information available at embassies and to provide information to the local communities on various development issues—essentially to serve as the “face of public diplomacy”. The Committee directs the Department to expand the number of IRCs from within available funding in the Diplomatic and Consular Programs account.

The Committee supports the Department's recent decision to create an Office of Strategic Planning for Public Diplomacy [OSP/PD]. The recommendation includes \$2,000,000 for the establishment and operation of this office. The OSP/PD shall be responsible for refining the Department's Public Diplomacy Strategy (the Strategy). Once the Strategy is complete, OSP/PD will be responsible for overseeing its implementation and monitoring its effectiveness. The OSP/PD will also be responsible for making annual recommendations to the Secretary of State and to the Committees on Appropriations on how the Strategy may be improved. The OSP/PD is directed to submit to the Committees on Appropriations quarterly reports on the further development, implementation, and effectiveness of the Strategy.

*Arab-Muslim Relations Coordinating Committee.*—The recommendation includes \$500,000 to establish the United States-Arab/Muslim Relations Coordinating Committee [ARCC], which shall constitute a subdivision of the OSP/PD. The purpose of ARCC shall be to coordinate and evaluate the Department's public diplomacy efforts as they relate to Arab/Muslim countries. The ARCC shall assist the OSP/PD in developing the Public Diplomacy Strategy to ensure that the Strategy effectively confronts the unique challenges faced by the United States in its relations with Arab/Muslim countries. The Committee directs ARCC to participate in the quarterly reports of the OSP/PD.

*Cultural Antiquities Task Force.*—The recommendation includes \$500,000 for the Cultural Antiquities Task Force (Task Force). The purpose of the Task Force shall be to conduct training for embassy staff to be sensitive to local and regional antiquities and forms of cultural expression, to survey press and police reports pertaining to the preservation or theft of antiquities or forms of cultural expression, and to provide effective reporting to chiefs of mission and bureau heads on the preservation of the antiquities and cultures of host nations. The Task Force should coordinate closely with the Department's Art Theft Program and the President's Cultural Property Advisory Committee.

*Looting of Iraqi National Antiquities.*—The first undertaking of the Cultural Antiquities Task Force (Task Force) will be to: (1) coordinate with Federal law enforcement agencies and Interpol to prevent the further looting, damaging, and trafficking of Iraq's historically and culturally significant works; (2) to create a database containing the names of persons known to have contributed to the looting, damaging, or trafficking of any foreign country's historically or culturally significant works, including persons who knowingly sell or auction such works; (3) to assist various international organizations in their efforts to compile documentation on and create a database of works that were looted from Iraq's museums during the United States-led campaign to liberate Iraq; and (4) to help ensure U.S. cooperation on international efforts to account for and

recover such works. The Secretary shall report to the Committees on Appropriations no later than April 15, 2004 on the Department's progress in implementing these directives and on the specific steps that should be taken to improve the U.S.' policies and procedures for protecting historically or culturally significant works in the future. The Committee directs that any person whose name appears in the database referenced in section (2) above be excluded from receiving a non-immigrant visa for entry into the United States. Further, the Committee directs that all names appearing in the database referenced in section (2) above also appear in the Department's Consular Lookout and Support System [CLASS] database and be designated as ineligible to receive a U.S. non-immigrant visa. Finally, the Committee directs the Department to continue to work to keep cultural heritage issues prominent in postwar reconstruction plans for Iraq and to assist in recovering historically and culturally significant objects for Iraq.

*Respecting Other Cultures.*—The Ambassador's Fund for Cultural Preservation was initiated by the Committee in 2001. The purpose of this program is to provide direct grant support, through U.S. Ambassadors, to less developed countries to assist them in the preservation of forms of cultural expression. Forms of cultural expression may include historic sites and manuscripts, museum collections, and traditional forms of music, dance, and language. Under the program, U.S. Ambassadors serving in less developed countries submit competitive proposals for awards for one-time or recurring projects. Awards are based on the importance of the site, object, or form of expression, the country's need, and the potential of the award to make a meaningful contribution to the society of the country. By taking a leading role in efforts to preserve cultural heritage, the United States shows its respect for other cultures. As one Assistant Secretary of State said, "The Ambassador's Fund demonstrates in measurable ways the U.S.' commitment to understanding and preserving the heritage of others". The Committee considers the Ambassador's Fund for Cultural Preservation a vital component of U.S. public diplomacy. The Committee recommendation therefore includes \$1,750,000 for this Fund, a significant increase over last year. Nowhere is there a greater need to achieve understanding than in the Middle East. Therefore, within amounts available for the Ambassador's Fund for Cultural Preservation, at least \$700,000 is for projects in the Middle East.

#### GLOBAL ISSUES

*Severe Acute Respiratory Syndrome [SARS].*—The Committee commends the Office of International Health Affairs [IHA] for the excellent work it is doing in response to the SARS epidemic. The mission of IHA is to improve global health and, in so doing, increase security, promote economic growth, and strengthen civil society. The United States is, by necessity, a leader in global health affairs. The Committee commends the Deputy Assistant Secretary for Health and Science for recognizing the importance of communication and collaboration among global health leaders and heads of state in the area of emerging infectious diseases. The Department of State is uniquely qualified to facilitate this international collaboration. Accordingly, the recommendation includes \$2,000,000

for IHA. This funding increase will allow IHA to hire at least 3 additional full time equivalents. The Committee recognizes that every U.S. diplomat has the opportunity to improve the public health of their host country through diplomacy, public outreach and awareness activities, and information gathering. Accordingly, the Committee directs the Director General of the State Department to incorporate public health training into the curriculum at the Foreign Service Institute.

*International Trade.*—Every year, the State Department attempts to pursue international trade activities that fall under the jurisdiction of the Department of Commerce’s International Trade Administration, and in particular under the jurisdiction of the United States and Foreign Commercial Service. The State Department’s efforts to expand its jurisdiction in this area counters the intent of the Committee, which notes the expansive and intractable foreign policy issues already confronting the Department. As in prior years, no funding is recommended for these activities.

*International Child Abductions.*—The Committee remains concerned about the adequacy of the Department’s efforts to counter the serious problem of international child abductions. The Committee directs that, henceforward, the Department require that children over the age of 1 year old be present for the adjudication of a United States passport. The Office of Inspector General has determined that this small change in policy could help prevent many cases of international child abductions.

In addition, the recommendation includes \$2,000,000 for a grant to the National Center for Missing and Exploited Children to develop best practice models to combat child pornography, to create an international database to track victims of international child pornography, and to promote information-sharing worldwide.

OTHER

No funding is recommended for the Deputy Assistant Secretary in charge of Brazilian/Southern Cone Affairs or for the Office of Brazilian/Southern Cone Affairs.

CAPITAL INVESTMENT FUND

Appropriations, 2003 .....	\$182,119,000
Budget estimate, 2004 .....	157,000,000
House allowance .....	142,000,000
Committee recommendation .....	207,000,000

The Committee recommends an appropriation of \$207,000,000. The recommendation is \$50,000,000 above the budget request. The Information Resource Management [IRM] Central Fund, comprised of the Capital Investment Fund [CIF] and expedited passport fees, allows the Department of State to develop secure and integrated Information Technology [IT] and communications systems and to maintain its global IT and communications infrastructures. The CIF, comprised of direct appropriations, is reserved for new IT investments.

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



IRM CENTRAL FUND  
[In thousands of dollars]

	Committee recommendation
State Messaging and Archive Retrieval Toolset [SMART] .....	38,000
Modernization of Worldwide IT Infrastructure:	
Worldwide OpenNet Infrastructure .....	59,855
Worldwide Classnet Infrastructure .....	24,304
Bandwidth .....	50,000
Infrastructure Initiatives:	
Secure Voice Program .....	1,057
Post High Frequency Communications .....	720
Public Key Infrastructure .....	7,345
Other IT Infrastructure .....	20,369
Tools for 21st Century Diplomacy .....	7,000
Centrally Managed Infrastructure .....	24,917
Wide Area Network (WAN)/Thin Client Prototype .....	20,000
Applications and Software Development:	
Integrated Logistics Management System [ILMS] .....	23,951
Global Financial Management System [GFMS] .....	5,548
Integrated Personnel Management System [IPMS] .....	11,900
Other Applications .....	21,686
Project Management and Training .....	4,348
<b>Total, IRM Central Fund .....</b>	<b>321,000</b>

Of the funds made available for the IRM Central Fund in fiscal year 2004, \$207,000,000 is from direct appropriations and \$114,000,000 is from expedited passport fees. If fee collections for fiscal year 2004 do not meet the projected total of \$114,000,000, the Committee directs the Department to transfer the balance of funds from the Diplomatic and Consular Programs account to ensure that all of the Department's IT needs are met.

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

*Momentum.*—Providing the Department of State with state of the art communications, data management, and knowledge management systems has been one of the Committee's top priorities. As a result, the Department's global IT assets are in the best shape they have ever been in. The OpenNet Plus initiative, which provided secure Internet access to Department desktops worldwide, was completed in May 2003. The Classified Connectivity Program [CCP], which replaced the Department's obsolete classified infrastructure, is scheduled for completion in December 2003. The Committee commends the Chief Information Officer [CIO] of the Department and the Bureau of Information Resource Management for their success on these two global initiatives.

The next major global information technology [IT] initiative that the State Department will undertake is the State Messaging and Archive Retrieval Toolset [SMART]. SMART will provide Department personnel sophisticated, integrated desktop tools like modern messaging (including cabling), archiving, and information-sharing. It will replace the Department's ancient cabling system and integrate both the OpenNet e-mail system and the classified CCP network. The Committee cautions the Department not to lose momentum in its efforts to modernize all corners of the Department's IT infrastructure, even while facing possible funding shortfalls in other priority areas. The recommendation includes \$38,000,000 for

the SMART program, instead of the requested \$15,000,000. The Committee directs the Department to utilize these additional funds to expedite the deployment of the SMART system. No funds from this account shall be used to pay costs associated with providing access to SMART or OpenNet Plus to any other U.S. foreign affairs agency.

*Maintaining the Department's Global IT Infrastructure.*—The Committee has invested hundreds of millions of dollars to overhaul the State Department's IT infrastructure. It is the Department's responsibility to make sure that these investments are not lost. The Committee is aware of two steps the Department has taken to ensure its IT infrastructure does not fall back into disrepair. First, the Department has created the Capital Planning and Investment Control Process. The purpose of this process is to determine how the Department can best utilize available resources to achieve its IT goals. The Department is directed to provide quarterly reports to the Committees on Appropriations on all planning and spending decisions made as a result of this effort. Second, the fiscal year 2004 budget request includes new "worldwide infrastructure" accounts intended to protect funding for hardware and software refresh and upgrades. In the past, the regional bureaus have been responsible for refreshing and upgrading their own hardware and software. This was one of the main reasons why the Department's IT infrastructure deteriorated so badly, as regional bureaus intrinsically place a higher priority on programs than on infrastructure.

*Tools for 21st Century Diplomacy.*—Modern technology has fundamentally changed the way the United States conducts diplomacy. The Department's newly-overhauled information technology infrastructure is a critical tool for today's diplomat. The Department is now able to use technologies like e-mail, the Internet, instant messaging, teleconferencing, and satellite communications to execute its core missions. The Committee urges the Department to consider how it can apply other new technologies to the day-to-day tasks of conducting U.S. diplomacy. To this end, the recommendation includes \$7,000,000 for the State Department to expand the use of handheld computer devices. There are a host of possible uses for handheld digital technology in the conduct of U.S. diplomacy. Export control officers could use this technology in conducting end-use checks. Consular officers could use it to access real-time information while assisting American citizens. Diplomats in the field could use voice-to-voice phrase translations to help them converse in foreign languages and dialects. The technology could serve as a mobile or at-home warning system for embassy personnel in emergencies. Digital photographs could be transmitted and used for purposes of identification. Handheld devices containing blueprints of an embassy could be used by the Foreign Emergency Support Teams [FESTs] in rescue operations. Devices equipped with diagnostic capabilities could be used by embassy doctors. Finally, handheld digital technology has the potential to change the way temporary duty assignment [TDY] personnel are deployed around the world by removing the need for "spare" computer terminals and extraneous workspace. The Committee directs the Department to report on the use of these funds no later than 60 days after the date of enactment of this Act.

*Centralized Management of Information.*—In a time of increased threat to our overseas posts, the ability to store and manage information (particularly classified information) domestically can greatly enhance the security of that information. In fiscal year 2003, the Committee provided funding for a pilot program for a technology that will allow the Department to minimize the amount of electronic classified information stored at post and permit computer terminals to be “sanitized” of such information when not in use. The recommendation for fiscal year 2004 includes \$20,000,000 for the Department to further develop the virtual Wide Area Network [WAN] (also referred to as the “Thin Client”) architecture and prototype. This project should be developed in tandem with and integrated into the State Messaging and Archive Retrieval Toolset [SMART] initiative. The Committee expects the Bureau of Information Resource Management to continue to collaborate closely with the Bureau of Diplomatic Security and with other relevant agencies on this project. This will ensure that any technologies deployed by the Department meet all of the security requirements set forth by DS and by other relevant agencies.

## OFFICE OF INSPECTOR GENERAL

Appropriations, 2003 .....	\$29,074,000
Budget estimate, 2004 .....	31,703,000
House allowance .....	29,777,000
Committee recommendation .....	31,703,000

The Committee recommends an appropriation of \$31,703,000. The recommendation is identical to the budget request.

*Post Inspection Program.*—For the past 2 years, the Committee has denied the Department’s requests to lift the waiver of legislation mandating a 5-year post inspection cycle. The Committee’s reasoning was that the policy of inspecting every post every 5 years, if reinstated, would lead to a decrease in the quantity and quality of the reports on posts of high importance to U.S. national interests. The Committee invited the OIG to submit a report to the Committee on how OIG might re-engineer its inspection process in order to meet a 5 year inspection cycle within existing resources. The report, received by the Committee in July, 2003, concluded that the OIG’s proposed changes to its inspection program are not likely to reduce costs. The report’s conclusions suggest, and the Committee agrees, that in order to remain within reasonable funding levels, the OIG must choose between quantity and quality. The Committee chooses quality. The waiver shall remain in place, and the OIG is directed to put diplomatic posts of high importance on an inspection cycle of 5 years or less, and to conduct inspections of diplomatic posts of low importance on an ad-hoc, problem-specific basis.

*Inspections Procedures.*—The Committee supports the OIG’s efforts to improve its inspections procedures, and is particularly interested in the efficiencies that this process might identify. The Committee is aware that, during this process, the area of security and intelligence inspections will receive special scrutiny. The Committee supports the evolution of the security inspection process from one that merely evaluates whether posts have met a series of criteria relating to physical security to one that considers an em-

bassy’s security profile in its totality. The Committee expects that any new security inspection process that results from this review will integrate risk and threat assessments. To this end, the recommendation includes language providing that such sums as necessary may be transferred from Worldwide Security Upgrades account under Diplomatic and Consular Programs to the OIG for the purpose of conducting risk and threat assessments as part of the Inspector General’s regular responsibilities for evaluating the security of facilities and information at overseas posts. Of the amounts transferred for this purpose, priority should be given to information technology inspections.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

Appropriations, 2003 .....	\$243,712,000
Budget estimate, 2004 .....	345,346,000
House allowance .....	345,346,000
Committee recommendation .....	255,292,000

The Committee recommends an appropriation of \$255,292,000. The recommendation is \$90,054,000 below the budget request. The recommendation does not include the additional \$100,040,000 requested by the Department for exchanges traditionally funded in other appropriations bills.

This account allows the Department of State to support the travel of approximately 8,000 Americans abroad and 17,000 foreign visitors to the United States each year for the purposes of studying, teaching, conducting research, and professional development. The exchange of persons promotes friendly, sympathetic, and peaceful relations between the United States and other countries by fostering mutual understanding and countering anti-American sentiment. Educational and cultural exchanges are a core component of the State Department’s public diplomacy program. Accordingly, the majority of the educational exchanges traditionally funded in this appropriations bill were funded above the requested level.

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

EDUCATIONAL AND CULTURAL EXCHANGES

[In thousands of dollars]

	Committee recommendation
Academic Exchanges:	
Fulbright Program .....	132,870
Hubert H. Humphrey Fellowship Program .....	[6,180]
Students, Scholars, and Teachers .....	[126,690]
Global Academic Exchanges .....	6,373
Educational Advising and Student Services .....	[2,855]
English Language Programs .....	[3,518]
Special Academic Exchanges .....	7,208
American Overseas Research Centers .....	[3,708]
Disability Exchange Clearinghouse .....	[500]
Dante B. Fascell North-South Center .....	[2,000]
East Timor Exchanges .....	[500]
South Pacific Exchanges .....	[500]
Subtotal, Academic Exchanges .....	146,451

## EDUCATIONAL AND CULTURAL EXCHANGES—Continued

[In thousands of dollars]

	Committee recommendation
Professional and Cultural Exchanges:	
Citizen Exchange Program .....	17,510
International Visitor Program .....	51,876
Special Professional and Cultural Exchanges .....	9,790
Africa Workforce Development .....	[400]
Arctic Winter Games .....	[350]
Atlantic Corridor .....	[500]
George Mitchell Scholarships Program .....	[500]
Institute for Representative Government .....	[500]
Irish Institute .....	[750]
Mike Mansfield Fellowship Program .....	[2,290]
Ngwang Choephel Fellows (Tibet) .....	[500]
Northern Forum .....	[500]
PSC U.S.-Pakistan Educator Development Program .....	[400]
Seed Programs .....	[500]
Special Olympics .....	[2,000]
Winter Cities Conference .....	[600]
Subtotal, Professional and Cultural Exchanges .....	79,176
Exchanges Support:	
Employee Compensation and Benefits .....	25,410
Program Direction and Administration .....	4,255
Subtotal, Exchanges Support .....	29,665
Total, Educational and Cultural Exchanges .....	255,292

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

*Fulbright Program.*—The Committee commends the Department for the swift reestablishment of the Fulbright Program with Afghanistan, after a nearly 24-year hiatus. The reactivation of the program signifies the United States' commitment to rebuilding the once vibrant bilateral relations in education and culture, and acknowledges Afghanistan's resurgence as a full partner in academic exchange. The Committee understands that the Bureau of Educational and Cultural Exchange has designed a 1-year, non-degree Fulbright program in the United States for graduating university seniors and for academically qualified women who were deprived of the opportunity for formal study during the Taliban era. The Committee encourages the Department to reprogram additional funds for this program during fiscal year 2004. The Committee further encourages the Department to stand up a Fulbright Program in Iraq as soon as practicable.

*Seed Programs.*—The Committee has resumed a modest program begun in fiscal year 2000 to provide one-time funding to international exchange start-ups. The recommendation includes \$100,000 for each of the following programs: (1) the US/Asia Network, (2) Bemidji State University Central Asian Institute, (3) the Council of International Programs USA's Community Leadership Program, (4) Mobility International USA Clearinghouse for a program with Muslim countries, and (5) International Education Corps.

*Partnerships for Learning.*—The Committee vigorously supports exchanges that reach beyond “elites” to target youth, the underprivileged, members of the international media, and emerging leaders, as in the Partnerships for Learning [P4L] program. The P4L program is an overarching theme for exchanges under which resources are shifted from lower priority regions to higher priority ones. Presently, the focus of the P4L program is engagement with the Muslim world. Within the funding made available for Educational and Cultural Exchanges, \$12,000,000 will fall within the auspices of the P4L program. The Committee understands that, as part of the P4L program, the Department intends to establish biannual seminars for foreign journalists to study the context of policy development in the United States.

*Other.*—Of the funds made available to the Council of American Overseas Research Centers, \$33,000 is for a grant for research to develop a diamond fingerprinting technology that will facilitate the monitoring of the international trade in conflict diamonds.

REPRESENTATION ALLOWANCES

Appropriations, 2003 .....	\$6,443,000
Budget estimate, 2004 .....	9,000,000
House allowance .....	9,000,000
Committee recommendation .....	6,643,000

The Committee recommends an appropriation of \$6,643,000. The recommendation is \$2,357,000 below the budget request.

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

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

Appropriations, 2003 .....	\$10,929,000
Budget estimate, 2004 .....	10,000,000
House allowance .....	10,000,000
Committee recommendation .....	10,000,000

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

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

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

## EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

Appropriations, 2003 .....	\$1,255,288,000
Supplemental appropriations, 2003 .....	149,500,000
Budget estimate, 2004 .....	1,514,400,000
House allowance .....	1,394,335,000
Committee recommendation .....	1,416,592,000

The Committee recommends an appropriation of \$1,416,592,000. The recommendation is \$97,808,000 below the budget request. The recommendation represents a 12.8 percent increase over fiscal year 2003. The recommendation assumes \$165,696,000 in proceeds from the sale of real property, bringing the total amount available for this account to \$1,582,288,000.

This account allows the Department of State to manage the United States Government's real property assets overseas in order to provide United States diplomatic and consular missions with secure, safe, and functional facilities. These facilities house all United States Government employees overseas, not just State Department personnel. The Department manages over 15,000 residential, office, and functional properties at 260 diplomatic posts, which are worth an estimated \$12,500,000,000.

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

## EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

[Dollars in thousands]

	Building size	Committee recommendation
Worldwide Security Upgrades:		
Capital Projects .....		747,800
Accra, Ghana .....	small	[55,000]
Algiers, Algeria .....	small	[60,000]
Beirut, Lebanon .....	small	[38,000]
Belgrade, Serbia and Montenegro .....	small	[70,000]
Berlin, Germany .....	large	[128,000]
Lome, Togo .....	small	[58,500]
Karachi, Pakistan .....	medium	[89,700]
Panama City, Panama .....	large	[118,000]
Rangoon, Burma .....	medium	[76,500]
Surabaya, Indonesia .....	small	[54,100]
Other Site Acquisitions and Planning .....		52,000
Compound Security .....		100,000
Security of U.S.-Affiliated Facilities .....		40,000
Consular Workspace Improvement Initiative .....		12,500
Main State/Domestic Renovations .....		25,000
Subtotal, Worldwide Security Upgrades .....		977,300
Operations:		
Planning and Development .....		8,865
Real Estate and Property Management .....		6,150
Project Execution .....		91,430
Construction and Commissioning .....		[26,243]
Design and Engineering .....		[16,387]
Energy Conservation .....		[4,000]
Seismic Program .....		[1,200]
Security Management .....		[31,650]
Interiors and Furnishings .....		[11,950]
Operations and Maintenance .....		351,500
Leaseholds .....		[100,000]
Buyout of Uneconomic Leases/Opportunity Purchases .....		[55,000]

## EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE—Continued

[Dollars in thousands]

	Building size	Committee recommendation
Maintenance and Repair of Buildings .....		[73,500]
Art in Embassies Program .....		[1,500]
Facilities Rehabilitation and Support System Replacement .....		[41,000]
Facility Management .....		[60,000]
Fire Protection .....		[8,700]
Safety, Health, and Environmental Management .....		[3,700]
Post Communications .....		[8,100]
Information Management and Support .....		18,025
Subtotal, Operations .....		475,970
Headquarters: Salaries and Training .....		7,500
Subtotal, Headquarters .....		7,500
Total, Embassy Security Construction and Maintenance .....		1,460,770

Of the funding made available for capital projects, \$44,178,000 is from unobligated balances in the asset management account. Of the funding made available for facilities rehabilitation, \$300,000 is for the renovation of the cafeteria kitchen at U.S. Embassy Mexico. The Committee notes that this is less than half the cost of kitchen renovations undertaken in Department-provided housing for the U.S. Mission to the United Nations. Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

*Budgeting Practices.*—The Committee commends the Bureau of Overseas Buildings Operations for its efforts to fence funding for security projects by limiting the use of worldwide security upgrades funding only for capital projects that are included in the Long-Range Overseas Building Plan [LROBP]. However, in the post-September 11 world, any construction project that the United States undertakes overseas, no matter what the country, is related to security in some form or fashion. The distinction between security capital projects and non-security construction is, consequently, an empty one. In fiscal year 2003, the Department requested funding for the new office building [NOB] in Beijing, China under the non-security construction account. In fiscal year 2004, the Department requesting funding for an NOB in Berlin, Germany under the non-security construction account. Requesting these projects under the non-security construction account implies that they are not security-driven. The recommendation eliminates the distinction between the two accounts and directs that, henceforward, projects receiving worldwide security upgrades funding not be limited to projects included in the LROBP.

*Asset Management Funds.*—The asset management account was established to segregate the proceeds of sale of real property from direct appropriations and reimbursements to the Embassy Security, Construction, and Maintenance account. Asset management funds are used exclusively for the purchase of properties or the construction of facilities overseas. The Committee directs the Department to provide the same level of detail in its budget request for projects requested under the assets management account as those



under the capital projects account. As in past years, no new funding is recommended for this account.

The Committee recommendations for funds available within the asset management account are displayed in the following table:

ASSET MANAGEMENT  
[In thousands of dollars]

	Committee recommendation
Beijing, China New Compound Site .....	16,096
Kingston, Jamaica Office Building and Housing .....	10,822
Luanda, Angola New Embassy Complex .....	51,000
New Delhi, India Housing Expansion .....	1,000
New Delhi, India Power Plant Upgrade and Expansion .....	2,600
São Paulo, Brazil Project Cost Difference and GSO Warehouse .....	15,000
Taipei, Taiwan New Office Compound .....	25,000
Total, Asset Management Funding .....	121,518

*Soft Targets.*—In fiscal year 2003, the Committee directed the Department of State to formulate a strategy for addressing threats to overseas facilities that are frequented by Americans or symbolic of the United States, but that are not official U.S. facilities. The Committee that year provided \$15,000,000 for the Department to begin addressing the security vulnerabilities of these so-called “soft targets”. The recommendation for this initiative for fiscal year 2004 is \$40,000,000.

The May 2003, suicide attacks against Western housing compounds in Riyadh, Saudi Arabia highlight the growing problem of soft targets. The attacks, which killed 10 Americans, were directed not at the U.S. Embassy, but at the employees and their families of a U.S.-based company. The attacks demonstrate that an inverse relationship exists between the security of our embassies and the security of non-official facilities: as our embassies become more heavily fortified, non-official U.S.-affiliated facilities overseas become more attractive targets to terrorists. The Riyadh attacks underscore the urgent need for the Department to complete its strategy for addressing the problem of soft targets. The Committee directs that the strategy examine the problem of threats to properties owned or controlled by private and commercial U.S. entities. The strategy should include guidelines for how posts will interface and coordinate with representatives of U.S. businesses operating in high-threat areas to ensure that the Department is providing them as much support as is necessary and feasible.

The Committee continues to be extremely concerned about the safety of American schools abroad, including international schools attended by American children. Accordingly, within the funding made available to address the security vulnerabilities of soft targets, \$20,000,000 is for security enhancements at overseas schools. These funds shall be made available, on the basis of need, to overseas schools that do not receive financial assistance from the U.S. Department of State, as well as those that do receive such financial assistance. Funds shall be used to provide security enhancements desired by the schools, including contract security guards and rapid response teams.

The Department is directed to consult with the Committee prior to the release of any of the funds provided for purposes described in this section, in accordance with section 605 of this Act.

*Consular Workspace Improvement Initiative.*—The Department's consular mission is critical to our national security. Consular workspace must be adequately sized and outfitted in order to ensure that the processing of visas and visa applicants takes place in an organized and efficient manner. To ensure this, and to improve the overall working environment for Consular Affairs Officers, the Committee in fiscal year 2003 created the Consular Workspace Improvement Initiative. The quality of consular workspace and the efficiency and accuracy of consular work are directly linked. There is an immediate and growing need for additional consular windows and interview space, enlarged reception and waiting areas, office space, and document storage space, particularly in light of the many new requirements imposed on Consular Affairs in the wake of September 11, 2001. The Department should once again identify posts for consular workspace rehabilitation where errors in visa issuance present the greatest threat to our national security, as determined by the Bureau of Overseas Buildings Operations [OBO] in consultation with the Bureau of Consular Affairs. Within funding made available under Worldwide Security Upgrades, \$12,500,000 is for this initiative.

*Buyout of Uneconomic Leases.*—High lease costs deplete Department resources. By selectively acquiring properties in cities with volatile rental markets, the Department can generate significant out-year savings. The Committee recommendation therefore provides \$55,000,000 for opportunity purchases and directs OBO to aggressively pursue opportunities to purchase properties rather than lease, whenever practicable.

#### CONSTRUCTION PROJECTS

*Rio de Janeiro, Brazil.*—In 2002, the Department decided to consolidate Rio de Janeiro operations into leased facilities, rather than construct a new embassy building. This decision has left the Department holding several properties in Rio de Janeiro that it cannot sell due to a 1991 Brazilian law that requires individuals and businesses to be current on their social security payments to the Government of Brazil before they can legally transfer property title. In 1996, the State Department discontinued the payment of employer contributions into the Brazilian Social Security System [INSS] for Foreign Service National [FSN] employees because the Department deemed INSS to be fiscally unsound. The Department set up its own pension system for FSN's. As a result, the United States now "owes" approximately \$10,000,000 in arrears to the Government of Brazil. The Committee commends the Department for its principled stance on this matter. The Committee directs the Department not pay the INSS arrears, either through a transfer of funds or properties, and to lease all Department-owned properties in Rio de Janeiro. Further, the Committee directs the Department to close the United States Consulate General in Rio de Janeiro. The recommendation includes, out of asset management funds, \$11,000,000 for the funding shortfall associated with the São Paulo, Brazil construction project that has occurred as a result of the Bra-

zilian Government's refusal to allow the Department to sell the Rio de Janeiro properties and \$4,000,000 for the cost of constructing a General Services Operations [GSO] warehouse and embassy cafeteria, which were inadvertently omitted from the original building plan for São Paulo.

*Beirut, Lebanon.*—Since it was bombed over 20 years ago, United States Embassy Beirut has had to operate under extremely difficult conditions. The buildings on the compound are unsafe, rusting, and badly deteriorated. The embassy is overcrowded, with people even working in a windowless basement next to old mechanical equipment. Embassy operations are also scattered among several trailers, themselves badly deteriorated, that were set up on the compound 17 years ago. Since Lebanon's civil war ended in 1976, an improved security environment has led to a dramatic expansion of embassy operations and staffing to meet U.S. policy objectives. Conditions conducive to full operations will likely prevail over the next decade and beyond. The Committee recognizes an urgent need to replace the current ad hoc embassy buildings with a modern chancery building. The Committee does not concur with the Department's decision to move the embassy to a new location outside the city. The recommendation includes \$38,000,000 to demolish the unfinished abandoned facility, to erect temporary facilities and for costs associated with site preparation and initial security.

*Kingston, Jamaica.*—The Committee supports the Department's decision to consolidate the operations of the United States Embassy in Kingston, Jamaica which are currently divided among three buildings in the city. The Department intended to renovate the recently-purchased, 10-story Crown Plaza Hotel to provide space for a chancery and staff housing. The Committee provided \$71,800,000 for this project in fiscal year 2003. The Committee no longer believes that this plan is sound, and directs the Department to construct a new medium office building on an 8-acre property already owned by the Department. The Committee further directs that the Crown Plaza Hotel be utilized entirely for staff housing. The recommendation includes an additional \$10,822,000 out of asset management funds for the cost difference of this revised plan, bringing the total amount available for Kingston to \$82,622,000.

*Belgrade, Serbia and Montenegro.*—The Committee is aware of the pressing need to construct a new embassy compound in Belgrade, Serbia and Montenegro. During the 78 days of the NATO-led intervention in Yugoslavia (now Serbia and Montenegro), the United States embassy was badly vandalized and suffered extensive damage when water pipes burst. The Department has requested funding to construct a large office building (11,300 square meters or greater) on a new site in downtown Belgrade. The Office of Overseas Building Operations Long Range Overseas Building Plan [LROBP], issued in July, 2002, lists the future United States embassy in Belgrade as a medium building (between 7,400 and 11,300 square meters). An April, 2003, General Accounting Office [GAO] report suggests that the Department did not conduct a comprehensive assessment of the number and types of State Department personnel this new building should accommodate. In light of the unexplained change in the size of this project from the LROBP to the fiscal year 2004 request, the Committee agrees with the

GAO. The recommendation therefore includes \$70,000,000 for the Department to construct a small office building, (4,300 square meters or less) in Belgrade.

*Berlin, Germany.*—The recommendation includes \$128,000,000 within the security construction account for costs associated with the design and construction of a new chancery on the historic Pariser Platz in Berlin, Germany. The new office building [NOB] will house all of the operations of United States Embassy Berlin, Germany, with the exception of the embassy's warehouse and General Services [GSO] functions. The Committee directs the Department to construct a large office building, rather than the "extra-large", 23,900 square meter building proposed by the Department. The Committee directs that all positions not required to be in Berlin be relocated to the United States Consulate General in Frankfurt, Germany. With the Committee's support, the Department has purchased and renovated additional, spacious facilities in Frankfurt to serve as a "hub" for the Department's regional operations. The Department itself proposed to the Committee the option of relocating some personnel from Berlin to Frankfurt because of the expected size constraints of the NOB in Berlin.

The Committee understands that, in directing the Department to "change course midstream" and construct a smaller-sized office building, approximately \$12,000,000 in work on the building design will be lost. The Committee is willing to accept this loss, and points out that approximately \$62,000,000 will be saved as a result of this decision to downsize. The Committee further points out that the Department directed the Bureau of Overseas Buildings Operations to move forward with the Berlin project without the required waiver in place and without consulting the Committees on Appropriations on this politically sensitive decision.

No funds shall be obligated for the design or construction of a new chancery in Berlin until both of the necessary security waivers are signed and transmitted to the Committees on Appropriations.

*Karachi, Pakistan.*—The recommendation includes \$89,700,000 for the Department to construct a new Consulate General building in Karachi, Pakistan. The design/construction phase of this project was not scheduled to begin until fiscal year 2005. However, the Committee directs that it begin in fiscal year 2004. The building presently occupied by Consulate General Karachi was built in 1960. Employees of the Consulate General have come under attack on four separate occasions during the last decade. On two such occasions, the Consulate building itself was attacked. The most recent attack occurred in February, 2003, when a gunman opened fire on the police assigned to provide perimeter security for the Consulate. In May, 2003, United States and Pakistani authorities broke up the plan of 6 suspected Al Qaeda members to fly an explosives-packed aircraft into Consulate General Karachi. The Committee deems the Consulate to be in urgent need of reconstruction. The Committee has provided funds for this project instead of the three United States Agency for International Development construction projects requested by the Department in fiscal year 2004. The Committee will not assume responsibility for these projects, which fall rightfully under the jurisdiction of another appropriations subcommittee.

*Reprogrammings.*—The Department is directed, under the terms and conditions that follow, to submit for the Committee’s review and approval within 60 days of enactment of this Act only those projects or subaccounts funded under this account, whether from direct appropriations or proceeds of sales, that deviate from the above chart and accompanying direction. Any deviation shall include project-level detail and shall be treated as a reprogramming under section 605 of this Act in the case of any addition greater than \$500,000, a deletion, a project cost overrun exceeding 25 percent, or a project schedule delay exceeding 6 months. Reprogramming requirements also extend to the “rebaselining” of a given project’s cost estimate, schedule, or scope of work. By focusing the financial plan only on deviations, the Committee expects the Bureau of overseas buildings operations to move projects toward contract obligation promptly after funds are appropriated. Immediate access to funds for projects or activities that are unchanged from the above chart will allow the Department to negotiate contracts and obligate funds more efficiently over the course of the fiscal year.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

Appropriations, 2003 .....	\$6,458,000
Supplemental appropriations, 2003 .....	50,000,000
Budget estimate, 2004 .....	1,000,000
House allowance .....	1,000,000
Committee recommendation .....	1,000

The Committee recommends an appropriation of \$1,000. The recommendation is \$999,000 below the budget request. A total of \$50,000,000 was appropriated for this account in the fiscal year 2003 supplemental (Public Law 108–11). The Committee notes that approximately \$22,665,000 in prior year unobligated balances will be available for this account in fiscal year 2004.

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

REPATRIATION LOANS PROGRAM ACCOUNT

Appropriations, 2003 .....	\$1,211,000
Budget estimate, 2004 .....	1,219,000
House allowance .....	1,219,000
Committee recommendation .....	1,219,000

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

This account provides emergency loans to assist destitute Americans abroad who have no other source of funds to return to the United States. In the past, less than 20 percent of repatriation loans have ever been repaid. The Committee strongly endorses ef-

forts by the Bureau of Consular Affairs to limit assistance only to victims of unforeseen circumstances or travelers whose mental instability presents a risk to themselves or others.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

Appropriations, 2003 .....	\$18,330,000
Budget estimate, 2004 .....	19,773,000
House allowance .....	18,782,000
Committee recommendation .....	19,893,000

The Committee recommends an appropriation of \$19,893,000. The recommendation is \$120,000 above the budget request.

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

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY  
FUND

Appropriations, 2003 .....	\$138,200,000
Budget estimate, 2004 .....	134,979,000
House allowance .....	134,979,000
Committee recommendation .....	134,979,000

The Committee recommends an appropriation of \$134,979,000. The recommendation is identical to the budget request.

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

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

Appropriations, 2003 .....	\$860,371,000
Budget estimate, 2004 .....	1,010,463,000
House allowance .....	1,010,463,000
Committee recommendation .....	921,888,000

The Committee recommends an appropriation of \$921,888,000. The recommendation is \$88,575,000 below the budget request. The recommendation assumes \$11,681,000 in U.N. buydown and \$7,000,000 in carryover from the fiscal year 2002 supplemental (Public Law 107-206), bringing the total amount available for this account to \$940,569,000.

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

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

## CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

[In thousands of dollars]

	Committee recommendation
<b>United Nations and Affiliated Agencies:</b>	
Food and Agriculture Organization [FAO] .....	72,457
International Atomic Energy Agency [IAEA] .....	54,282
International Civil Aviation Organization [ICAO] .....	12,464
International Labor Organization [ILO] .....	50,425
International Maritime Organization [IMO] .....	1,189
International Telecommunication Union [ITU] .....	6,558
United Nations—Regular Budget .....	328,921
United Nations—War Crimes Tribunals .....	27,213
United Nations—War Crimes Commissions .....	2,000
Universal Postal Union [UPU] .....	1,316
World Health Organization [WHO] .....	93,615
World Intellectual Property Organization [WIPO] .....	880
World Meteorological Organization [WMO] .....	8,318
Subtotal, U.N. and Affiliated Agencies .....	659,638
<b>Inter-American Organizations:</b>	
Inter-American Institute for Cooperation on Agriculture [IICA] .....	16,560
Organization of American States [OAS] .....	54,196
Pan American Health Organization [PAHO] .....	56,367
Pan American Institute of Geography and History [PAIGH] .....	324
Subtotal, Inter-American Organizations .....	127,447
<b>Regional Organizations:</b>	
Asia-Pacific Economic Cooperation [APEC] .....	601
Colombo Plan Council for Technical Cooperation [CPCTC] .....	15
NATO Parliamentary Assembly .....	635
North Atlantic Treaty Organization [NATO] .....	46,695
Organization for Economic Cooperation and Development [OECD] .....	62,463
The Pacific Community [PC] .....	1,048
Subtotal, Regional Organizations .....	111,457
<b>Other International Organizations:</b>	
Customs Cooperation Council [CCC] .....	2,770
Hague Conference on Private International Law [HCOPL] .....	111
International Agency for Research on Cancer [IARC] .....	1,692
International Bureau of the Permanent Court of Arbitration [IBPCA] .....	21
International Bureau for the Publication of Customs Tariffs [IBPCT] .....	89
International Center for the Study of the Preservation and Restoration of Cultural Property [ICCROM] .....	692
International Coffee Organization [ICO] .....	500
International Cotton Advisory Committee [ICAC] .....	256
International Hydrographic Organization [IHO] .....	84
International Institute for the Unification of Private Law [IIUPL] .....	98
International Rubber Study Group [IRSG] .....	124
International Seed Testing Association [ISTA] .....	7
International Tropical Timber Organization [ITTO] .....	195
International Union for the Conservation of Nature and Natural Resources [IUCN] .....	260
International Union for the Protection of New Varieties of Plants [UPOV] .....	166
Organization for the Prohibition of Chemical Weapons [OPCW] .....	19,764
World Trade Organization [WTO] .....	15,198
Subtotal, Other International Organizations .....	42,027
Total, Contributions to International Organizations .....	940,569

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

*United Nations Regular Budget.*—The Department has requested \$340,700,000 for the United States' assessed share of the United Nations' [U.N.] regular budget for the second calendar year of the 2002–2003 biennium. This is \$61,373,000 above the fiscal year 2003 enacted level. This increase is explained by the need for enhanced security measures for U.N. headquarters and U.N. duty stations, a new U.N. operation in Afghanistan, costs relating to the Counter-terrorism Committee, and revised estimates for rates of inflation and exchange. The recommendation supports these increases, as they are either unavoidable or the result of activities endorsed by this Committee.

The recommendation does not include funding for the United States share of costs associated with the U.N. Human Rights Commission, approximately \$11,779,000. The makeup of the Human Rights Commission has gone unquestioned by the leadership of the United Nations for too long. Elections held in April, 2003 continued the domination of the Human Rights Commission by nations that are known human rights violators. The Committee refuses to allow American tax dollars to be spent in support of an organization that serves merely to provide an air of legitimacy to nations that commit the very crimes this organization was created to combat.

Within the funding made available for the United States' contribution to the United Nations regular budget, \$10,000,000 is for the reimbursement of the city of New York for the unanticipated costs it incurred providing protection to foreign officials associated with the United Nations in the aftermath of September 11, 2001.

*United Nations Educational, Scientific and Cultural Organization [UNESCO].*—The recommendation does not include funding for United States membership to UNESCO. The United States withdrew from UNESCO in 1984 because of concerns over chronic corruption, rampant budgetary mismanagement, anti-Western bias, inappropriate politicization, misinformation campaigns, and flagging results from the organization. Last fall, the Administration announced that the United States would rejoin UNESCO because it had reformed. While the Committee agrees that the current Director General has been able to implement some reforms, the Committee does not consider UNESCO reformed. The Committee is aware that approximately 60 percent of UNESCO's biennial budget goes to personnel, while programs receive only 40 percent. The Department of State itself called UNESCO's lack of consistency in presentation of personnel and program costs "a problem." The Director General has admitted that UNESCO's mission and programs are too broad and duplicate the efforts of many other international organizations. The Department of State has not made the case to the Committee either that UNESCO has reformed or that membership confers sufficient benefits to the United States to justify the cost of rejoining, \$88,100,000 in fiscal year 2004. (Due to exchange rate fluctuations affecting the value of the dollar versus the euro, and because UNESCO adopted a budget of \$610,000,000 instead of a zero nominal growth budget of \$544,000,000, the United States' full assessment for UNESCO is estimated to be \$16,700,000 higher than the \$71,400,000 requested by the Department in its fiscal year 2004 budget submission.)



The Committee directs the Office of Inspector General of the Department of State to conduct an annual audit of UNESCO to determine the status of reform; the qualifications of UNESCO's staff; its procedures for hiring and promoting personnel; the ability of UNESCO's inspector general (or the equivalent authority) to conduct impartial, detailed, and accurate audits; a detailed breakdown of expenditures; and how United States membership would advance both the goals of the organization and the priorities of the United States.

*Organization for Economic Cooperation and Development [OECD].*—The Committee is aware of an instance in which the OECD released a report on a particular subject which, at the time of release, was being debated in the U.S. Congress. The Committee understands that the release of this report was not intended to coincide with congressional action on the issue. However, the release of the report nevertheless unduly influenced congressional debate on the matter. Such scenarios must be prevented in the future. Accordingly, the Committee directs that the United States' Permanent Representative to the OECD hereafter submit to the Committees on Appropriations each list of OECD reports that is submitted by the OECD to the United States' Permanent Representative to the OECD and the Interagency Committee for U.S. approval. This list of reports should be provided to the Committee immediately after it is transmitted to the United States' Permanent Representative to the OECD. The Committee further directs that the United States' Permanent Representative to the OECD submit to the Committee the list of OECD reports that the United States' Permanent Representative to the OECD and the Interagency Committee have approved and disapproved. The list of approved and disapproved reports should be transmitted to the Committee 15 days prior to the United States' Permanent Representative to the OECD's and the interagency committee's notification to the OECD of their approval or disapproval of any OECD reports.

#### CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

Appropriations, 2003 .....	\$669,331,000
Budget estimate, 2004 .....	550,200,000
House allowance .....	550,200,000
Committee recommendation .....	482,649,000

The Committee recommends an appropriation of \$482,649,000. The recommendation is \$67,551,000 below the budget request.

The recommendation assumes that \$43,700,000 in United States peacekeeping credits will be available in fiscal year 2004. The credits are due to the Committee's disapproval of a Department of State request to reprogram fiscal year 2003 funding for a United Nations activity for which no funding was requested in the President's fiscal year 2003 budget submission. The recommendation assumes the availability of these funds for use toward the United States' fiscal year 2004 United Nations peacekeeping obligations. This amount, when combined with the recommendation, brings the total amount available for Contributions for International Peacekeeping Activities to \$526,349,000, the maximum funding deemed prudent for this account. The recommendation also reflects the

Committee’s directive that the war crimes tribunals complete their work by a date certain.

This account provides funds for the United States’ share of the expenses of United Nations peacekeeping operations. The Committee recommendations, by mission, are displayed in the following table:

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

[In thousands of dollars]

	Committee recommendation
U.N. Disengagement Observer Force on the Golan Heights [UNDOF] .....	10,065
U.N. Interim Force in Lebanon [UNIFIL] .....	30,795
U.N. Iraq/Kuwait Observer Mission [UNIKOM] .....	4,784
U.N. Mission for the Referendum in Western Sahara [MINURSO] .....	10,785
U.N. Mission in Kosovo [UNMIK] .....	85,225
U.N. Peacekeeping Force in Cyprus [UNFICYP] .....	5,809
U.N. Observer Mission in Georgia [UNIMOG] .....	8,998
U.N. Mission in Sierra Leone [UNAMSIL] .....	84,014
U.N. Transitional Administration in East Timor [UNTAET] .....	9,358
U.N. Operations in the Democratic Republic of Congo [MONUC] .....	210,012
U.N. Mission in Ethiopia and Eritrea [UNMEE] .....	53,504
War Crimes Tribunal Rwanda .....	6,000
War Crimes Tribunal Yugoslavia .....	7,000
Total, Contributions for International Peacekeeping Activities .....	526,349

None of the funds provided under this heading shall be obligated until the Department has submitted a reprogramming, pursuant to section 605 of this Act, and the Committee has acted upon such reprogramming.

*War Crimes Tribunals for the Former Yugoslavia and Rwanda.*—The United Nations [U.N.] established the International Criminal Tribunal for the former Yugoslavia [ICTY] in 1993 and the International Criminal Tribunal for Rwanda [ICTR] in 1994 in response to the serious violations of international humanitarian law committed in these countries. The purpose of the tribunals is to prosecute war crimes that occurred in these countries and to punish those who oversaw the atrocities or participated in them extensively.

People who commit mass atrocities must be brought to justice. This is the underlying principle of the war crimes tribunal—a principle which the Committee vigorously supports. The Committee also supports the concept of the war crimes tribunal, but only when the war crimes tribunal has a discrete topic and a discrete set of cases that have been approved by the U.N. Security Council. When structured this way, a war crimes tribunal’s reach does not become overly-broad and its prosecutions politicized. The Special Court for Sierra Leone is an example of such a war crimes tribunal.

Both ICTY and ICTR have been criticized for being slow and unprofessional, for having inadequate staff, for the passivity of their judges, and for their insufficient oversight of expenditures and employees. The United States has invested \$260,262,000 in these two war crimes tribunals to date. Yet, as with so many U.N. endeavors, the Yugoslavia and Rwanda war crimes tribunals have had to answer to no one. The Committee commends the Department of State for its willingness to constructively criticize the Yugoslavia and

Rwanda war crimes tribunals. While some members of the international community believe that this criticism “interferes” with the work of the tribunals, this Committee believes that criticism, when constructive, elicits accountability.

The Committee directs the ICTR to complete its work by 2004 and the ICTY to complete its work by 2006, respectively. Any cases remaining after this time should be tried in domestic courts. Accordingly, the United States must increase its efforts to assist the former Yugoslavia and Rwanda in rebuilding their justice systems. The recommendation includes a total of \$13,000,000 for ICTR and ICTY operations for fiscal year 2004 and for the United Nations to develop an exit strategy by which the Rwanda and Yugoslavia tribunals will have ended by September 30, 2004, and September 30, 2006, respectively. The Committee expects that the “ramping down” of the Yugoslavia tribunal will be reflected in the Department’s fiscal year 2005 and fiscal year 2006 budget requests. The Committee will not consider requests for funding for ICTY after fiscal year 2006.

*Sierra Leone.*—The Committee reiterates its support for the work of the Special Court for Sierra Leone. The Committee directs the United Nations Mission in Sierra Leone [UNAMSIL] to provide the full security, logistic, and technical support required by the Court.

The purpose of the Special Court for Sierra Leone is to prosecute those who bear the greatest responsibility for the appalling violations of international and Sierra Leonean law and crimes against humanity perpetrated during the conflict in Sierra Leone. The court aims not to punish every crime committed during the war, but rather to prosecute those people who organized and oversaw the atrocities. The war in Sierra Leone featured the mass use of rape as a weapon of terror, the abduction of thousands of children who were forced to become combatants, and the hacking off of the arms, legs, lips, and ears of civilians, including children as young as 2 years old. The Committee praises the Special Court for its resolve in indicting and prosecuting the leaders of neighboring countries who actively encouraged the conflict in order to control the output of Sierra Leone’s diamond mines. The foreign leaders who fueled the Sierra Leone conflict from afar by supplying weapons, supplies, and safe havens are just as responsible for the atrocities as those who ordered them done. The Committee commends the Special Court’s recent indictment of one such leader who, more than any other single individual, was responsible for inciting and fueling the Sierra Leone conflict.

The Special Court for Sierra Leone has been successful thus far because of three distinct attributes: it resides in the country where the atrocities occurred, allowing the Sierra Leonean people to bear witness to the conflict’s closure; it has a clear mandate and a defined time period; and its judges and lawyers come both from Sierra Leone and other countries. As noted above, the swift action and overall success of the Court so far contrasts with the U.N.-run tribunals for war crimes committed in the former Yugoslavia and Rwanda. The Special Court for Sierra Leone model is the most appropriate choice for the court that will inevitably be stood up to prosecute the crimes that occurred (and continue to occur) in the conflict in the Democratic Republic of the Congo, and the Com-

mittee directs the United States Ambassador to the United Nations to advocate this in the Security Council.

*United Nations Peacekeeping Force in Cyprus [UNFICYP].*—UNFICYP was set up in 1964 to prevent further fighting between the Greek and Turkish communities on the island of Cyprus. After the hostilities of 1974, the mission’s mandate was expanded. The mission remains active on the island to supervise ceasefire lines, maintain a buffer zone separating the two sides, and undertake humanitarian activities. Greek Cypriot and Turkish Cypriot leaders on April 23, 2003, opened checkpoints along the buffer zone, or “green line”. Since the opening, tens of thousands of Cypriots from both sides have peacefully crossed the dividing line.

In light of UNFICYP’s completion of its mandate—demonstrated by the peaceful border crossings of thousands of Greek and Turkish Cypriots—and the imminent accession of both Cyprus and Turkey to the European Union, the Committee directs the United States Representative to the United Nations to encourage the United Nations to develop an exit strategy for this peacekeeping mission. The recommendation provides full funding for the United States’ share of the costs of UNFICYP for fiscal year 2004 and supports a continued United Nations presence there until the end of the fiscal year.

*Peacekeeping Reports.*—The Committee last year directed the Department to resume transmission of United Nations Security Council reports on peacekeeping to the Committees on Appropriations. Despite this direction, the transmission of these reports has slowed to a trickle. The Committee will not consider reprogramming requests for any U.N. peacekeeping mission for which the Department has not submitted regular reports. These reports are a crucial source of information for the Committee, and the Committee will not be forced into making decisions concerning U.N. peacekeeping missions without them.

#### INTERNATIONAL COMMISSIONS

##### INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

##### SALARIES AND EXPENSES

Appropriations, 2003 .....	\$25,316,000
Budget estimate, 2004 .....	31,562,000
House allowance .....	25,668,000
Committee recommendation .....	28,312,000

The Committee recommends an appropriation of \$28,312,000. The recommendation is \$3,250,000 below the budget request.

The recommendation does not include the increases requested by the International Boundary and Water Commission [IBWC] to enhance its planning capabilities for short-term and long-term projects. The Committee directs IBWC to contract out administrative, human resources management, procurement, finance and accounting, payroll, and property functions so that it can meet the increasing demand for IBWC services without having to rely on budget increases. The recommendation includes \$658,000 for mandatory pay and inflation increases and \$250,000 for United States environmental compliance requirements.

The Committee recommendations are displayed in the following table:

INTERNATIONAL BOUNDARY AND WATER COMMISSION  
SALARIES AND EXPENSES

[In thousands of dollars]

	Amount
Administration .....	6,300
Engineering .....	2,761
Operations and maintenance .....	19,251
Total, International Boundary and Water Commission .....	28,312

The Committee regrets the Commission's use of the word "mandatory" to describe certain requested increases in the Commission's Operations and Maintenance budget for fiscal year 2004. The Committee finds the use of the word "mandatory" in an official budget presentation document inappropriate except in cases where it refers to mandatory spending, as recognized by Congress and the Office of Management and Budget.

The Committee expects to be consulted prior to any deviation from the above plan.

CONSTRUCTION

Appropriations, 2003 .....	\$5,415,000
Budget estimate, 2004 .....	8,901,000
House allowance .....	5,500,000
Committee recommendation .....	8,201,000

The Committee recommends an appropriation of \$8,201,000. The recommendation is \$700,000 below the budget request. The recommendation includes funding for three new initiatives: the reconstruction of the American Canal, the Advanced Primary Plant completion, and an assessment of the impact of the discharge of the South Bay International Wastewater Treatment Plant. The recommendation does not include funding for Rio Grande Boundary Preservation. No explanation was given for this project in the budget request.

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

INTERNATIONAL BOUNDARY AND WATER COMMISSION CONSTRUCTION

[In thousands of dollars]

	Committee recommendation
Boundary-Wide Construction:	
Facilities Renovation .....	600
Heavy Equipment Replacement .....	250
Land Mobile Radio Systems Replacement .....	500
Hydrologic Data Collection System Rehabilitation .....	251
Subtotal, Boundary-Wide Construction .....	1,601
Rio Grande Construction:	
Rio Grande Canalization .....	800
Rio Grande Flood Control System Rehabilitation .....	500
Safety of Dams Rehabilitation .....	750

## INTERNATIONAL BOUNDARY AND WATER COMMISSION CONSTRUCTION—Continued

[In thousands of dollars]

	Committee recommendation
Reconstruction of the American Canal .....	700
Subtotal, Rio Grande Construction .....	2,750
Western Boundary Construction:	
Colorado River Boundary and Capacity Preservation .....	100
Secondary Treatment of Tijuana Sewage .....	2,000
Advanced Primary Plant Completion .....	800
Surfriders Consent Decree Compliance .....	950
Subtotal, Western Boundary Construction .....	3,850
Total, IBWC Construction .....	8,201

The Committee expects to be consulted prior to any deviation from the above plan.

## AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

Appropriations, 2003 .....	\$9,410,000
Budget estimate, 2004 .....	11,204,000
House allowance .....	8,944,000
Committee recommendation .....	10,942,000

The Committee recommends an appropriation of \$10,942,000. The recommendation is \$262,000 below the budget request.

This account funds the United States' share of expenses of the International Boundary Commission [IBC], the International Joint Commission [IJC], and the Border Environment Cooperation Commission [BECC].

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

## AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

[In thousands of dollars]

	Committee recommendation
International Boundary Commission:	
Commission Operations .....	648
New Brunswick, Maine-Quebec Project .....	136
Washington/Idaho/Montana-British Columbia/Alberta Project .....	208
Minnesota/North Dakota-Manitoba Project .....	126
Minnesota-Manitoba/Ontario .....	14
Subtotal, International Boundary Commission .....	1,132
International Joint Commission:	
United States Section .....	7,130
Special and Technical Investigations by the U.S. Geological Survey .....	547
Subtotal, International Joint Commission .....	7,677
Border Environment Cooperation Commission:	
Studies and Investigations/Solid Waste Projects .....	2,078
Public Involvement and Outreach .....	55

## AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS—Continued

[In thousands of dollars]

	Committee recommendation
Subtotal, Border Environment Cooperation Commission .....	2,133
Total, American Sections, International Commissions .....	10,942

The Committee does not recommend the requested 13 percent increase in the International Boundary Commission's operating budget.

The Committee expects to be consulted prior to any deviation from the above plan.

## OTHER

## INTERNATIONAL CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

Appropriations, 2003 .....	
Budget estimate, 2004 .....	
House allowance .....	
Committee recommendation .....	\$7,000,000

The Committee recommends an appropriation of \$7,000,000 for operational costs of the International Center for Muslim-Western Dialogue (the Center). The recommendation is \$7,000,000 above the request. The Center is located in the historic Palazzo Corpi, formerly the U.S. Consulate building in Istanbul, Turkey. The purpose of the Center is to develop programs of cooperative study, training, and research for students and scholars to exchange views and ideas. The Committee recommends that the Center develop regional-based dialogue groups on such topics as post-war Iraq and the empowerment of women in Iraq's government and leadership, among others. The Committee encourages non-profit organizations to play a continuing role in the administration of the Center and in the execution of its programs. The Secretary of State shall submit monthly reports on the status of creating the Center to the Committees on Appropriations.

## PAYMENT TO THE ASIA FOUNDATION

Appropriations, 2003 .....	\$10,376,000
Budget estimate, 2004 .....	9,250,000
House allowance .....	10,376,000
Committee recommendation .....	

The Committee does not recommend an appropriation for the Asia Foundation. The recommendation is \$9,250,000 below the budget request.

## EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

## EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

Appropriations, 2003 .....	\$497,000
Budget estimate, 2004 .....	500,000
House allowance .....	500,000
Committee recommendation .....	500,000

The Committee recommends an appropriation of \$500,000 from interest and earnings in the Eisenhower Exchange Fellowship Program Trust Fund, authorized by the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101-454). The recommendation is identical to the request.

The Eisenhower Exchange Fellowship Program was created in 1953 to honor President Eisenhower. The Eisenhower Exchange Fellowship Act of 1990 authorized a permanent endowment for the Eisenhower Exchange Fellowship Program and established a trust fund in the United States Treasury for this purpose. A total of \$7,500,000 has been provided to establish a permanent endowment for the program, from which the interest and earnings are appropriated to Eisenhower Exchange Fellowships, Inc.

#### ISRAELI ARAB SCHOLARSHIP PROGRAM

Appropriations, 2003 .....	\$373,000
Budget estimate, 2004 .....	375,000
House allowance .....	375,000
Committee recommendation .....	375,000

The Committee recommends an appropriation of \$375,000 from interest and earnings in the Israeli Arab Scholarship Endowment Fund, authorized by Section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102-138). The recommendation is identical to the budget request.

The Israeli Arab Scholarship Program funds scholarships for Israeli Arabs to attend institutions of higher education in the United States. A permanent endowment of \$4,978,500 was established in 1992 with funds made available under section 556(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1990, as amended. The interest from the endowment is credited to the Fund and made available subject to annual appropriations to carry out the scholarship program.

#### EAST-WEST CENTER

Appropriations, 2003 .....	\$17,883,000
Budget estimate, 2004 .....	14,280,000
House allowance .....	.....
Committee recommendation .....	19,000,000

The Committee recommends an appropriation of \$19,000,000. The recommendation is \$4,720,000 above the request.

The East-West Center is an educational and research organization established by Congress in 1960 to strengthen understanding and relations between the United States and the countries of the Asia-Pacific region. The Center helps promote the establishment of a stable, peaceful and prosperous Asia-Pacific community in which the United States is a natural and leading partner. The Center carries out its mission through programs of cooperative study, training, and research. Professionals and students from the United States, Asia, and the Pacific study and work together at the East-West Center to better understand issues of common and critical concern and explore mutually beneficial ways of addressing them.



## NATIONAL ENDOWMENT FOR DEMOCRACY

Appropriations, 2003 .....	\$41,727,000
Budget estimate, 2004 .....	36,000,000
House allowance .....	42,000,000
Committee recommendation .....	36,000,000

The Committee recommends an appropriation of \$36,000,000. The recommendation is identical to the budget request.

The National Endowment for Democracy [NED] is a private, non-profit organization created in 1983 to strengthen democratic institutions around the world. NED's mission is to support peaceful and stable transitions to more open political and economic systems characterized by effective governance and legal systems, engaged and responsible civil societies, and open markets. Although NED was first created to help the United States win the cold war, its mission of promoting democracy is still relevant today, particularly in the war against terrorism.

The Committee commends NED for developing programs to promote the education of women in predominately Muslim countries. Women's rights in Afghanistan have been greatly enhanced by NED's creation of a women's library and resource center, its leadership partnerships with media, and its development of E-learning resources. Within available funds, \$2,000,000 is for grants to expand these and other similar programs through the International Center for Muslim-Western Dialogue. The Committee further commends NED for its work with Lebanese Shiite schools to develop women's rights education programs. The Committee encourages NED to consider a grant, if warranted, for the Legal Education Program for Emerging Democracies at Ohio Northern University.

## RELATED AGENCY

## BROADCASTING BOARD OF GOVERNORS

## INTERNATIONAL BROADCASTING OPERATIONS

Appropriations, 2003 .....	\$465,850,000
Supplemental appropriations, 2003 .....	30,500,000
Budget estimate, 2004 .....	525,204,000
House allowance .....	552,105,000
Committee recommendation .....	518,149,000

The Committee recommends an appropriation of \$518,149,000. The recommendation is \$7,055,000 below the request. The recommendation assumes \$1,000,000 in reimbursements under the Voice of America account. This amount, when combined with direct appropriations, results in a total of \$519,149,000 in available funding for Broadcasting Board of Governors [BBG] in fiscal year 2004.

This appropriation account funds the operating and engineering costs of Voice of America [VOA], Radio Free Europe/Radio Liberty [RFE/RL], Radio Free Asia [RFA], the Middle East Television Network [METN], Worldnet Television, and the Broadcasting Board of Governors.

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

## INTERNATIONAL BROADCASTING OPERATIONS [IBO]

[In thousands of dollars]

	Committee recommendation
International Broadcasting Bureau [IBB]:	
Voice of America [VOA]:	
Domestic Operations .....	128,850
Office of the Director .....	[3,585]
Broadcast Operations .....	[17,228]
Latin American Division .....	[3,715]
European Division .....	[8,359]
East Asia and Pacific Division .....	[24,979]
South and Central Asia Division .....	[8,722]
Africa Division .....	[9,492]
Eurasia Division .....	[7,640]
Near East and North Africa Division .....	[7,393]
Middle East Radio Network/Radio Sawa .....	[11,204]
English Programs Division .....	[7,176]
Special English and Music Division .....	[4,535]
News Division .....	[14,822]
Domestic Bureaus .....	734
Overseas Bureaus .....	8,990
VOA TV .....	21,083
Subtotal, VOA .....	159,657
Engineering and Technical Services:	
Headquarters .....	60,609
Transmitting Stations .....	66,129
Monitors .....	1,075
Subtotal, Engineering .....	127,813
Agency Direction:	
Board of Governors .....	2,139
Chief Financial Officer .....	4,787
Accounting and Payroll .....	1,222
Intl Cooperative Administrative Support Services [ICASS] .....	4,357
Research .....	7,500
General Counsel .....	995
Director, IBB .....	1,291
Policy .....	1,088
Civil Rights .....	967
Subtotal, Agency Direction .....	24,346
Management .....	47,150
Program Support .....	25,244
Subtotal, IBB .....	384,210
Independent Grantee Organizations:	
Radio Free Europe/Radio Liberty [RFE/RL]:	
Broadcasting .....	50,855
Office of the Director .....	[2,462]
Marketing and Affiliates .....	[1,699]
Broadcast Services .....	[46,694]
Management and Administration .....	26,739
Subtotal, RFE/RL .....	77,594
Radio Free Asia [RFA]:	
Broadcasting .....	18,400
Management and Administration .....	8,945

INTERNATIONAL BROADCASTING OPERATIONS [IBO]—Continued  
[In thousands of dollars]

	Committee recommendation
Subtotal, RFA .....	27,345
Middle East Television Network (METN) .....	30,000
Subtotal, Grantees .....	134,939
Total, IBO .....	519,149

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

INTERNATIONAL BROADCASTING BUREAU

*Voice of America [VOA].*—The Committee recommends an appropriation of \$159,657,000 for VOA. The recommendation includes funding for VOA’s European Division to continue, at fiscal year 2003 levels, the Estonian Service and the Czech, Hungarian, Lithuanian, Polish, Bulgarian, and Romanian multimedia units. The recommendation also includes \$24,979,000, the full amount requested, for VOA’s East Asia and Pacific Division. The recommendation for this division represents an increase of \$3,386,000 above fiscal year 2003, and will allow VOA to significantly increase broadcasting to Indonesia. The recommendation also includes \$9,492,000, the full amount requested, for VOA’s Africa Division.

The Committee recognizes that broadcasting to the Middle East and South and Central Asia is critical to the United States-led war on terror. The recommendation therefore includes \$8,722,000 for VOA’s South and Central Asia Division and \$11,204,000 for the Middle East Radio Network, or Radio Sawa. Both of these levels are identical to the budget request. The recommendation also includes \$7,393,000 for VOA’s Near East and North Africa Division. The recommendation represents an increase above the request.

*Africa Broadcasting.*—The problem of AIDS in Africa is ubiquitous. Radio broadcasting is an underutilized tool in the fight against the African AIDS epidemic. Its accessibility to even the most impoverished communities make it an ideal way to transmit information about the disease. Radio broadcasts could be a major component of sustained prevention efforts undertaken by the governments of many African countries, humanitarian organizations, and U.S. assistance programs. The Committee directs VOA to continue to include AIDS education in its regular programming. VOA is directed to report to the Committee on its progress no later than 90 days after the date of enactment of this Act.

*Engineering and Technical Services.*—The Committee recommends an appropriation of \$127,813,000 for engineering and technical services. The recommendation is \$1,050,000 below the request. The difference is due to the fact that a certain country granted BBG permission to place a Radio Sawa transmitter on its soil and later reneged on its commitment.

*Agency Direction.*—The Committee recommends an appropriation of \$24,346,000 for Agency Direction. The recommendation includes \$7,500,000 for research.

*Security of Worldwide Broadcasting Facilities.*—In fiscal year 2003, the Committee directed the BBG to develop, in consultation with the Department of State and other relevant United States agencies, a 5-year capital worldwide security plan. The Committee expects that this plan, once approved by the Committee, will serve as a planning document for BBG's fiscal year 2005 budget submission, as it pertains to facilities and security.

*Management.*—The Committee recommends an appropriation of \$47,150,000 for the management of the BBG. The recommendation includes \$26,662,000 for Administration, instead of the \$30,520,000 proposed in the budget request. The budget request for Administration for fiscal year 2004 represented a 15 percent increase over the fiscal year 2003 level. The Committee has determined that such a request is not warranted. The recommendation includes \$2,860,000, the full amount requested, for security.

*Program Support.*—The recommendation includes full funding of \$7,023,000 for the BBG's marketing and program placement initiative.

*Internet Access.*—The Committee is aware of promising technologies that could penetrate the Internet "firewall" used by the Red Chinese to deny individuals access to certain areas of the worldwide web. The Committee recommendation for program support includes \$1,000,000 for the broadcast services to administer a pilot program using Internet-oriented technologies that may prove capable of penetrating the Red Chinese firewall of censorship. The BBG is directed to provide the Committee with a spending plan no later than March 22, 2004 describing the technologies that are being considered for the pilot program.

#### GRANTEES

*Radio Free Europe/Radio Liberty [RFE/RL].*—The Committee recommends an appropriation of \$77,594,000 for RFE/RL. The recommendation includes funding for the continuation, at fiscal year 2003 levels, of RFE/RL's Bulgarian, Estonian, Latvian, Lithuanian, and Romania-Moldova Services. The recommendation includes \$2,676,000 for Radio Farda, \$5,510,000 for Radio Free Afghanistan, and \$2,140,000 for Radio Free Iraq. Each of these levels is identical to the budget request.

*Security of RFE/RL Headquarters.*—The Committee has been briefed on the plan to relocate RFE/RL headquarters from St. Wenceslas Square in Prague, the Czech Republic, to a new location. The Committee intends to ensure that the eventual RFE/RL headquarters building meets all of the necessary and appropriate security requirements. The BBG and RFE/RL are directed to submit to the Committee a report with no less than four options for relocation. In addition, BBG and RFE/RL should consider alternative sites in other countries in the region, and include in the report several recommendations for relocating elsewhere. The BBG and RFE/RL are directed to work with the Director of the Department of State's Bureau of Overseas Buildings Operations [OBO] in preparing this report which is to be submitted to the Committee no

later than February 29, 2004. The Committee will not approve any funding for this project unless the plan has the approval of OBO.

*Radio Free Asia [RFA].*—The Committee recommends an appropriation of \$27,345,000 for RFA. Within the funding provided for Broadcasting, \$2,838,000 is for RFA’s Tibetan Service and \$1,254,000 for its Uyghur Service. Within funding made available for Management and Administration, \$497,000, the full amount requested, is for audience research.

*Jamming.*—The Committee notes with concern continued reports of increased jamming of Radio Free Asia broadcasts to Tibet. Jamming is intended to stem the flow of truthful and free media into closed societies such as Tibet. The Committee has provided funds in prior years to address this problem. The Committee directs the broadcast services to expand their efforts to counteract the practice of jamming.

*Middle East Television Network [METN].*—The Committee recommends an appropriation of \$30,000,000 for the METN. The recommendation is identical to the request.

BROADCASTING TO CUBA

Appropriations, 2003 .....	\$24,834,000
Budget estimate, 2004 .....	26,901,000
House allowance .....	
Committee recommendation .....	28,101,000

The Committee recommends an appropriation of \$28,101,000. The recommendation is \$1,200,000 above the budget request.

This appropriation account funds the operating and engineering costs of Radio and Television [TV] Marti programs. Radio and TV Marti are dedicated to providing a reliable source of news and information that is accurate and objective, and to the promotion of freedom and democracy in Cuba.

*Jamming.*—The Committee commends the Office of Cuba Broadcasting [OCB] for the successful completion of its conversion to digital audio, video, and computer networking technologies. However, Radio and TV Marti must be further modernized. A critical part of this modernization will be increased efforts to overcome Cuban jamming. Therefore, within the funding made available for Cuba Broadcasting, \$1,200,000 is to enhance efforts to defeat jamming. The Committee directs the Broadcasting Board of Governors and OCB to use all available means to overcome the jamming of Radio and TV Marti, including broadcasting via the Internet and satellite. The Committee notes that, while the Cuban government still imposes penalties on citizens who attempt to receive radio and television signals from international sources, satellite dish ownership in Cuba is increasing. It has been said that “The second major indoor sport in Havana, next to watching satellite TV, is hiding the dish”. The average Cuban still does not have access to the Internet for personal use due to the high cost, access restrictions by the Cuban government, and an inadequate national Internet infrastructure. The Committee is aware, however, of programs run by international and non-governmental organizations that help developing nations build their Internet capacities. The Committee supports such programs and notes that bringing the Internet and other information technologies to developing countries not only has-

tens development, it hastens the transition to democracy by “democratizing information”.

BROADCASTING CAPITAL IMPROVEMENTS

Appropriations, 2003 .....	\$12,657,000
Budget estimate, 2004 .....	11,395,000
House allowance .....	11,395,000
Committee recommendation .....	11,395,000

The Committee recommends an appropriation of \$11,395,000. The recommendation is identical to the budget request. The Committee notes that no funding was requested for new construction projects in fiscal year 2004.

This account funds necessary maintenance, improvements, replacements, and repairs of broadcasting sites; satellite and terrestrial program feeds; and engineering support activities, broadcast facility leases, and land rentals.

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

BROADCASTING CAPITAL IMPROVEMENTS [BCI]

[In thousands of dollars]

	Committee recommendation
Maintenance, Improvements, Replace and Repair [MIRR]:	
Continuing Maintenance and Repair .....	4,335
VOA TV .....	765
Security .....	2,410
Subtotal, MIRR .....	7,510
Upgrade of Existing Facilities:	
Poro Relocation .....	1,250
Greek Agreement .....	1,835
Subtotal, Upgrades .....	3,085
Satellite and Terrestrial Program Feeds .....	800
Total, BCI .....	11,395

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCIES

The Committee recommends the following general provisions:

Section 401 permits funds appropriated in this Act for the Department of State to be available for allowances and differentials, services, and hire of passenger transportation.

Section 402 permits up to 5 percent of any appropriation made available in the bill for the Department of State and the U.S. Information Agency to be transferred between their respective appropriations. The language also provides that no appropriation shall be decreased by more than 5 percent or increased by more than 10 percent by any such transfer. The language also provides that any transfer pursuant to this subsection shall be treated as a re-programming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 403 prohibits the Department of State from making multiple requests to reprogram funds.

Section 404 prohibits the use of Department of State funds to support the Palestinian Broadcasting Corporation.

Section 405 provides that Israel shall be recorded as the place of birth on registrations of birth, certifications of nationality, and passport applications for U.S. citizens born in Jerusalem.

Section 406 initiates the process of right-sizing.

Section 407 prohibits the Department of State from making requests for funds for certain types of construction projects under this or future Department of State and Related Agency Appropriations Acts.

Section 408 requires the Secretary of State to submit the budget of the United Nations [U.N.] as part of the State Department's annual budget submission. The United States' annual dues payment to the United Nations represents more than 17 percent of the entire Department of State appropriation. That such a large portion of this Act escapes congressional oversight merely because it is spent by the United Nations, as opposed to an agency of the United States Government, is a disservice to the American taxpayer. Henceforward, the U.N. budget will receive the same scrutiny as do all other accounts included in the budget request.

Section 409 strikes a provision that inhibits the Secretary of State in carrying out his responsibilities for ensuring the safety of all non-military United States Government personnel stationed abroad.

Section 410 ensures the continuity of funding for the Department's border security program in the event of a machine readable visa [MRV] fee shortfall.

Section 411 addresses the visa backlog.

Section 412 lessens restrictions on foreign assistance.

TITLE V—RELATED AGENCIES

COMMISSION FOR THE PRESERVATION OF AMERICA’S HERITAGE  
ABROAD

SALARIES AND EXPENSES

Appropriations, 2003 .....	\$496,000
Budget estimate, 2004 .....	499,000
House allowance .....	499,000
Committee recommendation .....	659,000

The Committee recommends an appropriation of \$659,000. This amount is \$160,000 above the budget request. The recommendation will allow the Commission to fund its administrative expenses through appropriated funds while relying on privately donated funds for the actual purchase and restoration of property.

The purpose of the Commission is to encourage the preservation of cemeteries, monuments, and historic buildings associated with the foreign heritage of the American people.

*Revolutionary War Heroes.*—The Committee was pleased with the Commission’s preliminary survey (phase I) of sites abroad associated with the lives and deeds of foreign-born heroes of the American Revolution. The Commission has identified at least 31 Revolutionary period heroes that are, or should be, commemorated abroad that qualify for site assessment (phase II). Phase II will involve: (1) collection of first hand information at foreign commemorative sites, (2) formulation of recommendations regarding necessary repairs to, or expansion of, existing monuments, rewriting of commemorative inscriptions, and placement of new commemorative markers or monuments, and (3) dissemination of information on commemorative sites to American citizens and foreign governments and organizations. The Committee recommendation includes \$160,000 to conduct phase II. The Committee looks forward to receiving a report on the completion of phase II at the earliest convenience of the Commission.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

Appropriations, 2003 .....	\$9,037,000
Budget estimate, 2004 .....	9,096,000
House allowance .....	9,096,000
Committee recommendation .....	9,096,000

The Committee recommends an appropriation of \$9,096,000 for the salaries and expenses of the Commission on Civil Rights. The recommendation is identical to the budget request.



## COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Appropriations, 2003 .....	\$2,865,000
Budget estimate, 2004 .....	3,000,000
House allowance .....	3,000,000
Committee recommendation .....	2,000,000

The Committee recommends an appropriation of \$2,000,000. The recommendation is \$1,000,000 below the budget request.

## COMMISSION ON SECURITY AND COOPERATION IN EUROPE

## SALARIES AND EXPENSES

Appropriations, 2003 .....	\$1,572,000
Budget estimate, 2004 .....	1,615,000
House allowance .....	1,615,000
Committee recommendation .....	1,615,000

The Committee recommends an appropriation of \$1,615,000. The recommendation is identical to the budget request.

The Commission was established in 1976 to ensure compliance with the final act of the Conference on Security and Cooperation in Europe with particular regard to provisions dealing with humanitarian affairs.

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

## SALARIES AND EXPENSES

Appropriations, 2003 .....	\$1,371,000
Budget estimate, 2004 .....	1,800,000
House allowance .....	1,800,000
Committee recommendation .....	1,400,000

The Committee recommends an appropriation of \$1,400,000. The recommendation is \$400,000 below the budget request.

## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## SALARIES AND EXPENSES

Appropriations, 2003 .....	\$306,815,000
Supplemental appropriations, 2003 .....	15,000,000
Budget estimate, 2004 .....	334,754,000
House allowance .....	328,400,000
Committee recommendation .....	334,754,000

The Committee recommends an appropriation of \$334,754,000. The recommendation is identical to the budget request.

The Congress supported the Equal Employment Opportunity Commission [EEOC] by appropriating \$15,000,000 in the fiscal year 2003 supplemental to avert a financial crisis and prevent massive furloughs. In this bill the Committee fully supports the EEOC's budget request to allow the Commission the resources to correct the situation that precipitated this crisis.

The Committee understands the EEOC is proposing a restructuring of the Commission and State facilities in accordance with the study performed by the National Academy of Public Administration [NAPA]. However, the Committee has concerns about the impact this restructuring will have on the quality of service to the

States. The Committee urges the Commission to concentrate on a plan to reduce headquarters staffing by encouraging early retirements and increased natural attrition.

The Committee directs that before any restructuring takes place, the Commission comply with reprogramming requirements as outlined in Section 605. The Committee encourages the Commission to brief this Committee at the earliest opportunity on the details of any restructure plan.

## FEDERAL COMMUNICATIONS COMMISSION

### SALARIES AND EXPENSES

Appropriations, 2003 .....	\$270,987,000
Budget estimate, 2004 .....	280,798,000
House allowance .....	278,958,000
Committee recommendation .....	277,798,000

The Committee recommends a total of \$277,798,000 for the salaries and expenses of the Federal Communications Commission [FCC], of which \$251,984,000 is to be derived from the collection of fees. The recommendation is \$3,000,000 below the budget request.

The FCC is an independent regulatory agency exercising authority delegated to it by Congress under the Communications Act of 1934 as amended by the Telecommunications Act of 1996. The primary mission of the FCC is to promote competition, innovation, and deregulation in the communications industry. The FCC is charged with regulating interstate and international communications by radio, television, wire, satellite and cable. The mandate of the FCC under the Communications Act is to make available to all people of the United States a rapid, efficient, nationwide, and worldwide wire and radio communication service. The FCC performs four major functions to fulfill this charge: spectrum allocation, creating rules to promote fair competition and protect consumers where required by market conditions, authorization of service, and enforcement.

The recommendation includes funding increases that will greatly enhance the FCC's ability to achieve its core objectives. The recommendation includes an increase of \$2,600,000 to hire an additional 20 full time equivalents to enhance the FCC's engineering expertise.

The recommendation reflects the Committee's continued support for improvements to the Commission's critical systems. The recommendation has fully funded the Commission's request for technology enhancements. Also, the recommendation includes funding to enable the FCC to comply with government-wide standards for systems security, accessibility, and financial management.

*Contract Audit Support.*—The recommendation does not include the \$3,000,000 requested for the Office of Inspector General [OIG] to hire contractors to conduct audits of the Universal Service Fund [USF] and the E-Rate Program. The use of appropriated funds for these audits is inappropriate, as the USF is maintained in accounts outside the Treasury and is administered by a not-for-profit corporation rather than a Federal agency. The Committee agrees with the FCC's Inspector General, who stated in an April, 2002 memo-

randum: “It is appropriate and consistent with applicable regulations to utilize the Universal Service Fund to fund [the FCC’s] oversight of the Schools and Libraries [E-Rate] Program”. The Committee directs the FCC to utilize funds in the USF to pay for costs associated with the auditing of the USF.

*Broadcast Television Standards.*—The Committee is concerned about the declining standards of broadcast television and the impact this decline is having on America’s children. An analysis of all prime-time programming has found that overall sexual content, foul language, and violence have tripled over the past decade. In December 1999, the FCC issued a notice of inquiry regarding the public interest obligations of broadcasters during and after the transition to digital transmission. The Committee directs the FCC to continue to report to Congress on the issues associated with resurrecting a broadcast industry code of conduct for content of programming that, if adhered to by the broadcast industry, would protect against the further erosion of broadcasting standards.

*Wireless Portability.*—The Committee is pleased that the FCC is developing implementation requirements for local number portability. The Committee urges the FCC to complete these requirements prior to the implementation deadline and to address wireline to wireless portability in a timely manner.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

Appropriations, 2003 .....	\$176,553,000
Budget estimate, 2004 .....	191,132,000
House allowance .....	183,041,000
Committee recommendation .....	189,032,000

The Committee recommends an appropriation of \$189,032,000. The recommendation is \$2,100,000 below the budget request.

The Federal Trade Commission [FTC] administers a variety of Federal antitrust and consumer protection laws. Activities in the antitrust area include detection and elimination of illegal collusion, anticompetitive mergers, unlawful single-firm conduct, and injurious vertical agreements. The FTC regulates advertising practices, service industry practices, marketing practices, and credit practices as it addresses fraud and other consumer concerns.

The recommendation includes \$164,399,000 for the ongoing operations of the FTC, of which \$2,100,000 is for physical security enhancements to headquarters, \$6,533,000 for anticipated increases in expenses in fiscal year 2004, as described in greater detail below, and \$18,100,000 for the Do-Not-Call initiative, also described in greater detail below. Of the amounts provided, \$112,000,000 is from Hart-Scott-Rodino pre-merger filing fees and \$18,100,000 is from Do-Not-Call fees. The total amount of direct appropriations for this account is therefore \$59,032,000. This represents an increase of \$50,579,000 over the fiscal year 2003 direct appropriation. The Committee notes that this increase is necessary due to a significant drop-off in offsetting fee collection receipts beginning in 2001.

*Child Protection.*—The FTC in September of 2000 released a report entitled: “Marketing Violent Entertainment to Children: A Re-

view of Self-Regulation and Industry Practices in the Motion Picture, Music Recording & Electronic Game Industries". The report was very critical of the entertainment industry and its persistent and calculated marketing of violent games, movies, and music to children. In response to this report, the entertainment industry has promised to impose tougher regulations on itself and to voluntarily comply with the report's recommendations. The FTC should continue with and expand upon its efforts in this area. The Committee directs the Commission to continue to engage in consumer research and workshops, underage shopper-retail compliance surveys, and marketing data collection.

*Internet.*—The FTC is charged with monitoring compliance with the Children's Online Privacy Protection Act. The recommendation provides the Commission the funding resources it needs to meet the challenges of increased fraud on the Internet. The Committee commends the FTC for recognizing the unique and difficult challenge posed by the Internet, an international phenomenon that lacks borders, to the safety of our children.

*Do-Not-Call Initiative.*—The recommendation includes \$18,100,000 for the FTC's Do-Not-Call initiative, of which the entire amount is to be derived from the collection of fees. The Do-Not-Call initiative was launched pursuant to the FTC's amended Telemarketing Sales Rule. The Do-Not-Call initiative will establish a national database of telephone numbers of consumers who choose not to receive telephone solicitations from telemarketers. The Do-Not-Call initiative has received broad support from, and will provide significant benefits to, consumers from all corners of the United States. The recommendation represents an increase of \$2,000,000 above the fiscal year 2003 level. This increase will support a range of infrastructure technology improvements that are needed to support the Do-Not-Call initiative. These improvements will allow the FTC to manage the expected large volume of consumer complaints within the Sentinel system and will allow the FTC to share information with its law enforcement partners. Sentinel is a secure website through which the FTC's law enforcement partners access consumer complaint information. Currently, over 700 Federal, State and local law enforcement partners access Sentinel. With the addition of Do-Not-Call complaint data, the FTC anticipates that a significant number of "new" partners and users, such as public utility companies, will need to use Sentinel to access those data.

The Committee directs the FTC to conduct a study to determine if uncompetitive or unfair practices, or practices which tend to restrain trade, are being used by companies that provide commercial trucking fleet card programs, and the effects of these practices on the truck stop industry. The FTC is directed to submit this report to the Committees on Appropriations no later than 180 days after the date of enactment of this Act.

## LEGAL SERVICES CORPORATION

## PAYMENT TO THE LEGAL SERVICES CORPORATION

Appropriations, 2003 .....	\$336,645,000
Budget estimate, 2004 .....	329,300,000
House allowance .....	338,848,000
Committee recommendation .....	338,848,000

The Committee recommends an appropriation of \$338,848,000. The recommendation is \$9,548,000 above the budget request. The Committee recommendation includes \$312,251,000 for basic field programs, to be used for competitively awarded grants and contracts, \$13,900,000 for management and administration, \$3,400,000 for client self-help and information technology, \$2,600,000 for the Office of the Inspector General, and \$6,697,000 for grants to offset losses due to census adjustments.

## ADMINISTRATIVE PROVISIONS

The Committee recommendation continues the administrative provisions contained in the fiscal year 1998 appropriations act (Public Law 105–119) regarding operation of this program to provide basic legal services to poor individuals and the restrictions on the use of Legal Services Corporation [LSC] funds.

Grantees must agree not to engage in litigation and related activities with respect to a variety of matters including: (1) redistricting; (2) class action suits; (3) representation of illegal aliens; (4) political activities; (5) collection of attorney fees; (6) abortion; (7) prisoner litigation; (8) welfare reform; (9) representation of charged drug dealers during eviction proceedings; and (10) solicitation of clients. The exception to the restrictions in a case where there is imminent threat of physical harm to the client or prospective client remains in place.

The manner in which LSC grantees are audited through contracts with certified public accountants for financial and compliance audits are continued along with the provisions on recompetition and debarment.

## MARINE MAMMAL COMMISSION

## SALARIES AND EXPENSES

Appropriations, 2003 .....	\$3,030,000
Budget estimate, 2004 .....	1,856,000
House allowance .....	1,856,000
Committee recommendation .....	3,030,000

The Committee recommends an appropriation of \$3,030,000. The recommendation is \$1,174,000 above the budget request. The Committee directs the Commission to review the biological viability of the most endangered marine mammal populations and make recommendations regarding the cost-effectiveness of current protection programs. The Committee further directs the Commission to review available evidence regarding the theory that rogue packs of killer whales are wiping out discreet populations of the most endangered marine mammals. The results of both reviews shall be submitted to the Committees on Appropriations at the Commission's convenience.

## NATIONAL VETERANS' BUSINESS DEVELOPMENT CORPORATION

Appropriations, 2003 .....	\$1,987,000
Budget estimate, 2004 .....	2,000,000
House allowance .....	2,000,000
Committee recommendation .....	2,000,000

The Committee recommends an appropriation of \$2,000,000. The recommendation is identical to the budget request. The Committee expects funding for the Corporation to be included under either the Small Business Administration or the Veterans Administration in fiscal year 2005 and thereafter.

## SECURITIES AND EXCHANGE COMMISSION

## SALARIES AND EXPENSES

Appropriations, 2003 .....	\$745,789,000
Budget estimate, 2004 .....	841,500,000
House allowance .....	841,500,000
Committee recommendation .....	841,500,000

The Committee recommends a total budget (obligational) authority of \$841,500,000 for the salaries and expenses of the United States Securities and Exchange Commission [SEC], of which the entire amount is to be derived from the collection of fees. This amount is identical to the budget request.

The mission of the SEC is to administer and enforce the Federal securities laws in order to protect investors and to maintain fair, honest, and efficient markets. This includes ensuring full disclosure of financial information, regulating the Nation's securities markets, and preventing and policing fraud and malpractice in the securities and financial markets. The strength of the American economy and our Nation's financial markets is dependent upon investors' confidence in the financial disclosures and statements released by publicly-traded companies. Recent accounting scandals have badly shaken the public's faith in U.S. financial markets. The Committee commends the SEC for its efforts to bolster investor confidence and for its ongoing implementation of the Sarbanes-Oxley Act of 2002. The resources recommended by the Committee will allow the SEC to increase its efforts in this area in the coming year. The Committee directs the SEC to continue to provide quarterly reports to the Committees on Appropriations on the measures it is taking to restore the public's confidence in the financial markets.

*Staffing.*—The recommendation supports the continued hiring of the more than 840 new staff approved for the Commission in fiscal 2003 and the Agency's multi-year information technology efforts. Notwithstanding the enactment of pay parity legislation, the Committee understands that the SEC continues to have difficulty hiring accountants and examiners and is seeking legislation that would permit them to be hired in the same way that the Commission currently hires attorneys. The Committee appreciates the Commission's need to hire more accountants in order to fulfill its full disclosure responsibilities and is concerned that continued hiring difficulties may threaten the Commission's effectiveness. The Committee directs the SEC to report quarterly on its hiring of accountants and any hiring flexibilities that it believes may be necessary.

*Pay Parity.*—The recommendation includes sufficient funding for the Commission to continue implementation of the pay parity program authorized in the “Investor and Capital Markets Fee Relief Act” of 2002. Pay parity is intended to bring the salaries of SEC employees in line with those of other Federal financial regulatory agencies. The Commission’s ability to retain the necessary number of qualified staff persons is critical to its success in restoring confidence in U.S. financial markets.

*Enforcement.*—The Committee directs the Commission to continue to espouse, as its top priority, the investigation and prosecution of financial fraud and reporting cases. The Committee commends the SEC for its heightened enforcement efforts and recent initiatives to protect investors through strengthened corporate disclosure, accounting, and reporting requirements.

*Data Management.*—For the past 2 years, the Committee has provided funding increases for the SEC to upgrade its document management system. An updated document management system will enhance the SEC’s ability to conduct analyses and examinations. The Committee understands that the Commission has completed the preliminary requirements analysis necessary to procure its document management system and will soon begin a multi-year development effort. This effort will begin as a pilot in the Division of Enforcement and will allow for the tagging, indexing, and imaging of investigative documents and will greatly reduce the SEC’s reliance on paper documents. The Committee directs that \$8,000,000 in prior year unobligated balances be utilized towards this effort. In addition, the recommendation for fiscal year 2004 includes \$12,000,000 for this effort.

The Committee is also aware that the SEC will, in fiscal year 2004, begin a top-to-bottom assessment of the business practices of the Division of Corporation Finance, with particular emphasis on the collection, storage, format, review, and dissemination of corporate filings to investors. The Committee supports this effort and recommends \$2,500,000 for the fiscal year 2004 costs of this multi-year project.

*Exercising of Options.*—The Committee is concerned by instances in which corporate insiders enrich themselves at the expense of stockholders by exercising stock options immediately prior to companies’ financial collapse. The exercising of stock options may even contribute, in some cases, to the bankruptcy of teetering corporations. In fiscal year 2003, the Committee directed the SEC to provide a monthly report listing the exercising of stock options by corporate officers and directors under section 12 of the Securities and Exchange Act. The Committee directs the SEC to continue to submit these reports on a bimonthly basis.

#### SMALL BUSINESS ADMINISTRATION

Appropriations, 2003 .....	\$731,672,000
Budget estimate, 2004 .....	800,888,000
House allowance .....	745,557,000
Committee recommendation .....	751,672,000

The Committee recommends an appropriation of \$751,672,000, for the Small Business Administration [SBA]. The recommendation

is \$49,216,000 below the budget request. The total funding is distributed among the SBA appropriation accounts as described below.

SALARIES AND EXPENSES

Appropriations, 2003 .....	\$312,413,000
Budget estimate, 2004 .....	360,155,000
House allowance .....	326,592,000
Committee recommendation .....	332,413,000

The Committee recommends a direct appropriation of \$332,413,000 for the salaries and expenses account. The recommendation is \$27,742,000 below the budget request. The Committee believes SBA will have an additional \$3,000,000 in receipts available for operating expenses.

NON-CREDIT BUSINESS ASSISTANCE PROGRAMS

Appropriations, 2003 .....	\$137,575,000
Budget estimate, 2004 .....	141,055,000
House allowance .....	135,000,000
Committee recommendation .....	141,055,000

The Committee recommends an appropriation of \$141,055,000 for SBA's non-credit business assistance programs. The recommendation is identical to the budget request. The Committee recommends the following amounts for these programs:

NON-CREDIT BUSINESS ASSISTANCE PROGRAMS

[In thousands of dollars]

	Amount
Small Business Development Centers .....	88,000
USEAC Program .....	3,100
Drug-free Workplace Grants .....	3,000
National Ombudsman .....	500
SCORE .....	5,000
BICs .....	475
Women's Business Centers .....	12,000
Small Disadvantaged Business .....	1,500
Women's Council .....	750
7(j) Technical Assistance .....	3,600
Microloan Technical Assistance .....	15,000
Microloan Training .....	280
Advocacy Research/Database .....	1,100
Veteran's Business Development Assistance .....	750
PRO-Net .....	500
SBIR Technical Assistance .....	500
SBIR—FAST .....	3,000
HUBZone Program .....	2,000

Within the amount provided for Women's Business Centers, \$500,000 is provided for the South Carolina Women's Business Center.

The Committee is encouraged by SBA's work on an electronic grant system. The Committee expects SBA to meet the October 31, 2003 deadline for submitting a plan to implement the system.



## OFFICE OF INSPECTOR GENERAL

Appropriations, 2003 .....	\$12,341,000
Budget estimate, 2004 .....	14,500,000
House allowance .....	13,000,000
Committee recommendation .....	12,341,000

The Committee recommends an appropriation of \$12,341,000 for the Office of Inspector General. The recommendation is \$2,159,000 below the budget request. The bill contains language making \$500,000 available to the Inspector General's office from funds made available to the disaster loan program for its activities.

## BUSINESS LOANS PROGRAM ACCOUNT

Appropriations, 2003 .....	\$216,668,000
Budget estimate, 2004 .....	225,770,000
House allowance .....	215,715,000
Committee recommendation .....	216,668,000

The Committee recommends an appropriation of \$216,668,000 for the business loans program account. The recommendation is \$9,102,000 below the budget request. Of the amount provided, \$129,000,000 is for administrative expenses related to this account. The administrative expenses may be transferred to and merged with SBA salaries and expenses to cover the common overhead expenses associated with the business loan programs.

The Committee is concerned about the SBA Office of Inspector General's [IG] report (3-034) stating SBA needs to, "make significant improvements in financial management and reporting, particularly maintaining proper accounting for and accountability of the Master Reserve Fund [MRF]." Additionally, the IG report states SBA needs to make significant improvements maintaining control over all aspects of the loan accounting and budgeting process. The Committee directs SBA to submit a report to the Committees on Appropriations on the actions they plan to take to correct these situations.

## DISASTER LOANS PROGRAM ACCOUNT

Appropriations, 2003 .....	\$190,250,000
Budget estimate, 2004 .....	200,463,000
House allowance .....	190,250,000
Committee recommendation .....	190,250,000

The Committee recommends an appropriation of \$190,250,000 for the disaster loan program. The recommendation is \$10,213,000 below the budget request. The recommendation does not include \$3,000,000 for gainsharing. Of the amount provided, \$79,109,000 is for direct loan subsidies.

## ADMINISTRATIVE PROVISIONS

The Committee wishes to underscore the reprogramming requirements outlined in section 605. This recommendation includes an administrative provision in the bill language, as in last year's bill, providing the authority to transfer funds between the Small Business Administration's appropriations accounts. The language provides that no account may be decreased by more than 5 percent or increased by more than 10 percent. The language also makes the

transfers subject to the Committee’s standard reprogramming procedures under section 605. In addition, a reprogramming notification is required in any proposed organization, whether or not funding transfers will be associated with the proposed reorganization.

Because of the unique legal status of Alaska Natives, Native Hawaiians, and residents living in the territories, the offices handling SBA programs on reservations often lack the knowledge and ability to make SBA programs work outside the continental United States. To address this failure, a new position will be established to focus on these unique communities.

The Committee is disturbed that disaster loans in Alaska have been sold to foreign companies who lack the ability and motivation to work with commercial fisherman still struggling from declining runs to restructure their debt. In some cases, fishing vessels have been seized for small arrearages instead of working to develop a more flexible payment schedule. To ensure these loans can be managed with the maximum flexibility and with the full range of tools available to the SBA, the Committee directs that disaster loans in Alaska continue to be managed by SBA and not be sold for processing.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

Appropriations, 2003 .....	\$2,981,000
Budget estimate, 2004 .....	8,000,000
House allowance .....	3,000,000
Committee recommendation .....	5,000,000

The Committee recommends an appropriation of \$5,000,000. The recommendation is \$3,000,000 below the budget request.

The Institute was created in 1984 to further the development and adoption of improved judicial administration in State courts.

Of the amount provided, \$1,500,000 is for the State of Wisconsin “Justice Gateway” Information Integration System, \$700,000 is for the Cheyenne River Sioux Tribe Court System, \$1,000,000 is for the San Francisco Justice Information Tracking System, \$500,000 is for the Institute for the Study of Justice and Security, and \$1,300,000 is for pro se pilot projects in Connecticut, Massachusetts, and New York.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW  
COMMISSION

SALARIES AND EXPENSES

Appropriations, 2003 .....	
Budget estimate, 2004 .....	
House allowance .....	
Committee recommendation .....	\$2,000,000

The Committee recommends an appropriation of \$2,000,000. The recommendation is \$2,000,000 above the budget request.

## TITLE VI—GENERAL PROVISIONS

The Committee recommends the following general provisions for the departments and agencies funded in the accompanying bill.

Section 601 prohibits any appropriation act from being used for publicity or propaganda purposes not authorized by law.

Section 602 prohibits any appropriation contained in the act from remaining available for obligation beyond the current year unless expressly so provided.

Section 603 provides that the expenditure for any appropriation contained in the act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection except where otherwise provided under existing law or under existing Executive order issued pursuant to existing law.

Section 604 provides for severability should a provision of this Act be found to be unconstitutional.

Section 605(a) stipulates Committee policy concerning the reprogramming of funds. Section 605(a) prohibits the reprogramming of funds which: (1) create new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates offices or employees; (5) reorganizes offices, programs, or activities; (6) contracts out or privatizes any function or activity presently performed by Federal employees—unless the Appropriations Committees of the House and Senate are notified 15 days in advance.

Section 605(b) prohibits a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings due to a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress unless the Appropriations Committees of the House and Senate are notified 15 days in advance.

Section 606 prohibits construction, repair, overhaul, conversion, or modernization of NOAA ships outside of the United States.

Section 607 limits funding for United Nations peacekeeping missions that fail to meet certain criteria.

Section 608 prohibits implementation of a Memorandum of Agreement.

Section 609 responds to the Office of Management and Budget's Circular A-11 as it concerns the reporting of prior year unobligated balances.

Section 610 ties grant eligibility to retired law enforcement disability benefits.

Section 611 limits the availability of funds for tobacco promotion.

Section 612 prohibits funds from being used to issue a visa to any alien involved in extrajudicial and political killings in Haiti and establishes working conditions for plaintiffs in a recently settled Federal lawsuit.

Section 613 prohibits a user fee from being charged for background checks conducted pursuant to the Brady Handgun Control Act of 1993 and prohibits implementation of a background check system that does not require and result in the immediate destruction of certain information.

Section 614 delays obligation of some receipts deposited into the Crime Victim Fund.

Section 615 limits the placement of maximum or high security prisoners to appropriately secure facilities.

Section 616 restricts Federal prisoner access to certain amenities.

Section 617 limits transfers of funds between agencies.

Section 618 provides certain grants.

Section 619 prohibits the agencies funded under this Act from engaging in unsound budget practices.

Section 620 improves the provision of services by the Small Business Administration.

Section 621 clarifies authority between two of the agencies funded in this Act.

Section 622 clarifies the status of certain commissioners.

Section 623 establishes outyear funding targets for the Coastal Zone Management Act.

Section 624 establishes a cap on media ownership.

Section 625 improves access to vision care by giving patients the rights to receive a copy of their contact lens prescription and to prompt, presumed verification of their prescription.

Section 626 addresses fixed terrestrial communications services.

TITLE VII—RESCISSIONS  
DEPARTMENT OF JUSTICE  
GENERAL ADMINISTRATION  
WORKING CAPITAL FUND  
(RESCISSION)

The Committee recommends a rescission of \$499,000 from the unobligated balances available in the “Working Capital Fund”.

COUNTERTERRORISM FUND  
(RESCISSION)

The Committee recommends a rescission of \$50,000,000 from the unobligated balances available in the “Counterterrorism Fund”. These funds, provided in various supplementals and appropriations bills, are grossly in excess of need, and reflect the continuing desire of the Office of Management and Budget to corrupt the purpose of this account. For the last time, the Committee reminds interested parties that the Counterterrorism Fund exists solely to provide the Justice Department with response and restoration funds in the immediate wake of a terrorist attack. If, hereafter, the impulse to convert this account into a slush fund proves too powerful, the Fund will be eliminated and contingencies addressed in the usual way: reprogrammings.

LEGAL ACTIVITIES  
ASSET FORFEITURE FUND  
(RESCISSION)

The Committee recommends a rescission of \$499,000 from the unobligated balances available in the “Asset Forfeiture Fund”.

OFFICE OF JUSTICE PROGRAMS  
(RESCISSIONS)

The Committee recommends a rescission of \$9,500,000 in prior year unobligated balances from the various accounts under this heading. The funds to be rescinded shall be limited to those identified in the reprogramming submitted by the Office of Justice Programs to Congress on July 1, 2003.

DEPARTMENT OF COMMERCE AND RELATED AGENCIES  
DEPARTMENT OF COMMERCE  
NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY  
CONSTRUCTION OF RESEARCH FACILITIES  
(RESCISSION)

The Committee recommends a rescission of \$3,000,000 from the unobligated balances available in the National Institute of Standards and Technology, "Construction of Research Facilities" account.

TITLE VIII—OTHER MATTERS

This title further addresses issues relevant to the Committee recommendation.

TITLE IX—ALASKAN FISHERIES

This title addresses changes in the management of North Pacific fisheries.



COMPLIANCE WITH PARAGRAPH 7, RULE XVI OF THE  
STANDING RULES OF THE SENATE

Rule XVI, paragraph 7 requires that every report on a general appropriation bill filed by the Committee must identify items of appropriation not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.

The following appropriations have not been authorized either in whole or in part and fall under this rule:

Title II—Department of Commerce and related agencies: Office of the U.S. Trade Representative, salaries and expenses; International Trade Commission, salaries and expenses; Export Administration, operations and administration; International Trade Administration, operations and administration; economic development assistance programs; Patent and Trademark Office; National Institute of Standards and Technology, scientific and technical research and services; NIST industrial technology services; NIST construction of research facilities; National Oceanic and Atmospheric Administration operations, research, and facilities; NOAA construction; and Minority Business Development Agency.

Title V—Related agencies: Department of Transportation; Maritime Administration, operations and training; Commission on Civil Rights; Federal Communications Commission (except offsetting fee collections); Legal Services Corporation; and Securities and Exchange Commission.

COMPLIANCE WITH PARAGRAPH 7(C), RULE XXVI OF THE  
STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, on September 4, 2003, the Committee ordered reported en bloc: S. 1585, an original bill making appropriations for the Departments of Commerce, Justice, and State, the judiciary, and related agencies for the fiscal year ending September 30, 2004; an original bill making appropriations for the Departments of Transportation and Treasury, the Executive Office of the President, and certain independent agencies for the fiscal year ending September 30, 2004; and S. 1584, an original bill 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, 2004; each subject to amendment and each subject to the budget allocations, by a recorded vote of 29–0, a quorum being present. The vote was as follows:

Yeas  
Chairman Stevens  
Mr. Cochran  
Mr. Specter

Nays

Mr. Domenici  
Mr. Bond  
Mr. McConnell  
Mr. Burns  
Mr. Shelby  
Mr. Gregg  
Mr. Bennett  
Mr. Campbell  
Mr. Craig  
Mrs. Hutchison  
Mr. DeWine  
Mr. Brownback  
Mr. Byrd  
Mr. Inouye  
Mr. Hollings  
Mr. Leahy  
Mr. Harkin  
Ms. Mikulski  
Mr. Reid  
Mr. Kohl  
Mrs. Murray  
Mr. Dorgan  
Mrs. Feinstein  
Mr. Durbin  
Mr. Johnson  
Ms. Landrieu

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE  
STANDING RULES OF THE SENATE

Paragraph 12 of the rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include “(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee.”

In compliance with this rule, the following changes in existing law proposed to be made by this bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in italic; and existing law in which no change is proposed is shown in roman.

With respect to this bill, it is the opinion of the Committee that it is necessary to dispense with these requirements in order to expedite the business of the Senate.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2003 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2004  
[In thousands of dollars]

Item	2003 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2003 appropriation	Budget estimate
TITLE I—DEPARTMENT OF JUSTICE AND RELATED AGENCY					
RELATED AGENCY					
Foreign terrorist tracking task force .....	61,597	.....	72,607	+ 11,010	+ 72,607
DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses .....	90,477	133,772	116,171	+ 25,694	- 17,601
Supplemental appropriations (Public Law 108-11) .....	5,000	.....	.....	- 5,000	.....
Joint automated booking system .....	15,869	.....	23,176	+ 7,307	+ 23,176
Automated Biometric Identification System—Integrated Identification system integration .....	8,941	.....	.....	- 8,941	.....
Identification systems integration .....	.....	34,077	.....	.....	- 34,077
Narrowband communications .....	63,936	140,083	103,171	+ 39,235	- 36,912
Transfer from Treasury .....	7,391	.....	.....	- 7,391	.....
Counterterrorism fund .....	993	.....	.....	- 993	.....
Supplemental appropriations (Public Law 108-11) .....	20,000	.....	.....	- 20,000	.....
Administrative review and appeals .....	190,290	197,420	194,111	+ 3,821	- 3,309
Detention trustee .....	768,578	810,125	849,876	+ 81,298	+ 39,751
Supplemental appropriations (Public Law 108-11) .....	40,000	.....	.....	- 40,000	.....
Office of Inspector General .....	51,599	62,029	60,840	+ 9,241	- 1,189
Supplemental appropriations (Public Law 108-11) .....	2,500	.....	.....	- 2,500	.....
Total, General administration .....	1,265,574	1,377,506	1,347,345	+ 81,771	- 30,161
United States Parole Commission					
Salaries and expenses .....	10,420	11,051	10,718	+ 298	- 333

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2003 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2004—Continued

[In thousands of dollars]

Item	2003 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2003 appropriation	Budget estimate
<b>Legal Activities</b>					
General legal activities:					
Direct appropriation	605,368	663,350	630,641	+ 25,273	- 32,709
Radiation exposure compensation act	1,983	1,996	1,996	- 1,983	
Non-defense				+ 1,996	
Subtotal	607,351	665,346	632,637	+ 25,286	- 32,709
Vaccine injury compensation trust fund (permanent)	4,002	4,028	4,028	+ 26	
Legal activities office automation	15,838	33,240	66,240	+ 50,402	+ 33,000
Antitrust Division	133,133	141,898	141,898	+ 8,765	
Offsetting fee collections—current year	-133,133	-112,000	-112,000	+ 21,133	
Direct appropriation		29,898	29,898	+ 29,898	
United States Attorneys	1,493,993	1,556,784	1,507,879	+ 13,886	- 48,905
United States Trustee System Fund	155,736	175,172	170,168	+ 14,432	- 5,004
Offsetting fee collections	-149,736	-167,172	-162,168	- 12,432	+ 5,004
Interest on U.S. securities	-6,000	-8,000	-8,000	- 2,000	
Direct appropriation		1,212	1,207	+ 78	- 5
Foreign Claims Settlement Commission	1,129	1,207	1,207		
United States Marshals Service:					
Salaries and expenses (non-GSE)	676,051	720,806	602,274	- 73,777	- 118,532
Supplemental appropriations (Public Law 108-11)	8,000			- 8,000	
Courthouse security equipment					
Construction	15,028		25,964	+ 10,936	+ 25,964

Total, United States Marshals Service .....	699,079	720,806	628,238	-70,841	-92,568
Fees and expenses of witnesses .....	175,645	156,145	156,145	-19,500	.....
Community Relations Service .....	9,412	9,526	9,526	+114	.....
Assets forfeiture fund .....	21,759	22,949	22,949	+1,190	.....
Total, Legal activities .....	3,028,208	3,199,934	3,058,747	+30,539	-141,187
Interagency Law Enforcement					
Interagency crime and drug enforcement .....	369,712	541,844	415,010	+45,298	-126,834
Interagency law enforcement support .....	.....	.....	551,784	+551,784	+551,784
Federal Bureau of Investigation					
Salaries and expenses .....	3,680,923	4,149,465	3,395,885	-285,038	-753,580
Supplemental appropriations (Public Law 108-11) .....	367,192	.....	.....	-367,192	.....
Counterintelligence and national security .....	472,211	490,104	490,104	+17,893	.....
Direct appropriation .....	4,520,326	4,639,569	3,885,989	-634,337	-753,580
Construction .....	1,242	.....	44,791	+43,549	+44,791
Total, Federal Bureau of Investigation .....	4,521,568	4,639,569	3,930,780	-590,788	-708,789
Drug Enforcement Administration					
Salaries and expenses .....	1,639,223	1,677,304	1,603,780	-35,443	-73,524
Diversion control fund .....	-88,450	-118,561	-91,499	-3,049	+27,062
Total, Drug Enforcement Administration .....	1,550,773	1,558,743	1,512,281	-38,492	-46,462
Bureau of Alcohol, Tobacco and Firearms					
GREAT grants .....	788,273	838,987	829,593	+41,320	-9,394
Total .....	12,915	13,000	.....	-12,915	-13,000
Federal Prison System					
Salaries and expenses .....	801,188	851,987	829,593	+28,405	-22,394
Buildings and facilities .....	4,044,788	4,677,214	3,872,791	-171,997	-804,423
Rescission .....	396,632	-187,900	345,605	-50,827	+345,805
.....	.....	.....	.....	.....	+187,900

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2003 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2004—Continued

(In thousands of dollars)

Item	2003 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2003 appropriation	Budget estimate
Federal Prison Industries, Incorporated (limitation on administrative expenses)	3,407	3,429	3,429	+ 22	
Total, Federal Prison System	4,444,827	4,492,743	4,222,025	- 222,802	- 270,718
Office of Justice Programs					
Management and administration	199,983	2,136,423	29,000	+ 29,000	+ 29,000
Bureau of Justice assistance	(6,632)		136,500	- 63,483	- 1,999,923
(By transfer)				(- 6,632)	
Rescission		- 11,622			+ 11,622
Total, Office of Justice Programs	199,983	2,124,801	165,500	- 34,483	- 1,959,301
State and local law enforcement assistance:					
Local law enforcement block grant	397,400		150,000	- 247,400	+ 150,000
Boys and Girls clubs (earmark)	(80,000)		(80,000)		(+ 80,000)
National Institute of Justice (earmark)	(20,000)			(- 20,000)	
Citizen corps (earmark)	(3,000)			(- 3,000)	
State criminal alien assistance program	248,375		250,000	+ 1,625	+ 250,000
Indian assistance	17,883		18,000	+ 117	+ 18,000
Tribal prison construction	(5,000)			(- 5,000)	
Indian tribal courts program	(8,000)			(- 8,000)	
Indian grants	(5,000)			(- 5,000)	
Cooperative agreement program	4,968			- 4,968	
Byrne grants (formula)	496,750		500,000	+ 3,250	+ 500,000
Byrne grants (discretionary)	149,933		88,575	- 61,358	+ 88,575
Juvenile crime block grant	188,765			- 188,765	
Violence Against Women grants	387,629		406,000	+ 18,371	+ 406,000
State prison drug treatment	64,577			- 64,577	
Drug courts	44,708		43,500	- 1,208	+ 43,500

Other crime control programs .....	5,653			5,000	- 653	+ 5,000
Assistance for victims of trafficking .....	9,935				- 9,935	
Prescription drug monitoring .....	7,451				- 7,451	
Prison rape prevention .....	12,915				- 12,915	
Terrorism prevention and response training .....	14,902				- 14,902	
Prior year unobligated balances .....	- 20,854				+ 20,854	
Associated outlays .....						
Total, State and local law enforcement .....	2,030,990			1,461,075	- 569,915	+ 1,461,075
Weed and seed program fund .....	58,542			58,542		+ 58,542
Community oriented policing services:						
Public safety and community policing grants .....	350,942	163,755		260,000	- 90,942	+ 96,245
Hiring .....	(200,000)			(200,000)		(+ 200,000)
Methamphetamine .....	(57,132)			294,636	(- 57,132)	+ 294,636
Crime fighting technologies .....	397,963			(83,960)	- 103,327	(+ 83,960)
COPS technology .....	(189,954)			(83,960)	(- 105,994)	(+ 83,960)
Upgrade criminal history records (CITA) .....	(40,000)			(36,626)	(- 3,374)	(+ 36,626)
DNA identification/crime lab .....	(81,538)			(34,050)	(- 47,488)	(+ 34,050)
COPS interoperability .....	(20,000)			(140,000)	(+ 120,000)	(+ 140,000)
Supplemental appropriations (Public Law 108-11) .....	54,750				- 54,750	
Community prosecutors .....	84,448			30,000	- 54,448	+ 30,000
Crime prevention .....	56,736			37,000	- 19,736	+ 37,000
Safe schools initiative .....	(17,000)			(17,000)		(+ 17,000)
Justice assistance grants program .....						
Management administration .....	32,785			35,000	+ 2,215	+ 35,000
Rescission .....		- 6,378				+ 6,378
Associated outlays .....						
Total, Community oriented policing services .....	977,624	157,377		656,636	- 320,988	+ 499,259
Juvenile justice programs .....	273,517			232,330	- 41,187	+ 232,330
(Transfer out) .....	(- 6,632)				(+ 6,632)	
Public safety officers benefits:						
Death benefits .....	49,054	49,054		49,054		
Disability benefits .....	3,974			4,000	+ 26	+ 4,000
Educational benefits .....				3,500	+ 3,500	+ 3,500
Total, Public safety officers benefits program .....	53,028	49,054		56,554	+ 3,526	+ 7,500

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2003 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
 FOR FISCAL YEAR 2004—Continued  
 (In thousands of dollars)

Item	2003 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2003 appropriation	Budget estimate
Total, Office of Justice Programs .....	3,593,684	2,331,232	2,630,637	- 963,047	+ 299,405
Total, Department of Justice .....	19,585,954	19,004,609	18,508,920	- 1,077,034	- 495,689
Total, title I, Department of Justice and Related Agency .....	19,647,551	19,004,609	18,581,527	- 1,066,024	- 423,082
(Transfer out) .....	(- 6,632)	.....	.....	(+ 6,632)	.....
(By transfer) .....	(6,632)	.....	.....	(- 6,632)	.....
TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES					
RELATED AGENCIES					
Office of the United States Trade Representative					
Salaries and expenses .....	34,772	36,994	36,994	+ 2,222	.....
European communities music licensing dispute (Public Law 108-11) .....	3,300	.....	.....	- 3,300	.....
International Trade Commission					
Salaries and expenses .....	53,649	58,295	58,295	+ 4,646	.....
Total, Related agencies .....	91,721	95,289	95,289	+ 3,568	.....
DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration .....	367,838	395,123	375,053	+ 7,215	- 20,070
Offsetting fee collections .....	- 8,000	- 13,000	- 3,000	+ 5,000	+ 10,000
Direct appropriation .....	359,838	382,123	372,053	+ 12,215	- 10,070



Bureau of Industry and Security					
Operations and administration .....	59,088	78,169	73,060	+ 13,972	- 5,109
CWC enforcement .....	7,203	.....	.....	- 7,203	.....
Total, Bureau of Industry and Security .....	66,291	78,169	73,060	+ 6,769	- 5,109
Economic Development Administration					
Economic development assistance programs .....	288,115	331,027	357,115	+ 69,000	+ 26,088
Salaries and expenses .....	30,565	33,377	30,565	.....	- 2,812
Total, Economic Development Administration .....	318,680	364,404	387,680	+ 69,000	+ 23,276
Minority Business Development Agency					
Minority business development .....	28,718	29,487	28,718	.....	- 769
Total, Trade and Infrastructure Development .....	865,248	949,472	956,800	+ 91,552	+ 7,328
ECONOMIC AND INFORMATION INFRASTRUCTURE					
Economic and Statistical Analysis					
Salaries and expenses .....	71,689	84,756	84,756	+ 13,067	.....
Bureau of the Census					
Salaries and expenses .....	181,811	220,908	181,811	.....	- 39,097
Periodic censuses and programs .....	369,067	441,053	369,067	.....	- 71,986
Total, Bureau of the Census .....	550,878	661,961	550,878	.....	- 111,083
National Telecommunications and Information Administration					
Salaries and expenses .....	14,604	18,869	15,042	+ 438	- 3,827
Public telecommunications facilities, planning and construction .....	43,273	2,538	55,000	+ 11,727	+ 52,462
Information infrastructure grants .....	15,402	.....	15,500	+ 98	+ 15,500
Total, National Telecommunications and Information Administration .....	73,279	21,407	85,542	+ 12,263	+ 64,135
United States Patent and Trademark Office					
Current year fee funding .....	1,015,229	1,203,055	1,217,460	+ 202,231	+ 14,405
Prior year carryover .....	166,771	.....	.....	- 166,771	.....
Proposed legislation .....	.....	192,000	.....	.....	- 192,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2003 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2004—Continued

[In thousands of dollars]

Item	2003 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2003 appropriation	Budget estimate
Total, Patent and Trademark Office .....	1,182,000	1,395,055	1,217,460	+ 35,460	- 177,595
Offsetting fee collections .....	- 1,015,229	- 1,203,055	- 1,217,460	- 202,231	- 14,405
Total, Economic and Information Infrastructure .....	862,617	960,124	721,176	- 141,441	- 238,948
SCIENCE AND TECHNOLOGY					
Technology Administration					
Office of Technology Policy					
Salaries and expenses .....	9,822	8,015	.....	- 9,822	- 8,015
NTIS revolving fund .....	.....	.....	.....	.....	.....
National Institute of Standards and Technology					
Scientific and technical research and services .....	357,075	379,849	383,375	+ 26,300	+ 3,526
Industrial technology services .....	284,760	39,607	369,223	+ 84,463	+ 329,616
Construction of research facilities .....	65,670	69,590	84,630	+ 18,960	+ 15,040
Working capital fund .....	.....	7,772	7,772	+ 7,772	.....
Total, National Institute of Standards and Technology .....	707,505	496,818	845,000	+ 137,495	+ 348,182
National Oceanic and Atmospheric Administration					
Operations, research, and facilities .....	2,298,481	2,389,300	2,696,520	+ 398,039	+ 307,220
(By transfer from Promote and Develop Fund) .....	(65,000)	(75,000)	(52,000)	(- 13,000)	(- 23,000)
(By transfer from Coastal zone management) .....	.....	3,000	.....	.....	- 3,000
Deobligations returned .....	.....	.....	- 15,000	- 15,000	- 15,000
Total, Operations, research, and facilities .....	2,298,481	2,392,300	2,681,520	+ 383,039	+ 289,220
International fisheries commissions .....	16,989	20,043	20,743	+ 3,754	+ 700

Litigation and settlement fund .....	754,096	.....	5,000	+ 5,000	+ 5,000
Procurement, acquisition and construction .....	65,000	842,399	990,127	+ 236,031	+ 147,728
Supplemental appropriations (Public Law 108-11) .....				- 65,000	
Total, Procurement, acquisition and construction .....	819,096	842,399	990,127	+ 171,031	+ 147,728
Pacific coastal salmon recovery .....	129,155	90,000	90,000	- 39,155	
Coastal zone management fund .....	- 3,000	- 3,000	- 3,000		
Fishermen's contingency fund .....	1	956	1		- 955
Foreign fishing observer fund .....	1	191	1		- 190
Fisheries finance program account .....	- 8,000	- 4,000	- 5,000	+ 3,000	- 1,000
Total, National Oceanic and Atmospheric Administration .....	3,252,723	3,338,889	3,779,392	+ 526,669	+ 440,503
Total, Science and Technology .....	3,970,050	3,843,722	4,624,392	+ 654,342	+ 780,670
Departmental Management					
Salaries and expenses .....	44,662	57,191	44,662		- 12,529
Office of Inspector General .....	20,501	23,378	21,116	+ 615	- 2,262
Total, Departmental management .....	65,163	80,569	65,778	+ 615	- 14,791
Tourism promotion (sec. 210) .....	49,675			- 49,675	
EDA conveyance (sec. 211) .....			1,000	+ 1,000	+ 1,000
Extension of steel loan guarantees (Sec. 213) .....					
Total, Department of Commerce .....	5,721,032	5,738,598	6,273,857	+ 552,825	+ 535,259
Total, title II, Department of Commerce and related agencies .....	5,812,753	5,833,887	6,369,146	+ 556,393	+ 535,259
Appropriations .....	(5,812,753)	(5,833,887)	(6,369,146)	(+ 556,393)	(+ 535,259)
(By transfer) .....	(65,000)	(75,000)	(52,000)	(- 13,000)	(- 23,000)
TITLE III—THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices .....	1,872	1,896	1,896	+ 24	
Other salaries and expenses .....	43,586	55,581	57,518	+ 13,932	+ 1,937
Supplemental appropriations (Public Law 108-11) .....	1,535			- 1,535	
Total, Salaries and expenses .....	46,993	57,477	59,414	+ 12,421	+ 1,937

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2003 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2004—Continued

[In thousands of dollars]

Item	2003 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2003 appropriation	Budget estimate
Care of the building and grounds .....	41,355	4,658	4,658	-36,697	.....
Total, Supreme Court of the United States .....	88,348	62,135	64,072	-24,276	+1,937
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges .....	2,225	2,237	2,237	+12	.....
Other salaries and expenses .....	17,970	20,185	18,425	+455	-1,760
Supplemental appropriations (Public Law 108-11) .....	973	.....	.....	-973	.....
Total, Salaries and expenses .....	21,168	22,422	20,662	-506	-1,760
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges .....	1,678	1,721	1,721	+43	.....
Other salaries and expenses .....	11,931	12,485	11,489	-442	-996
Supplemental appropriations (Public Law 108-11) .....	50	.....	.....	-50	.....
Total, Salaries and expenses .....	13,659	14,206	13,210	-449	-996
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges .....	263,854	274,504	274,504	+10,650	.....
Other salaries and expenses .....	3,513,161	3,913,848	3,619,517	+106,356	-294,331
Direct appropriation .....	3,777,015	4,188,352	3,894,021	+117,006	-294,331
Vaccine Injury Compensation Trust Fund .....	2,766	3,293	3,293	+527	.....
Defender services .....	534,961	635,481	595,006	+60,045	-40,475
Fees of jurors and commissioners .....	54,281	53,181	53,181	-1,100	.....

Court security .....	266,655	311,171	266,058	- 597	- 45,113
Total, Courts of Appeals, District Courts, and Other Judicial Services .....	4,635,678	5,191,478	4,811,559	+ 175,881	- 379,919
Administrative Office of the United States Courts .....					
Salaries and expenses .....	63,087	71,908	63,717	+ 630	- 8,191
Salaries and expenses .....	20,720	21,660	22,434	+ 1,714	+ 774
Payment to Judiciary Trust Funds .....	35,300	29,000	29,000	- 6,300	
Salaries and expenses .....	12,011	13,200	12,011		- 1,189
Judicial Retirement Funds .....					
United States Sentencing Commission .....					
General Provisions .....		4,000	4,000	+ 4,000	
Judges pay raise (sec. 304) .....			36,000	+ 36,000	+ 36,000
Judges pay raise (sec. 305) .....					
Total, General provisions .....		4,000	40,000	+ 40,000	+ 36,000
Total, title III, the Judiciary .....	4,889,971	5,430,009	5,076,665	+ 186,694	- 353,344
TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY					
Administration of Foreign Affairs					
Diplomatic and consular programs .....	3,248,008	3,516,843	3,280,405	+ 32,397	- 236,438
(transfer out) .....	(- 4,000)	(- 4,000)	(- 4,000)		
Supplemental appropriations (Public Law 108-11) .....	98,420		594,373	- 98,420	
Worldwide security upgrades .....	549,405	646,701		+ 44,968	- 52,328
(transfer out) .....			(- 20,000)	(- 20,000)	(- 20,000)
Total, Diplomatic and consular programs .....	3,895,833	4,163,544	3,874,778	- 21,055	- 288,766
Capital investment fund .....	182,119	157,000	207,000	+ 24,881	+ 50,000
Office of Inspector General .....	29,074	31,703	31,703	+ 2,629	
(By transfer) .....			(20,000)	(+ 20,000)	(+ 20,000)
Educational and cultural exchange programs .....	243,712	345,346	255,292	+ 11,580	- 90,054
Representation allowances .....	6,443	9,000	6,643	+ 200	- 2,357
Protection of foreign missions and officials .....	10,929	10,000	10,000	- 929	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2003 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2004—Continued

(In thousands of dollars)

Item	2003 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2003 appropriation	Budget estimate
Embassy security, construction, and maintenance .....	505,195	653,000	483,470	-21,725	-169,530
Supplemental appropriations (Public Law 108-11) .....	149,500	.....	.....	-149,500	.....
Worldwide security upgrades .....	750,093	861,400	933,122	+183,029	+71,722
Emergencies in the diplomatic and consular service .....	6,458	1,000	1	-6,457	-999
Supplemental appropriations (Public Law 108-11) .....	50,000	.....	.....	-50,000	.....
(By transfer) .....	(4,000)	(4,000)	(4,000)	.....	.....
(Transfer out) .....	(-1,000)	(-1,000)	(-1,000)	.....	.....
Repatriation Loans Program Account:					
Direct loans subsidy .....	608	612	612	+4	.....
Administrative expenses .....	603	607	607	+4	.....
(By transfer) .....	(1,000)	(1,000)	(1,000)	.....	.....
Total, Repatriation loans program account .....	1,211	1,219	1,219	+8	.....
Payment to the American Institute in Taiwan .....	18,330	19,773	19,893	+1,563	+120
Payment to the Foreign Service Retirement and Disability Fund .....	138,200	134,979	134,979	-3,221	.....
Total, Administration of Foreign Affairs .....	5,987,097	6,387,964	5,958,100	-28,997	-429,864
International Organizations and Conferences					
Contributions to international organizations, current year assessment .....	860,371	1,010,463	921,888	+61,517	-88,575
Contributions for international peacekeeping activities, current year .....	669,331	550,200	482,649	-186,682	-67,551
Total, International Organizations and Conferences .....	1,529,702	1,560,663	1,404,537	-125,165	-156,126
International Commissions					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses .....	25,316	31,562	28,312	+2,996	-3,250
Construction .....	5,415	8,901	8,201	+2,786	-700

American sections, international commissions .....	9,410	11,204	10,942	+ 1,532	- 262
International fisheries commissions .....	16,989	20,043	.....	- 16,989	- 20,043
Total, International commissions .....	57,130	71,710	47,455	- 9,675	- 24,255
Other .....	.....	.....	.....	.....	.....
International Center for Middle Eastern-Western dialogue .....	.....	.....	7,000	+ 7,000	+ 7,000
Payment to the Asia Foundation .....	10,376	9,250	.....	- 10,376	- 9,250
Eisenhower Exchange Fellowship program .....	497	500	500	+ 3	.....
Israel Arab scholarship program .....	373	375	375	+ 2	.....
East-West Center .....	17,883	14,280	19,000	+ 1,117	+ 4,720
National Endowment for Democracy .....	41,727	36,000	36,000	- 5,727	.....
Total, Department of State .....	7,644,785	8,080,742	7,472,967	- 171,818	- 607,775
RELATED AGENCY					
Broadcasting Board of Governors					
International Broadcasting Operations .....	465,850	525,204	518,149	+ 52,299	- 7,055
Supplemental appropriations (Public Law 108-11) .....	30,500	.....	.....	- 30,500	.....
Broadcasting to Cuba .....	24,834	26,901	28,101	+ 3,267	+ 1,200
Broadcasting capital improvements .....	12,657	11,395	11,395	- 1,262	.....
Total, Broadcasting Board of Governors .....	533,841	563,500	557,645	+ 23,804	- 5,855
Total, title IV, Department of State .....	8,178,626	8,644,242	8,030,612	- 148,014	- 613,630
(Transfer out) .....	(5,000)	(-5,000)	(-25,000)	(-20,000)	(-20,000)
(By transfer) .....	(5,000)	(5,000)	(25,000)	(+ 20,000)	(+ 20,000)
TITLE V—RELATED AGENCIES					
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses .....	496	499	659	+ 163	+ 160
Commission on Civil Rights					
Salaries and expenses .....	9,037	9,096	9,096	+ 59	.....
Commission on International Religious Freedom					
Salaries and expenses .....	2,865	3,000	2,000	- 865	- 1,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2003 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2004—Continued

[In thousands of dollars]

Item	2003 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2003 appropriation	Budget estimate
Salaries and expenses .....	1,987	.....	.....	-1,987	.....
Commission on Ocean Policy .....					
Commission on Security and Cooperation in Europe .....	1,572	1,615	1,615	+43	.....
Congressional-Executive Commission on the People's Republic of China .....					
Salaries and expenses .....	1,371	1,800	1,400	+29	-400
Equal Employment Opportunity Commission .....					
Supplemental appropriations (Public Law 108-11) .....	306,815	334,754	334,754	+27,939	.....
Federal Communications Commission .....	15,000	.....	.....	-15,000	.....
Salaries and expenses .....	270,987	280,798	277,798	+6,811	-3,000
Offsetting fee collections—current year .....	-269,000	-251,984	-251,984	+17,016	.....
Direct appropriation .....	1,987	28,814	25,814	+23,827	-3,000
Federal Trade Commission .....					
Salaries and expenses .....	176,553	191,132	189,032	+12,479	-2,100
Offsetting fee collections—current year .....	-150,000	-112,000	-112,000	+38,000	.....
Offsetting fee collections, telephone database .....	-18,100	-18,000	-18,000	+100	.....
Direct appropriation .....	8,453	61,132	59,032	+50,579	-2,100
Legal Services Corporation .....					
Payment to the Legal Services Corporation .....	336,645	329,300	338,848	+2,203	+9,548



Marine Mammal Commission									
Salaries and expenses	3,030	1,856	3,066	+36	+1,210				
National Commission on Terrorism Attacks Upon the United States									
Salaries and expenses (Public Law 108-11)	11,000			-11,000					
National Veterans Business Development Corporation									
Salaries and expenses	1,987	2,000	2,000	+13					
Securities and Exchange Commission									
Salaries and expenses	745,789	841,507	841,500	+95,711	-7				
Prior year unobligated balances	-29,439			+29,439					
Direct appropriation	716,350	841,507	841,500	+125,150	-7				
Small Business Administration									
Salaries and expenses	312,413	360,155	332,413	+20,000	-27,742				
Office of Inspector General	12,341	14,500	12,341		-2,159				
Business Loans Program Account:									
Direct loans subsidy	3,702	1,910	1,910	-1,792					
Guaranteed loans subsidy	84,805	94,860	85,758	+953	-9,102				
Administrative expenses	128,161	129,000	129,000	+839					
Total, Business loans program account	216,668	225,770	216,668		-9,102				
Disaster Loans Program Account:									
Direct loans subsidy	72,665	79,109	79,109	+6,444					
Administrative expenses	117,585	118,354	111,141	-6,444	-7,213				
Gainsharing		3,000			-3,000				
Total, Disaster loans program account	190,250	200,463	190,250		-10,213				
Total, Small Business Administration	731,672	800,888	751,672	+20,000	-49,216				
State Justice Institute									
Salaries and expenses	2,981		5,000	+2,019	+5,000				
United States-China Economic and Security Review Commission									
Salaries and expenses			2,000	+2,000	+2,000				

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2003 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2004—Continued

[In thousands of dollars]

Item	2003 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2003 appropriation	Budget estimate
Total, title V, Related agencies .....	2,153,248	2,416,261	2,378,456	+ 225,208	- 37,805
TITLE VII—RESCISSIONS					
DEPARTMENT OF JUSTICE					
General Administration .....					
Working Capital fund (rescission) .....	- 78,000		- 499	+ 77,501	- 499
Counterterrorism fund (rescission) .....			- 50,000	- 50,000	- 50,000
Legal Activities					
Assets forfeiture fund (rescission) .....	- 50,874		- 499	+ 50,375	- 499
Immigration and Naturalization Service					
Immigration emergency fund (rescission) .....	- 580			+ 580	
Office of Justice Programs					
Various accounts (rescission) .....			- 9,500	- 9,500	- 9,500
DEPARTMENT OF COMMERCE					
National Institute of Standards and Technology					
Construction of research facilities (rescission) .....			- 3,000	- 3,000	- 3,000
National Oceanic and Atmospheric Administration					
Coastal impact assistance (rescission) .....	- 7,000			+ 7,000	
Departmental Management					
Emergency oil and gas guaranteed loan program account (rescission) .....	- 920			+ 920	
Emergency steel guaranteed loan program account (rescission) .....		- 97,000			+ 97,000

RELATED AGENCIES						
	Federal Communications Commission					
Salaries and expenses (rescission)		-5,700				+5,700
Salaries and expenses (rescission)	Small Business Administration					
Business Loans Program Account:		-13,750				+13,750
Guaranteed loans subsidy (rescission)		-10,500				+10,500
Total, title VII, Rescissions		-167,324	-97,000	-63,498	+103,826	+33,502
Grand total:						
New budget (obligational) authority		40,514,825	41,232,008	40,372,908	-141,917	-859,100
Appropriations		(40,682,149)	(41,534,908)	(40,436,406)	(-245,743)	(-1,098,502)
Rescissions		(-167,324)	(-302,900)	(-63,498)	(+103,826)	(+239,402)
(Transfer out)		(-11,632)	(-5,000)	(-25,000)	(-13,368)	(-20,000)
(By transfer)		(76,632)	(80,000)	(77,000)	(+368)	(-3,000)