

**Calendar No. 184**

104TH CONGRESS }  
1st Session }

SENATE

{ REPORT  
104-139

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE,  
THE JUDICIARY, AND RELATED AGENCIES APPROPRIA-  
TION BILL, 1996

SEPTEMBER 12 (legislative day, SEPTEMBER 5), 1995.—Ordered to be printed

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

**REPORT**

together with

**ADDITIONAL AND MINORITY VIEWS**

[To accompany H.R. 2076]

The Committee on Appropriations, to which was referred the bill (H.R. 2076) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1996, and for other purposes, reports the same to the Senate with amendments and recommends that the bill as amended do pass.

*Amount in new budget (obligational) authority*

|  |                  |
|--|------------------|
| Total bill as reported to Senate .....           | \$26,525,227,000 |
| Amount of appropriations, 1995 .....             | 26,698,336,000   |
| Amount of budget estimates, 1996, as amended ... | 31,158,679,000   |
| The bill as reported to the Senate:              |                  |
| Above the appropriations for 1995 .....          | – 173,109,000    |
| Below the estimates for 1996 .....               | – 4,633,452,000  |

## CONTENTS

---

|   | Page |
|---|------|
| Summary of Committee recommendations .....  | 3    |
| Bill highlights .....   | 3    |
| Title I—Department of Justice .....   | 8    |
| Title II—Department of Commerce and related agencies .....                          | 49   |
| Related agencies:   |      |
| Office of the U.S. Trade Representative .....                                       | 50   |
| International Trade Commission .....  | 50   |
| Title III—The judiciary .....   | 81   |
| Title IV—Department of State and related agencies .....                             | 88   |
| Related agencies:   |      |
| Arms Control and Disarmament Agency .....   | 107  |
| U.S. Information Agency .....   | 107  |
| Office of Inspector General .....   | 109  |
| Eisenhower Exchange Fellowship Program .....  | 110  |
| Title V—Related agencies:   |      |
| Department of Transportation: Maritime Administration .....                         | 114  |
| Commission on the Preservation of America's Heritage Abroad .....                   | 116  |
| Commission on Civil Rights .....  | 116  |
| Commission on Immigration Reform .....  | 117  |
| Commission on Security and Cooperation in Europe .....                              | 117  |
| Competitiveness Policy Council .....  | 117  |
| Equal Employment Opportunity Commission .....                                       | 118  |
| Federal Communications Commission .....   | 118  |
| Federal Maritime Commission .....   | 119  |
| Federal Trade Commission .....  | 119  |
| Japan-United States Friendship Commission .....                                     | 120  |
| Legal Services Corporation .....  | 120  |
| Marine Mammal Commission .....  | 121  |
| Martin Luther King, Jr., Federal Holiday Commission .....                           | 121  |
| Office of Prevention Council .....  | 121  |
| Securities and Exchange Commission .....  | 122  |
| Small Business Administration .....   | 123  |
| State Justice Institute .....   | 128  |
| Title VI—General provisions .....   | 129  |
| Title VII—Rescissions .....   | 132  |
| Compliance with paragraph 7, rule XVI of the Standing Rules of the Senate ...       | 134  |
| Compliance with paragraph 7(c), rule XXVI of the Standing Rules of the Senate ..... | 135  |
| Compliance with paragraph 12, rule XXVI of the Standing Rules of the Senate .....   | 135  |
| Budgetary impact .....  | 150  |
| Additional views of Hon. Robert F. Bennett .....                                    | 151  |
| Additional views of Hon. Ernest E. Hollings .....                                   | 152  |

## SUMMARY OF COMMITTEE RECOMMENDATIONS

The Committee recommends a total of \$22,981,889,000 in discretionary budget authority, \$3,944,000,000 in budget authority from the violent crime reduction trust fund, and \$372,162,000 in rescissions for the departments, agencies, and programs within the jurisdiction of the Commerce, Justice, and State, the Judiciary, and Related Agencies appropriations bill for fiscal year 1996. The House version of this bill, H.R. 2076, passed the House of Representatives on a vote of 272 to 151 on July 26, 1995. The Committee's recommendations to the Senate for this bill would result in \$25,656,313,000 in new and prior-year discretionary outlays, and \$2,103,409,000 in new and prior-year violent crime reduction trust fund outlays, as estimated by the Congressional Budget Office. The Committee also recommends appropriations totaling \$505,651,000 for mandatory programs within the jurisdiction of this bill, resulting in estimated mandatory outlays of \$500,541,000.

For discretionary programs, the Committee recommended appropriations are \$4,450,861,000 in discretionary budget authority and \$66,200,000 in violent crime reduction trust fund budget authority below the President's request and \$1,039,179,000 in discretionary budget authority and \$37,987,000 in violent crime reduction trust fund budget authority below the House-passed bill. The Committee notes that while most of the programs and agencies supported by this bill—such as the Immigration and Naturalization Service, the Federal Bureau of Investigation, and much of the National Oceanic and Atmospheric Administration—lack authorization for appropriations in fiscal year 1996, the Committee recommends meeting its responsibilities to the American public and providing appropriations for these ongoing programs.

### BILL HIGHLIGHTS

#### *Department of Justice*

A comprehensive crimefighting initiative is the centerpiece of the Committee bill. The recommendation provides \$15,176,764,000 in resources to the Department of Justice, including the maximum funding allowed from the violent crime reduction trust fund, and another \$3,097,708,000 for the Federal judiciary.

The Committee's crimefighting initiative provides funding to support Federal, State, and local law enforcement, prisons, prosecutors, and other crimefighting activities. Highlights of the initiative include:

- \$2,262,100,000 to support State and local law enforcement;
- \$4,571,984,000 to support Federal law enforcement agencies such as the Federal Bureau of Investigation, the Drug Enforcement Agency, and the Border Patrol;

- \$3,337,932,000 to incarcerate Federal prisoners, apprehend and detain fugitives, operate and maintain existing Federal prison facilities, and build and activate new or expanded facilities;
- \$1,065,000,000 in grants to support State and local prison construction for the incarceration of violent criminals, and reimburse States for the costs of incarcerating criminal aliens; and
- \$829,524,000 for Federal prosecution of criminals.

The administration's request—in a budget that made no attempt to balance the budget, not in 7 years, not in 10 years, not ever—provided \$15,291,039,000 in funding for the Justice Department. That request contained funding for several programs—like \$333,642,000 in so-called prevention programs—which the Committee chose not to fund in this bill.

In the wake of the Oklahoma City bombing, Senate passage of Senate bill 735, the Comprehensive Terrorism Prevention Act of 1995 by a vote of 91 to 8, and enactment of the 1995 emergency Oklahoma City/antiterrorism supplemental (Public Law 104-19), the Committee has made counterterrorism a top priority in this bill. The Committee recommends shifting violent crime reduction trust fund [VCRTF] resources away from so-called prevention programs toward counterterrorism and other Federal crimefighting efforts as authorized in Senate bill 735 and the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322). Where possible, the Committee has shifted VCRTF resources, as authorized in Senate bill 735 and Public Law 103-322, away from ministerial and administrative functions within the Justice Department toward the front lines in the fight against crime.

In addition to these changes, the Committee recommends providing \$1,700,000,000 in VCRTF funding for a new State and Local Law Enforcement Assistance Block Grant Program as proposed in Senate bill 3, the Violent Crime Control and Law Enforcement Improvement Act of 1995. This program is funded in place of the Community Oriented Policing Services Program in order to give 39,000 State and local law enforcement agencies—those on the front lines in the fight against crime—the flexibility to make their own choices about which crimefighting strategies make the most sense for their communities.

The recommendation provides:

- \$750,000,000 in VCRTF funding for truth-in-sentencing and violent offender incarceration Grants as proposed in Senate bill 3;
- \$525,000,000 for the Edward Byrne Memorial State and Local Law Enforcement Grant Program;
- \$300,000,000, the full amount authorized, for reimbursements to States for the costs of incarcerating criminal illegal aliens;
- \$100,000,000—a threefold increase over fiscal year 1995 levels—for the Violence Against Women Act program; and
- \$210,000,000 for a new Civil Legal Assistance Block Grant Program administered by the Office of Justice Programs.

#### *Department of Commerce*

The Committee recommends a total of \$3,463,646,000 for the U.S. Trade Representative, the International Trade Commission,

and the Department of Commerce for fiscal year 1996. This amount is \$1,566,177,000 below the total request, \$860,534,000 below the total amount appropriated for these programs for fiscal year 1995, and \$299,013,000 below the House allowance.

The conference report on House Concurrent Resolution 67, the fiscal year 1996 budget resolution, as passed by the Senate on June 29, 1995, assumes elimination of the Department of Commerce. The 602(b) allocation established for the subcommittee is based on the assumptions contained in the budget resolution.

Until Congress decides the future of the Department, the Committee recommends that, as a general rule, (1) no new offices should be opened; (2) no new staff should be hired; and (3) no new construction should be undertaken in those areas within the Department which are being considered for either major restructuring or elimination.

The recommendation includes \$1,866,319,000 for the National Oceanic and Atmospheric Administration [NOAA]. The recommendation would fund coastal and ocean research important to our Nation's fisheries and continue modernization of the National Weather Service. The recommendation moves toward privatization of several functions within the weather services, and reduces reliance on a NOAA owned and operated fleet.

The recommendation would immediately eliminate the following: Minority Business Development Agency; U.S. Travel and Tourism Administration; Technology Administration, and the Information Infrastructure Grant Program.

The Committee recommends major downsizing of the Economic Development Administration, the Advanced Technology Program, the Manufacturing Extension Partnership Program, and several other functions within the Department.

Funding has also been provided for the Commerce reorganization transition fund which will provide for necessary closeout costs for several functions slated for elimination and the orderly downsizing of other areas within the Department, including voluntary buyouts, consistent with the provisions of the Workforce Restructuring Act of 1994.

#### *The judiciary*

The recommendation provides a total of \$3,097,708,000—an increase of \$191,879,000 over fiscal year 1995 levels, \$238,286,000 below requested funding for the Federal judiciary—to help the judiciary handle projected increases in caseload.

The recommendation is intended to provide additional magistrate judges to help eliminate existing backlogs in caseloads; and fund court security and judicial automation to help make Federal courts safer and more efficient.

#### *Department of State and related agencies*

In total, recommended funding for the Department of State, the U.S. Information Agency, and the Arms Control and Disarmament Agency are below the authorized levels set forth in the fiscal year 1996–99 authorization bill, Senate bill 908, the Foreign Relations Revitalization Act of 1995, as reported by the Senate Foreign Relations Committee on June 9, 1995, by \$897,539,000. Every program

contained in this title is at or below the authorization level provided in that bill.

The recommendation represents a 10-percent general reduction below the President's request for State Department operations, although requested increases are provided for increased security at domestic and overseas posts. Consistent with the provisions of Senate bill 908, the chairman's mark establishes a new appropriations account: the foreign affairs reorganization transition fund. This fund will be used to pay the necessary costs associated with an orderly reorganization and downsizing of these agencies. Resources provided to this fund may be used to finance voluntary separation incentive payments consistent with the Federal Workforce Restructuring Act of 1994.

The recommendation includes \$550,000,000 for payment of the obligations of U.S. membership in international organizations and directs the State Department to conduct a thorough reevaluation of U.S. membership in the 50 international organizations funded through this account. The State Department should take immediate steps to withdraw from international organizations which are not deemed to be in the national interest.

The recommendation provides \$250,000,000 for U.S. payments for contributions for international peacekeeping activities for fiscal year 1996. Language is included, stating that none of the funds in this bill can be expended for new or expanded peacekeeping missions unless 15 days in advance of the vote at the United Nations: (1) the Committee is notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming request is submitted, indicating the source of funds that will be used to pay for the new or expanded mission.

#### *Other related agencies*

The recommendation would immediately eliminate the Competitiveness Policy Council, the Ounce of Prevention Council, and the Legal Services Corporation. The Legal Services Corporation would be replaced with a \$210,000,000 block grant program to provide competitively bid legal assistance to low-income individuals.

The recommendation cuts funding for the following regulatory agencies by 20 percent below fiscal year 1995 funding levels: Federal Communications Commission, Federal Maritime Commission, Federal Trade Commission, Marine Mammal Commission, and Securities and Exchange Commission.

In addition, the recommendation cuts overhead expenses at the Small Business Administration while preserving basic guaranteed loan programs to small businesses such as the popular 7(a) loan program.

#### *Rescissions*

The chairman's mark rescinds a total of \$372,162,000 in projected end-of-year carryover balances in five accounts—one in the Department of Justice, two in the Department of Commerce, and two in State and related agencies. Rescission amounts are based upon estimates provided to the Committee by the affected agencies on or after August 1, 1995.

Proposed rescissions include:

- \$35,000,000 from the working capital fund at the Department of Justice;
- \$36,769,000 from the Information Infrastructure Grant Program at the Department of Commerce;
- \$152,993,000 from the construction accounts at the National Institute of Standards and Technology;
- \$140,000,000 from the “Acquisition and maintenance of buildings abroad” account at the Department of State; and
- \$7,400,000 from the “Radio construction” account at the U.S. Information Agency.

TITLE I—DEPARTMENT OF JUSTICE

The Committee has made funding for law enforcement the centerpiece of the fiscal year 1996 appropriations bill.

The subcommittee's 602(b) allocation for nondefense discretionary spending is \$4,683,030,000 below the President's request, \$2,354,000,000 below a freeze at fiscal year 1995 funding levels, and \$1,289,000,000 below the House allocation.

The Committee recommends \$15,176,764,000 in new budget (obligational) authority in the accompanying bill for the Department of Justice with a strong emphasis on law enforcement activities for fiscal year 1996. This amount is \$2,876,973,000 more than the fiscal year 1995 funding level, \$702,242,000 above the funding contained in the House-passed bill. Of the total amount provided, \$11,262,764,000 is derived from general purpose funds, which represents an increase of \$1,285,373,000 over the current year, and \$728,729,000 over the level contained in the House bill. The remaining \$3,914,000,000 is derived from the violent crime reduction trust fund, which is an increase of \$1,586,100,000 in trust fund spending over the current year, and \$26,487,000 less than the trust fund spending recommended by the House.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$119,643,000 |
| Budget estimate, 1996 .....    | 88,729,000    |
| House allowance .....          | 74,282,000    |
| Committee recommendation ..... | 74,282,000    |
| (By transfer) .....            | (11,000,000)  |

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

The Committee recommends a total of \$85,282,000 for general administration for fiscal year 1996, including \$11,000,000 by transfer from the working capital fund at the Department of Justice. The recommendation reflects the requested appropriation of \$49,450,000 to a new account for the administrative review and appeals function and \$365,000 to the criminal division for the executive office of asset forfeiture. Both of these activities were formerly funded in this account. Funds transferred from the working capital fund are for the purpose of funding the joint automated booking station, as proposed by the President. The total amount provided after these changes is \$15,454,000 more than the current year appropriation.

The Committee recommendation also includes a \$5,000,000 base transfer from the Immigration and Naturalization Service [INS] to this account for additional departmental management and financial

oversight of INS. The Committee believes that hands-on assistance to the INS in the management of day-to-day activities and the implementation of significant hiring and expansion initiatives is most critical. Therefore, the Committee supports the base transfer of \$5,000,000 to General Administration instead of to the Office of the Inspector General, as proposed in the budget request.

The Committee recommendation includes \$1,000,000 to support six additional positions, including three attorneys, for the Office of Intelligence Policy and Review [OIPR]. This Office is responsible for coordination, development, and implementation of departmental policy on intelligence and national security matters. The additional resources will support greater oversight, direction and monitoring of Department of Justice counterterrorism and counterintelligence activities.

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

To ensure that scarce resources are targeted to the support and oversight of crime-fighting activities, the Committee has recommended bill language freezing legislative and public affairs activities at fiscal year 1995 levels.

#### POLICE CORPS GRANTS

|                                |                  |
|--------------------------------|------------------|
| Appropriations, 1995 .....     |                  |
| Budget estimate, 1996 .....    | ( <sup>1</sup> ) |
| House allowance .....          |                  |
| Committee recommendation ..... | \$10,000,000     |

<sup>1</sup> The budget estimate includes an earmark appropriation of \$10,000,000 for the Police Corps Program under "Community Oriented Policing Services."

The Committee recommends an appropriation of \$10,000,000 for the Police Corps Grants Program to be derived from the violent crime reduction trust fund. This program is authorized by section 200101 of the Violent Crime Control and Law Enforcement Act of 1994.

The Police Corps Grants Program is intended to address violent crime by increasing the number of police with advanced education and training on community patrol; and to provide educational assistance to students who possess a sincere interest in public service through law enforcement. The program, which requires a 4-year service obligation by scholarship recipients, is expected to provide the necessary incentives to attract and retain young men and women to a career in law enforcement.

#### COUNTERTERRORISM FUND

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$34,220,000 |
| Budget estimate, 1996 .....    | 26,398,000   |
| House allowance .....          | 26,898,000   |
| Committee recommendation ..... | 26,898,000   |

The Committee recommends \$26,898,000 for the counterterrorism fund which was established in Public Law 104-19, the Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-Terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Re-

scissions Act, 1995. This fund is under the control and direction of the Attorney General, to: (1) cover the extraordinary and contingency costs that have occurred and are expected to occur as a result of the Oklahoma City bombing, and (2) to cover costs related to any potential or actual future domestic or international terrorist act.

The Committee recommendation of \$26,898,000 is identical to the amounts provided in the House-passed bill. It is \$500,000 more than the amount requested by the President, and \$7,322,000 below the emergency appropriations provided in Public Law 104-19.

Of the amount provided, \$1,500,000 is for payments to State and local law enforcement agencies for their assistance in emergency situations. In addition, \$2,500,000 is provided for payment of rewards in accordance with section 106 of this act.

Because there may be necessary expenses that arise in such events that are not known at the present time, the Committee recommendation allows the Attorney General to make the determination on a case-by-case basis of the necessary expenses which may be covered by funds appropriated to this account. The Attorney General may also use these funds to engage in planning, and the executions of plans, related to upcoming significant events which offer the potential of being targeted for acts of terrorism.

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

ADMINISTRATIVE REVIEW AND APPEALS

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     |              |
| Budget estimate, 1996 .....    | \$87,516,000 |
| House allowance .....          | 87,516,000   |
| Committee recommendation ..... | 86,666,000   |

The recommendation would provide funding of \$86,666,000 for fiscal year 1996, of which \$14,347,000 is provided from the violent crime reduction trust fund, \$850,000 less in total budget resources than either the request or the House-passed level.

The Committee recommends the establishment of a new appropriation account for administrative review and appeals, consistent with the budget request. These activities were previously carried out under the "General administration, salaries and expenses" account. These activities include: (1) the Executive Office for Immigration Review [EOIR], which includes the Board of Immigration Appeals, immigration judges, and administrative law judges who decide through administrative hearings whether to admit or exclude aliens seeking to enter the country, and whether to deport or adjust the status of aliens whose status has been challenged; and (2) the Office of the Pardon Attorney which receives, investigates and considers petitions for all forms of Executive clemency.

The Committee recommendation includes \$85,502,000 for the Executive Office for Immigration Review [EOIR], which represents an increase of \$35,802,000 over the current year appropriation. This increase fully supports the request for 106 additional attorneys and support positions for the immigration reform initiative. Of the total

amount provided for EOIR, \$14,347,000 is for expanded special deportation proceedings under the violent crime reduction trust fund.

OFFICE OF INSPECTOR GENERAL

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$30,484,000 |
| Budget estimate, 1996 .....    | 36,744,000   |
| House allowance .....          | 30,484,000   |
| Committee recommendation ..... | 30,484,000   |

The Committee recommends \$30,484,000 for the Office of Inspector General for fiscal year 1996. This amount is \$6,260,000 below the request. The recommendation equals both the current year appropriation and the House allowance.

The Committee recommendation assumes that the inspector general will continue to receive full reimbursement for services provided to the U.S. trustees and the Environmental Protection Agency. However, the Committee did not include the requested base transfer of \$5,000,000 from the Immigration and Naturalization Service [INS] to conduct audits of INS activities. Instead, this base transfer is provided to the "General Administration" account for additional management and financial oversight of INS. The Committee expects that to the extent audits are planned for nonappropriated accounts for the INS, subject to the reprogramming requirements of section 605 of this act, the inspector general may be reimbursed from these accounts.

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

U.S. PAROLE COMMISSION

SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$7,450,000 |
| Budget estimate, 1996 .....    | 6,781,000   |
| House allowance .....          | 5,446,000   |
| Committee recommendation ..... | 5,446,000   |

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

The Committee recommends \$5,446,000 for the Parole Commission for fiscal year 1996. This amount is \$2,004,000 less than the current year appropriation, is \$1,335,000 below the request, and is the same as the House allowance.

The Parole Commission is scheduled to terminate by November 1, 1997, as a result of the creation of sentencing guidelines. The Committee's recommendation assumes that the Commission's staff will be reduced by at least one-third from the current staffing level.

## LEGAL ACTIVITIES

## GENERAL LEGAL ACTIVITIES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$421,434,000 |
| Budget estimate, 1996 .....    | 444,651,000   |
| House allowance .....          | 409,520,000   |
| Committee recommendation ..... | 434,651,000   |

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

The Committee recommends a total of \$434,651,000 for general legal activities for fiscal year 1996, of which \$2,991,000 is provided from the violent crime reduction trust fund [VCRTF] as authorized in the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322). The total amount recommended is \$13,217,000 more than current year funding, is \$10,000,000 less than the request, and is \$25,131,000 more than the House allowance.

The \$2,991,000 derived from the VCRTF is to sustain the full cost of civil division attorneys for deportation of criminal aliens. In addition, as part of counterterrorism activities in this bill, the Committee recommends \$2,207,000 for the criminal division to support 15 positions, including 10 attorneys, for expert assistance in the prosecution of the Oklahoma City bombing case and other international and domestic terrorism investigations.

The Committee recommendation recognizes that the vast majority of Federal prosecution occurs not in Washington, DC, but in field offices of the Department of Justice located across the country. As part of this effort, the Committee has allocated \$10,000,000 of funds requested for general legal activities to the U.S. attorneys offices for increased prosecution of violent crime. The Committee intends that this reduction in the request will not negatively impact the operations of the Criminal Division, the Civil Rights Division, or operations relating to immigration.

The Committee also recommends bill language, similar to that included in previous fiscal years, which: (1) allows up to \$20,000 for expenses of collecting evidence; (2) makes up to \$10,000,000 for litigation support contracts available until expended; (3) makes up to \$22,618,000 for office automation systems available until expended; (4) makes up to \$1,000 available to the U.S. National Central Bureau—Interpol for reception and representation expenses; and (5) allows acceptance of gifts for hosting the 1996 Interpol regional conference.

## THE NATIONAL CHILDHOOD VACCINE INJURY ACT

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$2,500,000 |
| Budget estimate, 1996 .....    | 4,028,000   |
| House allowance .....          | 4,028,000   |
| Committee recommendation ..... | 4,028,000   |

The Committee recommends a reimbursement of \$4,028,000 for fiscal year 1996 from the vaccine injury compensation trust fund to cover Justice Department expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986. This represents an increase of \$1,528,000 over the current year appropriation to handle increased workload.

CIVIL LIBERTIES PUBLIC EDUCATION FUND

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$5,000,000 |
| Budget estimate, 1996 .....    | 5,000,000   |
| House allowance .....          |             |
| Committee recommendation ..... |             |

The Committee recommendation provides no additional funds for educational activities pursuant to section 106(b) of the Civil Liberties Act of 1988. Current year funding is \$5,000,000 for expenses of a nine member Board of Directors to reprint the findings of the President's Commission on Wartime Relocation and Internment of Civilians and to sponsor exhibits, publications, and oral histories about the internment experiences of Japanese-Americans. Because not all of the Directors have been named and/or confirmed by the Senate, the Department of Justice projects that the entire \$5,000,000 available in the current year will carryover into 1996 and will be available for expenditure. This estimate was provided to the Committee by the Department of Justice on August 18, 1995.

ANTITRUST DIVISION

SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$41,003,000 |
| Budget estimate, 1996 .....    | 43,490,000   |
| House allowance .....          | 20,881,000   |
| Committee recommendation ..... | 20,881,000   |

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

The Committee recommendation assumes a total of \$85,143,000 in budget (obligational) authority for the Antitrust Division for fiscal year 1996. This amount is the same as the amount provided in the current year and in the House allowance. Of this amount, \$48,262,000 will be derived from anticipated fee collections in fiscal year 1996, and \$16,000,000 will be derived from unobligated fiscal year 1995 fee collections, resulting in a net direct appropriation of \$20,881,000.

The Committee expects the Antitrust Division to give highest priority to the timely review and processing of premerger notification filings under the Hart-Scott-Rodino Act.

The recommendation includes bill language for the Antitrust Division, similar to that included in previous fiscal years, which: (1) allows \$48,262,000 in fees to be credited to this account; (2) reduces appropriated funds as fees are collected; and (3) makes fees in excess of \$48,262,000 available until expended in fiscal year 1997. Language proposed in the budget is also included which adds the

phrase “from the general fund” to make it clear that the source of appropriated funding for the Division is the general fund of the U.S. Treasury.

U.S. ATTORNEYS

SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$852,824,000 |
| Budget estimate, 1996 .....    | 939,194,000   |
| House allowance .....          | 911,556,000   |
| Committee recommendation ..... | 950,537,000   |

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

The Committee recommends a total of \$950,537,000 for the U.S. attorneys for fiscal year 1996, of which \$30,000,000 is provided from the violent crime reduction trust fund [VCRTF] as authorized in Public Law 103-322. The total amount provided is an increase of \$97,713,000 above current year funding, \$11,343,000 above the request, and \$38,981,000 above the House allowance.

Funding provided by the Committee’s recommendation for increased funding for U.S. attorneys complements increased funding for law enforcement elsewhere in this title. Increased law enforcement efforts would have little impact upon violent crime in our society without adequate resources for effective prosecution. The Committee directs that the full \$30,000,000 in VCRTF funding for this account be used to supplement the prosecution of criminal cases. The Committee recommendation fully funds immigration-related activities from discretionary appropriations. In addition, the Committee has allocated \$10,000,000 from the request for the “General legal activities” account to the U.S. attorneys offices for the prosecution of criminal cases.

The Committee is concerned about the mismanagement which led to hiring of more employees than the current year budget for U.S. attorneys can sustain. This Committee’s strong support for the mission of the U.S. attorneys does not extend to careless hiring practices. In view of the increased funding recommended for this account in the accompanying bill, the Committee directs the Justice Department to provide a report to the Committee by October 1, 1995, which: (1) provides a status report on personnel levels at U.S. attorney offices, (2) outlines a plan addressing the problem of overhiring without impacting efforts to prosecute criminal cases; and (3) outlines management controls to ensure that such hiring practices do not recur.

The Committee recommendation includes \$16,288,000 for U.S. attorneys to support the command center established in Oklahoma City to handle the investigation and prosecution of those involved in the Oklahoma bombing and any other activities that may be related to this incident, and to enhance security at U.S. attorneys offices that occupy leased space. Of this amount, \$10,000,000 is provided for x ray and scanning equipment and contract security officers at 109 U.S. attorneys offices that currently occupy leased

space. Bill language is included that allows \$4,000,000 of these resources to remain available until expended for purchase of the security equipment.

The Committee recommendation does not provide continued funding of the violent crime task force initiative provided in 1995.

The Committee provides that, of the amounts available to the Department of Justice in this act, up to \$6,000,000 may be allocated to fund supervision of the 1996 International Brotherhood of Teamsters election, subject either to the reprogramming authorities provided in section 605 of this act or the transfer authorities in section 107 of this act.

The Committee notes that the pilot debt collection program Congress established to make use of private entities has proven effective to recover some of the billions in outstanding nontax debts owed to the Federal Government. To the extent possible within the resources provided, the Committee directs the Department of Justice to expand this pilot program.

The Committee also recommends bill language, similar to that included in previous fiscal years, which: (1) makes up to \$2,500,000 for debt collection purposes available until September 30, 1997; (2) makes up to \$10,000,000 for automated litigation support contracts available until expended; and (3) makes available up to \$8,000 to be used for official reception and representation expenses.

U.S. TRUSTEE SYSTEM FUND

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$62,586,000 |
| Budget estimate, 1996 .....    | 65,054,000   |
| House allowance .....          | 57,405,000   |
| Committee recommendation ..... | 58,992,000   |

The U.S. trustee system provides administrative support to expeditiously move bankruptcy cases through the bankruptcy process and ensures accountability of private trustees appointed to administer bankruptcy estates and with regard to debtors. This system was authorized in Public Law 99-554, the Bankruptcy Judges, U.S. Trustees, and Family Farmer Bankruptcy Act of 1986. It also established a U.S. trustee system fund in the U.S. Treasury, and provided for the collection of fees into the fund to finance program operations.

The Committee recommendation provides a total of \$103,183,000 in budget (obligational) authority for the U.S. trustees for fiscal year 1996. This is the same as current year authority, is \$6,062,000 below the budget request, and is \$1,587,000 above the House allowance. Of this amount, \$44,191,000 will be derived from anticipated offsetting fee collections, resulting in a net direct appropriation of \$58,992,000 from the U.S. trustee system fund.

As requested, the Committee recommendation includes an extension of the quarterly fee payments made under chapter 11 to include the period after a reorganization plan has been confirmed by the bankruptcy court until the case has been dismissed.

The recommendation also includes bill language which: (1) allows deposits to the U.S. trustee system fund to be used to pay refunds due depositors; (2) allows \$44,191,000 in offsetting fee collections to be retained and used for necessary expenses in this appropriation; (3) reduces appropriated funds as such fees are collected; and (4)

makes offsetting fee collections in excess of \$44,191,000 available until expended in fiscal year 1997.

FOREIGN CLAIMS SETTLEMENT COMMISSION

|                                |           |
|--------------------------------|-----------|
| Appropriations, 1995 .....     | \$830,000 |
| Budget estimate, 1996 .....    | 905,000   |
| House allowance .....          | 830,000   |
| Committee recommendation ..... | 905,000   |

The Foreign Claims Settlement Commission settles claims of American citizens arising out of nationalization, expropriation, or other takings of their properties and interests by foreign governments. The Committee recommends the full request of \$905,000 for the foreign claims settlement commission for fiscal year 1996. This amount is \$75,000 above both the current year appropriation and the House allowance.

U.S. MARSHALS SERVICE

SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$396,782,000 |
| Budget estimate, 1996 .....    | 463,387,000   |
| House allowance .....          | 443,973,000   |
| Committee recommendation ..... | 454,639,000   |

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

The Committee recommends \$454,639,000 for the U.S. Marshals Service for fiscal year 1996, of which \$15,000,000 will be provided from the violent crime reduction trust fund [VCRTF] as authorized in Public Law 103-322. This amount is \$57,857,000 above the current year appropriation, \$8,748,000 less than the request, and \$10,666,000 above the House allowance.

The recommendation provides VCRTF funding to ensure the security of 31 new and expanded Federal courthouses scheduled to open in 1996. This includes funds for equipment and communications expenses in new courthouse locations, and personnel to staff courthouses.

The Committee recommendation is less than the amended budget request because the Committee already funded a portion of the fiscal year 1996 needs for security in supplemental appropriations in response to an amended budget request in the wake of the Oklahoma City bombing. This funding was for security personnel staff and equipment for the trial and prosecution of persons involved in the Oklahoma bombing and to correct security deficiencies at existing Federal courthouses.

The Committee recommendation fully funds all requested needs for the U.S. marshals for fiscal year 1996. This includes items such as extraordinary security requirements, inservice training courses, improvements to computer security information systems, and equipment upgrades.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows up to \$6,000 to be used for official reception and representation expenses, and

allows for the acquisition of motor vehicles for police-type use without regard to the general purchase price limitation.

FEDERAL PRISONER DETENTION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$296,753,000 |
| Budget estimate, 1996 .....    | 295,331,000   |
| House allowance .....          | 250,331,000   |
| Committee recommendation ..... | 295,331,000   |

Under this program, the U.S. marshals contract with State and local jails and private facilities to house unsentenced Federal prisoners for short periods of time usually before and during trial and while awaiting transfer to Federal institutions after conviction. The Committee has renamed this account to more accurately describe the activities funded in this account by the U.S. Marshals Service.

The Committee recommendation includes a direct appropriation of \$295,331,000 for Federal prisoner detention for fiscal year 1996, the full amount requested in the budget. This amount is \$1,442,000 below the appropriation for the current year, and is \$45,000,000 above the House allowance, which assumed \$40,000,000 in carry-over balances that more recent estimates indicate will not be available.

FEES AND EXPENSES OF WITNESSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$77,982,000 |
| Budget estimate, 1996 .....    | 85,000,000   |
| House allowance .....          | 85,000,000   |
| Committee recommendation ..... | 85,000,000   |

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

The Committee recommends \$85,000,000 for fees and expenses of witnesses for fiscal year 1996. This amount is the full budget estimate for this program, which is considered mandatory for budget scorekeeping purposes.

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

COMMUNITY RELATIONS SERVICE

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$20,379,000 |
| Budget estimate, 1996 .....    | 20,695,000   |
| House allowance .....          |              |
| Committee recommendation ..... |              |

The Committee recommendation provides no funding for the community relations service for fiscal year 1996, a decrease of \$20,379,000 below current year funding and \$20,695,000 below the budget request.

The Committee recommendation provides \$10,057,000 as requested, to resettle Cubans and Haitians entering the United States, but recommends that these funds be provided from the "Immigration examinations fee" account within the Immigration and Naturalization Service.

ASSETS FORFEITURE FUND

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$50,000,000 |
| Budget estimate, 1996 .....    | 55,000,000   |
| House allowance .....          | 35,000,000   |
| Committee recommendation ..... | 35,000,000   |

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

The Committee recommends \$35,000,000 for the assets forfeiture fund for fiscal year 1996. This amount is \$15,000,000 below current year funding, \$20,000,000 below the request, and the same as the House allowance.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$2,655,000 |
| Budget estimate, 1996 .....    | 2,655,000   |
| House allowance .....          | 2,655,000   |
| Committee recommendation ..... | 2,655,000   |

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

The Committee recommends \$2,655,000, the full amount requested and the same level as the current year appropriation and the House allowance, for the expenses of the Civil Division necessary to handle claims and litigation arising from the Radiation Exposure Compensation Act.

PAYMENT TO THE RADIATION EXPOSURE COMPENSATION FUND

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     |              |
| Budget estimate, 1996 .....    | \$16,264,000 |
| House allowance .....          | 16,264,000   |
| Committee recommendation ..... | 16,264,000   |

The Committee recommendation includes an advance appropriation of \$16,264,000 for fiscal year 1997 to make payments to approved claimants under the Radiation Exposure Compensation Act of 1990. The Committee understands that the request of \$16,264,000 for 1996 is no longer required due to a projected balance in the radiation exposure compensation trust fund that will be available for projected payments in 1996. The Committee was

informed on August 18, 1995 by the Department of Justice that \$37,000,000 would carryover into fiscal year 1996 and would be used for payment of claims.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$374,943,000 |
| Budget estimate, 1996 .....    | 387,473,000   |
| House allowance .....          | 374,943,000   |
| Committee recommendation ..... | 359,843,000   |

The Interagency Crime and Drug Enforcement Program, through its 13 regional task forces, utilizes the combined resources and expertise of its 11 member Federal agencies, in cooperation with State and local investigators and prosecutors, to target and destroy major narcotics trafficking and money laundering organizations. Through this program, the Committee provides \$75,550,000 to the Treasury Department, \$868,000 to the Coast Guard, and \$1,552,000 for an administrative office.

The Committee recommends \$359,843,000 for interagency crime and drug enforcement for fiscal year 1996, \$15,100,000 below fiscal year 1995 funding levels, \$15,100,000 below the House allowance, and \$18,630,000 below the request.

Although the Committee supports interagency coordination in the fight against crime, many of the administrative requirements that apply to participating agencies in these appear to add another layer of redtape and overhead costs to investigations with little operational benefit. The Committee notes that this coordinating function is now shared to varying degrees by three separate entities—Office of National Drug Control Policy, Office of Investigative Agency Policy, and OCDEF.

The Committee urges the Director of the Office of Management and Budget to move the resources provided in this account to the participating agencies budgets in the fiscal year 1997 budget to: (1) help keep administrative costs to a minimum; (2) ensure that to the extent possible money provided for law enforcement is directed to those at the front line in the fight against crime; and (3) more accurately reflect each agency's role in the Federal crime-fighting efforts.

The House bill provided \$75,550,000 to the Treasury Department, \$868,000 to the Coast Guard, and \$1,552,000 for an administrative office. The recommendation would reduce support for these agencies' operations contained by 20 percent.

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

FEDERAL BUREAU OF INVESTIGATION  
SALARIES AND EXPENSES

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1995 .....     | \$2,280,735,000 |
| Budget estimate, 1996 .....    | 2,518,511,000   |
| House allowance .....          | 2,332,081,000   |
| Committee recommendation ..... | 2,607,841,000   |

The Committee recommends a total operating level of \$2,656,781,000 for the Federal Bureau of Investigation [FBI] for fiscal year 1996, which includes \$48,940,000 of resources available in 1996 from the supplemental appropriation provided in 1995 for expenses related to the Oklahoma City bombing, a direct appropriation of \$2,607,841,000 and \$282,500,000 from the violent crime reduction trust fund pursuant to Senate bill 735, Comprehensive Terrorism Prevention Act of 1995, as passed by the Senate on June 7, 1995. This operating level is \$376,046,000 above the appropriation for the current year and \$89,330,000 above the budget request. The Committee assumes the availability of 25,425 direct-funded FTE's for the FBI for fiscal year 1996, an increase of 1,253 FTE's above fiscal year 1995 levels.

The Committee recommendation includes more than \$350,000,000 to support and enhance the FBI's investigative capabilities in responding to major terrorism incidents and activities around the world. Of these funds, \$277,000,000, including \$107,720,000 in program increases, are derived from the violent crime reduction trust fund [VCRTF], as authorized in section 521 of Senate bill 735. The Committee notes that Senate bill 735 passed the Senate on a vote of 91 to 8 on June 7, 1995. The Committee recommendation grants no new powers or authorities to the FBI. Program increases recommended by the Committee include:

- + \$39,121,000 for 125 new FBI agents for enhanced counterterrorism, foreign counterintelligence, and other national security related activities;
- + \$50,000,000 from the VCRTF for digital telephony equipment, research, and experimentation which will increase the FBI's capacity to conduct court-approved wiretaps;
- + \$1,400,000 from the VCRTF for personnel to staff the FBI's Strategic Information Operations Center for better coordination of law enforcement agencies in emergency situations;
- + \$13,500,000 from the VCRTF to enhance the FBI's forensic services, including \$9,900,000 to modernize FBI forensic laboratory equipment and \$2,600,000 for 75 forensic examiners, technicians, and support personnel, to improve the FBI's ability to analyze evidence recovered at the scenes of bombings and other terrorist acts;
- + \$2,900,000 from the VCRTF to provide emergency response teams with proper equipment and tools for the collection and processing of crime scene evidence;
- + \$35,400,000 from the VCRTF for an enhanced tactical operations development and acquisition program;
- + \$4,520,000 from the VCRTF for aviation support;
- + \$1,500,000 to upgrade the hostage/barricade data base; and
- + \$3,500,000 to establish a gang/terrorist data base for NCIC 2000.

*Digital telephony.*—Funding of \$50,000,000 is provided from the VCRTF for research efforts and engineering services to develop new techniques and equipment to perform court-approved wiretaps and interceptions of communications. The Committee understands that the use of wiretaps and other electronic surveillance is critical to counterterrorism, criminal, and counterintelligence investigations. This funding does not provide the FBI with any new authorities. It simply provides enhanced resources for current authorities.

*Other violent crime fund initiatives.*—The Committee recommendation also includes program increases from the violent crime reduction trust fund which include:

- + \$5,500,000 for the FBI's combined DNA index system; and
- + \$2,000,000 for computerized automation and technology improvements at the FBI Training Academy.

*National Crime Information Center 2000 [NCIC 2000] and integrated automated fingerprint system [IAFIS].*—Since 1991, Congress has provided \$73,000,000 to upgrade the 25-year-old NCIC system which is managed by the FBI and used by more than 72,000 local, State, and Federal agencies. NCIC is a critical online law enforcement data base that routinely handles between 1 and 4 million transactions per day. A contract was awarded in March 1993 for the development of the new system with an expected initial operating capacity in March 1995. The FBI now advises that: (1) the cost for completing this project will be much higher than originally estimated; and (2) initial deployment has been delayed significantly. Upon receiving this information, the Committee urged the FBI to renegotiate the contract on this project with a firm cost estimate for completion of the project and penalties for additional delays. The Committee urges that once these negotiations are complete, the Director of the FBI should make completion of the contract on time and within budget a top management priority.

Similarly, the Committee is concerned about schedule delays within the IAFIS project. The Committee is particularly concerned that while the FBI will have entered into contracts on each of the four IAFIS segments by the end of this calendar year, it does not appear that the issues related to integration of these component systems have been adequately addressed. Again, the Committee urges the Director of the FBI to make management of this important project a top priority.

The Committee expects the FBI to provide a status report on both of these technical projects by November 15, 1995. The Committee expects the FBI to provide the House and Senate Appropriations Committees with quarterly progress reports on these projects beginning in December 1995. In addition, the Committee is aware that the FBI has approximately \$48,000,000 in base resources available as a result of lapses in backfilling a large number of agents that have retired. The Committee believes that to the maximum extent possible the FBI should use these available resources in 1995 to: (1) address expected cost overruns in the NCIC 2000 and IAFIS projects; and (2) offset equipment needs for new hires in 1996.

The Committee wants to ensure that resources provided to the Department of Justice are coordinated in the most effective way to

address the Nation's most important crime problem—violent crime. The Committee is concerned that the Department lacks an overall strategic plan that outlines the goals, actions, and expected results of these and future efforts to combat violent crime. The Committee, therefore, directs the Office of Investigative Agencies Policy to develop a 5-year strategic plan that is focused on reducing violent crime in this country and provide this plan to the Committee by March 1, 1996.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) for purchase of passenger vehicles without regard to general purchase price limitations, and the acquisition and operation of aircraft; (2) up to \$70,000 for unforeseen emergencies; (3) up to \$50,000,000 for ADP, telecommunications, and technical equipment, and up to \$1,000,000 for undercover operations to remain available until September 30, 1997; (4) up to \$98,400,000 for research and development to remain available until expended; (5) up to \$10,000,000 to reimburse State and local police for assistance related to violent crime, terrorism, and drug investigations; (6) \$1,500,000 for an IAFIS program office; and (7) up to \$45,000 for official reception and representation expenses. New language is also included as a general provision that allows surcharges currently collected for fingerprint checks to be used to offset the costs of NCIC 2000 development in addition to automation of fingerprint identification services. Bill language which specified the amount for the fingerprint identification system is no longer included. However, the Committee expects that of the resources provided, \$84,400,000 will be used for expenses related to automation of fingerprint identification services. Any change to this amount requires notification to the Committee pursuant to reprogramming requirements outlined in section 605.

CONSTRUCTION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     |              |
| Budget estimate, 1996 .....    | \$99,259,000 |
| House allowance .....          | 98,400,000   |
| Committee recommendation ..... | 147,800,000  |

The Committee recommends \$147,800,000 for construction for the FBI, which is \$48,541,000 more than the requested amount, and \$49,400,000 more than the House allowance.

The recommendation includes \$10,000,000 to complete renovations, equipment, and telecommunications upgrades for the FBI's Strategic Information Operations Center as authorized in section 521 of Senate bill 735, the Comprehensive Terrorism Prevention Act of 1995, as passed by the Senate 91-8. These renovations are needed to give Federal, State, and local law enforcement the ability to address multiple sites and incidents concurrently, and to support the centralized coordination of law enforcement for major incidents such as the Oklahoma City bombing.

The Committee has also provided \$88,400,000 for architectural design, site planning, and the first phase of construction of a new FBI laboratory facility, as authorized by Senate bill 735. This is the same amount recommended by the House. The existing FBI laboratory facility, located in the FBI headquarters building in downtown

Washington, DC, is inadequate for current needs. There are continuing safety concerns related to having this 25-year-old facility in a multistory office building in a densely populated area. The FBI laboratory is critical to examining crime evidence and solving criminal and terrorist cases. In addition, State and local law enforcement entities depend on FBI laboratory services which are not available through local or regional facilities. The Committee understands that a new facility would permit the use of new technologies and would allow the collocation of forensic science research and development activities, which are currently housed at the FBI Training Academy, with the operational components of the FBI laboratory.

The Committee expects the FBI to provide a construction plan and timeline for completion of this facility by November 15, 1995.

The Committee has provided \$30,500,000, as authorized by Senate bill 735, to provide critical renovations, expand capacity, modernize firearms training, and other upgrades at the FBI Academy at Quantico, VA. The Committee understands that much of the FBI physical plant was constructed in the early 1970's and is in need of repair.

Finally, the recommendation provides \$18,900,000 for construction of the FBI Technical Support Center, as authorized by Senate bill 735. The Committee recognizes the need to establish a national law enforcement technical capability to address the increasing problem that encryption poses to law enforcement at the Federal, State, and local level.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$756,513,000 |
| Budget estimate, 1996 .....    | 810,168,000   |
| House allowance .....          | 793,488,000   |
| Committee recommendation ..... | 850,000,000   |

The Committee recommends total budget authority of \$897,241,000 for the Drug Enforcement Administration [DEA] for fiscal year 1996, of which \$47,241,000 is derived from the diversion control fund, and \$60,000,000 is derived from the violent crime reduction trust fund as authorized by Senate bill 735, the Comprehensive Terrorism Prevention Act of 1995, as passed by the Senate 91 to 8 on June 7, 1995. This amount is \$39,832,000 higher than the budget request, \$56,512,000 higher than the House allowance, and \$93,487,000 above the funding level for the current year.

In recent years, DEA support personnel and infrastructure resources have failed to keep pace with the growing complexity and sophistication of drug trafficking and distribution operations. The Committee recommends giving the DEA the tools it needs to properly wage the war on drugs.

The recommendation includes the following increases:

- + \$7,700,000 for contract linguists to assist in international drug trafficking investigations;
- + \$2,000,000 to help restore the capabilities of the DEA laboratory;
- + \$6,000,000 to purchase aircraft and replacement parts;

+ \$10,500,000 for digital telephony and voice privacy radios; and  
 + \$10,500,000 to redeploy agents where they are most needed.

The Committee recommendation provides for requested adjustments to base, including the cost of the 1996 pay raise. Of this amount, \$12,000,000 is provided from the violent crime reduction trust fund to ensure that the increase of 311 agents and 125 support personnel provided in 1995 will be fully funded in 1996.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) up to \$70,000 for unforeseen emergencies; (2) for expenses for drug education and training; (3) purchase of passenger vehicles without regard to general purchase price limitations, and acquisition and operation of aircraft; (4) up to \$1,800,000 for research to remain available until expended; (5) up to \$4,000,000 for evidence and information, up to \$4,000,000 for ADP and telecommunications, and up to \$2,000,000 for technical and laboratory equipment to remain available until September 30, 1997; and (6) up to \$50,000 for official reception and representation expenses. In addition, new technical language is included that allows DEA to transfer \$15,000,000 of the DEA appropriation used for the Diversion Control Program to the "Diversion control fee" account to simplify the accounting and costs for that program. The Committee understands that currently the \$15,000,000 is provided by a reimbursement agreement and that this change will not affect the amount of funding provided to the Diversion Control Program.

IMMIGRATION AND NATURALIZATION SERVICE  
 (INCLUDING OFFSETTING FEE COLLECTIONS)

|                                    |                 |
|------------------------------------|-----------------|
| Appropriations, 1995 .....         | \$1,436,675,000 |
| (Offsetting fee collections) ..... | 633,315,000     |
| Budget estimate, 1996 .....        | 1,788,969,000   |
| (Offsetting fee collections) ..... | 675,802,000     |
| House allowance .....              | 1,736,023,000   |
| (Offsetting fee collections) ..... | 821,447,000     |
| Committee recommendation .....     | 1,770,796,000   |
| (Offsetting fee collections) ..... | 821,447,000     |

The Committee recommends total new budget (obligational) authority of \$2,592,243,000 for the Immigration and Naturalization Service [INS] for fiscal year 1996 which includes \$616,500,000 for the Border Patrol and \$35,000,000 for construction provided under separate accounts. This is a net increase of \$522,253,000 over the current fiscal year, \$127,472,000 more than provided by the request and \$34,773,000 more than the House allowance. Of the total amount recommended, \$292,662,000 is derived from the violent crime reduction trust fund, as authorized in Public Law 103-322, and \$821,447,000 will be derived from offsetting fee collections. This level of fees is based upon the most recent estimates of projected fee collections provided by INS.

Recognizing the Federal Government's responsibility for enforcing our immigration laws, the Committee recommendation includes \$379,200,000 in program increases for the Immigration and Naturalization Service which emphasize stopping illegal immigration at our borders and ensuring that persons who have entered the country illegally are detained and deported. The increases provide for

over 3,400 new INS personnel—over 1,700 more personnel on the front lines of the border, including 1,300 new and redeployed Border Patrol agents and 400 new inspectors, and over 1,700 more investigations and detention and deportation personnel to locate, apprehend, and remove illegal aliens from the United States. In addition, 2,800 more detention beds will be available to detain illegal aliens.

Because an increased border presence will help prevent illegal immigration and curb drug trafficking, the Committee recommends that resources of \$616,500,000 for the Border Patrol, including \$127,300,000 from the violent crime reduction trust fund, be provided under a separate budget account to ensure that resources provided for Border Patrol activities are not diverted to other INS priorities.

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

SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$895,805,000 |
| Budget estimate, 1996 .....    | 1,219,269,000 |
| House allowance .....          | 1,152,323,000 |
| Committee recommendation ..... | 1,119,296,000 |

The Committee recommendation provides a total of \$1,119,296,000 for INS salaries and expenses, including \$165,362,000 from the violent crime reduction trust fund as authorized in Public Law 103-322. The recommendation provides \$223,491,000 more than the fiscal year 1995 funding level, \$99,973,000 less than the request, and \$33,027,000 less than the House allowance.

Consistent with the House, the Committee recommendation provides for the full request for adjustments to base, and denies the administration's request that INS programs absorb the full cost—\$7,210,000 and 100 FTE's—of the 1996 pay raise.

*Addressing the population of illegal aliens in the United States.*—According to the most recent estimates provided by the INS, over 4 million illegal aliens currently reside in the United States. That number includes over 119,000 criminal aliens housed in Federal, State, and local prisons.

The Committee recommendation emphasizes that within INS, funding for border control, enforcement, detention, and deportation should be top priorities.

*Detention and removal of deportable aliens.*—The recommendation provides an increase of 1,400 positions, 702 FTE's, and \$141,216,000, of which \$36,486,000 is from the violent crime reduction trust fund, to apprehend, locate, detain, and deport illegal aliens, including:

- + \$47,437,000 and 418 detention personnel to increase detention capacity by over 2,800 beds, including 1,836 detention beds in State and local detention facilities, and 976 beds in INS detention centers;
- + \$46,116,000, 171 investigations personnel, 310 detention and deportation personnel, and 154 INS attorneys and legal and management support, to fully support the institutional hearing programs [IHP] in California, Texas, Florida, New York, and

Illinois, and expand the IHP to Arizona and New Jersey. This program is a coordinated effort involving the INS, the Executive Office for Immigration Review, and Federal and State correctional facilities, to identify, hold hearings, and secure final orders of deportation for criminal aliens while they are still serving their criminal sentence;

- + \$33,500,000 and 279 deportation personnel for removal of abscondees, criminal aliens, and illegal aliens who have been denied asylum, or administratively deported, or apprehended from worksites;
- + \$5,200,000 and 68 deportation personnel to support an initiative to add warrants for arrest into the National Crime Information Center [NCIC] for aliens who are repeat offenders of reentry after deportation; and
- + \$12,300,000 for the purchase of new buses and vehicles for the transportation of detainees and for an optimization study for the movement and detention of aliens. The Committee is concerned about reports that the lack of transportation resources in many parts of the country has led INS officials in those areas to resort to what is effectively an apprehend and release program, allowing thousands of illegal aliens to remain in the United States rather than be deported.

*Worksite enforcement and verification.*—The Committee recommends an increase of 328 positions, 164 FTE's, and \$41,100,000 to both investigate employers who hire illegal aliens, and support pilot projects to systematically verify immigration status of persons seeking employment, including:

- + \$31,100,000 and 328 investigations personnel to backfill Border Patrol agents who will be relocated from interior offices where they are currently performing employer sanctions enforcement activities, and to expand targeted sanctions programs in industries that have a high incidence of employing illegal workers; and
- + \$10,000,000 to improve the accuracy of INS records, develop pilots for verification systems, including the expansion of the current INS telephone verification system program.

*Immigration inspectors at land border ports of entry.*—The Committee is aware that successful border enforcement may divert additional traffic to ports of entry, causing backups and discouraging legitimate travelers. The administration requested new inspectors to address this activity but chose to finance these positions with a new border crossing fee. The Committee rejects the proposed border crossing fee and consistent with the House, has provided \$20,000,000 for 400 new inspectors by making cuts in other lower priority programs. The Committee also agrees with the House recommendation that the INS review its supervisory ratio and headquarters staffing in the inspections program and develop a plan to reduce this ratio and the number of staff at headquarters and move INS inspectors to front line activities. The Committee also expects that the entire 400 new inspectors provided in this recommendation be used as front line employees to staff lanes for the facilitation of legitimate traffic across the border. The INS should consult with the Appropriations Committees of both the House and Senate

as to the activities and locations of these inspectors before these resources are deployed.

*Border control systems modernization.*—A total of \$158,500,000 is recommended, of which \$114,453,000 is provided from the violent crime reduction trust fund, to continue the border systems modernization effort started last year. This initiative will provide for a fingerprint-based identification system and automated lookout, filing, and case-tracking systems. The Committee is concerned that automation efforts to date have focused almost entirely on one segment of the Southwest border. The Committee has provided additional resources above the request to ensure that this system is implemented elsewhere along the Southwest border for the maximum impact on illegal immigration.

*Offsetting fee collections*

The Committee recommends a total of \$821,447,000 in offsetting fee collections, an increase of \$188,132,000 over the current year, to support activities related to the legal admission of persons into the United States. These activities are supported entirely by fees paid by persons who are either traveling internationally or are applying for immigration benefits. The following increases are recommended:

*Inspections user fees.*—An anticipated increase of \$26,132,000 in revenues from persons paying fees on international flights or sea travel will support the following inspections activities:

- + \$7,121,000 for adjustments to base activities including 84 FTE's for inspectors added in 1995; and
- + \$19,011,000 to upgrade automated lookout systems at airports, including upgrades to the interagency border inspection system [IBIS] to include the electronic data exchange of visa information between INS and the Department of State overseas posts; the development of electronic arrival and departure records; and a pilot system of exit controls in conjunction with the Department of State.

*Immigration examinations fees.*—The Committee recommendation includes \$450,217,000 of spending from offsetting collections from persons applying for immigration benefits. This represents an increase of \$159,120,000 over the level approved for 1995 and includes the following:

- + \$13,475,000 for adjustments to base, including pay raises and inflation;
- + \$135,588,000 and 1,351 FTE's to support naturalization, adjustment of status processing, mail and data entry, refugee processing in Moscow and Cuba, and improvements to the ASK IMMIGRATION telephone system; and
- + \$10,057,000 to support the costs of resettlement activities of the Cuban and Haitian entrant program that will be transferred from the Community Relations Service.

*Land border inspections fees.*—The Committee recommendation includes \$5,965,000 in spending from the land border inspection fund. Fees are generated under this account for the implementation of pilot programs such as dedicated commuter lanes along the northern border and in California. The Committee does not include language requested by the administration that would remove the

prohibition for collection of fees for these projects elsewhere along the southern border. Currently, fees can only be collected in California.

The Committee recognizes that the Peace Arch Crossing Entry [PACE] program dedicated commuter lane has been a major success at the Blaine, WA, area port of entry, helping to ease border congestion and improving the local and regional economy. The new United States-Canada shared border accord has resulted in an expansion by Canada of the CANPASS/PACE Program to the commercial crossing at Pacific Highway at Blaine, WA, and Sumas, WA/Huntingdon, BC, crossing.

The Committee also recognizes that Washington State has dedicated \$2,700,000 in State transportation funds—conditioned on Federal match—to widen the Pacific Highway crossing from two-lanes to four-lanes and lengthen the PACE lane on Interstate 5.

Therefore, the Committee encourages the Immigration and Naturalization Service to work with the Cascadia Cross-Border Working Group to expand the PACE Program on the United States side to match the Canadian program enhancements pursuant to the goals of the accord. Funds for the expansion should come from unencumbered fund balance from the PACE program funds.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) up to \$50,000 to meet unforeseen emergencies and up to \$5,000 to be used for official reception and representation expenses; (2) for the purchase of motor vehicles for police-type use and for uniforms, without regard to general purchase price limitations; (3) for the acquisition and operation of aircraft and for immigration-related research; (4) up to \$400,000 for research to be available until expended; (5) up to \$25,000 to be paid to individual employees for overtime; and (6) up to \$10,000,000 for basic officer training.

*Inspections staffing at Miami International Airport.*—The Committee is concerned that Miami International Airport [MIA] is experiencing severe delays in processing of arriving international passengers by INS officials. Due to the understaffing of these INS inspectors at this airport, delays of up to 2 hours in length are occurring during peak arrival times, thus causing arriving passengers to miss connecting flights to other domestic and international destinations. This understaffing may also create a limitation of capacity of MIA which is in direct violation of bilateral air agreements. Therefore, the Committee directs INS to implement staff levels consistent with past years INS staffing models plus projected passenger increases for fiscal year 1996.

*Inspections staffing at Honolulu International Airport.*—The Committee is concerned that since port-of-entry status has been extended to Keahole-Kona International Airport on the Island of Hawaii and Kahului Airport on the Island of Maui, INS may relocate inspectors at Honolulu International Airport [HIA] to staff the Hawaii and Maui facilities. Reallocating staff from HIA to these other facilities could increase inspection times at HIA. The Committee expects that sufficient INS personnel will be assigned to HIA to alleviate the possibility of inordinate delays.

*Operation Alliance.*—The Committee's recommendation includes the full level of resources provided in the current year that is dedi-

cated to Operation Alliance. This operation is a multiagency entity whose primary mission is to facilitate and improve the coordination of the drug-related law enforcement organizations operating in the Southwest border area of the United States. The Committee supports the continued program levels for Operation Alliance.

*INS management reforms.*—The Committee’s recommendation includes a \$5,000,000 base transfer from the INS to the Department of Justice, “General administration” account for additional oversight of INS financial and management activities. It is expected that the Department will provide greater financial and management assistance to the INS in the form of personnel details and special oversight of hiring and contracting to implement the immigration reform initiative. To minimize the impact of this transfer on appropriate management activities, the Committee directs a 50-percent staff cut in the Office of Public Affairs and the Office of Congressional Affairs at INS. The Committee finds that personnel reporting directly to the Attorney General have been more responsive to congressional inquiries related to immigration than INS.

BORDER PATROL

SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$460,870,000 |
| Budget estimate, 1996 .....    | 569,700,000   |
| House allowance .....          | 572,700,000   |
| Committee recommendation ..... | 616,500,000   |

The Committee recommends a total of \$616,500,000 in budgetary resources to this new appropriations account, of which \$127,300,000 is derived from the violent crime reduction trust fund as authorized in Public Law 103-322. The recommendation is \$43,800,000 higher than the House allocation, \$46,800,000 higher than the request, and \$155,630,000 higher than the fiscal year 1995 funding level.

*Controlling our borders.*—Each year more than 500 million people enter the country legally through inspection at ports of entry. In 1994, the Border Patrol apprehended 1,032,000 aliens who attempted to enter the country through illegal methods. The Border Patrol cannot accurately determine how many persons have avoided their detection and successfully entered the country illegally. At best, estimates by the Border Patrol, using the total number of aliens apprehended, indicate that the Border Patrol currently apprehends anywhere from one-third to one-half of all illegal crossers. In addition, substantial amounts of illegal drugs are transported across the Southwest border.

For the past 2 years, this Committee has made hiring additional Border Patrol agents a funding priority. The Committee is concerned that despite clear guidance from Congress those resources have occasionally been diverted to other activities within INS. For example, a March 23, 1995, letter from the Attorney General to the Committee indicated that among other things, Border Patrol appropriations were incorrectly allocated by INS for payment of rent to the General Services Administration [GSA]. As a result, the Border Patrol will fall 369 agents short of adding the 700 agents provided by Congress in 1995. At a time when budgetary resources are

scarce and Congress has made difficult choices in order to ensure that funding is provided to maintain the integrity of our Nation's borders, mismanagement of taxpayer funds by INS cannot be tolerated. To ensure that the funding provided by Congress is used for its intended purpose, a new separate account within the INS for Border Patrol salaries and expenses has been established.

In addition to \$494,194,000 of base resources requested by the administration to maintain the current strength of 4,529 Border Patrol agents, and 1,704 support personnel, the Committee recommendation includes an increase of 1,300 positions, 520 FTE's, and \$122,306,000, of which \$49,302,000 is provided from the violent crime reduction trust fund, for the Border Patrol, including:

- + \$110,606,000 for 1,000 new Border Patrol agents, 300 support personnel, and the relocation of 300 Border Patrol agents from interior stations to the front lines of the border; and
- + \$11,700,000 for camera surveillance systems, fingerprinting equipment, sensors, two additional helicopters, and other force multipliers for the Border Patrol.

The Committee recommendation fully funds the salaries and related expenses (including vehicles, personal equipment, training, and additional space) associated with the hiring of 1,000 new Border Patrol agents and 300 support personnel. In addition, the Committee recommendation includes resources to transfer 300 Border Patrol agents from interior offices back to the front lines of the border, thereby providing 1,300 additional agents on the front lines of the border by the end of fiscal year 1996.

The Committee expects INS to develop a 5-year Border Patrol deployment plan which emphasizes staffing levels at the Southwest border to support the greatest areas of illegal traffic. The Committee directs that the 5-year plan contain staffing targets for each State for each year beginning in fiscal year 1996. The Committee also expects that INS consult with the Appropriations Committees of both the House and the Senate before a final allocation of these agents is decided.

The Committee recommendation includes \$12,000,000 to relocate Border Patrol agents from interior stations. The Committee understands that many interior Border Patrol stations are being forced to carry out employer sanction activities largely due to shortages of investigative resources. The Committee recommends that these stations remain open but that they be staffed with investigative positions to improve coordination of the employer sanctions program. In addition, the Border Patrol agents in these stations are more experienced and are critically needed along the border especially in light of the large number of new Border Patrol agents being hired. The Committee takes this action to address a concern expressed by the Attorney General about the importance of maintaining an appropriate ratio of experienced to inexperienced agents on the front lines of the border. In an August 9 letter to the Committee, the Attorney General indicated that there are no more than 302 total interior Border Patrol agent positions within INS. The Committee recommendation assumes that the 300 agents relocated to the front lines of the border will include the agents noted by the Department as well as agents currently assigned to the San Clemente and Temecula checkpoints in California.

The Committee urges the Department to seek, on behalf of INS, the allowable waivers from the Office of Personnel Management that would allow INS to reemploy retired (with no loss of retirement pay) Border Patrol agents: (1) either as instructors where feasible so as to not draw currently employed, experienced Border Patrol agents off the line into training academy duties; or (2) to use reemployed retirees on the border to free up current, experienced Border Patrol agents to act as temporary training officers.

## CONSTRUCTION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$50,000,000 |
| Budget estimate, 1996 .....    |              |
| House allowance .....          | 11,000,000   |
| Committee recommendation ..... | 35,000,000   |

The Committee recommends \$35,000,000 for construction of facilities for the Immigration and Naturalization Service. This amount is \$15,000,000 below the fiscal year 1995 level and \$24,000,000 higher than the House allowance. The request contained no funding for this account.

Of the amount recommended, \$6,000,000 will provide for improvements that are vitally needed to correct extensive health and safety code deficiencies to existing Border Patrol facilities in south Texas and Arizona. In addition, \$25,000,000 is recommended to augment resources provided in 1994 for the construction of joint U.S. Marshals/INS detention center in New York and San Francisco and to upgrade existing INS detention centers to accommodate greater capacities of detained aliens. The Committee has also included \$4,000,000 for border infrastructure improvements to be used to construct border barriers, such as fencing. The Committee also notes that \$7,500,000 is available from existing construction resources that was intended for upgrades to the San Clemente checkpoint. The Committee expects that these resources also be used for fencing, lighting, and construction of barriers along the border to enhance the effectiveness of border control efforts and the safety of Border Patrol agents.

## FEDERAL PRISON SYSTEM

## SALARIES AND EXPENSES

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1995 .....     | \$2,353,597,000 |
| Budget estimate, 1996 .....    | 2,643,759,000   |
| House allowance .....          | 2,574,578,000   |
| Committee recommendation ..... | 2,588,078,000   |

The Committee recommends \$2,588,078,000 for the salaries and expenses of the Federal prison system for fiscal year 1996, including \$13,500,000 from the violent crime reduction trust fund. This amount is \$55,681,000 below the budget request, and is an increase of \$264,481,000 over total budgetary resources available in the current year.

The Committee recommendation provides for requested adjustments to base, including \$140,394,000 to annualize 3,084 additional positions provided in 1995 for new prison activations.

*Activation of new prisons.*—The Committee understands that because of delays in scheduled activations for 1996, as well as

\$40,000,000 in funds that will carry over from fiscal year 1995 as a result of delays in activations from facilities that were scheduled to open in 1995, the appropriation required for the Federal prison system can be reduced by \$55,681,000 without affecting requested program levels. Both the request and the House allowance required that the Bureau of Prisons [BOP] absorb the cost of the 1996 pay raise in salaries and expenses, but not in buildings and facilities. The Committee recommendation would not require BOP to absorb the 1996 pay raise within either account in order to ensure the timely activation of new prisons.

According to information provided to the Committee by the Bureau of Prisons on August 30, 1995, work delays that have already occurred will prevent the detention center in Brooklyn, NY, and the low security facility in Yazoo City, MS, from accepting inmates in fiscal year 1996 as originally planned. The Committee is providing initial funding to prepare these facilities for activation and ensure that security at these facilities is not compromised.

The Committee recommendation includes \$56,942,000 to either activate or provide initial activation funding at the following 10 new and expanded facilities:

- Beaumont, TX—1,536 bed low security and 512 bed minimum security facility;
- Taft, CA—1,536 bed low security and 512 bed minimum security facility;
- Brooklyn, NY—1,807 bed detention center;
- Forrest City, AR—1,536 bed low security facility;
- Yazoo City, MS—1,536 bed low security facility;
- Expansions at the following 5 institutions: Tallahassee, FL; Milan, MI; Lompac, CA; Fort Worth, TX; and Lexington, KY.

In addition, the recommendation provides for the following program increases:

- + \$15,464,000 to support a projected increase in the inmate population;
- + \$22,416,000 to support a projected increase in the population in community corrections centers;
- + \$4,945,000 to support a projected increase in the use of State and local facilities to house inmates;
- + \$10,765,000 to support inmate care programs, including \$3,190,000 for kidney dialysis services and \$7,575,000 for infectious disease control;
- + \$1,702,000 for drug treatment programs for inmates; and
- + \$684,000 for requested enhancements to national bus center operations.

*Privatization of Federal prison facilities.*—The administration has proposed to privatize all future pretrial, minimum, and low security prisons with the exception of those which will be part of Federal correctional complexes. The Committee supports this proposal, with one modification.

The administration's new policy precludes future medium and high security Federal prisons from being located adjacent to privatized low security Federal correctional institutions. The Committee notes that several years ago, two communities—Yazoo City, MS, and Forrest City, AR—entered into discussions with BOP in an effort to increase their potential for being selected as the site

for a Federal prison complex. Each community agreed to provide a large tract of land and undertake some infrastructure investments. Construction of a 1,600 bed low security facility is now underway in each community. The Forrest City facility is scheduled to open in August 1996. The Yazoo City facility is scheduled to open in November 1996.

Both communities are concerned that if operation of these facilities were privatized, they would become ineligible for future medium or high security facilities on the site they have already provided. The Committee directs BOP to proceed with its current privatization plan and to exempt these two communities from their new collocation policy. In the future, privatized low security facilities in these two communities shall in no way hinder either community's chances for being selected as the site for additional higher security facilities.

*Health care privatization demonstration project.*—Health care costs are the fastest growing component of the Bureau of Prison's budget. From 1984 to 1994, the average annual medical costs per inmate increased from \$1,624 to \$3,146. The combination of projected prison population increases and changing demographics within the prison population will have a major impact on the health care costs of incarcerated criminals in the future. The Committee notes that several States which provide all or part of their health care to inmates through private health care contractors have achieved substantial cost savings. The Committee directs the Bureau of Prisons [BOP] to develop a plan for a health care privatization demonstration project based on a competitive procurement covering a representative sample of the Federal prison population—that is, at least one Federal correctional complex. The project should begin in fiscal year 1996 and run for a minimum of 3 years.

The Committee directs BOP to report back to the Committee with its recommendations on the size, structure, and scope of this project by November 15, 1995.

The Committee understands that the Bureau of Prisons has been hiring a number of foreign trained unlicensed physicians as primary care providers. Given the establishment of the Graduate School of Nursing at the Uniformed Services University of the Health Sciences, the Committee encourages the Bureau to utilize this resource to upgrade their Uniformed Services nurses to nurse practitioner primary care providers.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) for the purchase of motor vehicles for police-type use and the purchase of uniforms without regard to the general purchase price limitation; (2) for the provision of technical advice to foreign governments; (3) for transfer of funds to the Health Resources and Services Administration; (4) for the Director to enter into contracts to furnish health care; (5) up to \$6,000 for reception and representation expenses; (6) up to \$50,000,000 for activation of prisons to remain available until September 30, 1997; and (7) up to \$20,000,000 for contract confinement expenses for the care and security of Cuban and Haitian entrants. In addition, one-time language is deleted, as proposed in the

budget, for the transfer of balances from the Community Relations Service for the care of Mariel Cubans.

NATIONAL INSTITUTE OF CORRECTIONS

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$10,302,000 |
| Budget estimate, 1996 .....    | 10,158,000   |
| House allowance .....          |              |
| Committee recommendation ..... | 8,000,000    |

The Committee recommends \$8,000,000 in direct Federal funding for the National Institute of Corrections [NIC]. This is \$2,302,000 below the fiscal year 1995 funding level, \$2,158,000 below the request, and \$8,000,000 more than the House allowance. Additional Federal funding may be provided to NIC by transfer from the "Federal prison system salaries and expenses" account subject to the reprogramming procedures outlined in section 605 of this act.

NIC currently provides: (1) direct training of jails, prisons, and community corrections personnel; (2) corrections security audits; (3) corrections staffing analyses; (4) collection and dissemination of corrections information; (5) emergency site visits to State and local corrections systems; (6) duties of the Correctional Job Training and Placement Office; and (7) task force activities on prison construction. Because these activities are primarily performed on behalf of State and local entities, the Committee expects NIC and BOP to develop recommendations which will eliminate the need for direct Federal support for NIC. BOP and NIC should present their recommendations to the Committee by March 1, 1996.

BUILDINGS AND FACILITIES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$276,301,000 |
| Budget estimate, 1996 .....    | 323,728,000   |
| House allowance .....          | 323,728,000   |
| Committee recommendation ..... | 349,410,000   |

The Committee recommends a total of \$349,410,000 for fiscal year 1996 for the construction, modernization, maintenance, and repair of prison and detention facilities housing Federal prisoners. This amount is \$73,109,000 higher than the amount appropriated for the current fiscal year, and \$25,682,000 more than both the budget request and the House allowance.

The recommendation includes \$225,412,000 for new prison construction and renovation. The Committee has attempted to accelerate the planned expansion of Federal prison capacity by allocating fiscal year 1996 funds to begin design and site preparation for several prison facilities which were not scheduled to begin until fiscal year 1997. The recommendation includes:

- \$64,500,000 for construction of a medium security Federal correctional institution at the Beaumont, TX, prison complex, as requested in the President's budget;
- \$85,900,000 for the construction of a medium security facility at George Air Force Base in California;
- \$11,000,000 for architectural and engineering services and site preparation for a medium security Federal correctional institution and satellite minimum security camp at Castle Air Force Base in California;

- \$11,000,000 for architectural and engineering services and site preparation for a medium security facility and satellite minimum security camp in a site to be determined in the Mid-Atlantic region;
- \$12,000,000 for architectural and engineering services and site preparation for a medium security facility and satellite minimum security camp in Lee County, VA;
- \$14,253,000 to complete site acquisition for detention space in Hawaii;
- \$20,051,000 for construction of 144 additional holding cells for use by the U.S. Marshals Service; and
- \$6,708,000 for priority health and safety renovations and repairs to existing facilities.

The request and the House-passed bill provide no funding for the Cooperative Agreement Program whereby the U.S. Marshals Service contracts with State and local governments for housing Federal prisoners and detainees. The recommendation provides \$12,500,000 to continue this important program.

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

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) for planning, acquisition of sites, and construction of facilities; (2) for leasing a facility in Oklahoma City; (3) for acquisition, remodeling, and equipping facilities by contract or force account; (4) up to \$14,074,000 to construct inmate work areas; (5) for use of prisoner labor; (6) up to 10 percent of this appropriation to be transferred to the "Salaries and expenses" account; and (7) for up to \$22,351,000 for renovation and construction of Marshals Service prisoner holding facilities.

FEDERAL PRISON INDUSTRIES, INC.

(LIMITATION ON ADMINISTRATIVE EXPENSES)

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$3,463,000 |
| Budget estimate, 1996 .....    | 3,559,000   |
| House allowance .....          | 3,559,000   |
| Committee recommendation ..... | 3,559,000   |

The Committee recommends a limitation on administrative expenses of \$3,559,000 for the Federal Prison Industries, Inc. for fiscal year 1996, which is the full amount requested, and \$96,000 above the current year limitation.

OFFICE OF JUSTICE PROGRAMS

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1995 .....     | \$2,402,300,000 |
| Budget estimate, 1996 .....    | 3,995,653,000   |
| House allowance .....          | 3,762,828,000   |
| Committee recommendation ..... | 3,919,453,000   |

The Committee recommends a total of \$3,919,453,000 in new budget (obligational) authority for fiscal year 1996, including \$3,203,000,000 from the violent crime reduction trust fund, for the various law enforcement assistance, juvenile justice, research, and statistics programs of the Office of Justice Programs [OJP].

This amount represents an increase of \$1,517,153,000 over the current year appropriation, \$76,200,000 below the budget request and \$156,625,000 above the House allowance. Included in these amounts are funds to expand programs providing assistance to the States, such as a State and Local Law Enforcement Block Grant Program, State Prison Grant Program, State Criminal Alien Assistance Program, Violence Against Women Grant Program, Byrne grant program, Civil Legal Assistance Grant Program, Weed and Seed Program, juvenile justice and delinquency prevention, and victims of child abuse programs.

*Violent crime reduction trust fund programs*

The Committee recommendation includes \$3,203,000,000 from the violent crime reduction trust fund for programs that provide State and local assistance. This amount represents an increase of \$1,334,743,000 over the current year appropriation from the violent crime reduction trust fund and \$73,457,000 below the budget request.

The Committee recommendation includes funding for a State and Local Law Enforcement Assistance Block Grant Program consistent with the provisions of Senate bill 3, the Violent Crime Control and Law Enforcement Improvement Act of 1995, as introduced on January 4, 1995. This program is funded in place of the Community Oriented Policing Services Program in order to give over 39,000 State and local law enforcement agencies—those on the front lines in the fight against crime—the flexibility to make their own choices about which crime-fighting strategies may work best in their communities. Under the block grant approach, local communities have a choice. They can fund additional police, equipment, technology, and/or community-based cooperative programs where residents and law enforcement agencies work together to control, detect, and investigate crimes and prosecute criminals.

The Committee recommendation also provides funding for truth-in-sentencing incentive grants and violent offender incarceration grants pursuant to Senate bill 3, the Violent Crime Control and Law Enforcement Improvement Act of 1995, as introduced on January 4, 1995.

The following State and local assistance programs are funded from the violent crime reduction trust fund and are explained in more detail under justice assistance and State and local law enforcement assistance:

OFFICE OF JUSTICE PROGRAMS—VIOLENT CRIME REDUCTION TRUST FUND

[In thousands of dollars]

|  | 1995 appropriation | 1996 request | House allowance | Committee recommendation |
|--|--------------------|--------------|-----------------|--------------------------|
| Justice assistance:                            |                    |              |                 |                          |
| Drug courts .....                              | 29,000             | 150,000      | .....           | .....                    |
| Violence against women .....                   | 26,000             | 174,900      | 124,500         | 100,000                  |
| Ounce of Prevention Council <sup>1</sup> ..... | 1,500              | .....        | .....           | .....                    |
| Crime prevention block grants .....            | .....              | 30,000       | .....           | .....                    |
| Model Intensive Grant Program .....            | .....              | 48,216       | .....           | .....                    |
| Substance abuse treatment/prisons .....        | .....              | 27,000       | 27,000          | .....                    |

## OFFICE OF JUSTICE PROGRAMS—VIOLENT CRIME REDUCTION TRUST FUND—Continued

(In thousands of dollars)

|   | 1995 appro-<br>piation | 1996 request     | House<br>allowance | Committee<br>recommenda-<br>tion |
|---|------------------------|------------------|--------------------|----------------------------------|
| Other crime control programs:                             |                        |                  |                    |                                  |
| Assistance for delinquent and at-risk<br>youth .....      |                        | 1,604            |                    |                                  |
| Family unity demonstration projects .....                 |                        | 1,922            |                    |                                  |
| Missing Alzheimer's .....                                 |                        | 900              | 900                | 900                              |
| <b>Total justice assistance .....</b>                     | <b>56,500</b>          | <b>434,542</b>   | <b>152,400</b>     | <b>100,900</b>                   |
| State and local assistance:                               |                        |                  |                    |                                  |
| Byrne formula grants .....                                | 450,000                | 260,000          | 475,000            | 300,000                          |
| State and local block grant/COPS .....                    | 1,300,000              | 1,902,964        | 1,950,000          | 1,700,000                        |
| Brady bill/upgrade criminal records .....                 | 100,000                | 25,000           | 25,000             | 25,000                           |
| State prison grants .....                                 | 24,500                 | 500,000          | 500,000            | 750,000                          |
| State criminal alien incarceration grants ...             | 130,000                | 300,000          | 300,000            | 300,000                          |
| Youth offender incarceration .....                        |                        | 9,643            | 19,643             | 15,000                           |
| Rural law enforcement .....                               | 10,252                 |                  |                    |                                  |
| Other crime control programs:                             |                        |                  |                    |                                  |
| Tuberculosis in prisons .....                             |                        | 200              | 200                |                                  |
| Community-based grants/prosecutors .....                  |                        | 500              |                    |                                  |
| Law enforcement family support .....                      |                        | 1,200            | 1,000              |                                  |
| DNA identification State grants .....                     |                        | 482              | 1,000              | 1,000                            |
| Improved training and tech. automation<br>grants .....    |                        | 4,822            | 10,000             | 9,000                            |
| Ease State court burdens .....                            |                        | 11,090           |                    |                                  |
| Gang investigation information collection ..              |                        | 1,000            | 1,000              | 1,000                            |
| Motor vehicle theft prevention .....                      |                        | 1,500            | 1,500              | 1,100                            |
| Senior citizens/marketing scams .....                     |                        | 500              |                    |                                  |
| Presidential Summit on Crime .....                        |                        | 1,000            |                    |                                  |
| <b>Total State and local assistance .....</b>             | <b>2,004,500</b>       | <b>3,034,658</b> | <b>3,333,343</b>   | <b>3,102,100</b>                 |
| <b>Total violent crime reduction trust<br/>fund .....</b> | <b>2,061,000</b>       | <b>3,469,200</b> | <b>3,435,743</b>   | <b>3,203,000</b>                 |

<sup>1</sup> Requested as an independent agency in 1996.

## JUSTICE ASSISTANCE

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$137,377,000 |
| Budget estimate, 1996 .....    | 536,877,000   |
| House allowance .....          | 250,377,000   |
| Committee recommendation ..... | 203,245,000   |

The Committee recommends \$203,245,000 for justice assistance for fiscal year 1996, of which \$100,900,000 will be derived from the violent crime reduction trust fund. The justice assistance activity provides assistance to States in the form of research, evaluation, statistics, information sharing, emergency assistance, missing children assistance, and the management and administration of all grants provided through the Office of Justice Programs. In addition, funding from the violent crime reduction trust fund is recommended for grants associated with the Violence Against Women Act and for the Missing Alzheimer's Patients Program. An explanation of each program follows:

*National Institute of Justice.*—The Committee recommendation provides \$30,000,000 for the National Institute of Justice [NIJ] for fiscal year 1996, which is \$3,000,000 above the amount provided for the current year appropriation. The NIJ is the Nation's primary source of research and development on crime and the criminal justice system. The NIJ also performs crucial evaluations of new programs and projects and distributes their findings to the States.

*National study on correctional health care.*—The Committee understands that the need for correctional health care services, along with associated costs is growing at an alarming rate. More than 11 million persons are released from jails, prisons, and juvenile correctional facilities annually. Many of these persons have contracted drug-resistant tuberculosis, HIV/AIDS, or have a history of substance abuse or mental illness. Without proper treatment, these individuals pose a direct and immediate health threat to the larger community. Within available resources, the Committee encourages NIJ to undertake a national study on this problem.

*Defense technology.*—The Committee is supportive of efforts by the Justice Department, in conjunction with the Department of Defense, to convert nonlethal defense technology to law enforcement use. The Committee supports continuation of the law enforcement technology information network in conjunction with the regional information sharing system, that will provide States with information on new equipment and technologies, as well as assist law enforcement agencies in locating high cost/low use equipment for use on a temporary or emergency basis. The Committee urges the Department to expand the technology commercialization initiative started in 1995.

*Bureau of Justice Statistics.*—The Committee recommendation provides \$21,379,000 for the Bureau of Justice Statistics [BJS] for fiscal year 1996, which is the same amount provided in the current year appropriation. BJS is responsible for the collection, analysis, and publication of statistical information on crime, criminal offenders, victims of crime, and the operations of the Nation's justice systems.

*Emergency assistance.*—This program offers Federal assistance to States in response to situations of an emergency nature. Although the Committee recommendation provides no new budget authority for the Emergency Assistance Program, as requested by the Department, the Committee notes that the Attorney General has the authority under the counterterrorism fund to reimburse the Office of Justice Programs for payments from this account for qualifying State or local law enforcement agencies.

*Missing children.*—The Committee recommendation provides \$5,971,000 for the Missing Children Program for fiscal year 1996, which is the same amount provided in the current year appropriation. This program provides funds to combat crimes against children, particularly kidnapping and sexual exploitation. The Committee recommends that within these amounts the Department seriously consider establishing a exploited child unit within the National Center of Missing and Exploited Children. This unit would assist in the investigation of child sex offenses nationwide.

*Regional information sharing system.*—The Committee recommendation provides \$14,500,000 for fiscal year 1996 for the re-

gional information sharing system [RISS], which is the same amount provided for the current year appropriation. The RISS program provides funds to maintain six regionally based information sharing centers throughout the United States to assist States in addressing major, multijurisdictional crimes.

*National White Collar Crime Information Center.*—The Committee recommends a total of \$2,100,000 to support ongoing operations of the National White Collar Crime Information Center [NWCCC] for fiscal year 1996. The NWCC provides assistance to State and local law enforcement and regulatory agencies in addressing multijurisdictional white collar crimes.

*Management and administration.*—The Committee recommendation provides \$22,277,000 for the management and administration of the Office of Justice Programs. In addition, reimbursable funding will be provided from the “Juvenile justice” account and the violent crime reduction programs for the administration of grants under these activities.

#### VIOLENT CRIME REDUCTION TRUST FUND PROGRAMS

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$39,400,000 |
| Budget estimate, 1996 .....    | 434,542,000  |
| House allowance .....          | 152,400,000  |
| Committee recommendation ..... | 100,900,000  |

The Committee recommendation includes \$100,900,000 for two programs authorized under the Violent Crime Control and Law Enforcement Act of 1994. These programs are as follows:

*Violence Against Women Act.*—The Committee recommends \$100,000,000 for grants under the Violence Against Women Act, as authorized in the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322. This amount represents a threefold increase over the current year appropriation. The recommendation is \$74,900,000 below the budget request and \$24,500,000 below the level in the House-passed bill. Grants provided under this recommendation are for the following programs:

|   |              |
|---|--------------|
| Law enforcement and prosecution grants to combat violent crimes against women ..... | \$61,000,000 |
| Grants to encourage arrest policies .....   | 28,000,000   |
| Rural domestic violence and child abuse enforcement .....                           | 6,000,000    |
| Victims of child abuse programs:  |              |
| Court Appointed Special Advocate Program .....                                      | 4,250,000    |
| Training for judicial personnel and practitioners .....                             | 750,000      |
| Total .....   | 100,000,000  |

Law enforcement and prosecution grants may be used to assist States, Indian tribal governments, and units of local government by providing personnel, training, technical assistance, data collection and equipment, and victim services programs for more widespread apprehension, prosecution, and adjudication of individuals committing violent crimes against women. In addition, grants are provided to encourage States, Indian tribal governments, or units of local governments to implement mandatory arrest of domestic violence offenders, improve tracking and coordination of police enforcement and prosecution of offenders and strengthen legal advocacy service programs for victims. Grants for rural domestic violence and child

abuse enforcement assistance target similar initiatives to rural States.

The Committee also provides funding from the violent crime reduction trust fund for the continuation of two programs that were previously funded under juvenile justice for victims of child abuse—the Court Appointed Special Advocates Program and child abuse training programs for judicial personnel and practitioners.

*Safe return program.*—The Committee recommendation includes \$900,000 to continue and expand the national program to locate missing Alzheimer’s patients as authorized in Public Law 103–322.

CIVIL LEGAL ASSISTANCE

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | .....         |
| Budget estimate, 1996 .....    | .....         |
| House allowance .....          | .....         |
| Committee recommendation ..... | \$210,000,000 |

The Committee has provided \$210,000,000 for the provision of civil legal assistance to low-income individuals, to be distributed according to the provisions of section 120 of this act.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1995 .....     | \$2,079,956,000 |
| Budget estimate, 1996 .....    | 3,279,658,000   |
| House allowance .....          | 3,333,343,000   |
| Committee recommendation ..... | 3,327,100,000   |

The Committee recommends a total of \$3,327,100,000 for fiscal year 1996, of which \$3,102,100,000 is provided from the violent crime reduction trust fund. This amount represents an increase of \$1,247,144,000 over fiscal year 1995 appropriations for State and local law enforcement assistance programs. These funds provide assistance to State and local governments in their drug control and other law enforcement efforts as follows:

*Edward Byrne grants to States.*—The Committee recommendation provides \$525,000,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which \$50,000,000 is for discretionary grants and \$475,000,000 for formula grants. Of the formula grant funding recommended by the Committee, \$300,000,000 is provided under the violent crime reduction trust fund as authorized under the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322. This amount represents an increase of \$25,000,000 over the current year appropriation.

*Discretionary grants.*—The Committee recommendation provides \$50,000,000 for discretionary grants under chapter A of the Edward Byrne Memorial State and Local Assistance Program to be administered by the Bureau of Justice Assistance [BJA] to public or private agencies and nonprofit organizations, for educational and training programs, technical assistance, improvement of State criminal justice systems, and demonstration projects of a multi-jurisdictional nature. Within the amount provided for these discretionary grants, the Committee expects BJA to provide \$13,500,000 for the Weed and Seed Program.

Within available resources the Committee urges BJA to favorably consider:

- Continuation of the National Crime Prevention Council and expansion of the National Citizens Crime Prevention Campaign (McGruff);
- Continuation and expansion of the SEARCH Group, Inc. and the National Technical Assistance Program, which provides support to State and local criminal justice agencies to improve their use of computers and information technology;
- Supplemental funding for DNA identification State grants provided by the Committee from the violent crime reduction trust fund as authorized in Public Law 103-322;
- Continued support for the Boys and Girls Clubs of America;
- Support for the Centers of Excellence on Violence Prevention;
- Support for the National Night Out Program; and
- State and local law enforcement activities related to the 1996 Olympic games.

The Committee also encourages the Attorney General to provide grants to public or private agencies and private nonprofit organizations for advanced education and training of criminal justice personnel and to provide educational assistance to students who possess a sincere interest in public service law enforcement. The Committee expects BJA to submit a report to the Committee on its intentions for this proposal by November 15, 1995.

VIOLENT CRIME REDUCTION TRUST FUND PROGRAMS, STATE AND  
LOCAL LAW ENFORCEMENT ASSISTANCE

*State and local law enforcement block grant.*—The Committee recommendation includes \$1,700,000,000 for a State and Local Law Enforcement Assistance Block Grant Program pursuant to Senate bill 3, the Violent Crime Control and Law Enforcement Improvement Act of 1995, as introduced on January 4, 1995. Authorization for this block grant program is provided in section 114 of this act. This funding is provided in place of the budget request for the community oriented policing services programs and will support the following activities at the discretion of State and local agencies:

- Hiring, training, and employing on a continuing basis new, additional law enforcement officers and necessary support personnel;
- Paying overtime to presently employed law enforcement officers and necessary support personnel;
- Procuring equipment, technology, and other material directly related to basic law enforcement functions;
- Establishing crime prevention programs involving community residents and law enforcement agencies for control, detection, or investigation of crimes, or the prosecution of criminals.

*National instant criminal background check system.*—The recommendation provides \$25,000,000 to fund the second year of State programs designed to implement the national instant criminal background check system [NICS]. The Brady Handgun Violence Prevention Act requires the establishment of the NICS by November 1998. Funding for States to upgrade criminal records, to interface between these records and other data bases holding information on other categories of individuals who are prohibited from pur-

chasing firearms under Federal or State statute, and implementation of the NICS, is authorized under the violent crime reduction trust fund. In 1995, \$100,000,000 was provided from the violent crime reduction trust fund for this initiative, which was the full authorization level for 1995. The Committee recommendation supports the full authorization level for 1996.

*State prison grants.*—The recommendation provides \$750,000,000 for violent offender incarceration and truth in sentencing incarceration grants pursuant to Senate bill 3, the Violent Crime Control and Law Enforcement Improvement Act of 1995, as introduced on January 4, 1995. Authorization for this block grant program is provided in section 115 of this act. The Committee recommendation provides an increase of \$725,500,000 above the current year appropriation. In 1995, \$24,500,000 was provided for boot camps in this account.

*State Criminal Alien Assistance Program.*—The recommendation provides \$300,000,000 for the State Criminal Alien Assistance Program for the reimbursement to States for the costs of incarceration of criminal aliens. The total amount represents an increase of \$170,000,000 over the current year appropriation. The recommendation equals the budget request and the full authorization of violent crime reduction trust fund funding permitted under Public Law 103-322.

*Youthful offender incarceration grants.*—To supplement the State prison grants listed above, the recommendation provides a total of \$15,000,000 for grants to States, for use by States and units of local government, for the purpose of developing alternative methods of punishment for young offenders to traditional forms of incarceration and probation, such as boot camps.

*Motor vehicle theft prevention.*—The recommendation provides \$1,100,000 for grants to combat motor vehicle theft. The amount recommended is an increase of \$600,000 above amounts provided in the current appropriation. Violent crime reduction trust fund funding for this program is authorized in Public Law 103-322.

*DNA identification State grants.*—The recommendation includes \$1,000,000 from the violent crime reduction trust fund for DNA identification State grants. The recommended funding level is the full amount authorized for this program in Public Law 103-322. The recommendation is equivalent to the House allowance and \$518,000 more than the request.

Funding is recommended for grants to States and units of local government to develop or improve forensic DNA testing capabilities in State and local forensic laboratories and to foster cooperation and mutual assistance among forensic DNA laboratories within States and between States that are seeking to match and exchange DNA identification records for law enforcement purposes using the FBI's combined DNA index system [CODIS]. The Committee urges BJA to provide additional discretionary grant funding for this important program.

*Improved training and technical automation grants.*—The recommendation provides \$9,000,000 from the violent crime reduction trust fund for improved training and technical automation grants, as authorized under Public Law 103-322. Funding for this program

is \$4,178,000 above the budget request, and \$1,000,000 below the level in the House-passed bill.

The Committee understands that a critical need of State and local law enforcement is improved information systems for the identification and tracking of criminals. The recommendation will provide grants to States, Indian tribal, and local criminal justice agencies and nonprofit organizations to improve their efficiency through improved technology and automation. Grants can be made to: (1) increase the use of mobile digital terminals; (2) improve communications systems, such as computer-aided dispatch and incident reporting systems; (3) establish or improve ballistics identification programs; (4) increase the application of automated fingerprint identification systems and their communications on an interstate and intrastate basis; and (5) improve the computerized collection of criminal records.

The Committee is aware of a number of automation projects which could enhance State and local enforcement. Within the overall amounts recommended herein for information and technology grants and under the Edward Byrne Discretionary Grant Program, the Committee expects the Office of Justice Programs to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committee on its intentions on proposals to expand criminal information in the regional information sharing systems.

The Committee is aware of the recently established Center of Advanced Support in Technology for Law Enforcement [CASTLE] automation program to enhance the on-line capabilities of State and local enforcement. Within the overall amounts recommended herein for information and technology grants and under the Edward Byrne discretionary grant program, the Committee expects funding to be provided, if warranted, and transferred to the FBI to implement the CASTLE program and establish a national communications capability for local, State, and Federal law enforcement using multitiered interactive computer technologies.

The Committee believes that grants should be used to the greatest extent possible to promote information sharing among Federal, State, and local criminal justice agencies and the development and implementation of compatible systems. The Committee expects that, when considering applications for grants made under this program, the Attorney General shall, to the extent possible, ensure State, Indian tribal, and local criminal justice agency proposals include technology that is compatible with or can interface with other national law enforcement and criminal justice information systems being developed, in particular, National Crime Information Center 2000, the national instant background check system, national incident-based reporting system, and DRUGFIRE.

*Gang investigation coordination and information collection.*—The recommendation provides \$1,000,000 for improved information collection on gang investigations. This amount is the full amount authorized under the violent crime reduction trust fund for this program, the full amount requested, and the amount contained in the House-passed bill. The Committee expects that the resources provided will support the development of a national strategy to coordinate gang-related investigations by Federal law enforcement agen-

cies and enhance data collection activities of the Federal Bureau of Investigation with regard to incidents of gang violence for inclusion in the annual uniform crime report.

#### WEED AND SEED PROGRAM

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$23,500,000 |
| Budget estimate, 1996 .....    | 5,000,000    |
| House allowance .....          | 23,500,000   |
| Committee recommendation ..... | 23,500,000   |

The Committee recommendation provides a total of \$23,500,000 for the Weed and Seed Program. The current year appropriation provided \$23,500,000 for weed and seed, of which \$13,500,000 was provided from direct appropriations and \$10,000,000 was provided from Byrne discretionary grants. The Committee recommendation is identical to the House provision and provides the same funding level for this program as requested by the administration. The budget requested \$23,500,000 for the Weed and Seed Program, of which \$5,000,000 was requested from direct appropriations, \$13,500,000 was requested from Byrne discretionary grants, and \$5,000,000 was requested from the Community Oriented Policing Services Program.

The Committee recommendation provides funding of \$13,500,000 as requested from the Byrne discretionary grant program and provides funding of \$10,000,000 from discretionary grants under the juvenile justice programs.

Within the overall amount provided for the Weed and Seed Program the Committee strongly urges that the Department favorably consider the proposal by the Gospel Mission of Washington, DC, to renovate the former Fulton Hotel for conversion into a drug treatment center for women, and provide a grant if warranted.

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

#### JUVENILE JUSTICE PROGRAMS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$155,250,000 |
| Budget estimate, 1996 .....    | 148,500,000   |
| House allowance .....          | 148,500,000   |
| Committee recommendation ..... | 148,500,000   |

The Committee recommendation provides a total of \$148,500,000 for juvenile justice programs for fiscal year 1996, the full amount requested by the administration and the amount contained in the House-passed bill.

*Juvenile justice and delinquency prevention.*—The Committee recommends a total of \$144,000,000 for fiscal year 1996 for grants and administrative expenses for juvenile justice and delinquency prevention [JJDP] programs, the same amount provided in the current fiscal year and the full amount requested. The JJDP program provides funds to States and localities for projects in the areas of education, research, prevention and rehabilitation as follows:

- \$5,000,000 for the Office of Juvenile Justice Programs [OJJP] (part A).
- \$70,000,000 for Formula Grants for assistance to State and local programs (part B).
- \$25,000,000 for discretionary grants for national programs and special emphasis programs (part C). Within the amount provided for part C discretionary grants, the Committee expects the OJJP to provide \$10,000,000 for the Weed and Seed Program.
- \$10,000,000, the full amount requested, to expand the Youth Gangs (part D) Program which provides grants to public and private nonprofit organizations to prevent and reduce the participation of at-risk youth in the activities of gangs that commit crimes.
- \$10,000,000, the full amount requested, for discretionary grants for State challenge activities (part E). This program authorizes the OJJP Administrator to award grants which could increase the amount of a State's formula grant by up to 10 percent, if that State agrees to undertake some or all of the 10 challenge activities included in this program. These challenge activities are designed to improve various aspects of a State's juvenile justice and delinquency prevention programs.
- \$4,000,000, the full amount requested, for the Juvenile Mentoring Program (part G). This program seeks to reduce juvenile delinquency, improve academic performance, and reduce the drop-out rate among at-risk youth through the use of mentors. The program brings together young people in high-crime areas with law enforcement officers and other responsible adults who are willing to serve as long-term mentors.
- \$20,000,000 for incentive grants for local delinquency prevention programs (title V), which is the same amount provided in the current fiscal year and the full amount requested. These grants are transmitted through the State advisory groups to units of general local government for delinquency prevention programs and other activities for at-risk youth.

Within the amounts appropriated for discretionary grants under title II and title V of the JJDP Act, the Committee expects OJJP to examine each of the following proposals, to provide grants if warranted, for each proposal: A grant to Parents Anonymous, Inc. to enhance the capability of the organization's national office to support the delinquency prevention and self-help programs of its local chapters; a grant to the National Crime Prevention Councils Teen, Crime, and the Community Program; a grant to continue an Institute for Families in Society Study; grants to expand the Intensive Treatment Family Program; a grant to continue and expand the National Council of Juvenile and Family Courts; a grant to the Coalition for Juvenile Justice; and continued support for law-related education.

*Victims of Child Abuse Act.*—The Committee recommends a total of \$4,500,000 for the various programs authorized under the Victims of Child Abuse Act [VOCA]. In addition, funding of \$5,000,000 is provided for victims of child abuse programs under the Violence Against Women Program funded by the violent crime reduction

trust fund. The following programs are included in the recommendation:

- \$4,500,000 to improve investigations and prosecutions (subtitle A) as follows:
  - \$500,000 to continue regional children’s advocacy centers, as authorized by section 213 of VOCA;
  - \$2,000,000 to continue local children’s advocacy centers, as authorized by section 214 of VOCA;
  - \$1,500,000 for a continuation grant to the National Center for Prosecution of Child Abuse for specialized technical assistance and training programs to improve the prosecution of child abuse cases, as authorized by section 214a of VOCA; and
  - \$500,000 for a continuation grant to the national network of child advocacy centers for technical assistance and training, as authorized by section 214a of VOCA.

PUBLIC SAFETY OFFICERS BENEFITS

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$29,717,000 |
| Budget estimate, 1996 .....    | 30,608,000   |
| House allowance .....          | 30,608,000   |
| Committee recommendation ..... | 30,608,000   |

The Committee recommendation includes the requested language for death and disability benefits under the Public Safety Officers Benefits Program for fiscal year 1996, which will fully fund anticipated payments. This program provides a lump sum death benefit payment to eligible survivors of Federal, State, and local public safety officers whose death was the direct and proximate result of a traumatic injury sustained in the line of duty.

The recommendation also includes \$2,134,000, the full amount requested, and the amount provided by the House, for lump sum payments to public safety officers who are permanently disabled in the line of duty.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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

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

Section 102 provides language, included in previous appropriations acts, which continues certain authorities for the Justice Department in fiscal year 1996 that were contained in the Department of Justice Authorization Act, Fiscal Year 1980.

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

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

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

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

Section 106 provides language, similar to that included in previous appropriations acts, and recently amended in Public Law 104-19, which allows the Department of Justice to spend up to \$10,000,000 for rewards for information regarding acts of terrorism against a U.S. person or property at levels not to exceed \$2,000,000 per reward.

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

Section 108 provides language, included in the 1995 appropriations act, requested by the administration, which allows the Federal Prison System's commissary fund to invest amounts not needed for operations in obligations of the United States.

Section 109 provides language included in prior appropriations acts that allows balances remaining in the assets forfeiture fund after September 30, 1995, to be available to the Attorney General for any authorized purpose of the Department of Justice.

Section 110 provides language included in the 1995 appropriations act, which prohibits the transfer of Justice Department funds to other departments, except as authorized by this act.

Section 111 adds new language, as proposed by the administration, to extend the quarterly fee payments for debtors under chapter 11 of the Bankruptcy Code to include the period from when a reorganization plan is confirmed by the Bankruptcy Court until the case is converted or dismissed.

Section 112 adds language, contained in prior appropriations acts, that continues the undercover operations authorities for the FBI and DEA for 1 year. No new authorities are provided.

Section 113 adds new language that allows the user fee surcharge currently collected by the FBI to defray automation costs related to the development of the NCIC 2000 and uniform crime report systems. The current language allows this surcharge to be used to defray automation costs of the fingerprint identification system.

Section 114 amends the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) to authorize a new State and Local Law Enforcement Assistance Block Grant Program with language identical to that contained in Senate bill 3, the Violent Crime Control and Law Enforcement Improvement Act of 1995, as introduced on January 5, 1995. This program would be funded from the violent crime reduction trust fund.

Section 115 amends the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) to authorize a new Violent Offender Incarceration and Truth-in-Sentencing Incentive Grants Program with language identical to that contained in Senate bill 3, the Violent Crime Control and Law Enforcement Improvement Act of 1995, as introduced on January 5, 1995. This new program would be funded from the violent crime reduction trust fund.

Section 116 adds new language giving the Federal Prison System multiyear contract authority, as requested by the Department.

Section 117 amends Public Law 101-246 (104 Stat. 42) to provide the Federal Bureau of Investigation with the same danger pay authority currently provided to the Drug Enforcement Agency.

Section 118 lifts current restrictions on the commercial sale of goods and services produced or provided by Federal Prison Industries.

Section 119 amends the National Voter Registration Act of 1993 to exempt States which have adopted same-day registration laws prior to August 1, 1994, rather than March 11, 1993, as in current law.

Section 120 provides the framework for the distribution of Federal civil legal assistance to poor individuals in fiscal year 1996. The Attorney General is authorized to provide grants to States, which then award competitively bid contracts to legal assistance providers within designated service areas. All legal assistance funds available to States or to entities who accept Federal funds under this section are limited to addressing the most basic legal needs of poor individuals, and are subject to the traditional restrictions placed on Federal legal services funding.

These restrictions will ensure that scarce resources available for this purpose are not diverted to costly class action or impact litigation, or to activities which promote a particular political agenda.

## TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

The Committee recommends a total of \$3,164,383,000 for the U.S. Trade Representative, the International Trade Commission, and the Department of Commerce for fiscal year 1996. This amount is \$1,566,327,000 below the total request, \$860,784,000 below the total amount appropriated for these programs for fiscal year 1995, and \$299,263,000 below the House allowance.

The Committee notes that the conference report on House Concurrent Resolution 67, the fiscal year 1996 budget resolution, as passed by the Senate on June 29, 1995, assumes elimination of the Department of Commerce. The 602(b) allocation established for the subcommittee is based on the assumptions contained in the budget resolution. Tight fiscal constraints have forced the Committee to set priorities and make tough choices concerning the future of several functions within the Department. Until Congress decides the future of the Department, the Committee has decided that, as a general rule: (1) no new offices should be opened; (2) no new staff should be hired; and (3) no new construction should be undertaken in those areas within the Department which are being considered for either major restructuring or elimination. In addition, the Committee recommends the elimination and downsizing of several functions within the Department. This title provides funding for the core functions of the Department that will likely be continued in some form regardless of the outcome of the debate on the Department's future. Funding has also been provided for the Commerce reorganization transition fund which will provide for necessary closeout costs for functions targeted for elimination and the orderly downsizing of other areas within the Department, including voluntary buyouts, consistent with the provisions of the Workforce Restructuring Act of 1994.

### TRADE AND INFRASTRUCTURE DEVELOPMENT

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

## RELATED AGENCIES

## OFFICE OF THE U.S. TRADE REPRESENTATIVE

## SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$20,889,000 |
| Budget estimate, 1996 .....    | 20,949,000   |
| House allowance .....          | 20,949,000   |
| Committee recommendation ..... | 20,889,000   |

The Committee recommends an appropriation of \$20,889,000 for the Office of the U.S. Trade Representative [USTR] for fiscal year 1996. This amount is equal to a freeze at fiscal year 1995 levels. It is \$60,000 below the budget request and \$60,000 below the House allowance. While the budget request and the House allowance were also based on the concept of a freeze, the Committee has received information from the Office of Management and Budget indicating that \$60,000 of the \$375,000,000 across-the-board cut in administrative and travel expenses contained in Public Law 104-19 would be applied to USTR.

## INTERNATIONAL TRADE COMMISSION

## SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$42,500,000 |
| Budget estimate, 1996 .....    | 47,177,000   |
| House allowance .....          | 42,500,000   |
| Committee recommendation ..... | 34,000,000   |

The Committee recommends an appropriation of \$34,000,000 for the International Trade Commission for fiscal year 1996. This is a 20-percent reduction for this account, similar to reductions for other regulatory agencies provided for in the accompanying bill. The amount is \$8,500,000 below the appropriation for fiscal year 1995 and the House allowance, and is \$13,177,000 below the budget request.

## DEPARTMENT OF COMMERCE

## INTERNATIONAL TRADE ADMINISTRATION

## OPERATIONS AND ADMINISTRATION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$266,093,000 |
| Budget estimate, 1996 .....    | 279,558,000   |
| House allowance .....          | 264,855,000   |
| Committee recommendation ..... | 219,579,000   |

The Committee recommends an appropriation of \$219,579,000 for the programs of the Commerce Department's International Trade Administration [ITA]. The amount provided is a decrease of \$59,979,000 below the request, a decrease of \$46,514,000 below the appropriations provided for fiscal year 1995, and a decrease of \$45,276,000 below the House allowance. The committee notes that ITA is unauthorized.

The Committee recommendation reflects the fact that, as of August 9, 1995, the Department of Commerce projected \$6,600,000 in end-of-year carryover balances in this unauthorized program. The Committee directs that those resources be used to supplement ITA

activities in fiscal year 1996, bringing total budgetary resources available to ITA to \$226,179,000 in fiscal year 1996, a 15-percent reduction below fiscal year 1995 funding levels. Expenditures of carryover balances are subject to the reprogramming procedures contained in section 605 of the accompanying bill.

The Committee recommendation provides sufficient funding to maintain core trade policy, enforcement and trade promotion activities.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$38,644,000 |
| Budget estimate, 1996 .....    | 48,441,000   |
| House allowance .....          | 38,644,000   |
| Committee recommendation ..... | 30,504,000   |

The Committee recommends an appropriation of \$30,504,000 for the Bureau of Export Administration [BXA]. The amount provided is a decrease of \$17,937,000 below the amount requested, \$8,140,000 below the amount appropriated for fiscal year 1995, and \$8,140,000 below the House allowance. The Committee notes that BXA is unauthorized.

The Committee recommendation reflects the fact that, as of August 9, 1995, the Department of Commerce projected \$3,140,000 in end-of-year carryover balances for this account. The Committee expects those resources will be used to supplement activities in the Bureau of Export Administration in fiscal year 1996, bringing total budgetary resources available to BXA to \$33,644,000 in fiscal year 1996, a \$5,000,000 cut below fiscal year 1995 funding levels. Expenditures of carryover balances are subject to the reprogramming procedures contained in section 605 of the accompanying bill.

The Committee has not provided the requested funding related to the Chemical Weapons Convention Treaty because of ongoing delays in its ratification. Should there be additional progress in the international efforts to ratify the treaty, the Committee is willing to entertain a reprogramming of funds for this purpose.

The Committee continues to support the upgrade and improvement of the BXA online licensing system as a way to eliminate bureaucratic delay and duplication in the licensing process.

ECONOMIC DEVELOPMENT ADMINISTRATION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$409,677,000 |
| Budget estimate, 1996 .....    | 438,966,000   |
| House allowance .....          | 348,500,000   |
| Committee recommendation ..... | 100,000,000   |

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

The Committee recommends total funding of \$100,000,000 for the programs and administrative expenses of the Economic Development Administration for fiscal year 1996, a total of \$309,677,000 below fiscal year 1995 and \$338,966,000 below the request.

## ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$382,783,000 |
| Budget estimate, 1996 .....    | 407,783,000   |
| House allowance .....          | 328,500,000   |
| Committee recommendation ..... | 89,000,000    |

The Committee recommendation provides total funding of \$89,000,000 for economic development assistance programs [EDAP] in fiscal year 1996. This amount is a decrease of \$318,783,000 below the budget request and is \$239,500,000 below the House allowance.

Within the EDAP accounts, no funds are provided for the proposed competitive communities proposal. The Committee directs EDA to discontinue the use of single purpose grant loans in fiscal year 1996. The Committee recommends that economic adjustment grants (title IX) be funded at the fiscal year 1995 level of \$45,000,000. This amount is \$26,000,000 above the budget request because enactment of a Competitive Communities Program was assumed in the request to supplement title IX funds.

The Committee recommends that \$36,000,000 be provided for defense economic conversion during this time of continued base closings. This amount is a reduction of \$44,000,000 from the request. The Committee also recommends that \$8,00,000 be provided for planning assistance.

Language is included in the bill which allows the Secretary of Commerce to provide financial assistance to projects located on military bases closed or scheduled for closure even prior to the grantee having taken title for the property in question. Identical language has been carried in the bill for the past 2 years.

## SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$32,144,000 |
| Budget estimate, 1996 .....    | 31,183,000   |
| House allowance .....          | 20,000,000   |
| Committee recommendation ..... | 11,000,000   |

The Committee recommendation provides \$11,000,000 for the salaries and expenses of the Economic Development Administration. The amount provided is \$20,183,000 below the request, and \$21,144,000 below the amount made available for the current fiscal year. The Committee expects that this decreased level of funding will be sufficient to administer the programs of the EDA in light of the reduced funding for those programs in this bill.

## MINORITY BUSINESS DEVELOPMENT AGENCY

## MINORITY BUSINESS DEVELOPMENT

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$43,789,000 |
| Budget estimate, 1996 .....    | 47,921,000   |
| House allowance .....          | 32,000,000   |
| Committee recommendation ..... |              |

The Committee recommends elimination of the unauthorized Minority Business Development Agency [MBDA] in fiscal year 1996. This amount is \$49,921,000 below the budget request, \$43,789,000 below fiscal year 1995 funding levels, and \$32,000,000 below the House allowance.

The Committee notes that many of MBDA's programs and activities are duplicative of, or similar to, work done by the Small Business Administration [SBA]. Tight budgetary constraints prohibit the Committee from funding overlapping or duplicative programs.

The Committee recognizes that some of the data bases maintained at MBDA are unique. Therefore, it directs that the MBDA provide to the SBA all data bases and other information which might be used to supplement information already available to SBA.

As of August 9, 1995, the Department of Commerce projected \$1,300,000 in end-of-year carryover balances at MBDA. The Committee directs that these funds be used to finance the data base transfer mentioned above. Language is included directing that remaining carryover balances be used to help cover costs associated with the termination of this agency.

#### U.S. TRAVEL AND TOURISM ADMINISTRATION

##### SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$16,328,000 |
| Budget estimate, 1996 .....    | 16,303,000   |
| House allowance .....          | 2,000,000    |
| Committee recommendation ..... |              |

The Committee recommends elimination of the U.S. Travel and Tourism Administration. This amount is \$16,328,000 below the amount provided for fiscal year 1995, \$16,303,000 below the budget request, and \$2,000,000 below the House allowance.

The U.S. Travel and Tourism Administration was established to coordinate the Federal role in international tourism through trade development, trade policy, and statistical research programs. The Committee feels that any critical trade development programs for the travel industry can be absorbed by the International Trade Administration, which is responsible for all other industries' trade development and promotion activities, within funds provided, and statistical research programs for the travel industry can be absorbed by the Bureau of Economic Analysis.

#### ECONOMIC AND INFORMATION INFRASTRUCTURE

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

#### ECONOMIC AND STATISTICAL ANALYSIS

##### SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$46,896,000 |
| Budget estimate, 1996 .....    | 57,220,000   |
| House allowance .....          | 40,000,000   |
| Committee recommendation ..... | 57,220,000   |

The Economic and Statistics Administration [ESA] is responsible for the collection, tabulation and publication of a wide variety of economic, demographic and social statistics and provides support to the Secretary of Commerce and other Government officials in inter-

preting the state of the economy and developing economic policy. The Bureau of Economic Analysis and the Under Secretary for Economic Affairs are funded in this account.

The Committee notes that statistical data and measures compiled by ESA and the Bureau of the Census form the basis of nearly all governmental decisionmaking, and support informed and intelligent investment strategies in the private sector.

The Committee, therefore, provides full funding, \$57,220,000, of the President's request for the economic and statistical analysis programs for fiscal year 1996. This amount is \$10,324,000 more than the amount appropriated for the current fiscal year in order to provide adjustments to base, and additional resources requested for more accurate statistical data relating to measuring the gross domestic product and for other purposes. The Committee recommendation is \$17,220,000 more than the House allowance.

#### ECONOMICS AND STATISTICS ADMINISTRATION REVOLVING FUND

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$1,677,000 |
| Budget estimate, 1996 .....    |             |
| House allowance .....          |             |
| Committee recommendation ..... |             |

The Economics and Statistics Administration operates a revolving fund for the payment of expenses incurred in the electronic dissemination of data, including the acquisition and public sale of domestic, federally funded and foreign business, trade and economic information. The revolving fund was initially established in fiscal year 1995 with a one-time appropriation of \$1,677,000 to capitalize the fund.

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

#### BUREAU OF THE CENSUS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$278,083,000 |
| Budget estimate, 1996 .....    | 338,262,000   |
| House allowance .....          | 271,000,000   |
| Committee recommendation ..... | 338,262,000   |

The Committee notes that statistical data and measures compiled by the Bureau of the Census and ESA form the basis of nearly all governmental decisionmaking, and support informed and intelligent investment strategies in the private sector.

The Committee therefore, provides the full request of \$338,262,000 for the Bureau of the Census for fiscal year 1996. This amount is an increase of \$60,179,000 above the amount provided for fiscal year 1995, and is \$67,262,000 above the House allowance. The Committee's recommendation for the Census Bureau accounts are described in more detail below.

#### SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$136,000,000 |
| Budget estimate, 1996 .....    | 144,812,000   |
| House allowance .....          | 136,000,000   |
| Committee recommendation ..... | 144,812,000   |

This account provides for the salaries and expenses associated with the statistical programs of the Bureau of the Census, including measurement of the Nation's economy and the demographic characteristics of the population. These programs are intended to provide a broad base of economic, demographic, and social information used for decisionmaking by governments, private organizations, and individuals. The Committee expects the Bureau to be fully reimbursed for any survey requested by any other Federal agency or private organization.

The Committee recommendation provides \$144,812,000 for the salaries and expenses of the Bureau of the Census for fiscal year 1996, as requested. This amount is \$8,812,000 more than current year funding and the House allowance, and is equal to the budget request.

PERIODIC CENSUSES AND PROGRAMS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$142,083,000 |
| Budget estimate, 1996 .....    | 193,450,000   |
| House allowance .....          | 135,000,000   |
| Committee recommendation ..... | 193,450,000   |

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

The Committee recommends the full requested amount of \$193,450,000 for periodic censuses and related programs for fiscal year 1996. This amount is an increase of \$51,367,000 above the amount provided for fiscal year 1995, and is \$58,450,000 above the recommendations in the House-passed bill.

The recommendation for this account assumes full funding of each program under this account as requested. In addition to preparation for the decennial census, this includes funding for initiatives which benefit State and local governments such as the census of governments, and the continuous measurement program which will reengineer collection of population and housing data.

Funding during fiscal year 1996 is crucial in order to properly prepare for the massive effort required to accomplish the year 2000 decennial census. Adequate funding now for proper planning and design should save taxpayer funds later during the implementation phase of the census. The Committee expects the Census Bureau to submit to this Committee and to the appropriate authorizing committees, by December 1, 1995, and every 6 months thereafter, a report detailing the Bureau's progress in producing and implementing a final design for the 2000 decennial census. The report should provide detailed information on the cost, scheduling, and technical issues which may effect the Census Bureau's ability to conduct an accurate and economical decennial census.

NATIONAL TELECOMMUNICATIONS AND INFORMATION  
ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$97,405,000 |
| Budget estimate, 1996 .....    | 133,305,000  |
| House allowance .....          | 78,709,000   |
| Committee recommendation ..... | 15,000,000   |
| (By transfer) .....            | (9,000,000)  |

The Committee recommends a total of \$15,000,000 in direct appropriations and another \$9,000,000 by transfer from the working capital fund at the Department of Justice for the National Telecommunications and Information Administration [NTIA] for fiscal year 1996. The Committee notes that the NTIA is unauthorized. This amount is \$109,305,000 less than the budget request, \$73,405,000 less than the amount appropriated for fiscal year 1995, and \$54,709,000 less than the House allowance.

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$20,961,000 |
| Budget estimate, 1996 .....    | 22,932,000   |
| House allowance .....          | 19,709,000   |
| Committee recommendation ..... | 5,000,000    |
| (By transfer) .....            | (9,000,000)  |

The Committee recommends \$5,000,000 in appropriations for the salaries and expenses appropriation of the National Telecommunications and Information Administration [NTIA]. Recognizing the importance of interagency coordination of spectrum management, analysis, and operations, particularly for law enforcement, the Committee has provided an additional \$9,000,000 by transfer from the working capital fund at the Department of Justice for the purpose of fully funding these activities. These funds are intended to finance spectrum management and to the extent additional funds are made available domestic and international policy within NTIA. The Committee supports continuation of telecommunications sciences research on a reimbursable basis with other Government agencies.

The Committee directs NTIA to review the impact of the proposed narrowband policy on law enforcement operations, including the estimated cost of modifications to or replacement of existing radio communications systems, and provide this information to the Committee by December 1, 1995.

The Committee has included legislative language which permits the Secretary of Commerce to retain and use as offsetting collections all funds transferred from other Government agencies for spectrum management, analysis, and operations.

PUBLIC BROADCASTING FACILITIES, PLANNING, AND CONSTRUCTION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$28,983,000 |
| Budget estimate, 1996 .....    | 7,959,000    |
| House allowance .....          | 19,000,000   |
| Committee recommendation ..... | 10,000,000   |

The Committee recommends \$10,000,000 for planning and construction grants for public television, radio, and nonbroadcast facilities. The Committee recommendation is a decrease of \$18,983,000 below the amount appropriated for this program in fiscal year 1995, \$9,000,000 below the House allowance, and \$3,041,000 above the budget request.

#### INFORMATION INFRASTRUCTURE GRANTS

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$44,962,000 |
| Budget estimate, 1996 .....    | 99,912,000   |
| House allowance .....          | 40,000,000   |
| Committee recommendation ..... |              |

The Committee recommends elimination of the Information Infrastructure Grant Program under NTIA for demonstrations of new telecommunications technology applications. This amount is \$99,912,000 below the budget request, \$44,962,000 below fiscal year 1995 levels, and \$40,000,000 below the House allowance.

The Committee notes that this program has never been authorized.

#### ENDOWMENT FOR CHILDREN'S EDUCATIONAL TELEVISION

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$2,499,000 |
| Budget estimate, 1996 .....    | 2,502,000   |
| House allowance .....          |             |
| Committee recommendation ..... |             |

The Committee recommends no funding for the endowment for children's educational television for fiscal year 1996. The current year funding level for this account is \$2,499,000; \$2,502,000 was requested for fiscal year 1996. The House allowance provided no funding for this program.

These grants are duplicative of programs funded under other agencies and through the private sector and have no relationship to other NTIA mission activities.

#### PATENT AND TRADEMARK OFFICE

##### SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$82,324,000 |
| Budget estimate, 1996 .....    | 110,868,000  |
| House allowance .....          | 90,000,000   |
| Committee recommendation ..... | 56,324,000   |

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

The Committee recommendation provides \$56,324,000 for the salaries and expenses appropriation of the Patent and Trademark Office. The amount provided is to be appropriated from amounts paid into the patent fee surcharge fund. The amount included in this bill is in addition to anticipated offsetting fee collections of \$532,146,000 available directly to the Patent and Trademark Office, and projected carryover balances of \$26,000,000 resulting in a

total operating level of \$614,470,000 for fiscal year 1996. This is an increase of \$72,756,000, 13.4 percent, over the current fiscal year in order to handle an expected increase in workload. This amount is a decrease of \$54,544,000 below the budget request, and \$33,676,000 below the House allowance.

The Patent and Trademark Office receives funding from two sources. The vast majority of the funding available to PTO is the offsetting fee collections that are deposited directly in the appropriations account, and are not subject to further action by the Committee. The other source is an appropriation from a special fee account in the Treasury that was created pursuant to the Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508). This act created new filing fees and user fees which were to be deposited in the Treasury for deficit reduction. As has been the practice in previous years, the Committee is unable to provide the total amount requested from this patent fee surcharge fund for fiscal year 1996.

SCIENCE AND TECHNOLOGY

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

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$700,498,000 |
| Budget estimate, 1996 .....    | 1,023,050,000 |
| House allowance .....          | 404,100,000   |
| Committee recommendation ..... | 323,337,000   |

The Committee recommends a total of \$323,337,000 for the three appropriations accounts under the National Institute of Standards and Technology [NIST] for fiscal year 1996. This amount is a reduction of \$699,713,000 from the budget request, \$377,161,000 below the amounts appropriated for fiscal year 1995, and \$80,763,000 below the House allowance. A description of each account and the Committee recommendation follows:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$247,486,000 |
| Budget estimate, 1996 .....    | 310,679,000   |
| House allowance .....          | 263,000,000   |
| Committee recommendation ..... | 222,737,000   |

The Committee has provided \$222,737,000 for the scientific and technical research and services (core programs) appropriation of the National Institute of Standards and Technology. This amount is a reduction of \$24,749,000 below fiscal year 1995 funding levels, \$87,942,000 below the budget request, and a decrease of \$40,263,000 below the House allowance.

The Committee recommendation reflects the fact that, as of August 9, 1995, the Department of Commerce projected \$4,185,000 in end-of-year carryover balances in this account.

The Committee directs that these carryover balances should be utilized to support these core NIST programs so that total budgetary resources provided for this account will exceed fiscal year 1994 levels, ensure continued funding of NIST's basic research programs, and provide continued support of the reimbursable program where NIST performs technical work for other Federal agencies, State and local governments, and the private sector.

The Committee understands that NIST is currently considering the assignment of personnel to nine overseas posts. Each of these posts currently have Commerce Department representation through the Commercial Service. The Committee does not approve the placement of additional NIST personnel overseas. Concerns about the rapid growth of overseas personnel from agencies other than the Department of State are addressed elsewhere in this report.

*Quality Program.*—Within the amount designated for research support, the Committee has provided \$2,900,000 for the base NIST Quality Program, which includes the Malcolm Baldrige National Quality Award. The Committee fully endorses the continuation of the basic Baldrige award program.

#### INDUSTRIAL TECHNOLOGY SERVICES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$418,373,000 |
| Budget estimate, 1996 .....    | 642,458,000   |
| House allowance .....          | 81,100,000    |
| Committee recommendation ..... | 76,600,000    |

The Committee recommends \$76,600,000 funding for the industrial technology services appropriation of the National Institute of Standards and Technology [NIST]. This amount is \$341,773,000 below the current appropriation available for fiscal year 1995, \$565,858,000 below the budget request, and \$4,500,000 below the House allowance. The Committee recommendation reflects the fact that, as of August 9, 1995, the Department of Commerce projected \$83,838,000 in carryover balances in the NIST "Industrial technology services" account.

*Advanced Technology Program.*—The Committee has provided funds for the continuation grants in the Advanced Technology Program [ATP]. According to information provided to the Committee by NIST, no new grants had been awarded this fiscal year as June 30, 1995. Despite a prohibition contained in the House-passed version of House bill 2076 that no future awards be made, the Committee notes that on July 14, 1995, ATP announced the 24 new projects receiving first-time Federal funding of approximately \$60,500,000. The Committee notes that despite uncertainty over the future of this program, additional awards are planned before the end of the fiscal year. In so doing, NIST has jeopardized funding for the continuation of ATP grants awarded in fiscal year 1994 and prior years. Of the funding provided in this act and \$83,838,000 in projected end-of-year carryover balances in the "Industrial technology services" account, the Committee directs that \$108,600,000 be used to finance continuation grants of fiscal year 1994 and prior year ATP projects.

*Manufacturing Extension Partnership Program.*—Of the funds provided in this act and \$83,838,000 in projected end-of-year carry-

over balances in the "Industrial technology services" account, the Committee directs that \$51,300,000 be used to allow all existing Manufacturing Extension Partnership [MEP] Program and Technology Reinvestment Program [TRP] centers eligible to receive funding in fiscal year 1996 to remain open for one additional year while the future of this program is debated. Funding for the continued operation of those eligible centers will not include: extension of the unauthorized State Technology Extension Partnership [STEP] Program, or any funding for Small Business Administration small business development centers through NIST. In addition, none of these funds may be used to open a new center in fiscal year 1996 or provide for a new competition for additional centers.

#### CONSTRUCTION OF RESEARCH FACILITIES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$34,639,000 |
| Budget estimate, 1996 .....    | 69,913,000   |
| House allowance .....          | 60,000,000   |
| Committee recommendation ..... | 24,000,000   |

The Committee recommends an appropriation of \$24,000,000 for construction of NIST facilities. This amount is a decrease of \$10,639,000 below fiscal year 1995 funding levels, \$45,913,000 below the budget request, and \$36,000,000 below the House allowance. The Committee recommendation provides funding for maintenance and necessary fire and safety upgrades for existing NIST facilities. No funds are provided for new construction for this unauthorized program in fiscal year 1996. The Committee expects NIST to reassess its building requirements in light of reduced program and staffing levels and overall budget constraints.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The Committee recommends a total of \$1,866,319,000 in new budget (obligational) authority for all National Oceanic and Atmospheric Administration [NOAA] appropriations. This level of funding is \$45,385,000 below fiscal year 1995, and is \$230,390,000 below the budget request. This recommendation is \$91,909,000 above the House allowance, and includes transfers totaling \$55,500,000 and fees totaling \$3,000,000.

#### OPERATIONS, RESEARCH, AND FACILITIES

##### (INCLUDING TRANSFERS OF FUNDS)

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1995 .....     | \$1,806,092,000 |
| Budget estimate, 1996 .....    | 2,018,135,000   |
| House allowance .....          | 1,721,452,000   |
| Committee recommendation ..... | 1,806,092,000   |

The "Operations, research, and facilities" account of NOAA encompasses spending for the agencies which administer coastal and ocean research programs, fisheries programs, weather forecasting, and atmospheric research. In a year of extreme budgetary pressures the Committee recommendation makes funding for ocean, coastal, fisheries, and atmospheric programs a high priority by recommending funding for the National Oceanic and Atmospheric Administration near the current year level. However, the Committee expects NOAA and the Department of Commerce to continue to ex-

plore ways to streamline programs and to move toward privatization of some of the functions funded under this account.

The Committee recommends discretionary appropriations of \$1,806,092,000 for operations, research, and facilities for fiscal year 1996. This amount is the same as current year funding, including transfers, and is \$212,043,000 below the budget request. This level is \$84,640,000 above the House allowance. As requested, the Committee recommendation includes a transfer of \$55,500,000 from balances in the account entitled, "Promote and develop fishery products and research pertaining to American fisheries", leaving approximately \$9,265,000 remaining in the fund for Saltonstall-Kennedy grants. The total amount provided also includes a transfer of \$3,900,000 from the damage assessment revolving fund.

Because of a noted lack of information in the budget justifications provided to Congress for programs within NOAA accounts, the Committee directs the Commerce Department and NOAA to develop a revised budget structure that displays the amounts requested, including any requested increase or decrease, under a true program office and activity structure. This budget structure should clearly identify and segregate amounts requested for headquarters and field office components of various activities as well as indicate the amounts intended for external grants or contracts. The Committee expects the Commerce Department and NOAA to develop this budget structure in consultation with the Committee on Appropriations and the appropriate authorizing committees, and to use this revised budget structure in the submission of its fiscal year 1997 budget request. In addition, the Committee expects NOAA and the Department of Commerce to adhere to the direction given in this section of the Committee report and to adhere to the reprogramming procedures outlined in the general provisions of the accompanying bill.

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

[In thousands of dollars]

|   | 1995 appropriation | 1996 budget request | 1996 House allowance | Committee recommendation |
|---|--------------------|---------------------|----------------------|--------------------------|
| NATIONAL OCEAN SERVICE                      |                    |                     |                      |                          |
| Mapping, charting, and geodesy:             |                    |                     |                      |                          |
| Mapping and charting .....                  | 27,899             | 31,086              | 35,000               | 31,086                   |
| Automated nautical charting system II ..... | 1,250              | 2,500               | 2,500                | 2,500                    |
| Subtotal .....                              | 29,149             | 33,586              | 37,500               | 33,586                   |
| Geodesy .....                               |                    |                     |                      |                          |
| SC Cooperative geodetic survey .....        | 1,000              | 19,927              | 20,927               | 20,927                   |
| Land information system .....               | 1,000              |                     |                      |                          |
| Subtotal .....                              | 20,667             | 19,927              | 20,927               | 20,927                   |
| Total, mapping, charting, and geodesy ..... | 49,816             | 53,513              | 58,427               | 54,513                   |
| Observation and assessment:                 |                    |                     |                      |                          |
| Observation and prediction .....            | 12,358             | 12,899              | 11,000               | 11,000                   |
| Circulatory survey program .....            | 700                | 700                 |                      | 700                      |
| Chesapeake Bay observation buoys .....      | 400                |                     | 400                  |                          |

[In thousands of dollars]

|  | 1995 appro-<br>priation | 1996 budget<br>request | 1996 House<br>allowance | Committee<br>recommen-<br>dation |
|--|-------------------------|------------------------|-------------------------|----------------------------------|
| Ocean services .....                                   | 4,418                   | 4,451                  | 3,000                   | 3,000                            |
| Subtotal .....   | 17,876                  | 18,050                 | 14,400                  | 14,700                           |
| Estuarine and coastal assessment .....                 | 2,674                   | 3,130                  | 2,674                   | 2,674                            |
| Ocean assessment program .....                         | 24,528                  | 21,925                 | 14,600                  | 21,925                           |
| Damage assessment .....                                | 1,200                   | 4,500                  | 1,200                   | 3,200                            |
| Transfer from damage assessment fund .....             | 6,770                   | 6,550                  | 6,550                   | 6,550                            |
| Oil Pollution Act of 1990 .....                        | 1,300                   | 1,395                  | 1,000                   | 1,000                            |
| Subtotal .....   | 36,472                  | 37,500                 | 26,024                  | 35,349                           |
| Coastal ocean science:                                 |                         |                        |                         |                                  |
| Coastal ocean program .....                            | 7,943                   | 18,541                 | 5,000                   | 13,000                           |
| Oilspill research .....                                | 800                     |                        |                         |                                  |
| National Institute of Environmental Re-<br>newal ..... | 500                     |                        |                         |                                  |
| Subtotal .....   | 9,243                   | 18,541                 | 5,000                   | 13,000                           |
| Total, observation and assessment ..                   | 63,591                  | 74,091                 | 45,424                  | 63,049                           |
| Ocean and coastal management:                          |                         |                        |                         |                                  |
| Coastal management:                                    |                         |                        |                         |                                  |
| CZM grants .....                                       | 45,500                  | 46,637                 | 41,000                  | 46,637                           |
| Estuarine research reserve system .....                | 3,350                   | 4,214                  |                         |                                  |
| Estuarine management plans .....                       | 1,000                   |                        |                         | 1,000                            |
| Nonpoint pollution control .....                       | 5,000                   | 8,000                  |                         |                                  |
| Subtotal .....   | 54,850                  | 58,851                 | 41,000                  | 47,637                           |
| Ocean management: Marine sanctuary pro-<br>gram .....  | 8,961                   | 12,371                 | 11,000                  | 12,371                           |
| Total, ocean and coastal management .....              | 63,811                  | 71,222                 | 52,000                  | 60,008                           |
| Total, National Ocean Service .....                    | 177,218                 | 198,826                | 155,851                 | 177,570                          |
| NATIONAL MARINE FISHERIES SERVICE                      |                         |                        |                         |                                  |
| Information collection and analyses:                   |                         |                        |                         |                                  |
| Resource information .....                             | 65,973                  | 86,467                 | 72,835                  | 75,467                           |
| Conservation engineering by catch .....                | 800                     | 800                    |                         | 800                              |
| Antarctic research .....                               | 1,200                   | 1,200                  | 1,000                   | 1,200                            |
| Fishery resource data error reduction .....            | 960                     | 960                    |                         | 960                              |
| Marine mammal research .....                           | 2,314                   | 2,314                  | 1,650                   | 2,314                            |
| Protected species research .....                       | 3,630                   | 3,630                  | 1,800                   | 3,630                            |
| Chesapeake Bay studies .....                           | 1,890                   | 1,890                  | 1,000                   | 1,500                            |
| Right whale research .....                             | 214                     | 214                    |                         | 214                              |
| Gear entanglement studies .....                        | 651                     | 651                    |                         |                                  |
| MARFIN .....   | 3,780                   | 3,780                  | 3,000                   | 3,000                            |
| SEAMAP .....   | 1,340                   | 1,340                  | 700                     | 1,340                            |
| Aquaculture .....                                      | 2,500                   | 2,500                  |                         | 2,500                            |
| Alaskan groundfish surveys .....                       | 661                     | 661                    | 661                     | 661                              |
| Bering Sea pollock research .....                      | 945                     | 945                    | 945                     | 945                              |
| West coast groundfish .....                            | 780                     | 780                    | 780                     | 780                              |
| New England stock depletion .....                      | 1,116                   | 1,116                  | 1,000                   | 1,000                            |
| Hawaii stock management plan .....                     | 500                     |                        |                         | 500                              |

[In thousands of dollars]

|   | 1995 appro-<br>priation | 1996 budget<br>request | 1996 House<br>allowance | Committee<br>recommen-<br>dation |
|---|-------------------------|------------------------|-------------------------|----------------------------------|
| Yukon River chinook salmon .....                | 700                     | 700                    | 500                     | 700                              |
| Winter Run chinook salmon .....                 | 250                     | 250                    | .....                   | 250                              |
| Atlantic salmon research .....                  | 710                     | 710                    | 500                     | 710                              |
| Gulf of Maine groundfish survey .....           | 567                     | 567                    | 450                     | 567                              |
| Dolphin/yellowfin tuna research .....           | 500                     | 500                    | .....                   | 500                              |
| Habitat research/evaluation .....               | 470                     | 470                    | 450                     | 450                              |
| Pacific Salmon Treaty Program .....             | 5,587                   | 5,587                  | 5,000                   | 5,587                            |
| Fisheries Cooperative Institute .....           | 410                     | 410                    | .....                   | 410                              |
| Hawaiian monk seals .....                       | 520                     | 520                    | .....                   | 520                              |
| Stellar sea lion recovery plan .....            | 1,440                   | 1,440                  | 720                     | 1,440                            |
| Hawaiian sea turtles .....                      | 240                     | 240                    | .....                   | 240                              |
| Atlantic bluefin tuna research .....            | 300                     | .....                  | .....                   | .....                            |
| Halibut/sablefish .....                         | 1,200                   | 1,200                  | 1,200                   | 1,200                            |
| Subtotal .....                                  | 102,148                 | 121,842                | 94,191                  | 109,385                          |
| Fishery industry information:                   |                         |                        |                         |                                  |
| Fish statistics .....                           | 11,937                  | 14,187                 | 13,000                  | 13,000                           |
| Alaska groundfish monitoring .....              | 5,200                   | 5,200                  | 5,200                   | 5,200                            |
| PACFIN/catch effort data .....                  | 2,300                   | 2,300                  | 2,300                   | 3,000                            |
| Recreational fishery harvest monitoring .....   | 2,900                   | 2,900                  | 2,900                   | 2,900                            |
| Subtotal .....                                  | 22,337                  | 24,587                 | 23,400                  | 24,100                           |
| Information analyses and dissemination .....    | 20,913                  | 22,606                 | 18,373                  | 20,913                           |
| Computer hardware and software .....            | 5,000                   | 5,000                  | 4,000                   | 4,000                            |
| Subtotal .....                                  | 25,913                  | 27,606                 | 22,373                  | 24,913                           |
| Total, information, collection, and analyses .. | 150,398                 | 174,035                | 139,964                 | 158,398                          |
| Conservation and management operations:         |                         |                        |                         |                                  |
| Fisheries management programs .....             | 15,856                  | 25,034                 | 16,000                  | 20,034                           |
| Columbia River hatcheries .....                 | 10,300                  | 10,300                 | 9,000                   | 10,300                           |
| Columbia River endangered species studies ..... | 288                     | 288                    | 140                     | 288                              |
| Regional councils .....                         | 8,556                   | 10,200                 | 9,000                   | 10,200                           |
| International fisheries commissions .....       | 1,250                   | 400                    | 395                     | 400                              |
| Management of George's Bank .....               | 480                     | 480                    | 478                     | 478                              |
| Beluga whale committee .....                    | 200                     | .....                  | 200                     | 200                              |
| Pacific tuna management .....                   | 2,000                   | 2,000                  | .....                   | 2,000                            |
| Subtotal .....                                  | 38,930                  | 48,702                 | 35,213                  | 43,900                           |
| Protected species management .....              | 4,939                   | 6,368                  | 5,000                   | 5,000                            |
| ESA listing and status review .....             | 930                     | 930                    | .....                   | 930                              |
| Tissue bank and stranding network .....         | 295                     | 295                    | .....                   | 295                              |
| Driftnet Act implementation .....               | 3,000                   | 3,000                  | 2,500                   | 3,278                            |
| Marine Mammal Protection Act .....              | 8,000                   | 10,250                 | 6,000                   | 10,250                           |
| Endangered Species Act recovery plan .....      | 7,000                   | 14,800                 | 3,000                   | 14,800                           |
| Fishery observer training .....                 | 300                     | .....                  | 300                     | 417                              |
| East coast observers .....                      | 700                     | 700                    | 350                     | 350                              |
| Subtotal .....                                  | 25,164                  | 36,343                 | 17,150                  | 35,320                           |
| Habitat conservation .....                      | 7,979                   | 10,665                 | 8,000                   | 8,000                            |
| Enforcement and surveillance .....              | 15,460                  | 18,445                 | 15,500                  | 16,061                           |

[In thousands of dollars]

|   | 1995 appropriation | 1996 budget request | 1996 House allowance | Committee recommendation |
|---|--------------------|---------------------|----------------------|--------------------------|
| Total, conservation and management operations ..... | 87,533             | 114,155             | 75,863               | 103,281                  |
| State and industry assistance programs:             |                    |                     |                      |                          |
| Interjurisdictional fisheries grants .....          | 3,156              | 3,156               | 2,000                | 3,156                    |
| Anadromous grants .....                             | 2,108              | 2,108               | 1,500                | 2,108                    |
| Anadromous fishery project .....                    | 250                | 250                 | .....                | 250                      |
| North Atlantic fishery project .....                | 2,800              | .....               | .....                | .....                    |
| Interstate fish commissions .....                   | 4,000              | 4,000               | 2,000                | 4,000                    |
| Subtotal .....                                      | 12,314             | 9,514               | 5,500                | 9,514                    |
| Fisheries Development Program:                      |                    |                     |                      |                          |
| Fisheries trade promotion activities .....          | 1,500              | 1,500               | .....                | .....                    |
| Product quality and safety .....                    | 9,155              | 9,624               | 10,000               | 9,624                    |
| Hawaiian fisheries development .....                | 750                | .....               | .....                | 750                      |
| Marine biotechnology .....                          | 2,000              | 2,000               | .....                | 2,000                    |
| Seafood inspection .....                            | 5,000              | 5,000               | .....                | 5,000                    |
| Subtotal .....                                      | 18,405             | 18,124              | 10,000               | 17,374                   |
| Total, State and industry assistance programs ..... | 30,719             | 27,638              | 15,500               | 26,888                   |
| Fisheries add-on (undistributed) .....              | .....              | .....               | 20,000               | .....                    |
| Total, National Marine Fisheries Service .....      | 268,650            | 315,828             | 251,327              | 288,567                  |
| OCEANIC AND ATMOSPHERIC RESEARCH                    |                    |                     |                      |                          |
| Climate and air quality research:                   |                    |                     |                      |                          |
| Interannual and seasonal climate research .....     | 8,000              | 8,284               | 60,346               | 8,000                    |
| Long-term climate and air quality research .....    | 27,272             | 39,144              | 27,272               | 27,272                   |
| VENTS .....   | 2,496              | .....               | .....                | 2,500                    |
| High performance computing .....                    | 5,500              | 15,558              | 6,500                | 6,500                    |
| Subtotal .....                                      | 32,772             | 54,702              | 33,772               | 36,272                   |
| Climate and global change/GLOBE .....               | 63,837             | 96,542              | .....                | 63,000                   |
| Total, climate and air quality .....                | 104,609            | 159,528             | 94,118               | 107,272                  |
| Atmospheric programs:                               |                    |                     |                      |                          |
| Weather research .....                              | 33,613             | 34,720              | 33,613               | 33,613                   |
| Wind profiler .....                                 | 4,350              | 4,350               | 4,350                | 4,350                    |
| Federal/State weather modification grants .....     | 3,100              | .....               | .....                | .....                    |
| Southeastern storm research .....                   | 400                | .....               | .....                | .....                    |
| Subtotal .....                                      | 41,463             | 39,070              | 37,963               | 37,963                   |
| Solar/geomagnetic research .....                    | 5,483              | 7,839               | 5,483                | 5,483                    |
| Total, atmospheric program .....                    | 46,946             | 46,909              | 43,446               | 43,446                   |
| Ocean and Great Lakes programs:                     |                    |                     |                      |                          |
| Marine prediction research .....                    | 9,506              | 10,226              | 9,506                | 10,226                   |
| GLERL .....   | 4,558              | 4,558               | 4,000                | 4,000                    |

[In thousands of dollars]

|   | 1995 appropriation | 1996 budget request | 1996 House allowance | Committee recommendation |
|---|--------------------|---------------------|----------------------|--------------------------|
| Great Lakes nearshore research .....                    | 200                | 200                 | .....                | 200                      |
| VENTS .....   | 2,496              | .....               | .....                | .....                    |
| Southeastern United States/Caribbean FOCI Program ..... | 450                | .....               | .....                | .....                    |
| GLERL/zebra mussel .....                                | 911                | .....               | .....                | .....                    |
| Lake Champlain study .....                              | 150                | .....               | .....                | .....                    |
| Pacific Island technical assistance .....               | 190                | .....               | .....                | .....                    |
| Subtotal .....  | 18,461             | 14,984              | 13,506               | 14,426                   |
| Sea grant:  |                    |                     |                      |                          |
| Sea grant college program .....                         | 49,000             | 49,400              | 53,300               | 50,400                   |
| Sea grant—oyster disease .....                          | 1,500              | .....               | .....                | .....                    |
| Sea grant—zebra mussel .....                            | 2,800              | .....               | .....                | .....                    |
| National Coastal R&D Institute .....                    | 1,000              | .....               | .....                | .....                    |
| Subtotal .....  | 54,300             | 49,400              | 53,300               | 50,400                   |
| Undersea Research Program:                              |                    |                     |                      |                          |
| NOAA Undersea Research Program .....                    | 14,432             | .....               | .....                | 14,432                   |
| Regional marine research centers .....                  | 1,500              | .....               | .....                | .....                    |
| Subtotal .....  | 15,932             | .....               | .....                | 14,432                   |
| Total, Ocean and Great Lakes Program .....              | 88,693             | 64,384              | 66,806               | 79,258                   |
| Total, oceanic and atmospheric research .....           | 240,248            | 270,821             | 204,370              | 229,976                  |
| <b>NATIONAL WEATHER SERVICE</b>                         |                    |                     |                      |                          |
| Operations and research:                                |                    |                     |                      |                          |
| Local warnings and forecasts .....                      | 320,762            | 330,963             | 405,300              | 393,100                  |
| MARDI .....   | 115,946            | 84,787              | .....                | .....                    |
| WSFO's—maintain eight stations .....                    | 752                | 752                 | .....                | .....                    |
| Data buoy maintenance for Hawaii .....                  | 542                | 542                 | .....                | 542                      |
| Pacific and Alaska region headquarters .....            | 366                | 366                 | .....                | 366                      |
| Agricultural and fruit frost program .....              | 2,316              | .....               | .....                | .....                    |
| Fire weather services .....                             | 449                | .....               | .....                | .....                    |
| Susquehanna River basin flood system .....              | 1,250              | 669                 | 669                  | 1,250                    |
| Aviation forecasts .....                                | 35,596             | 35,596              | 35,596               | 35,596                   |
| Flood warning system/Colorado River .....               | 288                | 288                 | .....                | .....                    |
| Regional climate centers .....                          | 3,200              | .....               | .....                | 3,000                    |
| California data buoys .....                             | 200                | 200                 | .....                | .....                    |
| Subtotal .....  | 481,667            | 454,163             | 441,565              | 433,854                  |
| Central forecast guidance .....                         | 29,015             | 30,457              | 28,193               | 28,193                   |
| Atmospheric and hydrological research .....             | 2,487              | 2,669               | 2,000                | 2,000                    |
| Total, operations and research .....                    | 513,169            | 487,289             | 471,758              | 464,047                  |
| Systems acquisition:                                    |                    |                     |                      |                          |
| Public warning and forecast systems:                    |                    |                     |                      |                          |
| Nexrad .....  | 82,982             | 55,249              | 53,335               | 53,335                   |
| ASOS .....  | 17,515             | 16,952              | 16,952               | 16,952                   |
| AWIPS/NOAA—port .....                                   | 34,947             | 52,097              | 50,000               | 50,000                   |

[In thousands of dollars]

|   | 1995 appro-<br>piation | 1996 budget<br>request | 1996 House<br>allowance | Committee<br>recommen-<br>dation |
|---|------------------------|------------------------|-------------------------|----------------------------------|
| Computer facility upgrades .....  | 9,985                  | 12,745                 | 12,000                  | 12,000                           |
| Total, systems acquisition .....  | 145,429                | 137,043                | 132,287                 | 132,287                          |
| Total, National Weather Service .....   | 658,598                | 624,332                | 604,045                 | 596,334                          |
| <b>NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND<br/>INFORMATION SERVICE</b>      |                        |                        |                         |                                  |
| Satellite observing systems:  |                        |                        |                         |                                  |
| Polar spacecraft and launching .....  | 146,228                | 198,824                | 184,765                 | 184,765                          |
| Polar convergence/IPO .....   | 16,000                 | 54,000                 | 39,500                  | 39,500                           |
| Landsat .....   |                        | 12,000                 |                         | 10,000                           |
| Geostationary spacecraft and launching .....                                    | 132,242                | 179,101                | 162,273                 | 150,106                          |
| Ocean remote sensing .....  | 6,000                  | 1,600                  |                         | 5,000                            |
| Environmental observing services .....  | 51,271                 | 55,912                 | 49,000                  | 49,000                           |
| Total, satellite observing systems .....  | 351,741                | 501,437                | 435,538                 | 438,371                          |
| Environmental data management systems .....                                     | 24,365                 | 28,564                 | 24,365                  | 24,365                           |
| Data and information services .....   | 11,300                 | 15,100                 | 11,300                  | 11,300                           |
| Total, environmental data management sys-<br>tems .....                         | 35,665                 | 43,664                 | 35,665                  | 35,665                           |
| Total, National Environmental Satellite, Data,<br>and Information Service ..... | 387,406                | 545,101                | 471,203                 | 474,036                          |
| <b>PROGRAM SUPPORT</b>  |                        |                        |                         |                                  |
| Administration and services:  |                        |                        |                         |                                  |
| Executive direction and administration .....                                    | 25,490                 | 25,882                 | 20,000                  | 20,000                           |
| Systems Program Office [SPO] .....  | 1,798                  | 2,607                  | 1,500                   | 1,500                            |
| Subtotal .....  | 27,288                 | 28,489                 | 21,500                  | 21,500                           |
| Central administrative support .....  | 37,853                 | 54,749                 | 30,000                  | 33,300                           |
| Retired pay commissioned officers .....   | 7,706                  | 7,889                  | 7,706                   | 7,706                            |
| Total, administration and services .....  | 72,847                 | 91,127                 | 59,206                  | 62,506                           |
| Marine services .....   | 62,011                 | 62,202                 | 60,000                  | 60,000                           |
| Aircraft services .....   | 9,153                  | 9,853                  | 9,500                   | 9,153                            |
| Instrumentation .....   | 1,300                  | 395                    |                         |                                  |
| Total, aircraft services .....  | 10,453                 | 10,248                 | 9,500                   | 9,153                            |
| Total, program support .....  | 145,311                | 163,577                | 128,706                 | 131,659                          |
| Direct obligations .....  | 1,877,431              | 2,118,485              | 1,815,502               | 1,898,142                        |
| Reimbursable obligations .....  | 316,216                | 313,715                | 309,715                 | 309,715                          |
| Anticipated offsetting collections .....  | 6,000                  | 3,000                  | 3,000                   | 3,000                            |
| Subtotal, reimbursable obligations .....  | 322,216                | 316,715                | 312,715                 | 312,715                          |
| Total obligations .....   | 2,199,647              | 2,435,200              | 2,128,217               | 2,210,857                        |
| Financing:  |                        |                        |                         |                                  |
| Deobligations .....   | -16,000                | -18,000                | -30,000                 | -30,000                          |

[In thousands of dollars]

|   | 1995 appro-<br>priation | 1996 budget<br>request | 1996 House<br>allowance | Committee<br>recommen-<br>dation |
|---|-------------------------|------------------------|-------------------------|----------------------------------|
| Unobligated balance transferred, net .....                |                         | - 2,650                |                         | - 2,650                          |
| Anticipated offsetting collections .....                  | - 3,000                 | - 3,000                | - 3,000                 | - 3,000                          |
| Federal funds .....                                       | - 280,607               | - 279,911              | - 272,207               | - 272,207                        |
| Non-Federal funds .....                                   | - 41,609                | - 33,804               | - 37,508                | - 37,508                         |
| Budget authority .....                                    | 1,861,431               | 2,097,835              | 1,785,502               | 1,865,492                        |
| Financing from:   |                         |                        |                         |                                  |
| Promote and develop American fisheries .....              | - 55,500                | - 55,500               | - 57,500                | - 55,500                         |
| Damage assessment and restoration revolving<br>fund ..... | - 6,770                 | - 3,900                | - 6,550                 | - 3,900                          |
| Transfer from BPA .....                                   |                         | - 10,300               |                         |                                  |
| Mandatory fish fees (ITQ's) .....                         |                         | - 10,000               |                         |                                  |
| Appropriation, ORF .....                                  | 1,799,161               | 2,018,135              | 1,721,452               | 1,806,092                        |

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

#### NATIONAL OCEAN SERVICE

The Committee recommendation provides a total of \$177,570,000 for activities of the National Ocean Service [NOS] for fiscal year 1996, instead of \$177,218,000 in funding for fiscal year 1995, and \$198,826,000 as requested.

The Committee recommendation includes the full request of \$46,637,000 for coastal zone management [CZM] section 306 and 306(a) grants, which is \$5,637,000 more than the House allowance. Funding for CZM program administration is to be covered under amounts made available through the coastal zone management fund. In addition, the Committee has provided \$4,300,000 for the National Estuarine Research Reserve Program under the separate appropriation from the coastal zone management fund. The Committee has included the final year of funding, at the same level as current year funding, for the estuarine special area management plan.

For mapping and charting, the Committee recommendation includes the requested amount of \$33,586,000, instead of an increase as provided in the House-passed bill. The Committee supports efforts to privatize the charting and mapping functions and expects NOAA to rely more on use of contract vessels for these purposes instead of on its own fleet.

The Committee recommends \$20,927,000 for NOAA's geodesy programs. Of this amount, \$1,000,000 is included for continuation of geodetic survey work being conducted in South Carolina. The geodesy programs relate to measurements and analysis of data relating to precise latitudinal and longitudinal positioning with a variety of applications.

The Committee has included the requested amount of \$12,371,000 for the National Marine Sanctuary Program. The Committee expects that the total overhead charged to the National Marine Sanctuaries Program in fiscal year 1996 will not be in excess of the program's demands on those resources. The Committee is

aware of concerns related to the proposal to designate a new marine sanctuary site in Puget Sound, WA. The Committee also recognizes the efforts being made by State and local officials, through existing programs, to manage the unique resources in Puget Sound. The Committee, therefore, directs NOAA to work with State and local officials to strengthen existing programs without final designation of the Northwest Strait National Marine Sanctuary in the waters of Puget Sound prior to January 1, 1997.

The Committee has provided \$13,000,000 for the Coastal Ocean Program. The Committee expects the program to maintain institute research on high-salinity estuaries at current funding levels.

#### NATIONAL MARINE FISHERIES SERVICE

The Committee recommendation provides a total of \$290,618,000 for the programs of the National Marine Fisheries Service [NMFS] for fiscal year 1996. This amount is \$25,210,000 less than the budget request, and is \$21,968,000 more than the current year funding level. The amount provided under the Committee recommendation is \$39,291,000 above the House allowance. The Committee has recommended funding, as shown in the preceding table, for a variety of important research and information programs which are designed to promote a sustainable use of valuable marine resources.

The Committee recommendation provides the full requested amount of \$10,300,000 for the Mitchell Act hatcheries, but rejects the administration request for a transfer from the Bonneville Power Administration. Funding for critical fish screens is provided under the "Construction" account. In addition, the Committee directs NMFS to cooperate fully with the U.S. Army Corps of Engineers to accelerate feasibility studies and to speed design, construction, and testing of several promising systems for salmon recovery.

The Committee recommends \$3,000,000 for the PACFIN, the Pacific fishery information network. Of the increase over the request in this account, the Committee has provided \$520,000 for an Alaska fisheries information network [AKFIN] to be located in Alaska and managed by the Pacific States Marine Fisheries Commission. The expansion of the U.S. groundfish fishery off Alaska requires the development of a complex data collection system to document: harvest, bycatch, other discards, fishing effort, production by species, vessel, processor, location and date, and to compile other needed information.

The Committee has provided \$2,900,000 for the RECFIN program. The Committee expects that the programs for the west coast, Atlantic States, and Gulf States shall each receive one-third of these funds, with continued funding for the red drum assessment and tagging effort in South Carolina and for aerial surveys for red drum recapture and age composition study in the Gulf of Mexico. Funding for any supplemental region-specific projects is to be derived from the overall fish statistics line item.

The Committee has recommended a funding level of \$75,467,000 for resource information within the National Marine Fisheries Service, an increase of \$9,494,000. Within this account, not less than \$250,000 is included for continued support of laboratory experimental bycatch research on commercially important west coast

and North Pacific finfish by the Fisheries Behavioral Ecology Program of the Alaskan Fisheries Science Center at Newport, and not less than \$850,000 is included to continue the MARMAP program.

The Committee directs NMFS to immediately convene a team of experts to scientifically peer review and examine all the information available on its March 14, 1995, sea turtle, shrimp fishery emergency response plan [ERP] and the NMFS and NOAA sea turtle conservation restrictions applicable to shrimp trawling activities announced in the May 3, 1995, Federal Register. The Committee directs that individuals with appropriate scientific expertise nominated by the shrimp fishing industry and the conservation community be part of the peer process and team. The Committee also directs NMFS to immediately seek detailed recommendations and analysis from affected shrimp fishing industry members and the conservation community on its March 14, 1995, restrictions, including a detailed assessment of the economic impact on the affected shrimp fishing industry. The Assistant Administrator for NMFS shall convene immediate meetings with representatives of such groups to review and develop such recommendations.

The Committee directs NMFS to work with the shrimp fishing industry to revise its March 14, 1995, emergency response plan and its May 3, 1995, restriction to include the results of the scientific peer review and the alternatives for lessening the economic impact on the shrimp fishing industry. These alternatives may include exemptions to using turtle excluder devices [TED's] in smaller trawl nets. NMFS is directed to publish for public comment and input only the revised plans for the March 14, 1995, ERP and the May 3, 1995, restrictions by August 30, 1995. The Committee directs NMFS and the Department of Commerce not to implement any shrimp fishery closures that may result from the March 14, 1995, ERP prior to December 31, 1995.

For purposes of recovering the Kemps Ridley sea turtle population, NOAA's Office of Protected Resources shall expend \$250,000 in protecting the nesting beaches of Kemps Ridley turtles in Rancho Nuevo, Mexico, and in enhancing the success of nesting on such beaches. For the purposes of monitoring of the sea turtle stranding and salvage network [STSSN], NOAA's Office of Protected Resources shall expend \$500,000 to establish a systematic stranding monitoring program that is developed in cooperation with the shrimp fishing industry. The Committee expects NMFS to allow for industry participation in the monitoring program. For purposes of researching alternative methods to turtle excluder devices, NOAA's Office of Protected Resources shall allocate \$750,000 to fund the independent research and development of alternative methods to reduce the incidental capture of sea turtles in shrimp trawls by academic institutions and the shrimp industry.

The Committee commends the Secretary's request for continued funding for NOAA's ongoing mission at the Marine Science Center in Newport, OR, and has provided not less than \$400,000 to meet this request. The Committee expects these funds to be released in a timely fashion.

The recommendation includes \$4,000,000 for interstate fish commissions. This amount includes not less than \$200,000 for each of the three interstate commissions.

Of the \$2,250,000 increase, the Committee has provided for the Marine Mammal Protection Act in fiscal year 1996, \$250,000 shall be made available to the State of Alaska to assist in the implementation of marine mammal take reduction plans in the fisheries off Alaska. In addition, the Committee recommends \$1,440,000 for the Steller sea lion recovery plan. Of this amount, \$825,000 is for work performed by the State of Alaska.

The Committee recommends \$5,200,000 for Alaska groundfish monitoring, of which \$1,100,000 is available only for crab management and research. Of this \$1,100,000, \$250,000 is directed for use by the State of Alaska to implement a Federal fishery management plan for crab. The remaining \$850,000 shall be used for a crab research program to be jointly developed by the State of Alaska and NMFS. The Committee directs that \$600,000 of the total provided be used for rockfish research, of which \$250,000 shall be provided to the Alaska Department of Fish and Game. In addition, \$300,000 shall be made available to the Bering Sea Fishermen's Association for community development quota implementation work in western Alaska.

The Committee has provided the 1994 enacted level of \$3,278,000 for implementation of the High Seas Driftnet Fisheries Enforcement Act, and wishes to clarify that these funds may be used to implement the North Pacific Anadromous Stocks Convention Act and the Central Bering Sea Fisheries Enforcement Act as well. The Committee expects that observer training for observers in the North Pacific groundfish and shellfish fisheries at the North Pacific Fisheries Observer Training Center will be fully funded by the Secretary using funds from the North Pacific observer fund once the North Pacific Research Program is fully implemented.

The Committee has provided \$150,000 to NMFS to conduct an independent peer reviewed scientific study of the red snapper stock and an independent analysis of the red snapper management plan to better define the condition of red snapper stock, provide a basis for better management and assess the economic impact of management actions on the commercial industry. The Committee expects the survey and analysis to be conducted with the direct participation of the fishing industry.

Within this account, the Committee has provided \$330,000 to the North Pacific Marine Science Foundation for research undertaken by the North Pacific Universities Marine Mammal Consortium to determine the cause of the stellar sea lion decline in the North Pacific, as long as a matching amount is made available by non-Federal sources. The amount provided by the Committee includes \$400,000 for the NMFS Honolulu laboratory to develop strategies to prevent overfishing for the long-term viability of swordfish.

#### OCEANIC AND ATMOSPHERIC RESEARCH

The Committee recommendation includes a total of \$229,976,000 for oceanic and atmospheric research, instead of \$270,811,000 as requested, and \$204,370,000 as passed by the House.

Within this account the Committee recommendation provides funding at the current year level of \$8,000,000 for interannual and seasonal climate research, and funds the Climate and Global Change Program separately at a level of \$63,000,000, which is

\$26,504,000 less than the budget request. The House report merged these accounts into one funding line. Within the amount provided by the Committee for this account, NOAA may allocate funds to continue the global learning and observations to benefit the environment [GLOBE] program at up to its current level. The Committee directs NOAA, in implementing this program, to maintain or enhance its level of collaboration with the extramural research community, and to allocate all funds through the competitive, peer-review process currently in place.

The Committee recommends funding for long-term climate and air quality research at a level of \$36,272,000. Included within this amount is \$2,500,000 for the VENTS Program, which was assumed in the budget request within the climate and global change funding level.

The Committee appreciates the timely NOAA report on tsunami hazard mitigation in response to concerns raised by the Committee about tsunami preparedness for the United States. The Committee is in agreement with the primary recommendation of the report that a Federal/State working group be formed to discuss the 12 NOAA recommendations and write a plan of action. The Committee directs NOAA to serve as lead agency by forming the group by November 1, 1995, and submitting the action plan by March 31, 1996. NOAA should spend no more than \$50,000 for group meetings and preparation of the action plan. The Committee directs the Federal/State working group to formulate a budget to implement the tsunami hazard mitigation action plan.

The Committee has provided \$14,432,000, the current year level, for the National Undersea Research Program, and directs that each NURP center receive at least \$1,876,000 of these funds. The Committee is aware that funding levels have resulted in a reduction in undersea research activities, and directs that priority be given to centers which have received the greatest reductions in allocating the excess funds after each center has received the minimum \$1,876,000.

The Committee recommendation includes \$50,400,000 for the Sea Grant Program, including the full request for the Sea Grant College Program and continued funding of the National Coastal Resource Research and Development Institute at the current year level.

A recommendation is included to fund marine prediction research under ocean and Great Lakes programs at a level of \$10,226,000, the same as the request. From this amount, the Committee directs that the Southeast Fisheries-Oceanography Coordinated Investigations Program, the Lake Champlain study, and the Pacific Island technical assistance program be funded at current year levels.

#### NATIONAL WEATHER SERVICE

The Committee recommendation includes a total of \$596,334,000 for the National Weather Service [NWS] for operations, acquisitions, and research, as compared to \$624,332,000 in the budget request, \$658,598,000 as provided for the current year, and \$604,045,000 as in the House allowance. The Committee expects the reductions in staffing required by this 9-percent reduction in

total funding to be applied proportionately to headquarters and administrative activities.

The Committee directs the National Weather Service to follow the standard reprogramming procedures found in section 605 of the general provisions of the accompanying bill before implementing any reduction, including any proposed for personnel in American Samoa and for the Stoneville, MS station below levels in effect at the end of fiscal year 1995.

The total amount of funding recommended for operations and research is \$433,854,000. This includes a consolidated amount for local warnings and forecasts, and for the modernization and associated restructuring demonstration [MARD] of \$393,100,000.

Of the \$433,854,000 that the Committee has provided for operations and research, the Committee strongly urges that \$3,600,000 be provided for the National Weather Service Alaska Aviation Weather Unit to implement a ground turbulence and aviation icing forecasting project to improve aviation weather forecasts in Alaska. Of the \$3,600,000, the Committee would recommend that \$1,000,000 should be made available for work on the project by the National Center for Atmospheric Research, and \$200,000 should be made available for work on the project by the University of Alaska Fairbanks.

The Committee recommendation assumes that the National Weather Service will continue to look for areas where privatization of services might be cost effective. The Committee supports the National Weather Service effort to privatize the fire weather services, and to phase out the fruit frost weather service program by the end of the upcoming fall and winter freeze season in April 1996.

The amount provided includes the full request for aviation forecasts. The Committee has not provided funding for the NWS to continue the augmentation/backup of the automated surface observing system [ASOS] units at NWS airport locations that will have commissioned ASOS units in service in fiscal year 1996. The Committee's mark assumes that the Federal Aviation Administration will assume these responsibilities in fiscal year 1996, and directs NOAA and the FAA to assess this possibility and make a report to the Committee no later than December 15, 1995, regarding proper placement of these functions.

The Committee has provided the request for \$16,952,000 for the automated surface observing system acquisition, a reduction of \$563,000 from the current year level. The Committee is aware of a recent report regarding technical problems in commissioning ASOS sites. The Committee understands that there are off-the-shelf solutions to these problems, but that implementation has been slow. The Committee directs NOAA to provide a report no later than October 1, 1995, on the intended solutions to the technical and installation problems associated with this program including the timeline for implementation for those solutions.

The recommendation includes \$50,000,000 for the advanced weather interactive processing system [AWIPS]. The Committee is very concerned by delays and design problems which might raise the cost of this important piece of the Weather Service modernization plan beyond the resources available to the Committee.

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

The Committee recommendation funds the National Environmental Satellite, Data, and Information Service [NESDIS] at a level of \$474,036,000 for fiscal year 1996. This is a decrease of \$71,065,000 from the budget request, and is an increase of \$86,630,000 above the current fiscal year funding.

For the Polar Satellite Program, the Committee has provided a total of \$184,765,000. Of that amount, \$39,500,000 is for the inter-agency program office to converge the polar satellite programs at NOAA and at the Department of Defense [DOD]. The Committee recommendation assumes that NOAA and DOD share equally in the costs of all common activities in fiscal year 1996 and recommends that this approach be used in subsequent years as well.

The Committee recommends funding in the amount of \$10,000,000 for procurement of the ground system to capture data from Landsat 7. The Committee recognizes the valuable role that ocean remote sensing can play in the management of marine fisheries and has provided \$5,000,000 for this purpose.

## PROGRAM SUPPORT

The Committee recommendation provides \$131,659,000 for the NOAA program support functions. This is \$31,918,000 less than the request, \$13,652,000 less than current year funding, and \$2,953,000 more than the House allowance.

While central support services are important in giving direction to an agency the size of the National Oceanic and Atmospheric Administration, much more needs to be done to streamline the layers of bureaucracy within NOAA.

The Committee recommendation freezes the level of central support funding at the current year level. The budget request called for a \$16,896,000 increase in this area. In addition, the recommendation includes a 21-percent reduction, as in the House allowance for NOAA executive direction and administration. This amount assumes a staffing level of no more than 350 positions for this activity. This action is consistent with reductions taken in executive direction functions elsewhere in the Department of Commerce. The Committee expects NOAA to examine its headquarters office structure and eliminate those offices which are unnecessary or redundant.

The Committee recommendation provides \$60,000,000 for marine services. This account funds the operation of a fleet of vessels with capabilities to conduct research and measurements in line with the mission of NOAA. The fleet consists of a total of 24 vessels, 18 of those in active service at this time. Under the "Fleet modernization" account discussed below, the Committee has provided funds only for operation of the current fleet, and for planning the future acquisition of fleet services from private contractors in order to fulfill NOAA's mission activities. Funding is provided near the full request this year for marine services to avoid a disruption in NOAA research activities. In view of the minimal funding for fleet modernization in the accompanying bill, the Committee directs NOAA

to utilize the UNOLS (university) fleet to the maximum extent possible for its research needs.

The Committee recommendation includes \$9,500,000 for operation of NOAA aircraft services. The Committee expects NOAA to reassess the necessity to support aircraft not meeting minimum usage standards and consider alternatives to NOAA ownership and operation of its aircraft.

#### COASTAL ZONE MANAGEMENT FUND

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | (\$7,800,000) |
| Budget estimate, 1996 .....    | (7,800,000)   |
| House allowance .....          | (7,800,000)   |
| Committee recommendation ..... | (7,800,000)   |

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

As in the House-passed bill, the Committee has included language in the bill which makes available \$7,800,000 in the coastal zone management [CZM] fund for administration of the CZM program, for State development grants in accordance with the authorization set forth in sections 308(b)(2)(A) and 308(b)(2)(B)(v) of the Coastal Zone Management Act, and for the National Estuarine Research Reserve Program set forth in section 315(e) of the Coastal Zone Management Act. The budget request provided these funds for only CZM program management and other purposes authorized by section 308 of the CZMA.

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

#### CONSTRUCTION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$82,254,000 |
| Budget estimate, 1996 .....    | 52,299,000   |
| House allowance .....          | 42,731,000   |
| Committee recommendation ..... | 50,000,000   |

This account provides for construction, repair, and modification of new facilities and additions to existing facilities, planning, design, and land acquisition. The Committee recommends a total funding level of \$50,000,000 for NOAA's "Construction" account. This is a 40-percent decrease from the level appropriated for fiscal year 1995.

The Committee recommendation provides the amount of the budget request for \$1,988,000 for NOAA research facilities, \$1,506,000 for the Sandy Hook lease, \$16,093,000 for Nexrad WFO construction, and \$6,713,000 for NOAA facilities maintenance. In addition, the Committee recommends funding of \$4,700,000 for Columbia River facilities, \$3,000,000 for environmental compliance, \$1,000,000 for national centers for environmental prediction, and \$4,000,000 for continuation of facilities upgrades at the National Marine Fisheries Service Southeast laboratory.

The Committee has provided \$10,000,000 requested by the administration for the cleanup of property formerly owned by NOAA

on the Pribilof Islands. This funding is provided to remediate contaminated soil, to close and remediate landfills, diesel seep sites, debris sites, solid and liquid wastes, to remove public safety hazards, to fund the planning and the construction of landfills, and to fund other cleanup and removal activities that may be necessary on St. George and St. Paul Islands, AK.

The Committee recommendation for construction includes \$500,000 for the renovation of the National Marine Fisheries Service Honolulu laboratory's facilities. The facilities are severely overcrowded, do not comply with Americans with Disabilities Act standards, and post fire and environmental hazards. The recommendation also includes \$500,000 for architectural and engineering studies regarding critical space requirements at the Newport Marine Science Center.

The Committee directs NOAA to complete architectural and engineering work on the new NOAA facility in Juneau, AK, using previously appropriated funds for such purpose. NOAA is directed to provide a complete estimate of the cost of the facility to the Committee as soon as this work is completed, and to recommend the most cost-effective way to pay for the new facility, including, if appropriate, a long-term leasing arrangement with a non-Federal entity.

FLEET MODERNIZATION, SHIPBUILDING, AND CONVERSION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$22,936,000 |
| Budget estimate, 1996 .....    | 23,347,000   |
| House allowance .....          | 8,000,000    |
| Committee recommendation ..... | 8,000,000    |

The Committee recommendation provides an appropriation of \$8,000,000 for the "Fleet modernization, shipbuilding, and conversion" account. This is a decrease of \$15,347,000 below the budget request, and is \$14,936,000 below the current year funding level. This is the same funding level provided by the House.

The accompanying bill contains a provision in section 612 which restricts use of these funds so that no funding is provided to carry out the NOAA fleet modernization plan for fiscal year 1996. The Committee directs that the funds provided under this account be used only for the necessary expenses for the operation of the existing fleet, including repairs essential for health and safety. As discussed under the account heading "Marine Services", it is the intention of the Committee that NOAA consider options other than the revised fleet modernization plan recently submitted to Congress including complete decommissioning of the fleet. The Committee directs NOAA to submit a report by December 15, 1995, detailing the feasibility of decommissioning the fleet, including an assessment of quality and availability of replacement services from private and nonprofit sources, and providing a direct comparison of the costs of achieving a set number of days at sea with the current fleet, under a partial decommissioning of the fleet, and under a full decommissioning of the NOAA fleet and corps.

## FISHING VESSEL AND GEAR DAMAGE COMPENSATION FUND

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$1,273,000 |
| Budget estimate, 1996 .....    | 1,282,000   |
| House allowance .....          | 1,032,000   |
| Committee recommendation ..... | 1,032,000   |

The Committee recommendation provides \$1,032,000 for the fishing vessel and gear damage compensation fund. This amount is a decrease of \$250,000 below the budget request, a decrease of \$241,000 below the amount available for the current fiscal year, and the same as the House allowance. It is estimated that there will be \$250,000 carried over in this account, thus providing the full amount required for fiscal year 1996.

The fishing vessel and gear damage fund provides compensation to U.S. fishermen whose vessels have been lost, damaged, or destroyed by foreign or domestic vessels. Revenue sources for this fund include: (1) surcharges not to exceed 20 percent of the fee imposed for any foreign fishing vessel permit issued under the Magnuson Fishery Conservation and Management Act; (2) administrative fees paid by claimants; (3) revenues from deposits or investments of fund balances not immediately required; and (4) funds not to exceed \$5,000,000 borrowed from the Treasury in the event the fund balance is insufficient to pay claims.

## FISHERMEN'S CONTINGENCY FUND

|                                |           |
|--------------------------------|-----------|
| Appropriations, 1995 .....     | \$999,000 |
| Budget estimate, 1996 .....    | 1,000,000 |
| House allowance .....          | 999,000   |
| Committee recommendation ..... | 999,000   |

The Committee recommends \$999,000 for the fishermen's contingency fund, which is \$1,000 below the budget request and equal to the amount appropriated for fiscal year 1995.

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

## FOREIGN FISHING OBSERVER FUND

|                                |           |
|--------------------------------|-----------|
| Appropriations, 1995 .....     | \$400,000 |
| Budget estimate, 1996 .....    | 396,000   |
| House allowance .....          | 196,000   |
| Committee recommendation ..... | 196,000   |

The Committee recommends \$196,000 for the foreign fishing observer fund for fiscal year 1996. This amount is a decrease of

\$200,000 below the budget request, and a reduction of \$204,000 from the amount appropriated for fiscal year 1995. It is estimated that \$200,000 will carry over under this account into fiscal year 1996, thus providing the full amount requested for the year.

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.

#### FISHING VESSEL OBLIGATIONS GUARANTEES

|                                |           |
|--------------------------------|-----------|
| Appropriations, 1995 .....     | \$250,000 |
| Budget estimate, 1996 .....    | 250,000   |
| House allowance .....          |           |
| Committee recommendation ..... |           |

The Committee recommendation provides \$250,000 for fishing vessel obligations guarantees. This amount of funding is the same as the 1995 level, and is the same as the budget request. It is \$250,000 more than the House allowance.

The Committee recommends that this loan guarantee program be used only for purposes which do not result in overcapitalization, including: the refinancing of existing debt; renovation and repair of existing vessels and facilities; construction of new shoreplants for underutilized species, aquaculture, and waste reduction; and the replacement of obsolete vessels of similar size and harvesting capacity. The Committee directs that no loan guarantee be made for any new vessel that will increase the harvesting capacity in any U.S. fishery.

#### TECHNOLOGY ADMINISTRATION

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

##### SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$8,242,000 |
| Budget estimate, 1996 .....    | 13,906,000  |
| House allowance .....          | 5,000,000   |
| Committee recommendation ..... |             |

The Committee recommends elimination of the Technology Administration's Office of the Under Secretary/Office of Technology Policy. This amount is \$13,906,000 lower than the budget request, \$8,242,000 below fiscal year 1995 funding levels, and \$5,000,000 below the House allowance.

The primary mission of the organizations funded under this account is to coordinate the administration's civilian technology initiative. Considering the program reductions and eliminations made in the Commerce technology programs and the debate over the existence of the Department of Commerce, the Committee believes these unauthorized organizations are no longer necessary and that any necessary management functions can be absorbed into NIST's core programs.

## NATIONAL TECHNICAL INFORMATION SERVICE

## NTIS REVOLVING FUND

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$7,000,000 |
| Budget estimate, 1996 .....    |             |
| House allowance .....          |             |
| Committee recommendation ..... |             |

The Committee has included no appropriated funds for the National Technical Information Service [NTIS] revolving fund. This is a decrease of \$8,000,000 below the current available appropriation. The recommendation is equal to the fiscal year 1996 budget request and the House allowance.

## GENERAL ADMINISTRATION

## SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$36,471,000 |
| Budget estimate, 1996 .....    | 35,826,000   |
| House allowance .....          | 29,100,000   |
| Committee recommendation ..... | 29,100,000   |

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

The Committee recommendation provides \$29,100,000 for the Commerce Department's salaries and expenses appropriation for fiscal year 1996. This amount is a decrease of \$6,726,000 below the budget request, is a decrease of \$7,371,000 below the amount appropriated for the current fiscal year, and is the same as the House allowance. The amount provided is based on a 10-percent reduction below the fiscal year 1995 level for departmental staff services and a 25-percent reduction below fiscal year 1995 funding levels for executive direction of the Commerce Department. Some of the costs associated with downsizing efforts proposed for the Commerce Department within this title will be provided for in the Commerce reorganization transition fund described below.

The Committee continues to support the United States-Israel Science and Technology Commission, which brings together the private sectors of these two high-technology nations to facilitate breakthroughs in the areas of biotechnology, energy, agriculture, and defense conversion. The Committee expects the Commerce Department to fulfill its commitment of \$2,500,000 for this program in fiscal year 1996 within available resources. This proposal would be subject to the standard transfer and reprogramming procedures set forth under sections 205 and 605 of the accompanying bill.

## OFFICE OF THE INSPECTOR GENERAL

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$16,887,000 |
| Budget estimate, 1996 .....    | 22,249,000   |
| House allowance .....          | 21,849,000   |
| Committee recommendation ..... | 21,849,000   |

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

The Committee recommends \$21,849,000 for the Commerce Department's Office of the Inspector General for fiscal year 1996. This amount is an increase of \$4,962,000 above current appropriations level, but is a reduction of \$400,000 below the budget request. This recommendation is the same amount as provided for in the House-passed bill.

The amount provided reflects approval of base transfers totaling \$3,576,000 from other Commerce Department agencies related to audits performed under the Chief Financial Officers Act. In addition, the program increase provided will allow the inspector general to perform audits of all the Department's revolving funds, trust funds, and substantial commercial activities, a critical activity considering proposals to privatize these functions.

COMMERCE REORGANIZATION TRANSITION FUND

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | .....        |
| Budget estimate, 1996 .....    | .....        |
| House allowance .....          | .....        |
| Committee recommendation ..... | \$52,000,000 |

The Committee recommends \$52,000,000 for a new account: the Commerce reorganization transition fund as authorized in section 206 of this act. The proposed fund would be under the control of the Director of the Office of Management and Budget in consultation with the Secretary of Commerce. It may be used for the purpose of paying necessary costs associated with the shutdown, orderly downsizing, or reorganization of the functions of the Commerce Department as required under this title.

Resources provided to this fund either directly or by transfer may be used to finance voluntary separation incentive payments consistent with the Federal Workforce Restructuring Act of 1994 (Public Law 103-226). Language authorizing this new account is provided in section 206 of this act.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

The Committee has included the following general provisions for the Department of Commerce that were included in the fiscal year 1995 appropriations act (Public Law 103-317).

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

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

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

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

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

Section 206 authorizes the Commerce reorganization transition fund which shall be under the control of the Director of the Office of Management and Budget in consultation with the Secretary of Commerce. The fund is to be used only for the purpose of eliminating, downsizing, or reorganizing functions within the Department of Commerce consistent with the provisions of this title. It is intended to cover downsizing costs including voluntary buyouts, consistent with the Workforce Restructuring Act of 1994 (Public Law 103-226), including payments to the civil service retirement and disability fund.

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. In addition to the funds described below, the Committee recently provided funds through emergency supplemental appropriations for antiterrorism initiatives to address immediate security concerns for judges and support personnel. Much of the \$16,640,000 provided under that legislation will carry over into fiscal year 1996.

The Committee recommendation provides a total of \$3,097,708,000 for the judiciary. This amount includes the full requested funding of \$263,891,000 for salaries and retirement funds of the Justices and judges which are considered mandatory for budget purposes. The recommendation also provides an additional \$2,833,817,000 in discretionary funding for other judiciary programs under this title, including \$30,000,000 from the violent crime reduction trust fund. This discretionary amount is an increase of \$181,691,000 over funding for fiscal year 1995.

The budget request submitted by the judiciary for fiscal year 1996 totals \$3,335,994,000. The discretionary portion of the request, \$3,072,103,000, represents an increase of \$421,117,000, or 16 percent, over the enacted amounts for fiscal year 1995. Of this amount, \$30,700,000 is requested from the violent crime reduction trust fund. The Committee recommendation is \$238,286,000 below the request, but assumes that a significant amount of 1995 funds will carry over in some accounts in order to provide additional funding.

The Federal judiciary represents the crucial link in our system of justice between law enforcement, prosecution, and sentencing of criminals. Adequate funding for this responsibility is an important part of the Committee's efforts this year to attack the proliferation of violent crime in our society. During a time of severe budgetary constraints, the Committee intends that increased funding for the judiciary provided here be used in an efficient manner to fund increased workload demands arising from increased funding for law enforcement efforts provided for in title I of the accompanying bill.

SUPREME COURT OF THE UNITED STATES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$27,240,000 |
| Budget estimate, 1996 .....    | 29,837,000   |
| House allowance .....          | 29,147,000   |
| Committee recommendation ..... | 29,147,000   |

The Committee recommends a total of \$29,147,000 for the Supreme Court of the United States for fiscal year 1996. The total amount is provided in two separate appropriation accounts as follows:

## SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$24,240,000 |
| Budget estimate, 1996 .....    | 25,834,000   |
| House allowance .....          | 25,834,000   |
| Committee recommendation ..... | 25,834,000   |

The Committee recommends \$25,834,000 for fiscal year 1996 for the salaries and expenses of the Justices, their supporting personnel, and the costs of operating the Supreme Court, excluding the care of the building and grounds. The Committee recommendation is \$1,594,000 more than the current year appropriation, and is equal to the budget request for this account.

## CARE OF THE BUILDING AND GROUNDS

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$3,000,000 |
| Budget estimate, 1996 .....    | 4,003,000   |
| House allowance .....          | 3,313,000   |
| Committee recommendation ..... | 3,313,000   |

The Committee recommends \$3,313,000 for fiscal year 1996 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 \$313,000 more than the current year appropriation, but is \$690,000 less than the request.

The Committee recommendation includes reductions to the base of \$180,000, and allows \$305,000 for the highest priority security-related program increases requested for this account. The Committee expects the Architect of the Capitol to endeavor to find efficiencies in service so that projects not funded here, such as renovation of the Office of the Clerk of the Court, might be considered in the future.

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

## SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$13,438,000 |
| Budget estimate, 1996 .....    | 15,495,000   |
| House allowance .....          | 14,070,000   |
| Committee recommendation ..... | 14,288,000   |

The Committee recommends \$14,288,000 for fiscal year 1996 for the salaries and expenses of the U.S. Court of Appeals for the Federal Circuit. The Committee recommendation is \$850,000 more than the current year appropriation, and is \$1,207,000 less than the request.

The Committee recommendation provides the requested adjustments to base and funds additional court security officer positions, but does not include funding for other additional court personnel as requested this year.

## U.S. COURT OF INTERNATIONAL TRADE

## SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$10,685,000 |
| Budget estimate, 1996 .....    | 10,859,000   |
| House allowance .....          | 10,859,000   |
| Committee recommendation ..... | 10,859,000   |

The Committee recommends the full requested amount of \$10,859,000 for fiscal year 1996 for the salaries and expenses of the U.S. Court of International Trade. The Committee recommendation is an increase of \$174,000 over the 1995 level and is the same as the House allowance.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL  
SERVICES

SALARIES AND EXPENSES

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1995 .....     | \$2,340,127,000 |
| Budget estimate, 1996 .....    | 2,645,965,000   |
| House allowance .....          | 2,409,024,000   |
| Committee recommendation ..... | 2,471,195,000   |

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

The Committee recommends a total of \$2,501,195,000 for this account for fiscal year 1996, including \$30,000,000 from the violent crime reduction trust fund as authorized in Public Law 103-322. The Committee recommendation is a reduction of \$175,460,000 from the budget request, but is \$161,068,000 above the amount appropriated for fiscal year 1995, and is \$50,671,000 above the House allowance. In addition, the Committee understands that the judiciary will carry over an estimated \$71,366,000 resulting from unanticipated fee revenue in fiscal year 1995, allowing for a total fiscal year 1996 operating level of \$2,572,561,000 for this account.

The amount provided within this recommendation reflects a \$25,500,000 reduction from initially requested adjustments to base because of revised estimates of salary and space needs stemming from delays in filling judicial vacancies. This amount includes a \$13,400,000 reduction to be applied to space and facilities, and \$12,100,000 to be applied to article III judges and supporting personnel.

The Committee recognizes the need for all branches of Government to share the burden of budgetary constraint, but has provided increases in this account because of the increasing workload faced by the Federal courts. Within the overall funding level provided, the judiciary is encouraged to fund judicial priorities, such as additional magistrate judges to eliminate existing backlogs in case-loads, through economies and savings it identifies.

*Violent crime reduction trust fund.*—The Committee has provided \$30,000,000 for the judiciary from the violent crime reduction trust fund for fiscal year 1996 instead of \$30,700,000 as requested. No funds were provided from the trust fund for the judiciary in fiscal year 1995. The Committee intends that amounts provided be used to offset base expenditures related to carrying out provisions of the Violent Crime Control and Law Enforcement Act of 1994. The Committee expects the judiciary to transmit a notification detailing the proposed distribution of the amounts provided under the violent crime reduction trust fund.

## THE NATIONAL CHILDHOOD VACCINE INJURY ACT

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$2,250,000 |
| Budget estimate, 1996 .....    | 2,320,000   |
| House allowance .....          | 2,318,000   |
| Committee recommendation ..... | 2,318,000   |

The Committee recommends a reimbursement of \$2,318,000 for fiscal year 1996 from the special fund to cover expenses of the claims court associated with processing cases under the National Childhood Vaccine Injury Act of 1986. This amount is the same as provided by the House and is an increase of \$68,000 above the amount appropriated for the current fiscal year.

## DEFENDER SERVICES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$240,500,000 |
| Budget estimate, 1996 .....    | 295,761,000   |
| House allowance .....          | 260,000,000   |
| Committee recommendation ..... | 274,433,000   |

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

The Committee recommends \$274,433,000 for fiscal year 1996 for this account. This is an increase of \$33,933,000 from the fiscal year 1995 level and a reduction of \$20,761,000 from the request. The fiscal year 1995 amount does not reflect \$27,000,000 in carryover balances that were used to supplement funding in that year. No carryover balances are projected for fiscal year 1996.

It is the Committee's intention that death penalty resource centers (post conviction defender organizations) be terminated as in the House-passed bill. The House bill halts all funding for this program on October 1, 1995. The Committee understands that a 6-month transition period may be useful in order for the judiciary to close out these centers in an efficient manner. Bill language is included to restrict any funds from being used for these centers after April 1, 1996.

## FEES OF JURORS AND COMMISSIONERS

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$54,346,000 |
| Budget estimate, 1996 .....    | 72,008,000   |
| House allowance .....          | 59,028,000   |
| Committee recommendation ..... | 59,028,000   |

The Committee recommends \$59,028,000 for fiscal year 1996 for the fees and allowances of grand and petit jurors and for the compensation of land commissioners and jury commissioners. This represents a reduction of \$318,000 from the fiscal year 1995 amount and a reduction of \$12,980,000 from the budget request.

The Committee recommendation reflects estimates of carryover balances of \$7,980,000. In addition, reduced juror activity should result in program decreases of approximately \$5,000,000. Thus, the amount provided will allow for the anticipated operational needs of this program.

## COURT SECURITY

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$97,000,000 |
| Budget estimate, 1996 .....    | 116,433,000  |
| House allowance .....          | 109,724,000  |
| Committee recommendation ..... | 102,000,000  |

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

The Committee recommendation of \$102,000,000 for court security for fiscal year 1996 is an increase of \$5,000,000 over the amount provided for fiscal year 1995 and a reduction of \$14,433,000 from the budget request. While this amount is \$7,724,000 below the House provision, it fully funds the judiciary's most recent cost estimate for security needs. This appropriation, along with funds provided for in the fiscal year 1995 supplemental related to the Oklahoma City bombing will fund an additional 474 court security officers and related equipment in fiscal year 1996.

## ADMINISTRATIVE OFFICE OF THE U.S. COURTS

## SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$47,500,000 |
| Budget estimate, 1996 .....    | 53,445,000   |
| House allowance .....          | 47,500,000   |
| Committee recommendation ..... | 47,500,000   |

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

The Committee recommends \$47,500,000 for the salaries and expenses of the Administrative Office of the U.S. Courts for fiscal year 1996, a freeze at the current fiscal year 1995 enacted level. This reduction of \$5,945,000 from the budget request reflects the budgetary pressures on this Committee and the need to hold down administrative expenses in all areas of Government.

*Phaseout of the U.S. Parole Commission.*—The Committee expects the Administrative Office to work with the U.S. Parole Commission to conduct a joint study to assess the feasibility of transferring all remaining workload of the Parole Commission to the judiciary by September 30, 1996. The Committee expects a report on the findings of this study by March 1, 1996.

## FEDERAL JUDICIAL CENTER

## SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$18,828,000 |
| Budget estimate, 1996 .....    | 20,771,000   |
| House allowance .....          | 18,828,000   |
| Committee recommendation ..... | 17,000,000   |

The Committee recommends \$17,000,000 for the salaries and expenses of the Federal Judicial Center for fiscal year 1996, a reduc-

tion of \$1,828,000 from the fiscal year 1995 appropriation and \$3,771,000 from the budget request.

The Committee recommendation provides for no program increases and assumes that reductions will be made in the research and technology functions of the center, some of which overlap with functions performed by the Administrative Office of the Courts.

#### JUDICIAL RETIREMENT FUNDS

##### PAYMENT TO JUDICIARY TRUST FUNDS

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$28,475,000 |
| Budget estimate, 1996 .....    | 32,900,000   |
| House allowance .....          | 32,900,000   |
| Committee recommendation ..... | 32,900,000   |

The Committee recommends \$32,900,000 for the payment to the judicial officers' retirement fund, the judicial survivors' annuities fund, and the claims court judges' retirement fund for fiscal year 1996. This amount is equal to the budget request, and is \$4,425,000 more than the current year appropriation for this account. These funds are considered mandatory for budgetary purposes.

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

#### U.S. SENTENCING COMMISSION

##### SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$8,800,000 |
| Budget estimate, 1996 .....    | 9,500,000   |
| House allowance .....          | 8,500,000   |
| Committee recommendation ..... | 7,040,000   |

The Committee recommends \$8,500,000 for the salaries and expenses of the U.S. Sentencing Commission for fiscal year 1996. This represents a reduction of 20 percent below the amount provided for the current fiscal year and a reduction of \$2,460,000 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 has included the following general provisions in the bill for the Judiciary.

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

Section 302 provides language included in previous appropriations acts which authorizes appropriations for the special court of

appeals established under the Regional Rail Reorganization Act of 1973, Public Law 93-236.

Section 303 provides language, included in previous appropriations acts, which permits up to 5 percent of any appropriation made available for fiscal year 1996 to be transferred between judiciary appropriation accounts with the proviso that no appropriation shall be decreased by more than 5 percent or increased by more than 10 percent by any such transfer. In addition, the language provides that any such transfer shall be treated as a reprogramming of funds under section 605 in the general provisions of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 304 provides language permitting not to exceed a total of \$10,000 for expenses of official reception and representation expenses incurred by the Judicial Conference of the United States.

#### TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCIES

The subcommittee's 602(b) budget authority allocation for nondefense discretionary spending is \$4,683,030,000 below the President's request, \$2,354,000,000 below a freeze at fiscal year 1995 levels, and \$1,289,000,000 below the House allocation. Under these severe budgetary constraints, the Committee has had to make difficult choices and set priorities. The Committee has undertaken a comprehensive review of current spending here in the United States and internationally. In total, the amounts recommended in this title for the Department of State, the U.S. Information Agency [USIA] and the Arms Control and Disarmament Agency [ACDA] are below the authorized levels set forth in the fiscal year 1996–99 authorization bill, Senate bill 908, the Foreign Relations Revitalization Act of 1995, as reported by the Senate Foreign Relations Committee on June 9, 1995, by \$897,539,000. Every program contained in this title is at or below the authorization level provided in that bill.

On January 26, the Vice President issued a press release announcing the second phase of the "National Performance Review" for foreign affairs agencies. The press release stated: "It is anticipated that the overall review of international affairs programs and agencies will result in savings of at least \$5,000,000,000 over 5 years and a substantially enhanced capacity to deliver more effective programs overseas and provide value to the American taxpayer." Requests by the chairman, the ranking member, and other members of the Committee for the details of the administration's \$5,000,000,000 savings plan were denied.

This lack of cooperation from the administration has given the Committee no choice but to initiate a similar savings plan of its own aimed at reducing overlap and duplication in the current foreign affairs bureaucracy. In this process, the Committee has taken great pains to ensure that those at management positions in each of the affected agencies under the subcommittee's jurisdiction—the Department of State, the U.S. Information Agency, and the Arms Control and Disarmament Agency—will have flexibility to determine the appropriate structure for a leaner, more efficient, and more effective foreign policy apparatus.

Senate bill 908 provides for the consolidation of USIA and ACDA with the State Department by March 1, 1997. As in the House bill, the Committee has placed funding for USIA and ACDA within this title to put in one place the accounts within the subcommittee's jurisdiction that would be merged into the State Department during fiscal year 1997 under that bill. In recognition of the Foreign Relations Committee's proposed consolidation plan and a similar one which passed the House earlier this year, the Committee recommends the establishment of a foreign affairs reorganization

transition fund consistent with the provisions of Senate bill 908. This fund will be used to pay the necessary costs associated with an orderly reorganization and downsizing of these agencies. Resources provided to this fund may be used to finance voluntary separation incentive payments consistent with the Federal Workforce Restructuring Act of 1994. In addition, this title provides for the immediate consolidation of the inspector general offices of the Department of State and USIA.

#### DEPARTMENT OF STATE

The Committee recommends a total of \$3,321,890,000 for fiscal year 1996 for the Department of State. This amount is \$880,422,000 less than the budget request for fiscal year 1996, \$821,760,000 less than the fiscal year 1995 appropriations for the Department, and \$702,556,000 below the House allowance.

The Committee recommendation includes a total of \$2,479,171,000 for the appropriation accounts under administration of foreign affairs; \$803,000,000 for the appropriation accounts under international organizations and conferences; \$39,719,000 for international commissions; and no funding for the Asia Foundation. The Committee's recommended priorities for the Department of State are described in more detail below.

#### ADMINISTRATION OF FOREIGN AFFAIRS

##### DIPLOMATIC AND CONSULAR PROGRAMS

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1995 .....     | \$1,725,328,000 |
| Budget estimate, 1996 .....    | 1,758,858,000   |
| House allowance .....          | 1,727,878,000   |
| Committee recommendation ..... | 1,562,585,000   |

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

The Committee recommends \$1,562,585,000 for the "Diplomatic and consular programs" account, including \$9,720,000 for security enhancements requested as part of the administration's July 17, 1995 antiterrorism budget amendment. The Committee recommendation represents a 10-percent reduction—\$172,463,000—below fiscal year 1995 levels in the regular program funded in this account and an increase of \$9,720,000 for increased security at overseas posts. The recommended funding level is \$196,273,000 lower than the budget request, and \$164,713,000 below the House allowance. The recommendation will require a reduction of \$228,593,000 below the amount required to maintain the fiscal year 1995 operations level in fiscal year 1996, and will require substantial personnel reductions, post closings, and other streamlining and savings initiatives. The costs associated with these initiatives will be funded in part through the foreign affairs reorganization transition fund.

The recommendation provides \$24,856,000 for the Diplomatic Telecommunications Service [DTS-PO] as recommended by the House. Language is included consistent with Public Law 103-317

which withholds these funds from obligation until 15 days after a progress report on the DTS-PO pilot program is submitted to Congress.

The Committee urges that the President, on behalf of all affected U.S. agencies, submit a DTS-PO management plan to the appropriate committees by December 1, 1996. The plan should include a system configuration for the network, a funding profile to maintain and upgrade the system, and a reimbursement plan to cover the direct and indirect costs of operating the DTS network once system improvements have been achieved.

The Committee has included language in the bill, requested by the administration, which will provide not to exceed \$700,000 in registration fees collected pursuant to section 45 of the State Department Basic Authorities Act for activities of the Office of Defense Trade Controls. The Committee has also included a language provision under this heading which provides \$1,223,000 in fees collected from other executive branch agencies for lease or use of facilities at the International Center complex, as authorized by law, but did not include requested language appropriating \$448,000 to be derived from the reserves. In addition, the Committee language provides not to exceed \$15,000 from reimbursements, surcharges, and fees for use of Blair House facilities in accordance with the State Department Basic Authorities Act.

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

Finally, the bill includes language requiring that starting in fiscal year 1997, a system be in place that allocates to each department and agency the full cost of its presence outside the United States.

As requested by the administration, the bill deletes the four provisions that were included in the fiscal year 1995 act: (1) \$4,000,000 for grants to conduct research and promote international cooperation on scientific and communications issues; (2) \$600,000 to carry out the activities of the Commission on Protecting and Reducing Government Secrecy; (3) \$300,000 to carry out the activities of the Office of Cambodian Genocide Investigations; and (4) a prohibition on the use of funds to carry out the provisions of section 101(b)(2)(F) of Public Law 103-236. The provisions permitting collection of expedited passport fees and increased visa fees resulting from processing of fingerprints, to be deposited into this account as an offsetting collection was not included in this bill because Public Law 103-317 provided permanent authority to collect these fees.

*Enhanced security.*—In separate bill language, the Committee has provided \$9,720,000 for enhanced security overseas. This amount was requested as part of the President's fiscal year 1996 antiterrorism budget amendment submitted on July 17, 1995. These funds will provide for full armored vehicles in critical terrorist threat posts, security equipment, funding for the local guard program, and reinstatement of a crisis training program with a focus on counter terrorism.

*Spending reductions.*—The budget request for this account included \$32,320,000 in program decreases, which, together with \$13,319,000 in program decreases included in the “Salaries and expenses” account, would have required budget savings measures, including a reduction of 336 positions, and 15 overseas post closings, and the elimination of at least one bureau.

The Committee believes that rationalizing staffing patterns, eliminating duplication of functions overseas, and addressing the way operating costs overseas are allocated among the State Department and the agencies it supports, are absolutely essential to achieving the savings required by its recommendations.

A major area of duplication that must be addressed in order to achieve the additional spending reduction recommended by the Committee is economic and commercial reporting. In overseas posts in which both the State Department and the United States and Foreign Commercial Service [US&FCS] are present, the State Department and the Commerce Department both report on the host country economic and commercial situation. Therefore, the Committee directs that at those posts, duplication be ended. There is no reason why staff cannot submit their reports to both the Commerce and State Departments.

In addition, there is a significant overlap of functions between the Arms Control and Disarmament Agency and the Department’s Bureau of Political-Military Affairs. This was identified in both the Vice President’s reinventing Government announcement and the Senate Foreign Relations Committee report on Senate bill 908. The Committee believes that reductions need to be made in both entities to eliminate duplication, and expects a report by March 1, 1996, on steps being taken both in the Bureau and at ACDA to reduce personnel performing duplicative functions.

*Overseas staffing.*—In a September 1994 report, the General Accounting Office stated that the State Department lacked an overall system to link overseas staffing with policy priorities. The Committee is aware of efforts underway at the Department to address this issue. The Committee is generally supportive of the Overseas Staffing Board, proposed by the Secretary, to establish six model staffing profiles for all overseas posts and to place posts into one of the six categories according to overall U.S. interests. The Committee urges the Secretary to expedite completion of this ranking and appropriate use of the models to manage and track overseas staffing. The Committee urges the Department to implement this new system during fiscal year 1996 to help reduce overseas staffing at those posts that have more positions than their staffing profiles permit. The new system should be fully implemented by no later than April 1, 1996.

In addition, the Committee is encouraged by work already underway by the Department’s inspector general and the Office of Management Policy and Planning to use the mission and bureau program plans to relate overseas positions to specific policy priorities. The inspector general recently completed a pilot effort to match the number of employees at overseas posts with the priorities set forth in each post’s mission program plan. The Committee believes that this effort should be extended to all posts during the next mission program plan development. In addition, a method must be devel-

oped to include a qualitative evaluation of how essential each employee is in carrying out the priorities with which he or she is charged. The Department should submit the results of this staffing profile process together with the fiscal year 1997 budget request.

*Overseas staffing of all agencies supported by State.*—Over 35 U.S. Government agencies employ personnel stationed at more than 260 posts in roughly 170 countries around the world. According to a December 1994 General Accounting Office report, the U.S. Government employs approximately 37,800 full-time personnel overseas. Roughly one-half are U.S. citizens. The remainder are foreign nationals. This total does not include large numbers of personnel who are paid directly or indirectly by the U.S. Government and involved in U.S. Government activities overseas, such as military personnel.

Over the past 10 years, the number of Americans working for the Federal Government overseas has increased by roughly 19 percent. During that time, overseas staffing levels at the State Department have remained relatively flat. By contrast, overseas staffing at other agencies has increased dramatically. Overseas Justice Department staffing is up more than 90 percent. The number of American Department of Transportation staff overseas has increased by more than 30 percent. Overseas Treasury Department staffing is up more than 20 percent. Given these changes, the Committee recommends that the staffing profile process include inter-agency consideration of overseas staffing of all agencies.

*Authority of Chief of Mission.*—As all agencies operating overseas work together to meet rapidly evolving challenges, the Committee believes that the authority of the Chief of Mission is essential to combining both authority and accountability in one senior executive branch individual in every diplomatic mission overseas. This authority was codified in National Security Decision Directive 38 issued by President Reagan and reaffirmed by his successors. The Committee understands that NSDD-38 is supportive of the authority conferred upon Chiefs of Mission by the Foreign Service Act of 1980 (Public Law 96-465), and that the Chief of Mission must have the final word on size, composition, and mandate of all executive agency operations and personnel in the country of his or her assignment.

The Committee believes that all agencies must work together to decide how best to deploy resources overseas, and which agencies need to be represented and at what staffing level. The Committee understands that an interagency council is being established along these lines, and expects a periodic report on its progress.

*Improving shared administrative support services.*—The Committee understands that the Department of State is currently undertaking an important effort to completely revise the foreign affairs administrative support [FAAS] system. FAAS was designed to ensure reimbursement by other agencies for the Department's incremental expenses incurred in providing administrative support to non-State agencies overseas. Information provided to the Committee by the Department suggests that State is now subsidizing the cost of overseas operations of other Government agencies by \$240,000,000 per year or more. The Committee urges the Department to continue to seek a more equitable distribution of expenses

based on the overseas administrative workload generated by all participating agencies.

The Department is reportedly planning to establish pilot cooperative administrative support unit programs at up to 10 posts overseas during fiscal year 1996. Each pilot post will have a local board, composed of representatives of each agency. A major objective will be to fully recover all direct and indirect costs of providing services overseas. The Committee fully supports these efforts and requests that the Department report within 120 days of enactment of this legislation on the status of these projects.

The State Department cannot continue to provide 70 percent of the support costs for other agencies, and still maintain its own mission overseas. The Committee intends that this will be the last year the State Department subsidizes the budgets of other agencies through the existing administrative support mechanism.

Starting in fiscal year 1997, all other agencies with operations overseas in U.S. diplomatic missions and consulates should have to pay the full cost of their overseas operations. The Committee directs the Office of Management and Budget to ensure that in the President's budget for fiscal year 1997, the full cost of each Federal agency's overseas presence is clearly reflected within its budget request to Congress. For that reason, language is included in the bill stating that in fiscal year 1997, a system shall be in place that allocates to each department and agency the full cost of its presence outside of the United States.

*Lebanese passports.*—In its review of the policy banning the use of a United States passport for travel to Lebanon, the Committee urges the Department of State to improve the policy by expanding the current waiver provision for humanitarian considerations to include for waiver eligible Americans of Lebanese descent wishing to travel to Lebanon for family reunification purposes. The Committee also urges the Department to create a new waiver category to permit exceptions from the ban for United States business personnel traveling to Lebanon. It is expected that the Department will confer with this Committee throughout its review of this policy.

*Post closings.*—The Committee supports the commitment made by the Vice President and the Secretary of State to close at least 15 overseas posts in fiscal year 1996 as a welcome sign of willingness to prioritize. The Committee applauds the efforts of the Department to develop objective criteria for the evaluation and prioritization of overseas posts, but recommends that in the next round, the Department should give the potential impact on economic, diplomatic, and law enforcement interests, particularly on neighboring border communities, appropriate consideration in the evaluation process.

The Committee also expects that to the extent possible, the Department refrain from applying other more subjective criteria to the evaluation of posts as was evident from information provided by the Department to the Committee concerning the latest round of proposed post closings.

SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$383,972,000 |
| Budget estimate, 1996 .....    | 374,350,000   |
| House allowance .....          | 365,146,000   |
| Committee recommendation ..... | 337,146,000   |

The Committee recommends \$337,146,000 for the “Salaries and expenses” account of the Department of State, including \$1,870,000 for security enhancements requested as part of the administration’s July 17, 1995, antiterrorism budget amendment. The amount recommended represents a 10-percent reduction—\$37,204,000—below fiscal year 1996 requested funding levels in the regular program and an increase of \$1,870,000 for antiterrorism enhancements. The recommendation is \$28,000,000 below the House allowance.

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

*Enhanced security.*—In separate bill language, the Committee has provided \$1,870,000 for enhanced domestic security. This amount was requested as part of the antiterrorism budget amendment submitted on July 17, 1995. This amount will provide for security enhancements at the main State Department building and annexes, and for data base links with law enforcement information systems.

FOREIGN AFFAIRS REORGANIZATION TRANSITION FUND

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     |              |
| Budget estimate, 1996 .....    |              |
| House allowance .....          |              |
| Committee recommendation ..... | \$26,000,000 |

The Committee recommends \$26,000,000 for a new appropriations account: the foreign affairs reorganization transition fund consistent with the provisions of Senate bill 908, the Foreign Relations Revitalization Act of 1995, as reported by the Senate Foreign Relations Committee on June 9, 1995. This fund will be used to pay the necessary costs associated with an orderly reorganization and downsizing of these agencies. Resources provided to this fund may be used to finance voluntary separation incentive payments consistent with the Federal Workforce Restructuring Act of 1994. Language authorizing this new account is provided in section 404 of this act.

Notification of the planned expenditures from this account should be submitted to the Appropriations Committees of the House and Senate and the authorizing committees in accordance with section 605 of the accompanying bill.

CAPITAL INVESTMENT FUND

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     |              |
| Budget estimate, 1996 .....    | \$32,800,000 |
| House allowance .....          | 16,400,000   |
| Committee recommendation ..... | 8,200,000    |

The Committee recommends \$8,200,000 for the capital investment fund, compared to a request of \$32,800,000, and a House allowance of \$16,400,000. There was no funding for this account in fiscal year 1995.

The Committee believes there is ample justification to fund this new account, in order to provide resources for needed investments in information systems. The Committee notes that in past years, managers at the Department minimized investments in infrastructure in an attempt to maintain staffing levels. Budgetary constraints dictate that capital investments be made now to ensure that the Department will be able to perform its mission in the coming years with fewer people.

The Department's information systems are inadequate to meet critical mission requirements; about 80 percent of the Department's automated data processing equipment is classified as obsolete; 75 percent of the Department's telephone systems are outdated; and one-half of the Department's posts have inadequate numbers of personal computers.

Funding constraints and the lack of a comprehensive plan from the Department prevent the Committee from providing more resources to this account at this time. The Committee would encourage the Department to find additional resources within other accounts which might be reprogrammed to this account subject to the requirements of section 605 of this act.

OFFICE OF INSPECTOR GENERAL

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$23,850,000 |
| Budget estimate, 1996 .....    | 24,250,000   |
| House allowance .....          | 27,669,000   |
| Committee recommendation ..... | 27,350,000   |

The Committee recommends merging the Office of Inspector General of the U.S. Information Agency with the Office of Inspector General of the State Department for several reasons. As a first step toward the proposed consolidation of the foreign affairs agencies, the Committee believes that it would be beneficial to have one inspector general monitor the planning, development, and execution of the consolidation process.

Since the State inspector general already has jurisdiction over the Arms Control and Disarmament Agency, this change would provide this office with jurisdiction over all three of the agencies involved in this streamlining process. The Committee notes that the consolidation of these two inspector general offices was specifically recommended by the Vice President in his announcement of the second phase of the "National Performance Review" for foreign affairs agencies. The House has also endorsed the proposed change. And, finally, the Committee believes savings can be achieved through this consolidation.

For the combined Office of the Inspector General for the Department of State and the U.S. Information Agency, the Committee recommends \$27,350,000. This is \$800,000 less than the amount appropriated for the two offices in fiscal year 1995, \$1,493,000 less than the amount requested for the two Offices, \$319,000 less than the House allowance, and \$100,000 less than the authorization provided to this consolidated account in Senate bill 908, the Foreign Relations Revitalization Act of 1995, as reported by the Senate Foreign Relations Committee on June 9, 1995.

## REPRESENTATION ALLOWANCES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$4,780,000 |
| Budget estimate, 1996 .....    | 4,800,000   |
| House allowance .....          | 4,780,000   |
| Committee recommendation ..... | 4,500,000   |

The Committee recommends \$4,500,000 for representation allowances authorized by section 905 of the Foreign Service Act of 1980. This amount is \$300,000 less than the budget request, \$280,000 less than the fiscal year 1995 funding level, and \$280,000 less than the House allowance.

These funds are used to reimburse Foreign Service officers for expenditures incurred in their official capacities abroad in establishing and maintaining relations with officials of foreign governments and appropriate members of local communities.

## PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$9,579,000 |
| Budget estimate, 1996 .....    | 8,579,000   |
| House allowance .....          | 8,579,000   |
| Committee recommendation ..... | 8,579,000   |

The accompanying bill includes a total of \$8,579,000 for the appropriation entitled, "Protection of Foreign Missions and Officials." This amount is the same as both the budget request and the House allowance. The recommendation is \$1,000,000 less than the appropriation provided for fiscal year 1995.

The fiscal year 1995 appropriation included funding for two special events totaling \$1,000,000; the recommendation for fiscal year 1996 represents the base level that was funded in fiscal year 1995.

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

Of the total amount recommended, \$1,489,000 is available for protection of foreign diplomats and their families throughout the United States. The Foreign Missions Act of 1982 authorizes the provision of such services when necessary either at the request of a foreign mission or on the initiative of the Secretary of State. In these situations, where State and local authorities cannot provide the security required, the act permits the Department of State to employ the services of private security firms.

Of the total amount recommended, \$7,090,000 is allocated to reimburse New York City for the protection of foreign missions and officials credited to the United Nations and other international organizations. These funds provide for the costs of guard posts and

security escort and motorcade services to foreign missions and personnel assigned to the United Nations.

#### ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$391,760,000 |
| Budget estimate, 1996 .....    | 421,760,000   |
| House allowance .....          | 391,760,000   |
| Committee recommendation ..... | 369,860,000   |

The Committee recommends a total appropriation of \$369,860,000 for acquisition and maintenance of buildings abroad for fiscal year 1996. The total amount provided in this appropriation account for fiscal year 1996 is a reduction of \$21,900,000 below fiscal year 1995 funding levels. Earlier this year, funding for this account was reduced with enactment of a \$30,000,000 rescission in Public Law 104-19. The recommendation is \$50,900,000 below the request and \$21,900,000 below the House allowance.

This account provides the funding that allows the Department to manage U.S. Government real property worth in excess of \$10,000,000,000 and to almost 14,000 residential, office, and functional properties, not only for the Department of State, but for all U.S. employees overseas.

The budget request includes no funding for new capital projects, reflecting a shift in emphasis from capital construction to enhanced management of existing facilities.

The Committee recommends funding for all current leases; security, safety, and efficiency upgrades; maintenance and rehabilitation of existing facilities; and supervision and management for ongoing projects. In addition to reduced funding, the Committee has recommended a rescission of projected carryover balances in this account which appears in title VII of this act. The Committee believes that drawing down the unobligated balances which have been built up over the past decade will give the Department of State incentive to: (1) closely monitor ongoing capital projects at each phase of the process—acquisition, design, construction, close-out, and projected fitting—to ensure that they are completed on time and within budget; and (2) sell surplus property that may no longer be needed. The proceeds from the sale of overseas State Department property reverts to this account.

The Committee recommendation includes a provision carried in the bill in previous years which prohibits funds from being used for acquisition of furniture and furnishings and generators for other departments and agencies.

#### EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$6,500,000 |
| Budget estimate, 1996 .....    | 6,000,000   |
| House allowance .....          | 6,000,000   |
| Committee recommendation ..... | 6,000,000   |

The Committee recommends \$6,000,000 to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service. This amount is the same as both the budget request and the House allowance. The recommendation is \$500,000 less than the amount appropriated for fiscal year 1995.

The Committee has included a provision in the bill which permits up to \$1,000,000 to be transferred from this account to the "Repatriation loans program" account, as requested in the budget. This provision will ensure an adequate level of resources for loans to American citizens through the "Repatriation loans program" account should that account require additional funds in fiscal year 1996 due to an unanticipated increase in the number of loans needed.

The appropriation provides resources for the Department of State to meet emergency requirements in the conduct of foreign affairs. The Committee recommendation provides funds for: (1) travel and subsistence expenses for relocation of American, U.S. Government employees and their families from troubled areas to the United States and/or safe-haven posts; (2) allowances granted to State Department employees and their dependents evacuated to the United States for the convenience of the Government; and (3) payment of rewards for information concerning terrorist and narcoterrorist activities.

#### REPATRIATION LOANS PROGRAM ACCOUNT

|                                |           |
|--------------------------------|-----------|
| Appropriations, 1995 .....     | \$776,000 |
| Budget estimate, 1996 .....    | 776,000   |
| House allowance .....          | 776,000   |
| Committee recommendation ..... | 776,000   |

The Committee has included \$593,000 for the subsidy cost of repatriation loans, and \$183,000 for administrative costs of the program as authorized by 22 U.S.C. 2671. The Committee recommendation is identical to the budget request, the fiscal year 1995 appropriation, and the House allowance for both the subsidy amount and administrative costs for these loans.

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

#### PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$15,465,000 |
| Budget estimate, 1996 .....    | 15,465,000   |
| House allowance .....          | 15,165,000   |
| Committee recommendation ..... | 15,165,000   |

The accompanying bill includes \$15,165,000 for the appropriation entitled, "Payment to the American Institute in Taiwan." This amount is \$300,000 below both the budget request and the amount provided in fiscal year 1995. The recommendation is equal to the House allowance. It returns the account to its appropriation level in fiscal year 1994.

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

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY  
FUND

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$129,321,000 |
| Budget estimate, 1996 .....    | 125,402,000   |
| House allowance .....          | 125,402,000   |
| Committee recommendation ..... | 125,402,000   |

The Committee recommends \$125,402,000 for the appropriation entitled, "Payment to the Foreign Service Retirement and Disability Fund." The recommendation for this account equals the budget request and the House allowance. The \$3,919,000 decrease from the fiscal year 1995 funding level is due to a change in actuarial assumptions and an increase in the 30-year amortization payment.

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

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$872,661,000 |
| Budget estimate, 1996 .....    | 923,057,000   |
| House allowance .....          | 858,000,000   |
| Committee recommendation ..... | 550,000,000   |

The bill includes \$550,000,000 for payment of the obligations of U.S. membership in international organizations as authorized by conventions, treaties, or specific acts of Congress. This is \$322,661,000 below the fiscal year 1995 appropriation, \$373,057,000 below the budget request, and \$308,000,000 below the House-passed level.

Severe budgetary constraints dictate a thorough reevaluation of U.S. membership in the 50 international organizations funded through this account. In fiscal year 1995, approximately one-third of the Department's budget was devoted to contributions to international organizations and to peacekeeping. Over the past 3 years, funding for the core functions of the State Department have declined by roughly \$700,000,000 while funding for the United Nations and other multilateral organizations have increased by well over \$1,000,000,000. The Committee directs the Department of State to evaluate whether continued U.S. membership in each of these organizations is in the national interest and report back to the Appropriations Committees of the House and Senate, the Senate Foreign Relations Committee and the House International Relations Committee by September 30, 1995.

This report should contain recommendations for immediate withdrawal from international organizations which do not meet the national interest standard.

Consistent with the provisions of Senate bill 908, the Foreign Affairs Revitalization Act of 1995, as reported by the Senate Foreign Relations Committee on June 9, 1995, the Committee recommends language prohibiting the use of appropriated funds to pay for U.S. membership in: (1) the International Labor Organization; (2) the

United Nations Industrial Development Organization; (3) the Inter-American Indian Institute; (4) the Pan American Railway Congress Association; (5) the Interparliamentary Union; (6) the International Rubber Organization; (7) the International Tropical Timber Organization; and (8) the International Copper Study Group.

The Committee recommends language, carried in the fiscal year 1995 appropriations act, which provides that payment of arrearages shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization. The recommendation does not provide any funds for arrearages, and so it is unlikely that this provision will be utilized. The Committee expects that the Department will submit a reprogramming to the House and Senate Appropriations Committees under the provisions of section 605 of the bill before payment of arrearages is made to any of the international organizations.

The Committee also recommends bill language carried in previous appropriations acts which prohibits any of the funds made available in this account for a U.S. contribution to an international organization for the United States' share of interest costs for loans incurred on or after October 1, 1984, through external borrowings.

The Committee also recommends a provision that 20 percent of the amount for the United States assessed contributions to the regular budget of the United Nations will be withheld from obligation and expenditure until a certification is made pursuant to section 401(b) of Public Law 103-236. This certification relates to the establishment of an independent Office of Inspector General at the United Nations. This provision was carried in the fiscal year 1995 appropriations bill and has been updated to apply to fiscal year 1996.

*United Nations reform.*—One of the most critical priorities must be reform of United Nations management, financing, and programs. The need for reform at the United Nations is long overdue and widely acknowledged. Some steps are being taken by the Under Secretary General for Management with respect to the litany of management areas in need of reform: a bloated bureaucracy; a personnel system that fails both to recognize performance and to eliminate deadwood; featherbedding, where jobs are created or maintained regardless of need; the lack of a comprehensive code of conduct; excessive printing and publications; and wasteful and unnecessary worldwide conferences.

But deeper structural reform is also required. The communique issued at the recent G-7 meeting in Halifax, like the recommendations of the Commission on Global Governance, focused on the U.N. Conference on Trade and Development, the regional economic commissions, and the Economic and Social Council as prime examples of structures in need of reexamination. A top-to-bottom reform of the entire U.N. structure is required to eliminate obsolete or unneeded operations.

Management and structural reform are equally needed throughout all U.N.-related agencies and other international organizations.

*Conferences.*—The U.S. representative to the United Nations and others have stated that there should be no more worldwide conferences scheduled. The Committee agrees, and believes that the

United States should not agree to participate in or finance any further worldwide conferences.

*U.N. inspector general.*—At the insistence of the Congress, an inspector general-type operation has been installed at the United Nations, known as the Office of Internal Oversight Services. Overall, the new Office has not yet made itself an agent of change. The Under Secretary General of the Office has stated that it is not within the scope of the Office to evaluate the overall effectiveness of programs or to criticize the actions of member States. Furthermore, protections for employees who bring problems to the attention of the Office do not appear to be sufficient. The U.S. mission should be at the forefront of assuring that U.S. citizens who speak out do not suffer reprisals. In conjunction with the certification requirements contained in the bill, the Committee intends to follow the progress of this Office closely.

In addition, the Committee requests that the Department of State do a formal evaluation of the existence and adequacy of inspector general offices at all the major international organizations and report back to the Committee by March 1, 1996.

#### CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$518,687,000 |
| Budget estimate, 1996 .....    | 445,000,000   |
| House allowance .....          | 425,000,000   |
| Committee recommendation ..... | 250,000,000   |

The Committee recommends a total of \$250,000,000, for U.S. payments for contributions for international peacekeeping activities for fiscal year 1996. This is \$268,687,000 below the amount provided in fiscal year 1995 and \$195,000,000 below the amount requested for fiscal year 1996.

As a result of prior congressional action, the U.S. assessment rate for its share of the cost of peacekeeping missions will decline from 30.4 to 25 percent in fiscal year 1996.

Language is included, stating that none of the funds in this bill can be expended for new or expanded peacekeeping missions unless 15 days in advance of the vote at the United Nations: (1) the Committee is notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming request is submitted, indicating the source of funds that will be used to pay for the new or expanded mission.

The notification requirement in the recommended language is similar to existing notification requirements enacted in the Foreign Relations Authorization Act, fiscal years 1994 and 1995, and proposed in other pending legislation. The Committee has included this requirement in appropriations language to assure that it is one of the committees that receives notification.

The requirement that the State Department submit a reprogramming, identifying the source of funds for a new or expanded mission is added because the administration has continued to commit the United States to paying huge sums in assessments without identifying where the funds will be found to pay for those commitments. Even though the administration's peacekeeping policy directive, Presidential Decision Directive 25, makes availability of funds

a factor in deciding whether to vote for a peacekeeping operation, the administration has continued to vote for peacekeeping missions without formulating a proposal identifying how the U.S. assessment will be paid for.

As recent events with respect to establishment of the Rapid Reaction Force in Bosnia indicate, the administration continues to take the position that it can vote for new or expanded missions without identifying where the funds will be found to pay for new commitments like this and with minimal consultation in advance with Congress. The administration needs to formulate a proposal identifying where the funds will come from to pay for a new or expanded mission prior to committing the United States to pay assessments and to consult with the Committee about the mission and the proposal to pay for it prior to voting for the mission.

Language is included, as in the previous year, requiring that funds are available for peacekeeping expenses only upon a certification that American manufacturers and suppliers are provided procurement opportunities equal to those being given to foreign manufacturers and suppliers.

The Committee is concerned about problems that have arisen out of the sharing of intelligence with the United Nations. These problems are being addressed in a number of authorization bills that are moving in both the House and the Senate, and the Committee believes that this situation must be addressed and rectified to prevent the reoccurrence of these problems in the future.

#### INTERNATIONAL CONFERENCES AND CONTINGENCIES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$6,000,000 |
| Budget estimate, 1996 .....    | 6,000,000   |
| House allowance .....          | 3,000,000   |
| Committee recommendation ..... | 3,000,000   |

The Committee recommends \$3,000,000 to finance the U.S. participation in multilateral intergovernmental conferences and contributions to new or provisional international organizations. The recommendation is equal to the House allowance and \$3,000,000 less than both the budget request and the fiscal year 1995 funding level.

The Committee urges the Department to do a more rigorous job of prioritizing which of the approximately 700 scheduled conferences it chooses to attend, and of limiting the number of representatives.

This account finances only the expenses of official delegations to conferences and does not cover employees funded by other departments who are not part of an official delegation. As a result, there is little, if any, control over the amount of funds spent on international conferences.

A September 1994 State Department inspector general report recommended that the Department consult with the Office of Management and Budget [OMB] to seek to expand the authority of the Office of International Conferences to monitor overall costs to the U.S. Government as well as the size and composition of conference delegations. The Committee recommends that the Department implement that recommendation.

## INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES  
AND MEXICO

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$19,502,000 |
| Budget estimate, 1996 .....    | 24,256,000   |
| House allowance .....          | 19,002,000   |
| Committee recommendation ..... | 19,500,000   |

The bill includes a total of \$19,500,000 for the International Boundary and Water Commission, United States and Mexico [IBWC]. This amount is \$4,756,000 less than the total budget request for fiscal year 1996, \$2,000 less than the amounts provided for fiscal year 1995, and \$498,000 more than the House allowance. The total amount provided includes \$11,500,000 for salaries and expenses and \$8,000,000 for construction.

## SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$12,858,000 |
| Budget estimate, 1996 .....    | 13,858,000   |
| House allowance .....          | 12,358,000   |
| Committee recommendation ..... | 11,500,000   |

The Committee recommends \$11,500,000 for the "Salaries and expenses" account. This amount is \$2,358,000 less than the budget request, \$1,358,000 below the fiscal year 1995 appropriation, and \$858,000 below the House allowance. The Committee notes that \$800,000 will be available from an appropriation of \$1,000,000 in the fiscal year 1996 Energy and Water appropriations bill out of the Western Area Power Administration. Therefore, the total funds available for IBWC salaries and expenses will be only \$558,000 less than the amount for salaries and expenses available in fiscal year 1995.

The recommendation does not include funding for \$1,500,000 requested to purchase spare parts and equipment for the expected startup of the San Diego/Tijuana International Wastewater Treatment Plant in fiscal year 1997. Because there appears to be little justification for this request, the Committee will only consider a request for spare parts if it is based on a plan that sets forth the actual need for spare parts inventory.

## CONSTRUCTION

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$6,644,000 |
| Budget estimate, 1996 .....    | 10,398,000  |
| House allowance .....          | 6,644,000   |
| Committee recommendation ..... | 8,000,000   |

The Committee recommendation for the construction appropriation is \$8,000,000. Although this amount represents an increase of \$1,356,000 above fiscal year 1995 funding levels, it is \$2,000,000 below the authorized levels contained in Senate bill 908, the Foreign Relations Revitalization Act of 1995, as reported by the Senate Foreign Relations Committee on June 9, 1995. The recommendation is \$2,398,000 below the request and \$1,356,000 above the House allowance.

The budget request included \$6,500,000 as part of a multiyear effort to accumulate \$16,000,000 that will be loaned to Mexico in fis-

cal year 1997 or 1998 to pay its share of the construction costs of the San Diego/Tijuana International Wastewater Treatment Plant. The loan will then be repaid to the United States over a period of 10 years. A total of \$6,097,000 has already been appropriated and is being held as carryover for this purpose.

The Committee recommends \$2,746,000 for this purpose, a reduction of \$3,754,000 below the request for the following reasons: (1) the full amount of funding is not required this year; (2) after credit reform, it should be possible to request funding for a loan program in a way that gets scored as a loan rather than as direct spending, at considerable savings in cost, and the Department and OMB are requested to look into this with respect to the remaining balance to be requested in future years; and (3) there may be up to \$6,000,000 in total project costs that can be saved, obviating the need for this additional appropriation. In the Clean Water Act reauthorization that recently passed the House, the city of San Diego is apparently being provided a waiver that will remove the necessity to provide secondary treatment to its municipal sewage. If the same waiver were to be provided to the International Wastewater Treatment Plant, it would save \$6,000,000 in construction costs. The Department is requested to look into this situation and report as to whether the situations are comparable.

The Committee understands that carryover funds are available to reimburse San Diego for the costs of wastewater treatment. The Committee recommendation fully funds the remainder of the construction request.

The Committee understands that the IBWC is leasing property for its offices and will soon be required to make decisions about facilities necessary to carry out its functions. The IBWC is expected to report to the Committee on its plans and is expected to utilize the services of the General Services Administration.

The Committee would like to see IBWC fulfill its existing agreements to reimburse local governments for operation, maintenance, and other related costs associated with treatment of wastewater originating in Mexico. The Committee recognizes that concerns have been raised by local governments about costs eligible for reimbursement as they relate to wastewater treatment. Therefore, IBWC is directed to submit to this Committee, within 60 days after enactment of this legislation, a report detailing the historical context in which memorandums of agreement for wastewater treatment have been entered, concerns raised by local governments that would affect reimbursement to the locality, and recommendations for resolution of the aforementioned concerns.

AMERICAN SECTIONS INTERNATIONAL COMMISSIONS

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$5,800,000 |
| Budget estimate, 1996 .....    | 6,290,000   |
| House allowance .....          | 5,800,000   |
| Committee recommendation ..... | 5,550,000   |

The Committee recommends a total of \$5,550,000 to fund the U.S. share of expenses of the International Boundary Commission, the International Joint Commission, United States and Canada, and the Border Environment Cooperation Commission for fiscal

year 1996. This amount is \$490,000 less than the request but is the same amount as was appropriated for fiscal year 1995.

The Committee recommendation supports a recent agreement to establish one joint Commissioner who will serve both the International Boundary Commission and the International Joint Commission and whose salary will be paid out of the International Joint Commission. The Committee urges the merger of the administrative functions of these two commissions.

The Committee recommendation also includes \$1,800,000 for the second year of funding for the Border Environment Cooperation Commission [BECC], authorized under the legislation approving the North American Free Trade Agreement [NAFTA]. This is \$190,000 above the amount appropriated in fiscal year 1995 and \$200,000 below the request. The reduction is based on the fact that BECC's initial operations appear to have begun slower than was initially anticipated. As of May 31, 1995, two-thirds of the way through the fiscal year, BECC had spent only a small portion (22 percent) of the funds available to it from the United States and Mexico.

This new Commission has been established to develop cooperative efforts to resolve environmental problems along the United States/Mexico border. The Commission's purpose is to work with affected States, local communities, and nongovernmental organizations that propose environmental infrastructure projects by assessing technical and financial feasibility, evaluating environmental benefits, arranging public and private financing, and coordinating the development and implementation of these projects.

INTERNATIONAL FISHERIES COMMISSIONS

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$14,669,000 |
| Budget estimate, 1996 .....    | 14,669,000   |
| House allowance .....          | 14,669,000   |
| Committee recommendation ..... | 14,669,000   |

The accompanying bill provides a total of \$14,669,000 to fund the U.S. share of the expenses of international fisheries commissions, participation in the International Council for the Exploration of the Sea, participation in the North Pacific Marine Sciences Organization, travel expenses of the U.S. commissioners and their advisors, and salaries of non-Government employees of the Pacific Salmon Commission for days actually worked as commissioners and panel members and alternates.

The total amount recommended is the same as the budget request, the House allowance, and the amount appropriated for fiscal year 1995.

The Committee recommendation includes \$8,323,000 for the Great Lakes Fishery Commission, the full 1996 budget request. Approximately \$7,000,000 of this amount is passed through to the Fish and Wildlife Service in the Department of the Interior for sea lamprey eradication. The Committee does not believe it is the function of the State Department to undertake or oversee fishery programs, nor does it believe that this program fits within the purpose of this account, which is to pay for the administrative costs of international commissions. Consequently, the Committee directs the State Department and the Office of Management and Budget

to request funding for the sea lamprey eradication program in the fiscal year 1997 budget of the Fish and Wildlife Service, Department of the Interior.

#### OTHER

##### PAYMENT TO THE ASIA FOUNDATION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$10,000,000 |
| Budget estimate, 1996 .....    | 10,000,000   |
| House allowance .....          | 10,000,000   |
| Committee recommendation ..... |              |

The Committee recommends no funding for the Asia Foundation for fiscal year 1996. In addition to \$10,000,000 from the Fiscal Year 1995 Commerce, Justice, State, and Judiciary Appropriations Act, the Asia Foundation received \$5,000,000 from the Fiscal Year 1995 Defense Appropriations Act. The recommendation is \$10,000,000 below appropriations provided in the Fiscal Year 1995 Commerce, Justice, State, and Judiciary Appropriations Act, the budget request, and the House allowance.

The Asia Foundation is a nongovernmental grantmaking organization that supports democratization in Asia. The Committee notes that Senate bill 908, the Foreign Affairs Revitalization Act of 1995, as reported by the Senate Foreign Relations Committee on June 9, 1995, authorized \$5,000,000 in funding for this program in fiscal year 1996 and \$3,000,000 in fiscal year 1997 and urged the Foundation to aggressively pursue private funds to support its activities.

##### GENERAL PROVISIONS—DEPARTMENT OF STATE

The Committee recommends the following general provisions for the Department of State that were included in the fiscal year 1995 appropriations act, renumbered to reflect the relocation of the Department of State appropriations in title IV of this act instead of title V, as in previous years:

Section 401 of the bill, as requested, permits funds appropriated in this act for the Department of State to be available for allowances and differentials as authorized by subchapter 59 of 5 U.S.C.; for services as authorized by 5 U.S.C. 3109; and hire of passenger transportation pursuant to 5 U.S.C. 1343(b).

Section 402 of the bill permits up to 5 percent of any appropriation made available in the bill for the Department of State and the U.S. Information Agency to be transferred between their respective appropriations. The language also provides that no appropriation shall be decreased by more than 5 percent or increased by more than 10 percent by any such transfer. In addition, the language provides that any transfer pursuant to this subsection shall be treated as a reprogramming of funds under section 605 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 403 provides that funds appropriated or otherwise made available under this act or any other act may be expended for compensation of the United States Commissioner of the International Boundary Commission, United States and Canada, only for actual hours worked by such Commissioner.

Section 404 authorizes the foreign affairs reorganization transition fund, which shall be under the control of the Director of the Office of Management and Budget in consultation with the Secretary of State, the Director of the U.S. Information Agency and the Director of the Arms Control and Disarmament Agency. The fund is to be used only for the purpose of downsizing, reorganizing, or eliminating duplications and overlap among these agencies consistent with the provisions of this title. It is intended to cover downsizing costs, including voluntary buyout authority consistent with the Workforce Restructuring Act of 1994.

#### RELATED AGENCIES

##### ARMS CONTROL AND DISARMAMENT AGENCY

##### ARMS CONTROL AND DISARMAMENT ACTIVITIES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$54,378,000 |
| Budget estimate, 1996 .....    | 76,000,000   |
| House allowance .....          | 40,000,000   |
| Committee recommendation ..... | 22,700,000   |

The Arms Control and Disarmament Agency advises and assists the President, the National Security Council, the Secretary of State and other senior Government officials on arms control matters.

The Committee recommends \$22,700,000 for the basic operating expenses of the Arms Control and Disarmament Agency [ACDA] for fiscal year 1996, the amount authorized in Senate bill 908, the Foreign Affairs Revitalization Act of 1995, as reported by the Senate Foreign Relations Committee on June 9, 1995. The recommendation is \$31,678,000 below fiscal year 1995 funding levels, \$53,300,000 below the request, and \$17,300,000 below the House allowance.

Senate bill 908 authorized \$22,700,000 for ACDA and provided additional resources of roughly \$20,000,000 to consolidate ACDA operations with those of the State Department. The Committee recommendation for the foreign affairs reorganization transition fund is consistent with the guidance provided by the Foreign Relations Committee.

The Committee notes that there is an expected carryover of \$6,500,000 for Chemical Weapons Convention activities. If the convention does not enter into force, these funds can be used to continue to pay the U.S. costs associated with the preparatory commission. If the convention does enter into force, these funds can be used as part of the first-year assessment.

##### U.S. INFORMATION AGENCY

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 1995 .....     | \$1,395,407,000 |
| Budget estimate, 1996 .....    | 1,300,327,000   |
| House allowance .....          | 1,084,646,000   |
| Committee recommendation ..... | 1,049,747,000   |

The Committee recommends a total of \$1,049,747,000 for the U.S. Information Agency [USIA] to carry out the information, educational, and cultural exchange activities of the Agency and international broadcasting operations. The Committee recommendation also provides for a grant to the National Endowment for Democracy

for fiscal year 1996. The Committee recommendation also provides for the requested appropriation of interest and earnings on the Eisenhower Exchange Fellowship Program Trust Fund, the Israeli-Arab Scholarship Endowment Fund, and the American Studies Collections Endowment Fund. The Committee recommendation for total USIA funding is \$345,660,000 less than the fiscal year 1995 funding level, \$250,580,000 less than the budget request, and \$34,899,000 less than the House allowance. The details of the Committee's recommendations for the nine appropriations of the Agency are contained in the following paragraphs. These recommendations are at or below the authorization levels included in Senate bill 908, the Foreign Affairs Revitalization Act of 1995, as reported by the Senate Foreign Relations Committee. In no case does the Committee's recommendation exceed those authorization levels. Funding for the incremental costs of downsizing the USIA is included in the foreign affairs reorganization transition fund created in section 404 of the accompanying bill.

## SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$475,645,000 |
| Budget estimate, 1996 .....    | 496,002,000   |
| House allowance .....          | 445,645,000   |
| Committee recommendation ..... | 420,000,000   |

The Committee recommends \$420,000,000 for the salaries and expenses appropriation of the U.S. Information Agency [USIA]. This amount is \$9,000,000 below the authorization level contained in Senate bill 908, the Foreign Affairs Revitalization Act of 1995 as reported by the Senate Foreign Relations Committee. The recommendation is \$55,645,000 below a freeze at fiscal year 1995 funding levels, \$76,002,000 below the request, and \$25,645,000 below the House allowance.

The Committee urges USIA to provide phaseout fundings for the Latin America data base at the University of New Mexico.

The Committee recommendation includes the following limitations on the use of funds which have been carried in the bill in previous years: (1) \$700,000 for temporary employees; (2) \$25,000 for entertainment, including official receptions, as authorized by law; (3) \$1,400,000 for representation abroad as authorized by law; (4) \$7,615,000, to remain available until expended, in fees credited to this appropriation which are received in connection with English teaching, library, motion pictures, and publication programs as authorized by law; and (7) \$1,700,000 to remain available until expended to carry out projects involving security construction and related improvements for agency facilities not physically located together with State Department facilities abroad.

The recommended funding level will require major reductions and consolidations in the operations of USIA beyond those envisioned in the budget request. USIA must take immediate steps to both examine which of its current activities can be eliminated and downsize those posts where staffing is not in accord with USIA's resource allocation grouping model. The Committee recommends additional reductions in staffing and programs for Western Europe and Canada, since these are parts of the world that have the freest

access to information and are most likely to be exposed to the American point of view through other means.

#### TECHNOLOGY FUND

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     |              |
| Budget estimate, 1996 .....    | \$10,100,000 |
| House allowance .....          | 5,050,000    |
| Committee recommendation ..... | 3,050,000    |

The purpose of this new account is to establish a technology investment fund to modernize USIA's nonbroadcasting computer and telecommunications infrastructure. The intention is to replace an investment strategy that followed adopted technology plans but relied heavily on available yearend funds. This new fund will allow better planning and assure the availability of appropriated funds to carry out the plans.

The Committee recommends \$3,050,000 for the "Technology fund" account, compared to the budget request of \$10,100,000.

#### OFFICE OF INSPECTOR GENERAL

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$4,300,000 |
| Budget estimate, 1996 .....    | 4,593,000   |
| House allowance .....          |             |
| Committee recommendation ..... |             |

The bill does not provide separate funding for USIA's Office of Inspector General, but rather merges this Office into the Office of Inspector General at the Department of State. Funding of \$4,000,000 for the functions of USIA's Office of Inspector General is assumed under the State inspector general appropriation. This is \$100,000 below the authorization provided in Senate bill 908, as reported by the Senate Foreign Relations Committee, as a result of expected administrative savings resulting from having one inspector general.

#### EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$233,279,000 |
| Budget estimate, 1996 .....    | 252,676,000   |
| House allowance .....          | 192,090,000   |
| Committee recommendation ..... | 190,000,000   |

The bill includes a total of \$190,000,000 for the Educational and Cultural Exchange Programs of the U.S. Information Agency. This amount is \$43,279,000 less than fiscal year 1995 funding provided in the Fiscal Year 1995 Commerce, Justice, State Appropriations Act (Public Law 103-317) and \$62,676,000 less than the request which includes funding for exchange programs in the New Independent States [NIS] of the former Soviet Union previously funded under the Foreign Operations appropriations bill.

The recommended total is \$37,800,000 lower than the authorization level provided in Senate bill 908, the Foreign Relations Revitalization Act of 1995.

Consistent with the provisions of Senate bill 908, the Committee recommends that of the funds provided in this account, \$90,000,000 be made available for the Fulbright Program and that other exchange programs be supported from remaining funds. The Committee notes that as August 21, 1995, USIA projected \$23,300,000 in

projected carryover balances in the "Exchange programs" account. The Committee reminds USIA that use of carryover balances is subject to reprogramming procedures contained in section 605 of this act.

First-year support was provided in fiscal year 1995 for the Xth Paralympiad, which will take place in 1996. In addition to the athletic competition, there are also planned international exchange events involving disability issues, including an international forum on disability, an adaptive technology exposition, and followthrough dissemination of materials and information. The Committee urges that support be increased for this program to the maximum extent possible within the resources provided, since this is the year that the program will take place.

In addition, the Committee urges that the following exchange programs be supported within resources provided: Disability exchange clearinghouse, Congress bundestag exchanges, South Pacific exchanges, United States/Mexico Conflict Resolution Center, Institute for Representative Government, British parliamentary exchange, Pepper scholarship, and Muskie fellowships. Should the Foreign Operations Appropriations Act for 1996 contain no funding for NIS exchanges, the Committee would consider a request to fund such exchanges from this account, subject to the reprogramming guidelines contained in section 605 of this act.

The USIA shall disburse funds to the Mansfield Center for Pacific Affairs at a level sufficient to cover the Center's costs fully implementing the Mike Mansfield Fellowships. These costs include the posting of seven 1995 fellows and their immediate families in Japan so that the fellows may work in a Japanese Government agency for 1 year, preparation and training for 10 1996 fellows, and the recruitment and selection of 10 1997 fellows.

Within the total amount of funding provided, funding for exchange support activities is included.

The Committee expects that a proposal for the distribution of the available resources among exchange programs will be submitted through the normal reprogramming process prior to final decisions being made.

#### EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

##### EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$2,800,000 |
| Budget estimate, 1996 .....    | 300,000     |
| House allowance .....          | 300,000     |
| Committee recommendation ..... | 300,000     |

The Committee recommends an appropriation of interest and earnings in the Eisenhower Exchange Fellowship Program Trust Fund, authorized by the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101-454). The bill does not include \$2,500,000 that was provided as a one-time contribution to the endowment in the fiscal year 1995 bill. The recommendation is identical to both the budget request and the House allowance.

The Eisenhower Exchange Fellowship Act of 1990 authorized a permanent endowment for the Eisenhower Exchange Fellowship Program. The act established the Eisenhower Exchange Fellowship

Program Trust Fund in the U.S. Treasury for these purposes. A total of \$7,500,000 has been provided to establish a permanent endowment for the program, from which is appropriated interest and earnings in the fund to Eisenhower Exchange Fellowships, Inc.

## ISRAELI-ARAB SCHOLARSHIP PROGRAM

|                                |           |
|--------------------------------|-----------|
| Appropriations, 1995 .....     | \$397,000 |
| Budget estimate, 1996 .....    | 397,000   |
| House allowance .....          | 397,000   |
| Committee recommendation ..... | 397,000   |

The Committee recommends language in the accompanying bill which will appropriate interest and earnings of the Israeli-Arab Scholarship Endowment Fund totaling \$397,000. The recommendation is equal to the budget request, the fiscal year 1995 funding level, and the House allowance.

A permanent endowment of \$4,978,500 for the fund was established in fiscal year 1992 with funds made available to the U.S. Information Agency under section 556(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, as amended. The income from the endowment is to be used for a program of scholarships for Israeli-Arabs to attend institutions of higher education in the United States.

## INTERNATIONAL BROADCASTING OPERATIONS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$480,363,000 |
| Budget estimate, 1996 .....    | 369,277,000   |
| House allowance .....          | 316,191,000   |
| Committee recommendation ..... | 330,191,000   |

The Committee recommends \$330,191,000 to carry out U.S. international broadcasting operations for fiscal year 1996. Since the Committee rejects the request made in the budget request and adopted by the House to fund broadcasting to Cuba within this account, the figures listed above represent funding levels for non-Cuba broadcasting operations. The recommendation is \$145,172,000 below fiscal year 1995 levels, \$65,149,000 below the request, and \$10,809,000 below the House allowance.

While the recommendation includes funding for Radio Free Asia as requested by the administration and adopted by the House, the Committee has provided only \$5,000,000 for this program. On August 21, 1995, USIA informed the Committee that they projected \$5,000,000 in carryover balances in this account due to delays in the nomination and confirmation of the Broadcasting Board of Governors. As a result, the Committee recommendation will provide a total of \$10,000,000 in budgetary resources for Radio Free Asia in fiscal year 1996.

The Committee has provided all funding for non-Cuba international broadcasting under one heading, because fiscal year 1996 is the first year of operation of the new administrative structure for international broadcasting, authorized by the United States International Broadcasting Act of 1994.

The bill language provides: (1) that \$5,000,000 of the funds shall remain available until expended; (2) that not to exceed \$90,000 may be used for official receptions and representation in the United

States and abroad; and (3) that \$250,000 in authorized fees can remain available until expended.

#### RADIO CONSTRUCTION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$69,314,000 |
| Budget estimate, 1996 .....    | 85,919,000   |
| House allowance .....          | 70,164,000   |
| Committee recommendation ..... | 40,000,000   |

The bill includes \$40,000,000 in new budget authority for the "Radio construction" account for fiscal year 1996. This amount is \$45,919,000 less than the budget request, \$29,314,000 less than fiscal year 1995 funding levels, and \$30,164,000 below the House allowance. Severe budgetary constraints have persuaded the Committee to decide to provide no funds for new construction in fiscal year 1996. The recommendation is intended to provide funding for necessary maintenance, improvements, replacements, and repairs; satellite and terrestrial program feeds; engineering support activities, broadcast facility leases, and land rentals.

The Committee urges USIA to seriously consider alternative, less-costly transmitter options for future deployment.

#### RADIO FREE ASIA

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$5,000,000 |
| Budget estimate, 1996 .....    | .....       |
| House allowance .....          | .....       |
| Committee recommendation ..... | .....       |

Funding for radio free Asia is considered under the "International broadcasting operations" account, as requested in the fiscal year 1996 budget.

#### BROADCASTING TO CUBA

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$24,809,000 |
| Budget estimate, 1996 .....    | .....        |
| House allowance .....          | .....        |
| Committee recommendation ..... | 24,809,000   |

The Committee recommends \$24,809,000 to continue funding for broadcasting to Cuba as a separate account in fiscal year 1996. The Committee rejects the administration's proposal to fund broadcasting to Cuba within the "International broadcasting" account which was adopted in the House-passed bill. The Committee recommends continued funding of broadcasting to Cuba at fiscal year 1995 funding levels. The recommendation is identical to the funding provided in the House allowance for broadcasting to Cuba within the "International broadcasting" account.

#### EAST-WEST CENTER

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$24,500,000 |
| Budget estimate, 1996 .....    | 20,000,000   |
| House allowance .....          | .....        |
| Committee recommendation ..... | 10,000,000   |

The Committee recommends funding for the East-West Center at the authorization level contained in Senate bill 908, the Foreign Affairs Revitalization Act of 1995, as reported by the Senate Foreign Relations Committee. The recommendation is \$14,500,000 below

fiscal year 1995 funding levels, \$10,000,000 below the request and \$10,000,000 higher than the House allowance.

Consistent with the provisions of Senate bill 908, the Committee recommends a phaseout of this sole-source appropriation to a non-governmental organization affiliated with a university.

NORTH/SOUTH CENTER

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$4,000,000 |
| Budget estimate, 1996 .....    | 1,000,000   |
| House allowance .....          | 30,000,000  |
| Committee recommendation ..... | 1,000,000   |

The Committee recommends funding of \$1,000,000 for continued support of the operations of the North/South Center, the same as the budget request. In fiscal year 1995, \$4,000,000 was provided.

Consistent with the budget request, the Committee recommends a phaseout of this sole-source appropriation to a nongovernmental organization affiliated with a university.

NATIONAL ENDOWMENT FOR DEMOCRACY

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$34,000,000 |
| Budget estimate, 1996 .....    | 34,000,000   |
| House allowance .....          | 30,000,000   |
| Committee recommendation ..... | 30,000,000   |

The Committee recommends \$30,000,000 for the National Endowment for Democracy for fiscal year 1996, a reduction of \$4,000,000 from the budget request and the level provided in fiscal year 1995. The recommendation is equivalent to the House allowance.

The National Endowment for Democracy is a private, nonprofit corporation established to strengthen the development of democratic institutions and processes internationally, including activities which promote individual rights and freedom through private-sector initiatives, training, and other activities. To carry out these objectives, the endowment develops and funds programs in five substantive areas: (1) pluralism; (2) democratic governments and political processes; (3) education, culture, and communications; (4) research; and (5) international cooperation. The endowment does not carry out programs directly, but provides funding for projects which are determined to be in the national interest of the United States and which are administered by private organizations and groups.

The Committee directs that not less than 55 percent of the funds made available to NED will go to the four core grantees—NDI, IRI, FUTSI, and chamber of commerce—in equal amounts.

TITLE V—RELATED AGENCIES  
DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$94,740,000 |
| Budget estimate, 1996 .....    | 308,650,000  |
| House allowance .....          | 116,600,000  |
| Committee recommendation ..... | 70,600,000   |

The Maritime Administration in the Department of Transportation is responsible for administering several programs for the maritime industry relating to U.S. foreign and domestic commerce, and for national defense purposes.

The Committee recommendation provides a total of \$70,600,000 in new budget authority, plus an additional \$162,610,000 for liquidation of contract authority, for the Maritime Administration for fiscal year 1996. The Committee's recommendations for specific accounts within the Maritime Administration are described in more detail below.

OPERATING-DIFFERENTIAL SUBSIDIES

(APPROPRIATION TO LIQUIDATE CONTRACT AUTHORITY)

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$214,356,000 |
| Budget estimate, 1996 .....    | 162,610,000   |
| House allowance .....          | 162,610,000   |
| Committee recommendation ..... | 162,610,000   |

The Committee recommends \$162,610,000 for payment of obligations incurred for operating-differential subsidies of American flag vessels. This amount is the full request, and represents a decrease of \$51,746,000 below the amount made available for the program in fiscal year 1995. This amount does not score against the Committee's 602(b) allocation for budget authority or outlays. The Committee is providing for liquidation of subsidy contracts which will be expiring within the next 5 years.

MARITIME SECURITY PROGRAM

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | .....         |
| Budget estimate, 1996 .....    | \$175,000,000 |
| House allowance .....          | .....         |
| Committee recommendation ..... | .....         |

The Committee recommends no funding for the proposed new Maritime Security Program, which is not yet authorized. The budget request included \$175,000,000 for this new program. The House provided no funding.

## OPERATIONS AND TRAINING

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$76,087,000 |
| Budget estimate, 1996 .....    | 81,650,000   |
| House allowance .....          | 64,600,000   |
| Committee recommendation ..... | 68,600,000   |

This account funds operations of the Maritime Administration [MarAd], the U.S. Merchant Marine Academy, and provides grants to State maritime academies.

The Committee recommends an appropriation of \$68,600,000 to fund programs under this account. This amount is a reduction of \$13,050,000 from the budget request, is a decrease of \$7,487,000 below the amount appropriated for the current fiscal year, and is \$4,000,000 above the House allowance.

The Committee recommendation includes \$9,300,000 for State maritime schools; the majority of this amount is dedicated to maintenance and utilization of federally owned training ships, and \$30,800,000 for the U.S. Merchant Marine Academy. For both of these accounts, the Committee recommends a freeze at fiscal year 1995 levels. No funds are provided in fiscal year 1996 for the MarAd research and development program.

## READY RESERVE FORCE

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | -\$8,347,000 |
| Budget estimate, 1996 .....    |              |
| House allowance .....          |              |
| Committee recommendation ..... |              |

The accompanying bill includes no funds for the Ready Reserve Force [RRF] for fiscal year 1996. As proposed in the budget request and as recommended by the Senate Subcommittee for Defense Appropriations, the funding for this account is being transferred to the Department of Defense.

## MARITIME GUARANTEED LOAN PROGRAM

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$27,000,000 |
| Budget estimate, 1996 .....    | 52,000,000   |
| House allowance .....          | 52,000,000   |
| Committee recommendation ..... | 2,000,000    |

The Maritime Guaranteed Loan Program (title XI) provides subsidies for guaranteed loans for purchasers of vessels built in U.S. shipyards.

The Committee has included a total of \$2,000,000 in the bill for the Maritime Guaranteed Loan Program. This amount provides for no new funding for loan guarantees. The recommendation is based in part on information provided to the Committee by the Maritime Administration on August 10, 1995. At that time, MarAd estimated that at the beginning of that month there were \$76,681,781 in unobligated balances in this account. The projected end of the year carry-over balances are in excess of \$12,190,000. Almost all of these prior year funds were designated as defense function funds coming from the defense discretionary allocation for budgetary purposes. The Committee has provided \$2,000,000 for administrative expenses in order to allow the program to obligate its remaining unexpended balances.

ADMINISTRATIVE PROVISIONS

The bill includes several administrative provisions involving Government property controlled by MarAd, the accounting for certain funds received by MarAd, and a prohibition on obligations from the MarAd construction fund. These provisions have been carried in appropriations acts for the Maritime Administration for several years.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE  
ABROAD

SALARIES AND EXPENSES

|                                |           |
|--------------------------------|-----------|
| Appropriations, 1995 .....     | \$206,000 |
| Budget estimate, 1996 .....    | 211,000   |
| House allowance .....          | 206,000   |
| Committee recommendation ..... | 206,000   |

The Committee recommends \$206,000 for the expenses of the Commission for the Preservation of America's Heritage Abroad. This amount is \$6,000 below the budget request but reflects the same level of funding for the Commission as provided in fiscal year 1995, and the same as the House allowance. The recommendation will allow the Commission to fund its administrative expenses through appropriated funds while relying on privately donated funds for the actual purchase and restoration of property.

The purpose of the Commission is to encourage the preservation of cemeteries, monuments, and historic buildings associated with the foreign heritage of the American people.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$9,000,000 |
| Budget estimate, 1996 .....    | 11,400,000  |
| House allowance .....          | 8,500,000   |
| Committee recommendation ..... | 9,000,000   |

The Committee recommends \$9,000,000 for the salaries and expenses of the Commission on Civil Rights. The amount recommended is \$2,400,000 less than the budget request, \$500,000 above the house request, and the same as the current year appropriation.

The Committee recommends bill language which provides (1) \$50,000 to employ consultants; (2) a prohibition against reimbursing commissioners for more than 75 billable days with the exception of the Chairman who is permitted 125 billable days; and (3) a limitation of four full-time positions under schedule C of the Excepted Service exclusive of one special assistant for each Commissioner. This language was included in the House bill.

The Committee is displeased with the manner in which the recent report entitled "Funding Federal Civil Rights Enforcement" was issued by the Commission. The Committee understands that the report was published prematurely and does not represent a majority or consensus of the Commission.

## COMMISSION ON IMMIGRATION REFORM

## SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$1,894,000 |
| Budget estimate, 1996 .....    | 2,877,000   |
| House allowance .....          | 2,377,000   |
| Committee recommendation ..... | 1,894,000   |

The Committee recommends an appropriation of \$1,894,000 for fiscal year 1996 for the Commission on Immigration Reform, a freeze at fiscal year 1995 funding levels. This recommendation is \$983,000 below the budget request and \$483,000 below the House allowance.

The Commission's mandate is to review and evaluate the impact of U.S. immigration policy and to transmit to the Congress a report of its findings and recommendations for additional changes that should be made with respect to immigration into the United States. The Commission must report to the Congress on September 30, 1997.

## COMMISSION ON SECURITY AND COOPERATION IN EUROPE

## SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$1,090,000 |
| Budget estimate, 1996 .....    | 1,122,000   |
| House allowance .....          | 1,090,000   |
| Committee recommendation ..... | 1,090,000   |

The Committee recommends a freeze on funding for the Commission on Security and Cooperation in Europe [CSCE] at fiscal year 1995 levels, the same as the House allowance and \$32,000 below the budget request.

The Commission was established in 1976 to monitor compliance with the final act of the Conference on Security and Cooperation in Europe with particular regard to provisions dealing with humanitarian affairs.

This level of funding will allow the Commission to continue its important mission.

## COMPETITIVENESS POLICY COUNCIL

## SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$1,000,000 |
| Budget estimate, 1996 .....    | 503,000     |
| House allowance .....          |             |
| Committee recommendation ..... |             |

The Competitiveness Policy Council is a 12-member advisory committee created for the purpose of advising the Federal Government on issues of global economic competitiveness. It has issued several reports since it began meeting in 1991.

The Committee recommends that no new funds be provided for the Competitiveness Policy Council for fiscal year 1996. The Council requested \$503,000 for fiscal year 1996 and was funded at \$1,000,000 for fiscal year 1995. The Committee understands that carryover balances exceeding \$800,000 will be available, and in-

tends that these funds be used to cover termination costs for the Council.

#### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

##### SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$233,000,000 |
| Budget estimate, 1996 .....    | 268,000,000   |
| House allowance .....          | 233,000,000   |
| Committee recommendation ..... | 233,000,000   |

The Committee recommends \$233,000,000 for the salaries and expenses of the Equal Employment Opportunity Commission [EEOC] for fiscal year 1996. This amount is \$35,000,000 less than the request, and is the same amount provided by the House and the current year appropriation.

The bill also includes language included in previous appropriations acts allowing: (1) nonmonetary awards to private citizens; (2) up to \$26,500,000 for payments to State and local agencies; and (3) up to \$2,500 for official reception and representation expenses.

The Committee supports the recent changes adopted by the EEOC to use mediation-based alternatives to resolving disputes in some cases and to prioritize and categorize charges based on new charge handling procedures. These efforts may have a considerable effect on the workload of the EEOC and the Committee notes that the increases proposed for the EEOC were requested prior to the implementation of these new procedures. The Committee expects the EEOC to continue its examination of alternatives to case processing in order to decrease its backlog of cases and reduce the rate of incoming casework.

#### FEDERAL COMMUNICATIONS COMMISSION

##### SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$185,232,000 |
| Budget estimate, 1996 .....    | 223,600,000   |
| House allowance .....          | 185,232,000   |
| Committee recommendation ..... | 166,185,000   |

The Committee recommends a total program level of \$166,185,000 for the salaries and expenses of the Federal Communications Commission [FCC], of which \$116,400,000 is to be derived from collection of existing section 9 fees. The remaining \$49,785,000 would be funded from direct appropriations. The Committee recommendation calls for a 10-percent cut below fiscal year 1995 levels for the operation of this and other regulatory agencies funded in the bill. This amount is \$57,415,000 below the budget request for fiscal year 1996 and \$19,047,000 below the House allowance.

The FCC is an independent agency charged with regulating interstate and foreign communications by means of radio, television, wire, cable and satellite. Since 1992, FCC expenditures have increased at an average annual rate of more than 15 percent, while those of the communications industry have increased roughly 10 percent per year.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) up to \$600,000 for land and structures; (2) up to \$500,000 for care of grounds and buildings; (3) up to \$4,000 for official reception and representation expenses; (4) up to \$300,000 for research and policy studies to remain available until September 30, 1997; (5) authority to purchase uniforms and acquire vehicles; (6) special counsel fees; (7) for the collection of \$116,400,000 in section 9 fees; (8) for the sum appropriated to be reduced as section 9 fees are collected; and (9) fees collected in excess of \$116,400,000 to be available in fiscal year 1997.

Like the House, the Committee has chosen to deny requested increases related to the cost of relocating the FCC headquarters into consolidated new space. The fiscal year 1996 request for these costs is \$25,100,000, and the FCC anticipates that an additional \$15,448,000 would be required in fiscal year 1997.

#### FEDERAL MARITIME COMMISSION

##### SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$18,569,000 |
| Budget estimate, 1996 .....    | 16,719,000   |
| House allowance .....          | 15,000,000   |
| Committee recommendation ..... | 14,855,000   |

The Federal Maritime Commission [FMC] is an independent regulatory agency charged with administering several acts of law relating to the waterborne domestic and foreign offshore commerce of the United States.

The Committee recommends an appropriation of \$14,855,000 for the salaries and expenses of the Federal Maritime Commission. As with funding for other regulatory agencies in the accompanying bill, this amount represents a 20-percent reduction from the amount appropriated for the current year. The recommended amount is \$3,714,000 below the current year funding, and is \$1,864,000 below the budget request. The Committee recommendation does not include the fees that were proposed by the FMC.

#### FEDERAL TRADE COMMISSION

##### SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$54,788,000 |
| Budget estimate, 1996 .....    | 59,611,000   |
| House allowance .....          | 34,666,000   |
| Committee recommendation ..... | 14,880,000   |

The Federal Trade Commission [FTC] administers a variety of Federal antitrust and consumer protection laws. Activities in the antitrust area include detection and elimination of illegal collusion, anticompetitive mergers, unlawful single-firm conduct, and injurious vertical agreements. In addressing fraud and other consumer concerns, the FTC regulates advertising practices, service industry practices, marketing practices, and credit practices.

The Committee recommends total budget (obligational) authority of \$79,142,000 for the salaries and expenses of the Federal Trade Commission for fiscal year 1996. This amount represents a 20-per-

cent reduction from current year funding as provided for all of the regulatory agencies funded in the accompanying bill. The recommended amount of budget authority is \$28,731,000 below the budget request, and is \$19,786,000 below current year funding and the House allowance. Of this amount, \$16,000,000 is to be derived from prior year unobligated fee collections, and \$48,262,000 is to be derived from current year offsetting fee collections from premerger filing fees under the Hart-Scott-Rodino Act resulting in a net direct appropriation of \$14,880,000.

The Committee expects the FTC to give highest priority to the timely review and processing of premerger notification filings under the Hart-Scott-Rodino Act.

The Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for purchase of uniforms and hire of motor vehicles; (2) allows up to \$2,000 for official reception and representation expenses; (3) allows for the collection of fees; (4) allows for the sum appropriated to be reduced as fees are collected; (5) allows fees in excess of the amount designated in the bill to be available in fiscal year 1997, and (6) prohibits the use of funds to implement section 151 of the Federal Deposit Insurance Corporation Improvements Act of 1991. The Committee has added new bill language making funds appropriated from the Treasury for the FTC available until expended. This language change is necessary to avoid setting up a separate accounting system to track appropriated funds versus fee revenue.

The Committee has included new bill language that allows the FTC to contract for private debt collection services.

#### JAPAN-UNITED STATES FRIENDSHIP COMMISSION

##### SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$1,247,000 |
| Budget estimate, 1996 .....    | 1,250,000   |
| House allowance .....          | 1,247,000   |
| Committee recommendation ..... | 1,247,000   |

The Committee recommends \$1,247,000 for the expenses of the Japan-United States Friendship Commission for fiscal year 1996. This amount reflects the same level of funding provided in fiscal year 1995 and the same allocation as the House. The bill also provides for an amount of Japanese currency not to exceed the equivalent of \$1,420,000. In accordance with Public Law 94-118, the interest earned on the principal in the trust fund is subject to the annual appropriations process.

The Committee intends that the funds provided be used for the promotion of scholarly, cultural, and business/economic relations between the United States and Japan.

#### LEGAL SERVICES CORPORATION

##### PAYMENT TO THE LEGAL SERVICES CORPORATION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$400,000,000 |
| Budget estimate, 1996 .....    | 440,000,000   |
| House allowance .....          | 278,000,000   |
| Committee recommendation ..... |               |

The recommendation provides no funding for the Legal Services Corporation. The Committee notes that the Legal Services Corporation has not been reauthorized since 1977.

Funding for the provision of basic civil legal assistance to poor persons is provided under the Office of Justice Programs within title I of the accompanying bill.

#### MARINE MAMMAL COMMISSION

##### SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$1,384,000 |
| Budget estimate, 1996 .....    | 1,425,000   |
| House allowance .....          | 1,000,000   |
| Committee recommendation ..... | 1,000,000   |

The recommendation provides \$1,000,000 for the Marine Mammal Commission in fiscal year 1996. This is \$425,000 below the request, \$384,000 below the current year appropriation, and is the same as the House allowance.

#### MARTIN LUTHER KING, JR., FEDERAL HOLIDAY COMMISSION

##### SALARIES AND EXPENSES

|                                |           |
|--------------------------------|-----------|
| Appropriations, 1995 .....     | \$300,000 |
| Budget estimate, 1996 .....    | 350,000   |
| House allowance .....          | 250,000   |
| Committee recommendation ..... | 350,000   |

The Committee recommends \$350,000 for the Martin Luther King, Jr., Federal Holiday Commission, which is the same as the budget request and \$100,000 above the House. The Commission's Operations Committee presented a motion which was passed by the full Commission to sunset the Commission at the end of fiscal year 1996. The Committee recommendation will allow the Commission to proceed with the funding of activities through fiscal year 1996.

The Commission was established in order to encourage and promote appropriate ceremonies and activities throughout the United States related to the observance of the Federal legal holiday honoring Martin Luther King, Jr., and to provide assistance to Federal, State, and local governments and to private organizations concerning the observance of the holiday.

#### OUNCE OF PREVENTION COUNCIL

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$1,500,000 |
| Budget estimate, 1996 .....    | 14,700,000  |
| House allowance .....          |             |
| Committee recommendation ..... |             |

The Committee recommends elimination of the Ounce of Prevention Council. This is \$14,700,000 below the request, and \$1,500,000 below the amount provided to the Council in fiscal year 1995. Closeout costs are to be funded from carryover balances available to the Council.

The Ounce of Prevention Council is intended to have two purposes—program coordination and grantmaking. The program coordination function includes the development of a crime prevention program catalogue and the creation of strategies for program inte-

gration and grant simplification. The Committee believes the coordination of prevention programs can be accomplished without the creation of another level of bureaucracy to carry out these types of activities, which cannot be justified within the context of streamlining and reinventing Government. The Office of Justice Programs currently funds the coordination of crime prevention efforts at the State and local levels through programs such as the National Crime Prevention Council which enjoy broad bipartisan support.

The grantmaking function includes grants for summer and after-school recreation programs, mentoring, programs assisting employability, and outreach programs for at-risk families. Grants of this nature are more appropriately funded by local governments or private organizations.

#### SECURITIES AND EXCHANGE COMMISSION

##### SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$74,856,000 |
| Budget estimate, 1996 .....    | 342,922,000  |
| House allowance .....          | 103,445,000  |
| Committee recommendation ..... | 105,257,000  |

The Securities and Exchange Commission [SEC] is an independent agency responsible for administering many of the Nation's laws regulating the areas of securities and finance.

The Committee recommendation provides total budget (obligational) authority of \$237,924,000 for the Securities and Exchange Commission for fiscal year 1996. As with other regulatory agencies under this bill, this amount represents a 20-percent reduction from 1995 funding levels. The recommended amount of budget authority is \$104,998,000 below the request, and is \$59,481,000 below current year funding and the House allowance.

Of the recommended operating level of \$237,924,000, the Committee provides a direct appropriation of \$105,257,000. This figure assumes that \$123,000,000 will be available as the result of extending the section 6(b) registration fees at a level of one thirty-fourth of 1 percent. This is significantly less than the level of one twenty-ninth of 1 percent as provided for in fiscal year 1995. It is the intention of the Committee that no part of the SEC's appropriation will be offset by these fees after fiscal year 1997. The Committee also assumes that \$9,667,000 in carryover balances from fiscal year 1995 will be available to help finance SEC operations in 1996. This is a decrease from the \$20,882,000 in carryover funds that were available in fiscal year 1995.

As an essential element of regulatory reform, regulatory agencies must give top priority to the consideration of the impact of their regulations and actions on economic activity, particularly growth and job creation. Nowhere is this more important than for the Securities and Exchange Commission. With regulatory responsibility for the Nation's stock markets, mutual funds, and many other forms of investment, the activities of the SEC have a profound impact on the cost of capital formation and investment. Therefore, the bill targets specific resources for the SEC's Office of Economic Analysis, headed by the SEC's chief economist. While representing only 1.5 percent of the SEC's total budget, the funding provided in

the bill is a significant increase over funding for this Office under the SEC's fiscal year 1995 budget.

The recommendation eliminates funding for the Office of Investor Education and Assistance [OIEA]. Tight budgetary constraints prevent funding of duplicative functions and demand a focus on the central mission of the agency. The investor education activities of the OIEA would be more appropriately and efficiently conducted by State securities regulators and by the private sector, including the self-regulatory organizations such as the stock exchanges and the National Association of Securities Dealers. At the same time, investor complaints can and should be handled more effectively by employees trained to handle cases of violation of securities laws, namely the enforcement officials of the SEC.

The Committee recommends that resources requested for the OIEA be added to the resources devoted by the Commission to enforcement of the Investment Adviser Act of 1940. The Commission has identified enforcement of that act as a priority and has begun to take important and commendable efforts to improve its enforcement, and this transfer should enhance those efforts.

During fiscal year 1995 the Commission has undertaken several projects to simplify, streamline, or otherwise reduce reporting and regulatory burdens. These steps recognize the need to reduce the cost of investing as well as to maintain the global competitiveness of the American capital markets and are important measures to achieve those goals. The Committee applauds the Commission's work to reduce regulatory burden and encourages the Commission to continue its work in this regard.

The Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for the rental of space; (2) makes up to \$3,000 available for official reception and representation expenses; (3) makes up to \$10,000 available for a permanent secretariat for the International Organization of Securities Commissions; and, (4) makes up to \$100,000 available for expenses of meetings and consultations with foreign governmental and regulatory officials.

#### SMALL BUSINESS ADMINISTRATION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$917,427,000 |
| Budget estimate, 1996 .....    | 630,906,000   |
| House allowance .....          | 590,369,000   |
| Committee recommendation ..... | 558,091,000   |

The Small Business Administration [SBA] is an independent agency created in 1953 to administer a group of Federal programs and policies focused on the Nation's small businesses.

The Committee recommends total funding of \$558,091,000 for the Small Business Administration. This amount is a decrease of \$359,336,000 from the fiscal year 1995 enacted amount, is a reduction of \$72,815,000 below the budget request, and is \$32,278,000 below the House allowance. This amount is distributed among the five SBA appropriation accounts as described below.

## SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$242,154,000 |
| Budget estimate, 1996 .....    | 239,531,000   |
| House allowance .....          | 222,325,000   |
| Committee recommendation ..... | 197,903,000   |

The Committee recommendation provides a direct appropriation of \$197,903,000 for the salaries and expenses of the Small Business Administration. This amount is \$41,628,000 below the budget request, \$44,251,000 below current year funding, and \$24,422,000 below the House allowance. The amount provided is partially offset by an additional \$3,300,000 in fees to be collected from the distribution of publications produced by the SBA, resulting in overall funding of \$201,203,000 for this account, a 20-percent reduction from fiscal year 1995 levels.

In addition to the direct appropriation for the "Salaries and expenses" account, \$77,600,000 is available for this account from the portion of the business loans program account for administrative expenses. Another \$62,400,000 is available from the portion of the "Disaster Loans Program" account for administrative expenses. These amounts are to be transferred to and merged with the "Salaries and expenses" account for a total of \$341,203,000 in budgetary resources for this account. It is expected that the SBA will work closely with this Committee, with the authorizing committees, and with the private lending community to find ways to realize these administrative savings without negatively impacting the efficient operation of the business loan programs.

The Committee recommendation includes requested language authorizing \$3,500 for official reception and representation expenses and language authorizing SBA to charge fees to cover the cost of publications, and certain loan servicing activities. The language also permits revenues received from all such activities to be credited to the "Salaries and expenses" account to be available for carrying out these purposes without further appropriations.

The funding provided under this account for salaries and expenses assumes continued funding for the SBA Office of Advocacy. In addition, the Committee recommendation provides a total of \$89,252,000 for noncredit initiatives. The Committee recommendation provides \$77,000,000 for fiscal year 1996 for small business development centers [SBDC's], \$3,250,000 for the Service Corps of Retired Executives [SCORE], and \$3,202,000 for export assistance centers. Each of the funding levels for these accounts is equal to funding for the current fiscal year for these programs. In addition, the Committee recommends funding of \$5,800,000, the fiscal year 1994 level, for the microloan technical assistance program for fiscal year 1996.

*Eliminating duplication.*—Many of the noncredit initiatives historically funded under this account have functions which are duplicative of other services within the SBA. The Committee expects the SBA to find ways to consolidate these activities into areas where ample resources already exist to handle these functions. The over 900 SBDC's around the country offer an opportunity to utilize a business assistance network that is already established and is funded mostly from non-Federal sources. The Committee's recommendation under title II of this report anticipates the transfer

of the data base from the Minority Business Development Agency within the Department of Commerce to the SBDC's to make this information available to small business people seeking assistance. The Committee expects the SBA to work closely with the Department of Commerce to implement this plan and to find other areas where duplication may be eliminated by transferring responsibilities to SBDC's.

The Committee believes the practice of entering into contracts and subcontracts as a contracting intermediary under the 8(a) Minority Enterprise Development Program is duplicative and costly. The Agency is directed to report to the House and Senate Committees on Appropriations and Small Business within 90 days on the legality and feasibility of transferring this contracting function to the appropriate contracting agencies.

The Committee believes the Agency should consider, and where appropriate, enter into contracts or pilot projects pursuant to which private sector experienced professionals may perform part or all of certain functions currently undertaken by the Agency. Therefore, the Committee directs SBA to conduct the following studies of the private sector's capability to handle certain tasks at the direction of and under the supervision by the Agency. The Committee urges the Agency to consult with private and Government parties as it proceeds within this review and to deliver a report of its findings and conclusions to the House and Senate Committees on Appropriations and Small Business within 90 days. Such report should include proposals in some or all of the following areas: (1) private sector servicing of loans under the Disaster Loan Program; (2) private sector liquidation of defaulted SBIC assets; and (3) private sector assistance in licensing, examination, receivership, and other administrative activities under the SBIC program.

The Committee encourages the Agency to consider and adopt administrative changes to enhance and enlarge the Preferred Lenders Program. The Agency should develop this program to the point that, without sacrificing the safety and soundness of SBA's guaranteed business loan activity, a greater percentage of experienced commercial lenders will be expected to process, approve, service, and liquidate 7(a) guaranteed business loans without prior Agency review. In response to the popularity and growth of the Preferred Lenders Program, the Committee directs the Agency to develop within 90 days a PLP lender audit and recertification procedure manual to standardize the review of preferred lenders.

Section 303 of Public Law 103-403 authorized establishment of a pilot program to promote the award of Federal manufacturing contracts to small business concerns that participate in manufacturing application and education centers by working with the Department of Commerce and other agencies to identify components and subsystems that are both critical and currently foreign sourced. The law required the Agency to draft regulations not later than 180 days after enactment. The Agency has not done so. The Committee urges the Agency to expedite drafting these regulations as authorized.

The Committee supports the Agency's efforts to reduce the impact of Federal regulations on small businesses and encourages the Agency to continue its efforts to implement projects to improve

communications between Government agencies and small businesses and to disseminate regulatory information to affected small businesses, such as the electronic U.S. business advisory project.

OFFICE OF INSPECTOR GENERAL

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$8,500,000 |
| Budget estimate, 1996 .....    | 9,200,000   |
| House allowance .....          | 8,750,000   |
| Committee recommendation ..... | 8,500,000   |

The Committee recommends \$8,500,000 for the Office of Inspector General of the Small Business Administration. This amount is a freeze at current year funding, \$700,000 below the amount requested, and \$250,000 below the House allowance. The Committee believes this funding is consistent with the reductions in the SBA budget planned for fiscal year 1996, and expects the inspector general to find resources to carry out important duties such as biannual examinations of small business development centers as authorized by section 21 of the Small Business Act.

BUSINESS LOANS PROGRAM ACCOUNT

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$406,251,000 |
| Budget estimate, 1996 .....    | 164,873,000   |
| House allowance .....          | 244,332,000   |
| Committee recommendation ..... | 252,326,000   |

The Committee recommends \$252,326,000 for the business loans program account for guaranteed business loans, including \$77,600,000 for administrative expenses related to this account. The amount provided for administrative expenses may be transferred to and merged with the appropriation for SBA salaries and expenses to cover the common overhead expenses associated with business loans.

As required by the Federal Credit Reform Act of 1990, the Congress is required to appropriate an amount sufficient to cover the estimated losses associated with all direct loan obligations and loan guarantee commitments made in fiscal year 1996, as well as the administrative expenses of the loans. The subsidy amounts are estimated on a net present value basis, and the administrative expenses are estimated on a cash basis.

The Committee recommendation provides no funding for direct loan programs requested in the President's 1996 budget. This amount is \$3,596,000 less than the current year funding, is \$12,428,000 less than the fiscal year 1996 request, and is \$5,000,000 less than the House allowance.

*Business loan guarantees.*—For business loan guarantees, the Committee recommends a total of \$173,510,000 for fiscal year 1996. This amount includes \$133,000,000 for the 7(a) business loan program. The fiscal year 1995 appropriation was \$196,096,000, the President's budget amendment for fiscal year 1996 requested no funding, and the House allowance is 104,500,000. The Committee has worked closely with the authorizing committee and assumes enactment of the 7(a) proposal which was passed unanimously by the Senate Small Business Committee earlier this year. At the recommended level of funding, this would allow a 7(a) loan volume of \$10,500,000,000 in fiscal year 1996, as approved by the Small Busi-

ness Committee. The Committee recommendation provides no new funding for the section 504 loan program as requested by the President, and as in the House-passed bill. The Committee recommends \$16,410,000 for Small Business Investment Co., [SBIC] debenture guarantees (providing a program level of \$111,000,000), and recommends \$24,100,000 for SBIC participating securities loans (providing a program level of \$270,000,000). The amounts provided for the SBIC programs are the same as provided in the House-passed bill. The Committee recommendation provides \$1,216,000 for microloan guarantees for fiscal year 1996. This amount is equal to current year funding, and is \$484,000 below both the budget request and the House allowance.

#### DISASTER LOANS PROGRAM ACCOUNT

|                                |               |
|--------------------------------|---------------|
| Appropriations, 1995 .....     | \$255,153,000 |
| Budget estimate, 1996 .....    | 214,772,000   |
| House allowance .....          | 112,432,000   |
| Committee recommendation ..... | 96,832,000    |

The Committee recommendation provides \$34,432,000 for the disaster loans program account for loan subsidies, and \$62,400,000 for administrative expenses related to this account. The amount provided for administrative expenses is a 20-percent reduction from current year funding of \$78,000,000. The House allowance provides \$78,000,000 and the budget request for this purpose was \$80,340,000. The amount provided for administrative expenses may be transferred to and merged with the appropriation for SBA salaries and expenses to cover the common overhead expenses associated with disaster loans. The amount provided for loan subsidies is \$17,721,000 below the fiscal year 1995 level and is equal to the budget request for fiscal year 1996 and the House allowance. The amount provided assumes the enactment of proposed reform legislation for this program.

As required by the Federal Credit Reform Act of 1990, the Congress is required to appropriate an amount sufficient to cover the subsidy costs associated with all direct loan obligations and loan guarantee commitments made in fiscal year 1996, as well as the administrative expenses of the loan programs. The subsidy amounts are measured on a net present value basis, and the administrative expenses are estimated on a cash basis.

The Committee recommends no funding for the disaster loan emergency contingency fund, a decrease of \$125,000,000 from the current fiscal year, and a reduction of \$100,000,000 from the budget request. The House-passed bill provides no funding for this account.

The Committee recommendation deletes language included in prior appropriations acts which prohibited recipients of SBA disaster loans to relocate outside the community impacted by the disaster. This deletion was proposed in the budget request.

#### SURETY BOND GUARANTEES REVOLVING FUND

|                                |             |
|--------------------------------|-------------|
| Appropriations, 1995 .....     | \$5,369,000 |
| Budget estimate, 1996 .....    | 2,530,000   |
| House allowance .....          | 2,530,000   |
| Committee recommendation ..... | 2,530,000   |

Under the Surety Bond Guarantees Program, the Small Business Administration guarantees a portion of the losses sustained by a surety company as a result of the issuance of a bid, payment, and/or performance bond to a small business concern.

The Committee recommends an appropriation of \$2,530,000 for additional capital for the surety bond guarantees revolving fund. This amount is equal to the budget request and the House allowance, but is \$2,839,000 below the amount provided for fiscal year 1995. The Committee recommendation assumes enactment of proposed legislation that will reduce costs associated with this program, resulting in a program level of \$1,800,000,000 for the surety bond program.

ADMINISTRATIVE PROVISIONS

The Committee 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.

The Committee recommends bill language which amends the Small Business Act to expand eligibility under the SBA's procurement assistance programs. All businesses which are located in and employ individuals from economically disadvantaged areas would now be able to participate in the section 8(a) and 8(d) programs.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 1995 .....     | \$13,550,000 |
| Budget estimate, 1996 .....    | 14,150,000   |
| House allowance .....          |              |
| Committee recommendation ..... | 5,000,000    |

The Committee recommends \$5,000,000 for the State Justice Institute [SJI] in fiscal year 1996, \$9,150,000 below the request, and \$8,550,000 below fiscal year 1995 funding levels.

The Committee believes that funding to improve the efficiency of State court systems should be supported with State resources. The Committee is aware that there are carryover balances of at least \$5,000,000 available in fiscal year 1996 which should be sufficient to provide for the orderly phaseout of direct Federal support for SJI operations.

## TITLE VI—GENERAL PROVISIONS

The Committee recommends the following general provisions for the departments and agencies funded in the accompanying bill. Sections 601 through 607 have been included in previous Commerce, Justice, and State, the Judiciary, and Related Agencies appropriations acts.

Section 601. *Publicity/propaganda.*—Prohibits any appropriation act from being used for publicity or propaganda purposes not authorized by law.

Section 602. *Availability of appropriations.*—Prohibits any appropriation contained in the act from remaining available for obligation beyond the current year unless expressly so provided.

Section 603. *Consulting services.*—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. *Invalidation.*—Provides that if any provision of the act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the act and the application of such provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 605. *Reprogrammings.*—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 607. *Buy in America.*—Expresses the sense of Congress that to the greatest extent possible, all equipment and products purchased with funds in this act should be made in the United States.

Section 608. *EEOC guidelines*.—Provides that none of the funds in this act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion. This section would prevent the EEOC, during fiscal year 1996, from implementing guidelines covering religious harassment that were published by the EEOC last October 1, 1993.

In the fiscal year 1995 bill, the Senate found that these proposed guidelines: “expand the definition of religious harassment beyond established legal standards set forth by the Supreme Court, and \* \* \* may result in the infringement of religious liberty.”

Section 610. Provides that no funds may be used for a U.N. peacekeeping mission unless the Congress has been notified in advance, as proposed by the House.

Section 611. Provides that no funds may be used to provide certain amenities for Federal prisoners, as proposed by the House.

Section 612. Provides that no funds may be used to implement the NOAA fleet modernization plan, as proposed by the House.

Section 613. Provides a limitation on the use of funds for TV Marti, as proposed by the House. The Committee notes the provisions in the bill with respect to Radio and TV Marti are not intended to apply to persons affected by the restructuring plan who are determined to be whistleblowers or have otherwise allegedly been subject to reprisals and other prohibited personnel actions currently under investigation at the USIA.

Section 614. *Nondiscrimination*.—Provides that none of the funds in this act may be used to intentionally discriminate against, or grant a preference to, any individual or group based in whole or in part on race, color, national origin, or sex. This section would prohibit agencies funded under this act, during fiscal year 1996, from granting, encouraging others to grant, or entering into a consent decree which would result in the granting of a preference based upon any or all of the above listed characteristics. If, however, a court of law deems it necessary to use any of these qualities in order to fashion a remedy for a specific finding of discrimination, then such use of race or gender will be allowed so long as the remedy meets the standards set out by the Supreme Court's 1995 ruling in *Adarand v. Peña*. This restriction applies in connection with Federal contracts, subcontracts, employment, and any other federally conducted programs or activities under this bill. The Committee believes that equal opportunity should be granted to all and special preferences should be allowed for none. The Committee further believes that the current myriad of regulations, provisions, and Executive orders which grant preferences on the basis of race and gender have so exceeded their intended scope, that they are now in conflict with the equal opportunity principles from which they originated. While this section explicitly encourages agencies to continue to recruit qualified women and minorities into an applicant pool, it also seeks to reaffirm the dual principles of nondiscrimination and equality before the law which are at the heart of the Civil Rights Act of 1964.

Section 615. Provides language which outlines appropriate remedies for prison conditions which are determined to have caused

the deprivation of federal rights, as passed separately by the House.

TITLE VII—RESCISSIONS  
DEPARTMENT OF JUSTICE  
GENERAL ADMINISTRATION  
WORKING CAPITAL FUND

The Committee recommends a rescission of \$35,000,000 from the projected end-of-year carryover balances in the Justice Department's working capital fund.

This rescission is based upon end-of-year carryover balance projections for this account which were provided to the Committee by the Department of Justice on August 18, 1995.

DEPARTMENT OF COMMERCE

NATIONAL TELECOMMUNICATIONS AND INFORMATION  
ADMINISTRATION

INFORMATION INFRASTRUCTURE GRANTS

(RESCISSION)

The Committee recommends a rescission of \$36,769,000 from the projected end-of-year carryover balances in the Information Infrastructure Grant Program under the National Telecommunications and Information Administration. This program was created in fiscal year 1994, funded at \$24,000,000 that year, and funded at \$60,000,000 in Public Law 103-317. Public Law 104-6 contained a \$15,000,000 rescission from this account.

In title II of this act, the Committee recommends elimination of this program in fiscal year 1996. The rescission amount is based upon end-of-year carryover balance projections for this account which were provided to the Committee by the Department of Commerce on August 8, 1995.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

CONSTRUCTION OF RESEARCH FACILITIES

(RESCISSION)

The Committee recommends a rescission of \$152,993,000 from the projected end-of-year carryover balances in the Construction of Research Facilities Program under the National Institute of Standards and Technology [NIST]. Given the uncertainty over the future of the Department of Commerce, the Committee recommends that no new construction of any new facilities begin in fiscal year 1996. The Committee understands that NIST is considering the possibility of beginning construction of three new laboratory facilities in

fiscal year 1996 and fiscal year 1997. Those decisions should be deferred until the Commerce Department's future has been decided. In the meantime, title II of this act provides the funding necessary for maintenance and scheduled health and safety upgrades to existing NIST laboratories.

The rescission amount is based upon end-of-year carryover balance projections for this account which were provided to the Committee by the Department of Commerce on August 8, 1995.

#### DEPARTMENT OF STATE

##### ADMINISTRATION OF FOREIGN AFFAIRS

##### ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD

##### (RESCISSION)

The Committee recommends a rescission of \$115,000,000 from the projected end-of-year carryover balances in the "Acquisition and maintenance of buildings abroad" account at the State Department. The Committee has directed the State Department to review and prioritize existing building plans in title IV of the bill. The Committee provided the funding necessary to maintain U.S. posts overseas, including the payment of all current leases; security, safety, and efficiency upgrades; and maintenance and rehabilitation of existing facilities. In the future, the Committee will review the State Department's track record in keeping construction projects within projected costs when considering construction requests.

The rescission amount is based upon end-of-year carryover balance projections for this account which were provided to the Committee by the Department of State on August 3, 1995.

#### RELATED AGENCIES

##### U.S. INFORMATION AGENCY

##### RADIO CONSTRUCTION

##### (RESCISSION)

The Committee recommends a rescission of \$7,600,000 from the projected end-of-year carryover balances in the "Radio construction" account at the U.S. Information Agency [USIA]. The Committee recommends that this rescission be directed at new construction of USIA radio facilities. In title IV of this act, the Committee provides the funds necessary for leases and maintenance of existing facilities.

The rescission amount is based upon end-of-year carryover balance projections for this account which were provided to the Committee by USIA on August 21, 1995.

COMPLIANCE WITH PARAGRAPH 7, RULE XVI OF THE  
STANDING RULES OF THE SENATE

Rule XVI, paragraph 7 requires that every report on a general appropriation bill filed by the Committee must identify items of appropriation not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.

The following appropriations have not been authorized either in whole or in part and fall under this rule:

Title I—Department of Justice: General Administration, salaries and expenses; Administrative Review and Appeals, Office of the Inspector General; United States Parole Commission, salaries and expenses; General Legal Activities; National Childhood Vaccine Injury Act, salaries and expenses; Antitrust Division, salaries and expenses; U.S. attorneys, salaries and expenses; Foreign Claims Settlement Commission; Fees and Expenses of Witnesses; Radiation Exposure Compensation; Administrative Expenses; Interagency Law Enforcement; Federal Bureau of Investigation, salaries and expenses; Federal Bureau of Investigation, construction; Drug Enforcement Administration, salaries and expenses; Immigration and Naturalization Service, salaries and expenses; Border Patrol, salaries and expenses; Border Patrol, construction; Federal Prison System, salaries and expenses; Federal Prison System, building and facilities; Federal Prison Industries, Incorporated; Limitation on Administrative Expenses; Federal Prison Industries Incorporated; Office of Justice Programs, justice assistance; State and Local Law Enforcement Assistance Block Grants; Violent Offender Incarceration and Truth in Sentencing Grants; Weed and Seed Program; and Civil Legal Assistance.

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 Commerce Reorganization Transition Fund.

Title IV—Department of State and Related Agencies: Diplomatic and Consular Services, salaries and expenses; Capital Investment Fund; Office of the Inspector General; Acquisition of Buildings Abroad; Emergencies in the Diplomatic and Consular Service; Repatriation Loans Program Account; Payment to the American Institute in Taiwan; Contributions to International Organizations; Contributions to International Peacekeeping Activities; International

Conferences and Contingencies; International Boundary and Water Commission, United States and Mexico; American Sections, International Commissions (except the Border Environment Cooperation Commission); International Fisheries Commissions; Foreign Affairs Reorganization Transition Fund; Arms Control and Disarmament Agency; U.S. Information Agency, salaries and expenses; Technology Fund; Educational and Cultural Exchange Programs; International Broadcasting Operations; Broadcasting to Cuba; Radio Construction; East-West Center; and National Endowment for Democracy.

Title V—Related Agencies: Department of Transportation; Maritime Administration, operations and training; Commission on Civil Rights; Federal Communications Commission (except offsetting fee collections); and Securities and Exchange Commission.

COMPLIANCE WITH PARAGRAPH 7(C), RULE XXVI OF THE  
STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, the accompanying bill was ordered reported from the Committee, subject to amendment and subject to the subcommittee allocation, by recorded vote of 15–13.

| Yeas              | Nays           |
|-------------------|----------------|
| Chairman Hatfield | Mr. Byrd       |
| Mr. Stevens       | Mr. Inouye     |
| Mr. Cochran       | Mr. Hollings   |
| Mr. Specter       | Mr. Johnston   |
| Mr. Domenici      | Mr. Leahy      |
| Mr. Gramm         | Mr. Bumpers    |
| Mr. Bond          | Mr. Lautenberg |
| Mr. Gorton        | Mr. Harkin     |
| Mr. McConnell     | Ms. Mikulski   |
| Mr. Mack          | Mr. Reid       |
| Mr. Burns         | Mr. Kerrey     |
| Mr. Shelby        | Mr. Kohl       |
| Mr. Jeffords      | Mrs. Murray    |
| Mr. Gregg         |                |
| Mr. Bennett       |                |

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.

1. In connection with general provisions, Department of Justice:

TITLE 28, UNITED STATES CODE

**§ 524. Availability of appropriations**

(a) Appropriations for the Department of Justice are available for payment of—

\* \* \* \* \*

(c)(1) There is established in the United States Treasury a special fund to be known as the Department of Justice Assets Forfeiture Fund (hereafter in this subsection referred to as the “Fund”) which shall be available to the Attorney General without fiscal year limitation for the following purposes of the Department of Justice—

\* \* \* \* \*

*“(E) Subject to the notification procedures contained in section 605 of Public Law 103-121, and after satisfying the transfer requirement in subparagraph (B) of this paragraph, any excess unobligated balance remaining in the Fund on September 30, 1995 shall be available to the Attorney General, without fiscal year limitation, for any Federal law enforcement, litigative/prosecutive, and correctional activities, or any other authorized purpose of the Department of Justice. Any amounts provided pursuant to this subparagraph may be used under authorities available to the organization receiving the funds.”.*

2. In connection with general provisions, Department of Justice:

TITLE 28, UNITED STATES CODE

**§ 589a. United States Trustee System Fund**

(b) There shall be deposited in the Fund—

(1) 23.08 per centum of the fees collected under section 1930(a)(1) of this title;

(2) 37.5 per centum of the fees collected under section 1930(a)(3) of this title;

\* \* \* \* \*

(5) 60 per centum of the fees collected under section 1930(a)(6) of this title[;] *until a reorganization plan is confirmed*

\* \* \* \* \*

(f) For the purpose of recovering the cost of services of the United States Trustee System, there shall be deposited as offsetting collections to the appropriation “United States Trustee System Fund”, to remain available until expended, the following:

(1) 12.5 per centum of the fees collected under section 1930(a)(3) of this title;

(2) 40 per centum of the fees collected under section 1930(a)(6) of this title [.] until a reorganization plan is confirmed

(3) 100 percent of the fees collected under section 1930(a)(6) of this title after a reorganization plan is confirmed.

**§ 1930. Bankruptcy fees**

(a) Notwithstanding section 1915 of this title, the parties commencing a case under title 11 shall pay to the clerk of the district court or the clerk of the bankruptcy court, if one has been certified pursuant to section 156(b) of this title, the following filing fees:

(1) For a case commenced under chapter 7 or 13 of title 11, \$130.

\* \* \* \* \*

(6) In addition to the filing fee paid to the clerk, a quarterly fee shall be paid to the United States trustee, for deposit in the Treasury, in each case under chapter 11 of title 11 for each quarter (including any fraction thereof) until [a plan is confirmed or] the case is converted or dismissed, whichever occurs first. The fee shall be \$250 for each quarter in which disbursements total less than \$15,000; \$500 for each quarter in which disbursements total \$15,000 or more but less than \$150,000; \$1,250 or each quarter in which disbursements total \$150,000 or more but less than \$300,000; \$3,750 for each quarter in which disbursements total \$300,000 or more but less than \$3,000,000; \$5,000 for each quarter in which disbursements total \$3,000,000 or more. The fee shall be payable on the last day of the calendar month following the calendar quarter for which the fee is owed.

3. In connection with general provisions, Department of Justice:

PUBLIC LAW 102-395

SEC. 102. (a) \* \* \*

(b)(1) During fiscal [years 1993, 1994, and 1995] year 1996 with respect to any undercover investigative operation of the Federal Bureau of Investigation or the Drug Enforcement Administration which is necessary for the detection and prosecution of crimes against the United States or for the collection of foreign intelligence or counterintelligence—

(A) \* \* \*

\* \* \* \* \*

(C) sums authorized to be appropriated for the Federal Bureau of Investigation and for the Drug Enforcement Administration for fiscal [years 1993, 1994, and 1995] year 1996, and the proceeds from such undercover operation, may be deposited in banks or other financial institutions, without regard to section 648 of

title 18 of the United States Code and section 3302 of title 31 of the United States Code, and

\* \* \* \* \*

(5)(A) The Federal Bureau of Investigation or the Drug Enforcement Administration, as the case may be, shall conduct a detailed financial audit of each undercover investigative operation which is closed in fiscal [years 1993, 1994, and 1995] year 1996—

(i) \* \* \*

\* \* \* \* \*

4. In connection with general provisions, Department of Justice:

PUBLIC LAW 101-515

\* \* \* \* \*

TITLE II—DEPARTMENT OF JUSTICE

\* \* \* \* \*

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For expenses necessary for detection, investigation, and prosecution of crimes against the United States \* \* \*: *Provided*, That for fiscal year 1991 and hereafter the Director of the Federal Bureau of Investigation may establish and collect fees to process fingerprint identification records and name checks for non-criminal justice, non-law enforcement employment and licensing purposes and for certain employees of private sector contractors with classified Government contracts, and notwithstanding the provisions of 31 U.S.C. 3302, credit such fees to this appropriation to be used for salaries and other expenses incurred in providing these services, and that the Director of the Federal Bureau of Investigation may establish such fees at a level to include an additional amount to establish a fund to remain available until expended to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs: *Provided further*, That \* \* \*.

\* \* \* \* \*

5. In connection with general provisions, Department of Justice:

PUBLIC LAW 103-322

[TITLE I—PUBLIC SAFETY AND POLICING

SEC. 10001. SHORT TITLE.

This title may be cited as the “Public Safety Partnership and Community Policing Act of 1994”.

SEC. 10002. PURPOSES.

The purposes of this title are to—\* \* \*

**SEC. 10003. COMMUNITY POLICING; "COPS ON THE BEAT".**

(a) *IN GENERAL.*—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

\* \* \* \* \*

(c) *AUTHORIZATION OF APPROPRIATIONS.*—Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793) is amended—

(1) in paragraph (3) by striking “and O” and inserting “O, P, and Q”; and

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

“(11)(A) There are authorized to be appropriated to carry out part Q, to remain available until expended—

“(i) \$1,332,000,000 for fiscal year 1995;

“(ii) \$1,850,000,000 for fiscal year 1996;

“(iii) \$1,950,000,000 for fiscal year 1997;

“(iv) \$1,700,000,000 for fiscal year 1998;

“(v) \$1,700,000,000 for fiscal year 1999; and

“(vi) \$268,000,000 for fiscal year 2000.

“(B) Of funds available under part Q in any fiscal year, up to 3 percent may be used for technical assistance under section 1701(f) or for evaluations or studies carried out or commissioned by the Attorney General in furtherance of the purposes of part Q. Of the remaining funds, 50 percent shall be allocated for grants pursuant to applications submitted by units of local government or law enforcement agencies having jurisdiction over areas with populations exceeding 150,000 or by public and private entities that serve areas with populations exceeding 150,000, and 50 percent shall be allocated for grants pursuant to applications submitted by units of local government or law enforcement agencies having jurisdiction over areas with populations 150,000 or less or by public and private entities that serve areas with populations 150,000 or less. Of the funds available in relation to grants under part Q, at least 85 percent shall be applied to grants for the purposes specified in section 1701(b), and no more than 15 percent may be applied to other grants in furtherance of the purposes of part Q. In view of the extraordinary need for law enforcement assistance in Indian country, an appropriate amount of funds available under part Q shall be made available for grants to Indian tribal governments or tribal law enforcement agencies.”.]

**“TITLE I—STATE AND LOCAL LAW  
ENFORCEMENT ASSISTANCE**

**“SEC. 10001. BLOCK GRANTS TO STATES.**

“(a) *IN GENERAL.*—The Attorney General shall make grants under this title to States for use by State and local governments to—

“(1) hire, train, and employ on a continuing basis, new law enforcement officers and necessary support personnel;

“(2) pay overtime to currently employed law enforcement officers and necessary support personnel;

“(3) procure equipment, technology, and other material that is directly related to basic law enforcement functions, such as the detection or investigation of crime, or the prosecution of criminals; and

“(4) establish and operate cooperative programs between community residents and law enforcement agencies for the control, detection, or investigation of crime, or the prosecution of criminals.

“(b) *LAW ENFORCEMENT TRUST FUNDS.*—Funds received by a State or unit of local government under this title may be reserved in a trust fund established by the State or unit of local government to fund the future needs of programs authorized under subsection (a).

“(c) *ALLOCATION AND DISTRIBUTION OF FUNDS.*—

“(1) *ALLOCATION.*—The amount made available pursuant to section 10003 shall be allocated as follows:

“(A) 0.6 percent shall be allocated to each of the participating States.

“(B) After the allocation under subparagraph (A), the remainder shall be allocated on the basis of the population of each State as determined by the 1990 decennial census as adjusted annually, by allocating to each State an amount bearing the same ratio to the total amount to be allocated under this subparagraph as the population of the State bears to the population of all States.

“(2) *DISTRIBUTION TO LOCAL GOVERNMENTS.*—

“(A) *IN GENERAL.*—A State receiving a grant under this title shall ensure that not less than 85 percent of the funds received are distributed to units of local government.

“(B) *LIMITATION.*—Not more than 2.5 percent of funds received by a State in any grant year shall be used for costs associated with the administration and distribution of grant money.

“(d) *DISBURSEMENT.*—

“(1) *IN GENERAL.*—The Attorney General shall issue regulations establishing procedures under which a State may receive assistance under this title.

“(2) *GENERAL REQUIREMENTS FOR QUALIFICATION.*—A State qualifies for a payment under this title for a payment period only if the State establishes that—

“(A) the State will establish a segregated account in which the government will deposit all payments received under this title;

“(B) the State will expend the payments in accordance with the laws and procedures that are applicable to the expenditure of revenues of the State;

*“(C) the State will use accounting, audit, and fiscal procedures that conform to guidelines that shall be prescribed by the Attorney General after consultation with the Comptroller General of the United States and, as applicable, amounts received under this title shall be audited in compliance with the Single Audit Act of 1984;*

*“(D) after reasonable notice to a State, the State will make available to the Attorney General and the Comptroller General of the United States, with the right to inspect, records that the Attorney General or Comptroller General of the United States reasonably requires to review compliance with this title;*

*“(E) the State will make such reports as the Attorney General reasonably requires, in addition to the annual reports required under this title; and*

*“(F) the State will expend the funds only for the purposes set forth in subsection (a).*

***“(3) SANCTIONS FOR NONCOMPLIANCE.—***

*“(A) IN GENERAL.—If the Attorney General finds that a State has not complied substantially with paragraph (2) or regulations prescribed under such paragraph, the Attorney General shall notify the State. The notice shall provide that if the State does not initiate corrective action within 30 days after the date on which the State receives the notice, the Attorney General will withhold additional payments to the State for the current payment period and later payment periods. Payments shall be withheld until such time as the Attorney General determines that the State—*

*“(i) has taken the appropriate corrective action; and*

*“(ii) will comply with paragraph (2) and the regulations prescribed under such paragraph.*

*“(B) NOTICE.—Before giving notice under subparagraph (A), the Attorney General shall give the chief executive officer of the State reasonable notice and an opportunity for comment.*

*“(C) PAYMENT CONDITIONS.—The Attorney General shall make a payment to a State under subparagraph (A) only if the Attorney General determines that the State—*

*“(i) has taken the appropriate corrective action; and*

*“(ii) will comply with paragraph (2) and regulations prescribed under such paragraph.*

***“SEC. 10002. APPLICATIONS.***

*“(a) The Attorney General shall make grants under this title only if a State has submitted an application to the Attorney General in such form, and containing such information, as is the Attorney General may reasonably require.*

**“SEC. 10003. AUTHORIZATION OF APPROPRIATIONS.**

*“There are authorized to be appropriated to carry out this title—*

- “(1) \$2,050,000,000 for fiscal year 1996;*
- “(2) \$2,150,000,000 for fiscal year 1997;*
- “(3) \$1,900,000,000 for fiscal year 1998;*
- “(4) \$1,900,000,000 for fiscal year 1999; and*
- “(5) \$468,000,000 for fiscal year 2000.*

**“SEC. 10004. LIMITATION ON USE OF FUNDS.**

*“Funds made available to States under this title shall not be used to supplant State or local funds, but shall be used to increase the amount of funds that would, in the absence of Federal funds received under this title, be made available from State or local sources.”.*

6. In connection with general provisions, Department of Justice:

PUBLIC LAW 103-322

**TITLE II—PRISONS**

**[Subtitle A—Violent Offender Incarceration and Truth in Sentencing Incentive Grants**

**SEC. 20101. GRANTS FOR CORRECTIONAL FACILITIES.**

(a) GRANT AUTHORIZATION.—The Attorney General may make grants to individual States and to States organized as multi-State compacts to construct, develop, expand, modify, operate, or improve correctional facilities, including boot camp facilities and other alternative correctional facilities that can free conventional prison space for the confinement of violent offenders, to ensure that prison cell space is available for the confinement of violent offenders and to implement truth in sentencing laws for sentencing violent offenders.

(b) ELIGIBILITY.—To be eligible to receive a grant under this subtitle, a State or States organized as multi-State compacts shall submit an application to the Attorney General which includes—

\* \* \* \* \*

**SEC. 20109. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to carry out this subtitle—

- (1) \$175,000,000 for fiscal year 1996;
- (2) \$750,000,000 for fiscal year 1996;
- (3) \$1,000,000,000 for fiscal year 1997;
- (4) \$1,900,000,000 for fiscal year 1998;
- (5) \$2,000,000,000 for fiscal year 1999; and
- (6) \$2,070,000,000 for fiscal year 2000.】

## **“Subtitle A—Violent Offender Incarceration and Truth in Sentencing Incentive Grants**

### **“SEC. 20101. GRANTS FOR CORRECTIONAL FACILITIES.**

*“(a) GRANT AUTHORIZATION.—The Attorney General may make grants to individual States and to States organized as multi-State compacts to construct, develop, expand, modify, operate, or improve conventional correctional facilities, including prisons and jails, for the confinement of violent offenders, to ensure that prison cell space is available for the confinement of violent offenders and to implement truth in sentencing laws for sentencing violent offenders.*

*“(b) ELIGIBILITY.—To be eligible to receive a grant under this subtitle, a State or States organized as multi-State compacts shall submit an application to the Attorney General that includes—*

*“(1)(A) except as provided in subparagraph (B), assurances that the State or States, have implemented, or will implement, correctional policies and programs, including truth in sentencing laws that ensure that violent offenders serve a substantial portion of the sentences imposed, that are designed to provide sufficiently severe punishment for violent offenders, including violent juvenile offenders, and that the prison time served is appropriately related to the determination that the inmate is a violent offender and for a period of time deemed necessary to protect the public;*

*“(B) in the case of a State that on the date of enactment of the Department of Justice Appropriations Act, 1996 practices indeterminant sentencing, a demonstration that average times served for the offenses of murder, rape, robbery, and assault in the State exceed by at least 10 percent the national average of time served for such offenses in all of the States;*

*“(2) assurances that the State or States have implemented policies that provide for the recognition of the rights and needs of crime victims;*

*“(3) assurances that funds received under this section will be used to construct, develop, expand, modify, operate, or improve conventional correctional facilities;*

*“(4) assurances that the State or States have involved counties and other units of local government, when appropriate, in the construction, development, expansion, modification, operation, or improvement of correctional facilities designed to ensure the incarceration of violent offenders, and that the State or States will share funds received under this section with counties and other units of local government, taking into account the burden placed on the units of local government when they are required to confine sentenced prisoners because of overcrowding in State prison facilities;*

*“(5) assurances that funds received under this section will be used to supplement, not supplant, other Federal, State, and local funds;*

*“(6) assurances that the State or States have implemented, or will implement not later than 18 months after the date of enactment of the Department of Justice Appropriations Act, 1996, policies to determine the veteran status of inmates and to ensure that incarcerated veterans receive the veterans benefits to which they are entitled; and*

*“(7) if applicable, documentation of the multi-State compact agreement that specifies the construction, development, expansion, modification, operation, or improvement of correctional facilities.*

**“SEC. 20102. TRUTH IN SENTENCING INCENTIVE GRANTS.**

*“(a) TRUTH IN SENTENCING GRANT PROGRAM.—Fifty percent of the total amount of funds appropriated to carry out this subtitle for each of fiscal years 1996, 1997, 1998, 1999, and 2000 shall be made available for truth in sentencing incentive grants. To be eligible to receive such a grant, a State must meet the requirements of section 20101(b) and shall demonstrate that the State—*

*“(1) has in effect laws that require that persons convicted of violent crimes serve not less than 85 percent of the sentence imposed;*

*“(2) since 1993—*

*“(A) has increased the percentage of convicted violent offenders sentenced to prison;*

*“(B) has increased the average prison time that will be served in prison by convicted violent offenders sentenced to prison; and*

*“(C) has in effect at the time of application laws requiring that a person who is convicted of a violent crime shall serve not less than 85 percent of the sentence imposed if—*

*“(i) the person has been convicted on 1 or more prior occasions in a court of the United States or of a State of a violent crime or a serious drug offense; and*

*“(ii) each violent crime or serious drug offense was committed after the defendant’s conviction of the preceding violent crime or serious drug offense; or*

*“(3) in the case of a State that on the date of enactment of the Department of Justice Appropriations Act, 1996 practices indeterminant sentencing, a demonstration that average times served for the offenses of murder, rape, robbery, and assault in the State exceed by at least 10 percent the national average of time served for such offenses in all of the States.*

*“(b) ALLOCATION OF TRUTH IN SENTENCING INCENTIVE FUNDS.—The amount available to carry out this section for any fiscal year shall be allocated to each eligible State in the ratio that the number of part 1 violent crimes reported*

by such State to the Federal Bureau of Investigation for the previous year bears to the number of part 1 violent crimes reported by all States to the Federal Bureau of Investigation for the previous year.

**“SEC. 20103. VIOLENT OFFENDER INCARCERATION GRANTS.**

“(a) *VIOLENT OFFENDER INCARCERATION GRANT PROGRAM.*—Fifty percent of the total amount of funds appropriated to carry out this subtitle for each of fiscal years 1996, 1997, 1998, 1999, and 2000 shall be made available for violent offender incarceration grants. To be eligible to receive such a grant, a State or States must meet the requirements of section 20101(b).

“(b) *ALLOCATION OF VIOLENT OFFENDER INCARCERATION FUNDS.*—Funds made available to carry out this section shall be allocated as follows:

“(1) 0.6 percent shall be allocated to each eligible State, except that the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands each shall be allocated 0.05 percent.

“(2) The amount remaining after application of paragraph (1) shall be allocated to each eligible State in the ratio that the number of part 1 violent crimes reported by such State to the Federal Bureau of Investigation for the previous year bears to the number of part 1 violent crimes reported by all States to the Federal Bureau of Investigation for the previous year.

**“SEC. 20104. RULES AND REGULATIONS.**

“(a) *IN GENERAL.*—Not later than 90 days after the date of enactment of the Department of Justice Appropriations Act, 1996, the Attorney General shall issue rules and regulations regarding the uses of grant funds received under this subtitle.

“(b) *BEST AVAILABLE DATA.*—If data regarding part 1 violent crimes in any State for the previous year is unavailable or substantially inaccurate, the Attorney General shall utilize the best available comparable data regarding the number of violent crimes for the previous year for the State for the purposes of allocation of funds under this subtitle.

**“SEC. 20105. DEFINITIONS.**

“In this subtitle—

“(1) the term ‘part 1 violent crimes’ means murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault as reported to the Federal Bureau of Investigation for purposes of the Uniform Crime Reports;

“(2) the term ‘State’ or ‘States’ means a State, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands; and

“(3) the term ‘indeterminate sentencing’ means a system by which the court has discretion in imposing the actual length of the sentence, up to the statutory maxi-

*... mum, and an administrative agency, or the court, controls release between court-ordered minimum and maximum sentence.”.*

**“SEC. 20106. AUTHORIZATION OF APPROPRIATIONS.**

*“There are authorized to be appropriated to carry out this subtitle—*

- “(1) \$1,000,000,000 for fiscal year 1996;*
- “(2) \$1,150,000,000 for fiscal year 1997;*
- “(3) \$2,100,000,000 for fiscal year 1998;*
- “(4) \$2,200,000,000 for fiscal year 1999; and*
- “(5) \$2,270,000,000 for fiscal year 2000.”.*

7. In connection with general provisions, Department of Justice:

TITLE I, PUBLIC LAW 101-246

PART D—PERSONNEL \* \* \*

**SEC. 151. DANGER PAY ALLOWANCE.**

The Secretary of State may not deny a request by the Drug Enforcement Administration *or Federal Bureau of Investigation* to authorize a danger pay allowance (under section 5928 of title 5, United States Code) for any employee of such agency.

8. In connection with general provisions, Department of Justice:

TITLE 42, UNITED STATES CODE

**§1973gg-2. National procedures for voter registration for elections for Federal office**

**(a) In general**

Except as provided in subsection (b) of this section, notwithstanding any other Federal or State law, in addition to any other method of voter registration provided for under State law, each State shall establish procedures to register to vote in elections for Federal office—

- (1) by application made simultaneously with an application for a motor vehicle driver’s license pursuant to section 1973gg-3 of this title;
- (2) by mail application pursuant to section 1973gg-4 of this title; and
- (3) by application in person—
  - (A) at the appropriate registration site designated with respect to the residence of the applicant in accordance with State law; and
  - (B) at a Federal, State, or nongovernmental office designated under section 1973gg-5 of this title.

**(b) Nonapplicability to certain States**

This subchapter does not apply to a State described in either or both of the following paragraphs:

- (1) A State in which, under law that is in effect continuously on and after [March 11, 1993] *August 1, 1994*, there is no voter registration requirement for

any voter in the State with respect to an election for Federal office.

(2) A State in which, under law that is in effect continuously on and after [March 11, 1993] *August 1, 1994*, or that was enacted on or prior to [March 11, 1993] *August 1, 1994*, and by its terms is to come into effect upon the enactment of this subchapter, so long as that law remains in effect, all voters in the State may register to vote at the polling place at the time of voting in a general election for Federal office.

9. In connection with general provisions, Department of Justice:

TITLE 42, UNITED STATES CODE

[SUBCHAPTER X—LEGAL SERVICES CORPORATION

**§ 2996. Congressional findings and declaration of purpose**

The Congress finds and declares that—

(1) there is a need to provide equal access to the system of justice in our Nation for individuals who seek redress of grievances;

\* \* \* \* \*

**§ 2996/. Reservation of right to repeal, alter, or amend**

The right to repeal, alter, or amend this subchapter at any time is expressly reserve.]

10. In connection with the Securities and Exchange Commission, salaries and expenses:

TITLE 15, UNITED STATES CODE

**§ 77f. Registration of securities**

**(a) Method of registration**

Any security may be registered with the Commission under the terms and conditions hereinafter provided, by filing a registration statement in triplicate, at least one of which shall be signed by each issuer, its principal executive officer or officers, its principal financial officer, its comptroller of principal accounting officer, \* \* \*

\* \* \* \* \*

**(b) Fee for registration**

At the time of filing a registration statement the applicant shall pay to the Commission a fee of [one-fiftieth] *one thirty-fourth* of 1 per centum of the maximum aggregate price at which such securities are proposed to be offered, but in no case shall such fee be less than \$100.

**(c) Time registration effective**

The filing with the Commission of a registration statement, or of an amendment to a registration statement, shall be deemed to have taken place upon the receipt thereof, but the filing of a registration statement shall not be deemed to have taken place unless it is accompanied by a United States postal money order or a certified bank

check or cash for the amount of the fee required under subsection (b) of this section.

11. In connection with title VI, general provisions:

TITLE 18, UNITED STATES CODE

**§ 3626. Appropriate remedies with respect to prison crowding**

(a) REQUIREMENT OF SHOWING WITH RESPECT TO THE PLAINTIFF IN PARTICULAR.—\* \* \*

\* \* \* \* \*

(c) PERIODIC REOPENING.—Each Federal court order or consent decree seeking to remedy and eighth amendment violation shall be reopened at the behest of a defendant for recommended modification at a minimum of 2-year intervals.]

**“§ 3626. Appropriate remedies with respect to prison conditions**

“(a) REQUIREMENTS FOR RELIEF.—

“(1) LIMITATIONS ON PROSPECTIVE RELIEF.—Prospective relief in a civil action with respect to prison conditions shall extend no further than necessary to remove the conditions that are causing the deprivation of the Federal rights of individual plaintiffs in that civil action. The court shall not grant or approve any prospective relief unless the court finds that such relief is narrowly drawn and the least intrusive means to remedy the violation of the Federal right. In determining the intrusiveness of the relief, the court shall give substantial weight to any adverse impact on public safety or the operation of a criminal justice system caused by the relief.

“(2) PRISON POPULATION REDUCTION RELIEF.—In any civil action with respect to prison conditions, the court shall not grant or approve any relief the purpose or effect of which is to reduce or limit the prison population, unless the plaintiff proves that crowding is the primary cause of the deprivation of the Federal right and no other relief will remedy that deprivation.

“(b) TERMINATION OF RELIEF.—

“(1) AUTOMATIC TERMINATION OF PROSPECTIVE RELIEF AFTER 2-YEAR PERIOD.—In any civil action with respect to prison conditions, any prospective relief shall automatically terminate 2 years after the later of—

“(A) the date the court found the violation of a Federal right that was the basis for the relief; or

“(B) the date of the enactment of the Stop Turning Out Prisoners Act.

“(2) IMMEDIATE TERMINATION OF PROSPECTIVE RELIEF.—In any civil action with respect to prison conditions, a defendant or intervenor shall be entitled to the immediate termination of any prospective relief, if that relief was approved or granted in the absence of a find-

ing by the court that prison conditions violated a Federal right.

“(c) *PROCEDURE FOR MOTIONS AFFECTING PROSPECTIVE RELIEF.*—

“(1) *GENERALLY.*—The court shall promptly rule on any motion to modify or terminate prospective relief in a civil action with respect to prison conditions.

“(2) *AUTOMATIC STAY.*—Any prospective relief subject to a pending motion shall be automatically stayed during the period—

“(A) beginning on the 30th day after such motion is filed, in the case of a motion made under subsection (b); and

“(B) beginning on the 180th day after such motion is filed, in the case of a motion made under any other law;

and ending on the date the court enters a final order ruling on that motion.

“(d) *STANDING.*—Any Federal, State, or local official or unit of government—

“(1) whose jurisdiction or function includes the prosecution or custody of persons in a prison subject to; or

“(2) who otherwise is or may be affected by;

any relief the purpose or effect of which is to reduce or limit the prison population shall have standing to oppose the imposition or continuation in effect of that relief and may intervene in any proceeding relating to that relief. Standing shall be liberally conferred under this subsection so as to effectuate the remedial purposes of this section.

“(e) *SPECIAL MASTERS.*—In any civil action in a Federal court with respect to prison conditions, any special master or monitor shall be a United States magistrate and shall make proposed findings on the record on complicated factual issues submitted to that special master or monitor by the court, but shall have no other function. The parties may not by consent extend the function of a special master beyond that permitted under this subsection.

“(f) *ATTORNEY’S FEES.*—No attorney’s fee under section 722 of the Revised Statutes of the United States (42 U.S.C. 1988) may be granted to a plaintiff in a civil action with respect to prison conditions except to the extent such fee is—

“(1) directly and reasonably incurred in proving an actual violation of the plaintiff’s Federal rights; and

“(2) proportionally related to the extent the plaintiff obtains court ordered relief for that violation.

“(g) *DEFINITIONS.*—As used in this section—

“(1) the term ‘prison’ means any Federal, State, or local facility that incarcerates or detains juveniles or adults accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law;

“(2) the term ‘relief’ means all relief in any form which may be granted or approved by the court, and includes consent decrees and settlement agreements; and

*“(3) the term ‘prospective relief’ means all relief other than compensatory monetary damages.”.*

*(3) APPLICATION OF AMENDMENT.—Section 3626 of title 18, United States Code, as amended by this section, shall apply with respect to all relief (as defined in such section) whether such relief was originally granted or approved before, on, or after the date of the enactment of this Act.*

*(4) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter C of chapter 229 of title 18, United States Code, is amended by striking “crowding” and inserting “conditions”.*

## BUDGETARY IMPACT OF BILL

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

[In millions of dollars]

|  | Budget authority     |                | Outlays              |                     |
|--|----------------------|----------------|----------------------|---------------------|
|  | Committee allocation | Amount of bill | Committee allocation | Amount of bill      |
| Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts in the First Concurrent Resolution for 1996: Subcommittee on Commerce, Justice, and State, the Judiciary, and Related Agencies: |                      |                |                      |                     |
| Defense discretionary .....  | 124                  | 124            | 188                  | 1 185               |
| Nondefense discretionary .....   | 21,936               | 21,935         | 23,373               | 23,368              |
| Violent crime reduction fund .....   | 3,944                | 3,944          | 2,107                | 2,103               |
| Mandatory .....  | 532                  | 506            | 525                  | 501                 |
| Projections of outlays associated with the recommendation:   |                      |                |                      |                     |
| 1996 .....   |                      |                |                      | <sup>2</sup> 18,658 |
| 1997 .....   |                      |                |                      | 4,590               |
| 1998 .....   |                      |                |                      | 2,579               |
| 1999 .....   |                      |                |                      | 656                 |
| 2000 and future years .....  |                      |                |                      | 39                  |
| Financial assistance to State and local governments for 1996 .....   | NA                   | 1,015          | NA                   | 225                 |

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

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

NA: Not applicable.

ADDITIONAL VIEWS OF HON. ROBERT F. BENNETT

I do not share the Committee's recommendation that appropriated funds should not be used to pay for U.S. membership in the International Labor Organization [ILO].

The United States was a founding member of the ILO. In my view there are at least four reasons for remaining in the ILO. First, the ILO's new policy work focuses on sound employment and job creation. This, in turn, reduces the protectionism encountered by American companies in developing nations. Second, without U.S. participation in the ILO, American companies will not have a voice in setting the international labor standards that affect their operations in other countries. Third, the ILO's standards are the only viable alternative to the growing pressure to use trade sanctions to enforce worker's rights.

Finally, there is the question of fundamental human rights. On November 1, 1989, then Secretary of Labor Elizabeth Dole testified before the Senate Foreign Relations Committee on this issue. She said, "The ILO is the United Nation's most effective advocate of human rights." She rightly pointed to the ILO's support for solidarity in Poland and its contribution to the end of European communism.

I do, however, share the Committee's concern over the State Department's failure, in prior years, to fund adequately the capital investment fund. Vital telecommunications links to far off posts are inadequate and prone to breakdown. As a practical matter, equipment purchased in fiscal year 1996 would only become available, on a wide scale basis, in early 1997.

ROBERT F. BENNETT.

## MINORITY VIEWS OF HON. ERNEST F. HOLLINGS

For almost 25 years I have served on the Appropriations Subcommittee on Commerce, Justice, and State, the Judiciary, and Related Agencies [CJS] and have participated in or have authored countless appropriations bills. I served as ranking member (1981–86) and subcommittee chairman on two occasions (1977–80 and 1987–94). In all these years I cannot remember a CJS bill which I did not vote to support. Regrettably, I simply cannot support this measure, H.R. 2076, the fiscal year 1996 appropriations bill, because of the partisan process that has been followed in formulating this bill and because of the recommendations and program changes it proposes.

*The process.*—The Senate Appropriations Committee always has been known for its bipartisanship. I believe it is fair to say that of the 13 appropriations subcommittees, the CJS Subcommittee has been known as the most bipartisan. During my tenure, I served with such distinguished chairmen and ranking members as Senator Paul Laxalt, Senator Lowell Weicker, Senator John Pastore, Senator Warren Rudman, and Senator Pete Domenici. Together, the CJS Subcommittee functioned in a collegial manner with comity and mutual respect.

Notably, the way we did business on the subcommittee was as important as the proposals contained in the bills that we drafted. Our staffs worked as one professional staff. In 1990, there was a period when Senator Hatfield's staff served simultaneously as majority and minority counsel for Senator Rudman and myself. When I had the privilege to serve as chairman, my staff had standing orders to work closely with their counterparts to ensure that all members of the subcommittee were served and that their priorities were integrated into the bill. The same was true when Senators Weicker, Laxalt, and Rudman chaired this panel. When a CJS bill was ready to go to subcommittee markup, Senator Rudman or Senator Domenici or Senator Laxalt or Senator Weicker or I had been fully consulted and in agreement with the mark.

Unfortunately, the new subcommittee chairman has chosen to abandon this process. Instead he favors a more partisan approach in which the majority drafts bills and informs the minority of his decisions at the last possible minute. In the case of House bill 2076, minority committee staff members were only allowed access to information on the afternoon before subcommittee markup. No consultations took place between the chairman and myself. In fact, the bill was drafted specifically to eliminate or severely reduce programs that I and other subcommittee members have long supported.

Of course, that is the chairman's right. I recognize that it is his prerogative to run the CJS Subcommittee as he sees fit. But, I find it distressing that much has been lost for this Committee and the

Senate. This approach resulted in the first partisan markup of this CJS bill. In subcommittee, the six members of the majority voted to report the bill while the five members of the minority voted against passage. In the full Committee, the 15 members of the majority voted to report the bill to the Senate while the 13 members of the minority voted against the measure.

I must also take issue with one other aspect of the process followed in amending House bill 2076. The subcommittee has annually held hearings to review, in depth, agency budget requests and legislative issues. This year, the subcommittee held the fewest hearings that I can recall, and those brief hearings paid little attention to the budget estimates or requirements. There are agencies that are drastically impacted by the recommended bill, such as the Small Business Administration and U.S. Information Agency, which were never provided an opportunity to testify before the subcommittee. Regardless of how any Senator feels about such agencies, it is not right for them to be denied an opportunity to present their budget and state their case. There is no record for supporting the Committee's actions.

This bill is filled with legislative and authorization issues that have never been reviewed during Committee hearings. In most cases, these legislative changes seem far outside the business and jurisdiction of the Committee. The bill carries legislation to: (1) lift current restrictions on the sale of products manufactured by prison labor; (2) direct the reorganization and consolidation of foreign affairs agencies; (3) change the eligibility requirements for the SBA section 8(a) procurement programs; (4) amend affirmative action and contracting preference programs; (5) make various amendments to the United States Code regarding prison conditions; and (6) rewrite the 1994 Violent Crime Control and Law Enforcement Act.

These proposals should have been fully discussed and reviewed before inclusion in the bill.

*Funding recommendations.*—The Commerce, Justice, and State bill supports three Cabinet departments, the Supreme Court and the Federal judiciary, the U.S. Trade Representative, and 22 independent agencies. It is a unique bill that is extremely diverse. Its jurisdiction includes such disparate agencies as the Federal Bureau of Investigation, the Small Business Administration, the Securities and Exchange Commission, the U.S. Information Agency, the Legal Services Corporation, and the National Marine Fisheries Service. However, the bill reported by the Appropriations Committee lacks balance and seeks proper funding of only one of those components—the Department of Justice. Other agencies are proposed for termination, unprecedented reductions or, at best, freezes.

For years, I have consistently supported the Department of Justice law enforcement programs. From 1986 to 1994, under my leadership the Department's budget more than tripled, from \$3,910,000,000 to \$13,700,000,000. But we provided that support without abandoning our responsibility to other agencies within the bill's jurisdiction. I cannot support the magnitude of increases above the House bill for Justice when I look at how the Committee bill proposes to pay for them. Just a few of these impacts are highlighted below.

## COMMERCE PROGRAMS

The Commerce Department is targeted in this bill. It is the smallest Cabinet department and the only one that works effectively with American business to promote exports, economic development, new technology, telecommunications, and economic development.

With the fall of the Berlin Wall and the end of the cold war, the Commerce Department is our frontline in the new international battle—the trade war. Our standard of living is at stake as other countries battle to take the lead in trade, new technologies, and jobs. And the cuts in this bill will severely hurt the ability of the Commerce Department to help American companies and workers succeed in this tough new world economy. Let me just point out a few examples.

First, the reported bill reduces the International Trade Administration by \$46,500,000, a cut of over 17 percent. Just as the United States is finally starting to match and beat the Europeans and Asians in export promotion and trade enforcement, this bill would gut these efforts. Over the past 2 years, ITA and Secretary Brown have helped secure agreements for more than \$25,900,000,000 in U.S. export sales—sales worth 370,000 American jobs. Now, the Committee-reported bill will lead to major reductions in activities by the United States and Foreign Commercial Service. Small U.S. firms that cannot afford fancy consultants will be hit particularly hard, and major reductions will occur in new big emerging markets at the very time that our foreign competitors are stepping up their sales efforts. At the same time, these cuts will affect the Department of Commerce's ability to meet statutory deadlines in anti-dumping and countervailing duty cases, reducing protection for U.S. businesses against predatory imports.

Second, this bill cuts efforts to help small manufacturers and devastates highly praised efforts to help the United States beat foreign competitors in developing important next-generation technologies. In the case of small manufacturers, the bill diverts existing fiscal year 1995 funds from starting new manufacturing extension centers; existing centers will be kept for 1 year, which is valuable, but the 20 States that recently and in good faith submitted applications for new centers will now be told, "Never mind; we never intended to actually fund your proposals." As for new technologies, the bill terminates the Department of Commerce's Advanced Technology Program and thus terminate dozens of ongoing research projects, most in small firms. An amendment by Chairman Hatfield restored some funds for some existing projects. But this bill remains an historic mistake. With the end of the cold war, other nations are redoubling their efforts to capture new civilian technologies and the industries based on them. Japan is proposing to double its civilian research by the end of the decade. Germany already spends 13 percent of its government R&D budget to work with its industries to develop economically important new basic technologies; we spend 1 percent of our R&D budget for the same purpose. And yet here we are, cutting out modest long-term civilian research and once again creating a situation in which other countries will commercialize our best ideas and get the profits and jobs.

Third, consider telecommunications. The subcommittee mark of \$166,185,000 for the FCC, a related agency, woefully fails to take into account the important mission of this critical agency. The FCC oversees one of the most dynamic industries that accounts for nearly one-sixth of our economy. Reducing their budget at this juncture would be ill-advised and very shortsighted. Both the Senate and House have reported measures to update the 1934 Communications Act. If the proposed measures are enacted into law the FCC will be tasked with trying to break up the most powerful monopolies in the country while promoting competition in once protected markets. We shouldn't be cutting this agency but increasing their resources. Just look at what the FCC can do if provided the proper resources. The FCC has brought in over \$9,000,000,000 to the U.S. Treasury through spectrum auctions. That's more of a return, dollar for dollar, than any other regulatory agency.

This bill also proposes to cut the Department of Commerce's National Telecommunications and Information Administration [NTIA] from \$97,000,000 to \$14,000,000. This level of funding is intended to sustain NTIA's core function of managing the Federal Government's spectrum but otherwise practically eliminates the rest of the agency. An amendment by Chairman Mark Hatfield restores partial funding to the Public Telecommunications and Facilities Program [PTFP]. Unfortunately, the rest of the grant programs designed to provide assistance to nonprofit organizations are zeroed out.

Fourth, I am pleased that Chairman Hatfield was successful in adding \$100,000,000 for the Economic Development Administration [EDA]. The subcommittee chairman had recommended no funding for this program that provides assistance to communities in economic distress. However, this represents a significant reduction from the current appropriated level of \$410,000,000.

EDA is one of the few Federal agencies that has a direct charter to assist communities that are adversely impacted by the Department of Defense base closures and contractor cutbacks. Its role has been highlighted and supported by bipartisan task forces on defense conversion. In light of the most recent decisions by the Base Closure and Realignment Commission, the decision to cut EDA is absurd. These cuts will hinder the Federal Government's ability to respond to job losses and economic dislocations caused by the Federal Government's own actions.

#### STATE DEPARTMENT AND FOREIGN AFFAIRS

This bill devastates the President's ability to conduct foreign affairs. Funding for the State Department's operations and facilities is slashed by 13 percent or \$340,000,000 below this year's level. The bill provides funding recommendations far below the House, far below the authorization levels contemplated in Senate bill 908, and far below a freeze. The bill rescinds \$140,000,000 in existing Embassy construction, facility modernization, and real property maintenance funding.

At the levels in this bill, the Department of State will be forced to close up to 60 overseas posts, close several domestic passport offices, and lay off over 1,100 foreign service and America civil service employees. Clearly, the Department would have to significantly

reduce support to other U.S. agencies overseas. The reductions in facilities funding will force the Department to stop the planned embassy in Ottawa, Canada, as well as major projects in Tel Aviv, Israel, and the nations of the former Soviet Union.

These severe funding reductions are being proposed at the very time that dedicated United States foreign service officers are working effectively to resolve very difficult problems in Bosnia and the Middle East. These same dedicated employees represent the United States around the world every day, often in dangerous locations while living and working in substandard conditions, such as in the facilities and housing in the countries of the former Soviet Union. On issues such as international terrorism, illegal immigration, and international crime the State Department serves as our Nation's first line of defense.

With respect to U.S.-assessed contributions to international organizations, the Committee's report clearly understates the number of international organizations in which the United States would be unable to participate for fiscal year 1996. Current U.S. assessments total \$873,000,000 for 51 international organizations. The Committee's bill provides \$550,000,000 or a reduction of 37 percent below current levels. Clearly, the United States will have to withdraw from or refuse to pay treaty obligations to many more organizations than those listed in the Committee report.

#### LEGAL SERVICES

The bill as proposed by the subcommittee chairman would have totally eliminated the Legal Services Corporation and legal aid to the poor. Based on an amendment by Chairman Hatfield, a new \$210,000,000 legal services block grant program was created but the Corporation was terminated. While the Committee-reported bill is far preferable to the subcommittee chairman's proposal, I still strongly support restoration of the Legal Services Corporation.

The Legal Services Corporation [LSC] was created under President Nixon in 1974 to pursue the goal of providing equal justice for Americans living in poverty. I worked closely with Justice Lewis Powell to create the Corporation, and it has been strongly supported by Members of both parties.

Poverty lawyers play an important role in defending the interests of their clients and explaining their clients' responsibilities under the law. In America, nearly 37 million citizens live in poverty and look to the Legal Services Corporation for assistance.

LSC provides cost-effective legal assistance to the poor and is a superb example of efficiency. Only 3 percent of its budget is devoted to management and administration. A block grant program likely would increase costs, decrease efficiency, and lower accountability. Ironically, one of the reasons why the Legal Services Corporation was created at the Federal level was that few States provided any significant legal aid to the poor. Further, this new block grant approach would throw into disarray the current system of legal assistance from the Federal, State, and private pro bono services.

## REWRITING THE CRIME BILL/COPS ON THE BEAT

Finally, I strongly object to the provisions of this bill that seek to rewrite the 1994 crime bill. The bill as reported contains pages of authorization language creating new programs in lieu of current law. It seeks to make the 1996 CJS appropriations bill a new crime bill. I should note that the provisions contained in this bill were modeled on a bill that had been referred to the Judiciary Committee. However, this bill was never reported by that committee of jurisdiction.

Above all else I must object to the proposal to abolish the successful Cops on the Beat or Community Oriented Policing Program and replace it with a new State law enforcement block grant. This action seeks to terminate one of the most successful and effective law enforcement programs ever created and instead replace it with a rehashed Law Enforcement Assistance Administration [LEAA] Program. I served in the Senate when the LEAA Program was created and when we had to terminate it because of waste.

Within 1 year of the crime bill's enactment, the Justice Department's Community Policing Program has put over 24,000 police officers out on the beat in communities across America. This fully competitive program provides funding directly to police departments and cannot be syphoned off by mayors and Governors, as was the case in the LEAA Program. This program has one of the lowest administrative costs of any Federal grant program and the Justice Department is operating the program with a minimum of redtape. Further, the program specifically funds communities under 150,000 population. It has put police officers on patrols in countless small rural communities across my State and across this Nation.

Just a little over 2 years ago, the President's stimulus package was filibustered and died in the Senate. A major argument used against the bill was that it contained block grants. Every questionable, but permissible, use of community development block grants was enumerated by the opponents. They pointed out that block grants could be used for parking garages, swimming pools, and recreational centers. They criticized the lack of Federal oversight and stewardship of the taxpayer dollars. Ironically, here we are with the successful Cops on the Beat Program that is effective, that has oversight and accountability, and this bill proposes to replace it with a new block grant.

## CONCLUSION

These are just a few of the reasons that I have made the decision to oppose the bill as reported by the Committee. In short, this bill does not represent the type of product that the Appropriations Committee can be proud of. It was developed on a partisan basis for partisan purposes. I have attached correspondence from Secretary of State Warren Christopher and OMB Director Alice Rivlin stating the administration's dissatisfaction with this bill.

The President already has signaled his intention to veto the measure. In my view, this bill is not equitable, not fair, and it simply is not in the best interests of this country.

ERNEST F. HOLLINGS.

LETTER FROM WARREN CHRISTOPHER, SECRETARY OF STATE

SEPTEMBER 11, 1995.

Hon. MARK O. HATFIELD,  
*Chairman, Committee on Appropriations, U.S. Senate, Washington,  
DC.*

DEAR MR. CHAIRMAN: Knowing of your long and distinguished record of active support for responsible American leadership abroad, I am writing to express my profound concern over the subcommittee mark of the Commerce, Justice, State appropriations bill and to ask your assistance in increasing the funding levels for international affairs.

The pending fiscal year 1996 Commerce, Justice, State appropriations bill would cut the overall funding requested by the President from this subcommittee for international affairs by \$1,172,210,000—a cut of more than 23 percent. For the State Department alone, the cuts would total more than \$868,000,000. The funds available for our basic operations, including the management of our posts overseas, were cut by over \$258,000,000. In addition, the subcommittee mark also proposes to cut \$52,000,000 from current year funding and rescind another \$140,000,000 from the no-year balances we have available to manage and rehabilitate the buildings overseas in which most Government employees work and live.

If this funding is not restored, I will be forced to recommend that the President veto the bill. I would do so with regret but without hesitation because no President could conduct effectively America's foreign policy at these levels.

It may be tempting to think of State Department operations as if they were just overhead that can be easily reduced. Nothing could be further from the truth. Operating, supporting and communicating with our posts overseas represents the heart of the programmatic activities of the State Department. Without these efforts, the eyes and ears of the United States abroad would be shut and our ability to analyze and influence world events would be harmed. Our 266 overseas posts—our Nation's first line of defense—serve as the operating platform for more than 38 other agencies including the Defense Department, the Commerce Department, and the law enforcement agencies. We provide vital services and protection to American businesses and travelers.

Even at the funding levels anticipated in the House version of the CJS bill, I was preparing to close 19 overseas posts and to severely limit hiring. At the levels reported by the Senate CJS Subcommittee, I will have to close many more posts, reduce dramatically the support the State Department provides for other agencies and, for the first time, undertake RIF's and furloughs of many of our skilled employees. Such harmful personnel cuts would be on top of the reduction of over 1,300 positions that are part of the "National Performance Review" and our own strategic management initiative.

The subcommittee mark also would have other serious effects. Support for our obligations to international organizations and peacekeeping was reduced by \$571,000,000, a 42-percent reduction below the President's request. We would be forced to shut down

vital peacekeeping operations and risk renewed instability in the Middle East, Bosnia, and Asia. Such funding levels would also have a crippling effect on the ability of international organizations to deal with the many critical global challenges we face such as non-proliferation, human rights, health, narcotics, and regional security. Our ability to build coalitions and share the burden of world leadership with our allies and other nations would be seriously impaired.

Funding for the Arms Control and Disarmament Agency [ACDA] is reduced by more than 50 percent at a time when ACDA is helping the President and me pursue an arms control agenda vital to our national security. The funds allocated to the U.S. Information Agency are \$250,000,000 below the President's request in the subcommittee mark and would require drastic reductions in USIA's operations overseas (15 percent) and in its important exchange programs (25 percent). America's interests and influence would quickly be damaged by such actions. Public diplomacy represents a cost-effective initiative essential to U.S. leadership around the world.

In conclusion, I look forward to working with you and your colleagues to restore the funding necessary for the State Department, ACDA, and USIA to fulfill our Nation's international responsibilities. I am also sending copies of this letter to Senator Byrd, Chairman, Gramm, and Senator Hollings.

Sincerely,

WARREN CHRISTOPHER.

---

LETTER FROM ALICE M. RIVLIN, DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

SEPTEMBER 12, 1995.

Hon. ERNEST F. HOLLINGS,  
*Subcommittee on Commerce, Justice, State, and Judiciary Appropriations, Committee on Appropriations, U.S. Senate, Washington, DC.*

DEAR SENATOR HOLLINGS: The purpose of this letter is to provide the administration's views on H.R. 2076, the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies appropriations bill, fiscal year 1996, as reported by the subcommittee. As the Senate full Committee develops its version of the bill, your consideration of the administration's views would be appreciated. Because we have not yet seen the subcommittee bill or report, these views are, necessarily, preliminary.

The administration is committed to balancing the Federal budget by fiscal year 2005. The President's budget proposes to reduce discretionary spending for fiscal year 1996 by \$5,000,000,000 in outlays below the fiscal year 1995 enacted level. At the same time, the President's budget increases funding for investment programs essential to economic growth and a higher standard of living for all Americans. The administration supports reducing spending but does not share the priorities reflected in the subcommittee bill, which is roughly \$4,500,000,000 below the President's request.

The administration is pleased that the subcommittee has supported an increased overall funding level for the Department of

Justice. Continued support for the Department of Justice is essential for the fight against crime. However, the administration strongly opposes several aspects of the subcommittee bill. The President would veto the bill if it were presented to him in its current form.

*Community oriented policing services [COPS]*

The subcommittee mark would eliminate the COPS program, which would provide grants to localities to hire new police and would eventually put 100,000 new officers on the streets of America. Instead, the subcommittee would fund a law enforcement block grant program that would allow spending on anything from street lights to public works projects. The American public has shown a clear desire for additional police to work hand-in-hand with communities to fight crime. The block grant approach would not guarantee a single new officer. The President has indicated that this is unacceptable. COPS is a highly successful program that promotes community policing, a proven, effective means of reducing crime at the neighborhood level.

*Other violent crime reduction trust fund programs*

The subcommittee mark would provide \$3,900,000,000 for programs funded by the violent crime reduction trust fund. However, the subcommittee has failed to fund crime prevention program, with the exception of the program to address violence against women. Funding allocations should be restored for these proven, effective, crime prevention programs, including drug courts and the President's Crime Prevention Council.

*Department of Commerce*

The administration strongly urges the Senate to support critical programs of the Department of Commerce. The Commerce Department works to ensure economic growth and a higher standard of living for all Americans. Its continued viability as an agency is essential to our Nation's economic competitiveness.

*Department of Commerce—Technology programs*

The administration is deeply disappointed by the subcommittee's underfunding of civilian technology programs essential to economic growth. These programs support industry-Government partnerships engaged in developing new technologies that increase the Nation's productivity and raise living standards. The subcommittee's funding levels for the Advanced Technology Program [ATP] and the manufacturing extension partnership are unacceptably low. The subcommittee level for ATP would not only prohibit any new awards, but would result in the Government being unable to fulfill funding commitments for awards made in prior years to over 400 companies.

The subcommittee mark would drastically curtail the activities of the Department of Commerce's telecommunications policy office and would eliminate the highly successful National Information Infrastructure Grants Program. The subcommittee bill also would reduce funding for patent processing and technology policy, and would rescind funds for construction of state-of-the-art technology

laboratories. These programs accelerate the development and deployment of new and enabling technologies that help expand our economy and help Americans compete in the global marketplace. The subcommittee's reductions, if enacted, would represent a major blow to U.S. competitiveness. The administration strongly urges the Senate to restore funding to these programs.

*Department of Commerce—Other programs*

The subcommittee mark would make substantial reductions to a wide range of other Commerce programs. The administration strongly objects to the elimination of the Global Learning and Observations to Benefit the Environment [GLOBE] Program. The subcommittee's reductions to the International Trade Administration would undermine support for U.S. firms in their efforts to sell U.S. products overseas. Reductions to the Economic Development Administration would severely hamper the Federal Government's most flexible tool for local economic development. Eliminating the Minority Business Development Administration would undermine efforts to develop and strengthen new and existing minority-owned businesses.

*Legal Services Corporation*

The subcommittee mark would eliminate the Legal Services Corporation [LSC] and provide \$210,000,000 to the Office of Justice Programs to fund a new block grant for legal assistance to low-income individuals. Eliminating the LSC, an organization whose sole purpose is to provide legal services to the poor, and providing a block grant that is roughly one-half of the current funding level, would strike a devastating blow to those most in need of assistance.

*International programs*

The subcommittee's drastic reductions to international programs funded by this bill would seriously jeopardize the conduct of foreign relations by the United States. The administration strongly urges restoration of these funds to enable it to carry out a foreign policy that advances the interests of the American people.

Reductions of 12 percent from the President's request for the State Department would severely disrupt operations and would result in closing of many more overseas posts than planned. The effects of this would be felt across the Government due to the resulting drastic reductions in State-funded administrative support for other agencies operating overseas. In addition, the subcommittee bill would slash funding for the Arms Control and Disarmament Agency by 70 percent from the President's request. This would decimate the U.S. ability to continue ongoing arms control negotiation and verification activities.

The subcommittee would reduce the President's request for contributions to the United Nations and other international organizations by more than 40 percent. These reductions would cause the United States to violate its treaty obligations and would end U.S. participation in multilateral organizations that promote our national interests. The subcommittee's 44-percent reduction in contributions to international peacekeeping activities would seriously

compromise the ability of the international community to continue efforts to settle existing or potential armed conflicts.

The subcommittee bill would also reduce U.S. Information Agency programs by more than 19 percent from the President's request. Such a deep reduction would result in the elimination of 1,000 USIA positions, closure of 30 overseas posts, severe cutbacks in Fulbright exchanges and programs for the New Independent States of the former Soviet Union, and the cancellation of a new radio transmitter project to broadcast the China.

*Language provisions*

It is the administration's understanding that section 614 of the subcommittee bill would purport to modify Federal affirmative action law, as it applies to agencies receiving funding through this bill. In the absence of having the language of this general provision to review, we would note that restrictions on consideration of race, color, national origin, and gender that exceed those imposed by current law would be inconsistent with the President's policy on affirmative action. Therefore, the administration would oppose the provision.

The subcommittee bill includes language that would dramatically alter SBA's section 8(a) minority contracting program. The administration is willing to consider reforms to the 8(a) program that are consistent with the President's recent report on affirmative action but believes that the language contained in the bill goes too far. However, the administration strongly urges the Congress to undertake reforms to the section 8(a) program through the authorizing process, where the issues and options can be fully examined and discussed.

*Other funding issues*

The administration is very concerned with the cuts in funding for the Federal Communications Commission, the Federal Trade Commission, the Maritime Security Program, the Small Business Administration's operating expenses, the Department of Justice Office of Inspector General, the Equal Employment Opportunity Commission, and the Securities and Exchange Commission. The administration urges the Senate to restore funding for these programs to the requested levels.

We look forward to working with the Committee to address our mutual concerns.

Sincerely,

ALICE M. RIVLIN,  
*Director.*





|   |                 |                 |                 |                 |                |                |                |
|---|-----------------|-----------------|-----------------|-----------------|----------------|----------------|----------------|
| Crime trust fund .....                                      | (11,400,000)    | (38,822,000)    | (47,322,000)    | (47,991,000)    | (+36,591,000)  | (+1,969,000)   | (+669,000)     |
| <b>Radiation Exposure Compensation</b>                      |                 |                 |                 |                 |                |                |                |
| Administrative expenses .....                               | 2,655,000       | 2,655,000       | 2,655,000       | 2,655,000       |                |                |                |
| Advance appropriation .....                                 | 2,655,000       | 2,655,000       |                 |                 |                |                | -2,655,000     |
| Payment to radiation exposure compensation trust fund ..... | 16,264,000      |                 |                 |                 |                |                | -16,264,000    |
| Advance appropriation .....                                 | 30,000,000      | 16,264,000      | 16,264,000      | 16,264,000      | +16,264,000    |                | -13,736,000    |
| Total, Radiation Exposure Compensation .....                | 2,655,000       | 51,574,000      | 18,919,000      | 18,919,000      | +16,264,000    |                | -32,655,000    |
| <b>Interagency Law Enforcement</b>                          |                 |                 |                 |                 |                |                |                |
| Interagency crime and drug enforcement .....                | 374,943,000     | 378,473,000     | 374,943,000     | 359,843,000     | -15,100,000    | -18,630,000    | -15,100,000    |
| <b>Federal Bureau of Investigation</b>                      |                 |                 |                 |                 |                |                |                |
| Salaries and expenses .....                                 | 2,038,774,000   | 2,305,387,000   | 2,084,857,000   | 2,109,596,000   | +70,822,000    | -195,791,000   | +24,739,000    |
| Emergency appropriations (H.R. 1944) .....                  | 77,140,000      |                 |                 |                 | -77,140,000    |                |                |
| Counterintelligence and national security .....             | 80,421,000      | 82,224,000      | 82,224,000      | 121,345,000     | +40,924,000    | +39,121,000    | +39,121,000    |
| FBI Fingerprint identification .....                        | 84,400,000      | 84,400,000      | 84,400,000      | 84,400,000      |                |                |                |
| Digital telephony (crime trust fund) .....                  |                 | 33,400,000      | 50,000,000      | 50,000,000      | +50,000,000    | +16,600,000    |                |
| Other initiatives (crime trust fund) .....                  |                 | 13,100,000      | 30,600,000      | 232,500,000     | +232,500,000   | +219,400,000   | +201,900,000   |
| Construction .....  |                 | 99,259,000      | 98,400,000      | 147,800,000     | +147,800,000   | +48,541,000    | +49,400,000    |
| Subtotal .....  | 2,280,735,000   | 2,617,770,000   | 2,430,481,000   | 2,745,641,000   | +464,906,000   | +127,871,000   | +315,160,000   |
| Total, Federal Bureau of Investigation .....                | (2,280,735,000) | (2,617,770,000) | (2,430,481,000) | (2,745,641,000) | (+464,906,000) | (+127,871,000) | (+315,160,000) |
| <b>Drug Enforcement Administration</b>                      |                 |                 |                 |                 |                |                |                |
| Salaries and expenses .....                                 | 799,944,000     | 845,409,000     | 828,729,000     | 837,241,000     | +37,297,000    | -8,168,000     | +8,512,000     |
| Diversion control fund .....                                | -43,431,000     | -47,241,000     | -47,241,000     | -47,241,000     | -3,810,000     |                |                |
| Direct appropriation .....                                  | 756,513,000     | 798,168,000     | 781,488,000     | 790,000,000     | +33,487,000    | -8,168,000     | +8,512,000     |
| Crime trust fund .....                                      |                 | 12,000,000      | 12,000,000      | 60,000,000      | +60,000,000    | +48,000,000    | +48,000,000    |
| Total, Drug Enforcement Administration .....                | 756,513,000     | 810,168,000     | 793,488,000     | 850,000,000     | +93,487,000    | +39,832,000    | +56,512,000    |
| <b>Immigration and Naturalization Service</b>               |                 |                 |                 |                 |                |                |                |
| Salaries and expenses .....                                 | 695,105,000     | 967,271,000     | 932,281,000     | 953,934,000     | +258,829,000   | -13,337,000    | +21,653,000    |
| Direct appropriation .....                                  | (3,482,000)     | (1,823,000)     | (1,823,000)     | (1,823,000)     | (-1,659,000)   |                |                |
| Immigration legalization fund .....                         | (330,952,000)   | (357,084,000)   | (357,084,000)   | (357,084,000)   | (+26,132,000)  |                |                |
| Immigration user fee .....                                  |                 |                 |                 |                 |                |                |                |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1996—Continued

| Item   | Senate Committee recommendation compared with (+ or -) |                 | Committee recommendation |                 | House allowance    |                 |
|--|--|-----------------|--------------------------|-----------------|--------------------|-----------------|
|  | 1995 appropriation                                     | Budget estimate | 1995 appropriation       | Budget estimate | 1995 appropriation | Budget estimate |
| Land border inspection fund .....                            | (1,584,000)  | (5,965,000)     | (5,965,000)              | (5,965,000)     | (+ 4,381,000)      | (+ 135,588,000) |
| Immigration examinations fund .....                          | (291,097,000)  | (304,572,000)   | (440,160,000)            | (440,160,000)   | (+ 149,063,000)    | (+ 10,057,000)  |
| Cuban/Haitian Resettlement <sup>3</sup> .....                | (6,200,000)  | (6,358,000)     | (10,057,000)             | (10,057,000)    | (+ 10,057,000)     | (+ 10,057,000)  |
| Breached bond fund .....                                     | (6,200,000)  | (6,358,000)     | (6,358,000)              | (6,358,000)     | (+ 158,000)        | (+ 158,000)     |
| Total, Salaries and expenses .....                           | (1,328,420,000)  | (1,643,073,000) | (1,775,381,000)          | (1,753,728,000) | (+ 446,961,000)    | (+ 132,308,000) |
| Border Patrol <sup>4</sup> .....                             |  |                 |                          |                 |                    | (+ 21,653,000)  |
| Salaries and expenses:                                       |  |                 |                          |                 |                    |                 |
| Direct appropriation .....                                   | 406,370,000  | 486,200,000     | 489,200,000              | 489,200,000     | + 82,830,000       | + 3,000,000     |
| Crime trust fund .....                                       | 54,500,000   | 83,500,000      | 83,500,000               | 83,500,000      | + 72,800,000       | + 43,800,000    |
| Total, Salaries and expenses .....                           | 460,870,000  | 569,700,000     | 616,500,000              | 572,700,000     | + 155,630,000      | + 46,800,000    |
| Immigration initiative (crime trust fund) .....              | 46,100,000   | 251,998,000     | 54,279,000               | 69,142,000      | + 8,179,000        | - 197,719,000   |
| Border control system modernization (crime trust fund) ..... | 154,600,000  | .....           | 111,083,000              | 150,900,000     | - 43,517,000       | + 111,083,000   |
| Construction .....   | 50,000,000   | .....           | 35,000,000               | 11,000,000      | - 15,000,000       | + 35,000,000    |
| Immigration Emergency Fund .....                             | 30,000,000   | .....           | .....                    | .....           | - 30,000,000       | + 24,000,000    |
| Total, Immigration and Naturalization Service .....          | (2,069,990,000)  | (2,464,771,000) | (2,592,243,000)          | (2,557,470,000) | (+ 522,253,000)    | (+ 127,472,000) |
| Appropriations .....   | (1,181,475,000)  | (1,453,471,000) | (1,478,134,000)          | (1,432,481,000) | (+ 296,659,000)    | (+ 24,663,000)  |
| Crime trust fund .....                                       | (255,200,000)  | (335,498,000)   | (292,662,000)            | (303,542,000)   | (+ 37,462,000)     | (- 42,836,000)  |
| (Fee accounts) .....   | (633,315,000)  | (675,802,000)   | (821,447,000)            | (821,447,000)   | (+ 188,132,000)    | (+ 145,645,000) |
| Federal Prison System  |  |                 |                          |                 |                    |                 |
| Salaries and expenses .....                                  | 2,353,597,000  | 2,630,259,000   | 2,614,578,000            | 2,614,578,000   | + 260,981,000      | - 15,681,000    |
| Prior year carryover .....                                   | - 30,000,000   | .....           | - 40,000,000             | - 40,000,000    | - 10,000,000       | - 40,000,000    |
| Direct appropriation .....                                   | 2,323,597,000  | 2,630,259,000   | 2,574,578,000            | 2,574,578,000   | + 250,981,000      | - 55,681,000    |
| Crime trust fund .....                                       | .....  | 13,500,000      | 13,500,000               | 13,500,000      | + 13,500,000       | .....           |
| Total, Salaries and expenses .....                           | 2,323,597,000  | 2,643,759,000   | 2,588,078,000            | 2,588,078,000   | + 264,481,000      | - 55,681,000    |
| National Institute of Corrections .....                      | 10,302,000   | 10,158,000      | 8,000,000                | 8,000,000       | - 2,302,000        | + 8,000,000     |
| Buildings and facilities .....                               | 276,301,000  | 323,728,000     | 349,410,000              | 323,728,000     | + 73,109,000       | + 25,682,000    |

|   |               |               |               |               |              |              |
|---|---------------|---------------|---------------|---------------|--------------|--------------|
| Federal Prison Industries, Incorporated (limitation on administrative expenses) | (3,463,000)   | (3,559,000)   | (3,559,000)   | (3,559,000)   | (+96,000)    |              |
| Total, Federal Prison System  | 2,610,200,000 | 2,977,645,000 | 2,911,806,000 | 2,945,488,000 | +335,288,000 | +33,682,000  |
| Office of Justice Programs  |               |               |               |               |              |              |
| Justice Assistance:   |               |               |               |               |              |              |
| Direct appropriation  | 97,977,000    | 102,345,000   | 97,977,000    | 102,345,000   | +4,368,000   | +4,368,000   |
| Crime trust fund:   |               |               |               |               |              |              |
| Drug Courts   | 11,900,000    | 150,000,000   |               |               | -11,900,000  | -150,000,000 |
| Violence Against Women Grants   | 26,000,000    | 174,900,000   | 124,500,000   | 100,000,000   | +74,000,000  | -74,900,000  |
| Office of Prevention Council  | 1,500,000     |               |               |               | -1,500,000   |              |
| Crime prevention  |               | 30,000,000    |               |               |              | -30,000,000  |
| Model intensive prevention  |               | 48,216,000    |               |               |              | -48,216,000  |
| State prison drug treatment   |               | 27,000,000    | 27,000,000    |               |              | -27,000,000  |
| Other crime control programs  |               | 4,426,000     | 900,000       | 900,000       | +900,000     | -3,526,000   |
| Subtotal, Crime trust fund  | 39,400,000    | 434,542,000   | 152,400,000   | 100,900,000   | +61,500,000  | -333,642,000 |
| Total, Justice Assistance   | 137,377,000   | 536,887,000   | 250,377,000   | 203,245,000   | +65,868,000  | -47,132,000  |
| Civil Legal Assistance: <sup>5</sup> Direct appropriation                       |               |               |               | 210,000,000   | +210,000,000 | +210,000,000 |
| State and local law enforcement assistance:                                     |               |               |               |               |              |              |
| Direct appropriations:  |               |               |               |               |              |              |
| Byrne grants (discretionary)  | 62,000,000    | 240,000,000   | 50,000,000    | 50,000,000    | -12,000,000  | -190,000,000 |
| Byrne Grants (formula)  | 13,456,000    | 5,000,000     | (23,500,000)  | 175,000,000   | +175,000,000 | +175,000,000 |
| Weed and seed fund  |               |               |               | (23,500,000)  | -13,456,000  | -5,000,000   |
| Subtotal, Direct appropriations   | 75,456,000    | 245,000,000   | 50,000,000    | 225,000,000   | +149,544,000 | +175,000,000 |
| Crime trust fund:   |               |               |               |               |              |              |
| State and local block grants:   |               |               |               |               |              |              |
| Byrne grants (formula)  | 450,000,000   | 260,000,000   | 475,000,000   | 300,000,000   | -150,000,000 | -175,000,000 |
| Local law enforcement block grant   | 1,300,000,000 | 1,902,964,000 | 1,950,000,000 | 1,690,000,000 | +390,000,000 | -260,000,000 |
| Subtotal, State and local block grants  | 1,750,000,000 | 2,162,964,000 | 2,425,000,000 | 1,990,000,000 | +240,000,000 | -435,000,000 |
| Upgrade criminal history records  | 100,000,000   | 25,000,000    | 25,000,000    | 25,000,000    | -75,000,000  |              |
| State Correctional Grants   | 24,500,000    | 500,000,000   | 500,000,000   | 750,000,000   | +725,500,000 | +250,000,000 |
| State Criminal Alien Assistance Program   | 130,000,000   | 300,000,000   | 300,000,000   | 300,000,000   | +170,000,000 |              |
| Youthful offender incarceration   |               | 9,643,000     | 19,643,000    | 15,000,000    | +15,000,000  | +5,357,000   |
| Rural law enforcement   |               | 10,252,000    |               |               |              | -10,252,000  |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1996—Continued

| Item   | Senate Committee recommendation compared with (+ or -) |                    |
|--|--|--------------------|
|  | 1995 appropriation                                     | 1995 appropriation |
| Other crime control programs .....                       | 26,799,000   | 12,100,000         |
| Subtotal, Crime trust fund .....                         | 3,034,658,000  | 3,092,100,000      |
| Total, State and local law enforcement .....             | 3,279,658,000  | 3,317,100,000      |
| Juvenile justice programs .....                          | 148,500,000  | 148,500,000        |
| Public safety officers benefits program:                 |  |                    |
| Death benefits .....                                     | 28,474,000   | 28,474,000         |
| Disability benefits .....                                | 2,134,000  | 2,134,000          |
| Total, Office of Justice Programs .....                  | 3,995,653,000  | 3,909,453,000      |
| Appropriations .....                                     | (526,453,000)  | (716,453,000)      |
| Crime trust fund .....                                   | (3,469,200,000)  | (3,193,000,000)    |
| Total, title I, Department of Justice .....              | 15,291,039,000   | 15,176,764,000     |
| Appropriations .....                                     | (9,977,391,000)  | (11,262,764,000)   |
| Crime trust fund .....                                   | (2,327,900,000)  | (3,914,087,000)    |
| (Limitation on administrative expenses) .....            | (3,463,000)  | (3,559,000)        |
| TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES     |  |                    |
| TRADE AND INFRASTRUCTURE DEVELOPMENT                     |  |                    |
| Office of the United States Trade Representative         |  |                    |
| Salaries and expenses .....                              | 20,949,000   | 20,889,000         |
| International Trade Commission                           |  |                    |
| Salaries and expenses .....                              | 42,500,000   | 34,000,000         |
| Total, Related agencies .....                            | 63,449,000   | 54,889,000         |
| International Trade Administration                       |  |                    |
| Operations and administration .....                      | 266,093,000  | 219,579,000        |
| Salaries and expenses .....                              | 279,558,000  | 264,885,000        |
| Total, Related agencies .....                            | 545,651,000  | 484,464,000        |
| Total, Department of Commerce and Related Agencies ..... | 309,991,000  | 294,242,000        |
| Office of the United States Trade Representative         |  |                    |
| Salaries and expenses .....                              | 20,949,000   | 20,889,000         |
| International Trade Commission                           |  |                    |
| Salaries and expenses .....                              | 42,500,000   | 34,000,000         |
| Total, Related agencies .....                            | 63,449,000   | 54,889,000         |
| International Trade Administration                       |  |                    |
| Operations and administration .....                      | 266,093,000  | 219,579,000        |
| Salaries and expenses .....                              | 279,558,000  | 264,885,000        |
| Total, Related agencies .....                            | 545,651,000  | 484,464,000        |
| Total, Department of Commerce and Related Agencies ..... | 309,991,000  | 294,242,000        |



COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1996—Continued

| Item   | Senate Committee recommendation compared with (+ or -) |                 | 1995            |                          | 1996               |                 |                 |
|--|--|-----------------|-----------------|--------------------------|--------------------|-----------------|-----------------|
|  | 1995 appropriation                                     | Budget estimate | House allowance | Committee recommendation | 1995 appropriation | Budget estimate | House allowance |
| Patent and Trademark Office  |  |                 |                 |                          |                    |                 |                 |
| Salaries and expenses .....  | 82,324,000   | 110,868,000     | 90,000,000      | 56,324,000               | -26,000,000        | -54,544,000     | -33,676,000     |
| Total, Economic and Information Infrastructure .....                                 | 506,385,000  | 639,655,000     | 479,709,000     | 466,806,000              | -39,579,000        | -172,849,000    | -12,903,000     |
| SCIENCE AND TECHNOLOGY   |  |                 |                 |                          |                    |                 |                 |
| National Institute of Standards and Technology                                       |  |                 |                 |                          |                    |                 |                 |
| Scientific and technical research and services .....                                 | 247,486,000  | 310,679,000     | 263,000,000     | 222,737,000              | -24,749,000        | -87,942,000     | -40,263,000     |
| Industrial technology services .....   | 418,373,000  | 642,458,000     | 81,100,000      | 76,600,000               | -341,773,000       | -565,858,000    | -4,500,000      |
| Construction of research facilities .....  | 34,639,000   | 69,913,000      | 60,000,000      | 24,000,000               | -10,639,000        | -45,913,000     | -36,000,000     |
| Total, National Institute of Standards and Technology .....                          | 700,498,000  | 1,023,050,000   | 404,100,000     | 323,337,000              | -377,161,000       | -699,713,000    | -80,763,000     |
| National Oceanic and Atmospheric Administration                                      |  |                 |                 |                          |                    |                 |                 |
| Operations, research and facilities <sup>6</sup> .....                               | 1,805,092,000  | 2,021,135,000   | 1,724,452,000   | 1,809,092,000            | +4,000,000         | -212,043,000    | +84,640,000     |
| Offsetting collections—fees .....  | -6,000,000   | -3,000,000      | -3,000,000      | -3,000,000               | +3,000,000         |                 |                 |
| Direct appropriation .....   | 1,799,092,000  | 2,018,135,000   | 1,721,452,000   | 1,806,092,000            | +7,000,000         | -212,043,000    | +84,640,000     |
| (By transfer from Promote and Develop Fund) .....                                    | (55,500,000)   | (55,500,000)    | (57,500,000)    | (55,500,000)             |                    |                 | (-2,000,000)    |
| (By transfer from Damage assessment and restoration revolving fund, permanent) ..... | 8,500,000  | 3,900,000       | 3,900,000       | 3,900,000                | -4,600,000         |                 |                 |
| (Damage assessment and restoration revolving fund) .....                             | -1,500,000   | -3,900,000      | -3,900,000      | -3,900,000               | -2,400,000         |                 |                 |
| Total, Operations, research and facilities .....                                     | 1,806,092,000  | 2,018,135,000   | 1,721,452,000   | 1,806,092,000            |                    | -212,043,000    | +84,640,000     |
| Coastal zone management fund .....   | (7,800,000)  | (7,800,000)     | (7,800,000)     | (7,800,000)              |                    |                 |                 |
| Mandatory offset .....   | (-7,800,000)   | (-7,800,000)    | (-7,800,000)    | (-7,800,000)             |                    |                 |                 |
| Construction .....   | 82,254,000   | 52,299,000      | 42,731,000      | 50,000,000               | -32,254,000        | -2,299,000      | +7,269,000      |
| Fleet modernization, shipbuilding and conversion .....                               | 22,936,000   | 23,347,000      | 8,000,000       | 8,000,000                | -14,936,000        | -15,347,000     |                 |
| GOES satellite contingency fund (rescission) .....                                   | -2,500,000   |                 |                 |                          | +2,500,000         |                 |                 |
| Fishing vessel and gear damage fund .....  | 1,273,000  | 1,282,000       | 1,032,000       | 1,032,000                | -241,000           | -250,000        |                 |
| Fishermen's contingency fund .....   | 999,000  | 1,000,000       | 999,000         | 999,000                  |                    | -1,000          |                 |

|  |               |               |               |               |              |                |             |       |              |
|--|---------------|---------------|---------------|---------------|--------------|----------------|-------------|-------|--------------|
| Foreign fishing observer fund .....                                | 400,000       | 396,000       | 196,000       | 196,000       | 196,000      | -204,000       | -200,000    | ..... | +250,000     |
| Fishing vessel obligations guarantees .....                        | 250,000       | 250,000       | .....         | .....         | .....        | .....          | .....       | ..... | .....        |
| Total, National Oceanic and Atmospheric Administration .....       | 1,911,704,000 | 2,096,709,000 | 1,774,410,000 | 1,866,569,000 | -45,135,000  | -230,140,000   | .....       | ..... | +92,159,000  |
| Technology Administration  |               |               |               |               |              |                |             |       |              |
| Salaries and expenses .....  | .....         | 13,906,000    | 5,000,000     | .....         | .....        | -8,242,000     | -13,906,000 | ..... | -5,000,000   |
| National Technical Information Service                             |               |               |               |               |              |                |             |       |              |
| NTIS revolving fund .....  | 7,000,000     | .....         | .....         | .....         | .....        | -7,000,000     | .....       | ..... | .....        |
| Total, Science and Technology .....                                | 2,627,444,000 | 3,133,665,000 | 2,183,510,000 | 2,189,906,000 | -437,538,000 | -943,759,000   | .....       | ..... | +6,396,000   |
| General Administration   |               |               |               |               |              |                |             |       |              |
| Salaries and expenses .....  | 36,471,000    | 35,826,000    | 29,100,000    | 29,100,000    | -7,371,000   | -6,726,000     | .....       | ..... | .....        |
| Office of Inspector General .....                                  | 16,887,000    | 22,249,000    | 21,849,000    | 21,849,000    | +4,962,000   | -400,000       | .....       | ..... | .....        |
| Total, General administration .....                                | 53,358,000    | 58,075,000    | 50,949,000    | 50,949,000    | -2,409,000   | -7,126,000     | .....       | ..... | .....        |
| Transition fund .....  | .....         | .....         | .....         | 52,000,000    | +52,000,000  | +52,000,000    | .....       | ..... | +52,000,000  |
| Total, Department of Commerce .....                                | 3,961,718,000 | 4,662,584,000 | 3,400,197,000 | 3,109,744,000 | -851,974,000 | -1,552,840,000 | .....       | ..... | -290,453,000 |
| Total, title II, Department of Commerce and related agencies ..... | 4,025,167,000 | 4,730,710,000 | 3,463,646,000 | 3,164,633,000 | -860,534,000 | -1,566,077,000 | .....       | ..... | -299,013,000 |
| (By transfer) .....  | (55,500,000)  | (55,500,000)  | (57,500,000)  | (64,500,000)  | (+9,000,000) | (+9,000,000)   | .....       | ..... | (+7,000,000) |
| TITLE III—THE JUDICIARY  |               |               |               |               |              |                |             |       |              |
| Supreme Court of the United States                                 |               |               |               |               |              |                |             |       |              |
| Salaries and expenses:   | .....         | .....         | .....         | .....         | .....        | .....          | .....       | ..... | .....        |
| Salaries of justices .....   | 1,657,000     | 1,662,000     | 1,662,000     | 1,662,000     | +5,000       | .....          | .....       | ..... | .....        |
| Other salaries and expenses .....                                  | 22,583,000    | 24,172,000    | 24,172,000    | 24,172,000    | +1,589,000   | .....          | .....       | ..... | .....        |
| Total, Salaries and expenses .....                                 | 24,240,000    | 25,834,000    | 25,834,000    | 25,834,000    | +1,594,000   | .....          | .....       | ..... | .....        |
| Care of the building and grounds .....                             | 3,000,000     | 4,003,000     | 3,313,000     | 3,313,000     | +313,000     | -690,000       | .....       | ..... | .....        |
| Total, Supreme Court of the United States .....                    | 27,240,000    | 29,837,000    | 29,147,000    | 29,147,000    | +1,907,000   | -690,000       | .....       | ..... | .....        |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1995 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1996—Continued

| Item   | 1995               |                 | Senate Committee recommendation compared with (+ or -) |                          |
|--|--------------------|-----------------|--|--------------------------|
|  | 1995 appropriation | Budget estimate | House allowance  | Committee recommendation |
|  |                    |                 | 1995 appropriation                                     | Budget estimate          |
|  |                    |                 |  | House allowance          |
| <b>United States Court of Appeals for the Federal Circuit</b>          |                    |                 |  |                          |
| Salaries and expenses:   |                    |                 |  |                          |
| Salaries of judges   | 1,758,000          | 1,892,000       | 1,892,000  | 1,892,000                |
| Other salaries and expenses  | 11,680,000         | 13,603,000      | 12,396,000   | 12,396,000               |
|  |                    |                 | + 134,000  | + 218,000                |
|  |                    |                 | + 716,000  | - 1,207,000              |
| Total, Salaries and expenses   | 13,438,000         | 15,495,000      | 14,288,000   | 14,288,000               |
|  |                    |                 | + 850,000  | - 1,207,000              |
|  |                    |                 |  | + 218,000                |
| <b>United States Court of International Trade</b>                      |                    |                 |  |                          |
| Salaries and expenses:   |                    |                 |  |                          |
| Salaries of judges   | 1,385,000          | 1,413,000       | 1,413,000  | 1,413,000                |
| Other salaries and expenses  | 9,300,000          | 9,446,000       | 9,446,000  | 9,446,000                |
| Total, Salaries and expenses   | 10,685,000         | 10,859,000      | 10,859,000   | 10,859,000               |
|  |                    |                 | + 174,000  |                          |
| <b>Courts of Appeals, District Courts, and Other Judicial Services</b> |                    |                 |  |                          |
| Salaries and expenses:   |                    |                 |  |                          |
| Salaries of judges and bankruptcy judges                               | 220,428,000        | 226,024,000     | 226,024,000  | 226,024,000              |
| Other salaries and expenses  | 2,119,699,000      | 2,419,941,000   | 2,183,000,000  | 2,245,171,000            |
|  |                    |                 | + 5,596,000  | + 62,171,000             |
|  |                    |                 | + 125,472,000  | - 174,770,000            |
| Direct appropriation   | 2,340,127,000      | 2,645,965,000   | 2,471,195,000  | 2,471,195,000            |
| Crime trust fund   |                    | 30,700,000      | 30,000,000   | 30,000,000               |
|  |                    |                 | + 30,000,000   | - 700,000                |
| Total, Salaries and expenses   | 2,340,127,000      | 2,676,665,000   | 2,501,195,000  | 2,501,195,000            |
| Vaccine Injury Compensation Trust Fund                                 | 2,250,000          | 2,320,000       | 2,318,000  | 2,318,000                |
| Defender services  | 240,500,000        | 295,761,000     | 260,000,000  | 274,433,000              |
| Fees of jurors and commissioners                                       | 54,346,000         | 72,008,000      | 59,028,000   | 59,028,000               |
| Court security   | 97,000,000         | 116,433,000     | 109,724,000  | 102,000,000              |
| Emergency appropriations (H.R. 1944)                                   | 16,640,000         |                 |  |                          |
|  |                    |                 | - 16,640,000   |                          |
| Total, Courts of Appeals, District Courts, and Other Judicial Services | 2,750,863,000      | 3,163,187,000   | 2,881,594,000  | 2,938,974,000            |
|  |                    |                 | + 188,111,000  | - 224,213,000            |
|  |                    |                 |  | + 57,380,000             |





| RELATED AGENCIES   |               |               |               |               |  |  |  |  |  |                |
|--|---------------|---------------|---------------|---------------|--|--|--|--|--|----------------|
| Arms Control and Disarmament Agency  |               |               |               |               |  |  |  |  |  |                |
| Arms control and disarmament activities .....                              |               |               |               |               |  |  |  |  |  |                |
| Board for International Broadcasting                                       |               |               |               |               |  |  |  |  |  |                |
| Israel Relay Station (rescission) .....                                    | -2,000,000    |               |               |               |  |  |  |  |  | +2,000,000     |
| United States Information Agency   |               |               |               |               |  |  |  |  |  |                |
| Salaries and expenses .....  | 475,645,000   | 496,002,000   | 445,645,000   | 420,000,000   |  |  |  |  |  | -76,002,000    |
| Technology fund .....  |               | 10,100,000    | 5,050,000     | 3,050,000     |  |  |  |  |  | +3,050,000     |
| Office of Inspector General .....  | 4,300,000     | 4,593,000     |               |               |  |  |  |  |  | -4,300,000     |
| Educational and cultural exchange programs .....                           | 233,279,000   | 252,676,000   | 192,090,000   |               |  |  |  |  |  | -233,279,000   |
| Transfer (fiscal year 1995 Foreign Ops bill, Public Law 103-336) .....     |               |               |               |               |  |  |  |  |  | -42,000,000    |
| Fulbright academic exchanges .....   |               |               |               | 90,000,000    |  |  |  |  |  | +90,000,000    |
| Other exchange programs .....  |               |               |               | 100,000,000   |  |  |  |  |  | +100,000,000   |
| Subtotal .....   | 275,279,000   | 252,676,000   | 192,090,000   | 190,000,000   |  |  |  |  |  | -85,279,000    |
| Eisenhower Exchange Fellowship Program, trust fund .....                   | 2,800,000     | 300,000       | 300,000       | 300,000       |  |  |  |  |  | -2,500,000     |
| Israel Arab scholarship program .....                                      | 397,000       | 397,000       | 397,000       | 397,000       |  |  |  |  |  |                |
| International Broadcasting Operations ? .....                              | 475,363,000   | 395,340,000   | 341,000,000   | 330,191,000   |  |  |  |  |  | -145,172,000   |
| Radio Free Asia: Operations ? .....  | 5,000,000     | (10,000,000)  | (5,000,000)   | (5,000,000)   |  |  |  |  |  | -5,000,000     |
| Broadcasting to Cuba ? .....   | 24,809,000    | (26,063,000)  | (24,809,000)  | 24,809,000    |  |  |  |  |  | +24,809,000    |
| Radio construction .....   | 69,314,000    | 85,919,000    | 70,164,000    | 22,000,000    |  |  |  |  |  | -47,314,000    |
| East-West Center .....   | 24,500,000    | 20,000,000    |               | 10,000,000    |  |  |  |  |  | -14,500,000    |
| North/South Center .....   | 4,000,000     | 1,000,000     |               | 1,000,000     |  |  |  |  |  | -3,000,000     |
| National Endowment for Democracy .....                                     | 34,000,000    | 34,000,000    | 30,000,000    | 30,000,000    |  |  |  |  |  | -4,000,000     |
| Total, United States Information Agency .....                              | 1,395,407,000 | 1,300,327,000 | 1,084,646,000 | 1,031,747,000 |  |  |  |  |  | -363,660,000   |
| Total, related agencies .....  |               |               |               |               |  |  |  |  |  |                |
| Total, title IV, Department of State .....                                 | 1,443,785,000 | 1,376,627,000 | 1,124,646,000 | 1,054,447,000 |  |  |  |  |  | -389,338,000   |
| Total, title IV, Department of State .....                                 |               |               |               |               |  |  |  |  |  |                |
| Total, title IV, Department of State .....                                 | 5,587,435,000 | 5,578,939,000 | 5,149,092,000 | 4,388,729,000 |  |  |  |  |  | -1,198,706,000 |
| TITLE V—RELATED AGENCIES   |               |               |               |               |  |  |  |  |  |                |
| DEPARTMENT OF TRANSPORTATION   |               |               |               |               |  |  |  |  |  |                |
| Maritime Administration  |               |               |               |               |  |  |  |  |  |                |
| Operating-differential subsidies (liquidation of contract authority) ..... | (214,356,000) | (162,610,000) | (162,610,000) | (162,610,000) |  |  |  |  |  | (-51,746,000)  |

Operating-differential subsidies (liquidation of contract authority) .....



|  |              |              |              |              |              |
|--|--------------|--------------|--------------|--------------|--------------|
| Equal Employment Opportunity Commission            | 233,000,000  | 268,000,000  | 233,000,000  | 233,000,000  | —35,000,000  |
| Salaries and expenses                              |              |              |              |              |              |
| Federal Communications Commission                  |              |              |              |              |              |
| Salaries and expenses                              | 185,232,000  | 223,600,000  | 185,232,000  | 166,185,000  | —19,047,000  |
| Offsetting fee collections—current year            | —116,400,000 | —116,400,000 | —116,400,000 | —116,400,000 | —57,415,000  |
| Direct appropriation                               | 68,832,000   | 107,200,000  | 68,832,000   | 49,785,000   | —19,047,000  |
| Federal Maritime Commission                        |              |              |              |              |              |
| Salaries and expenses                              | 18,569,000   | 18,947,000   | 15,000,000   | 14,855,000   | —3,714,000   |
| Offsetting fee collections                         |              | —2,228,000   |              |              | —4,092,000   |
| Direct appropriation                               | 18,569,000   | 16,719,000   | 15,000,000   | 14,855,000   | —3,714,000   |
| Federal Trade Commission                           |              |              |              |              |              |
| Salaries and expenses                              | 98,928,000   | 107,873,000  | 98,928,000   | 79,142,000   | —19,786,000  |
| Offsetting fee collections—carryover               | —4,500,000   |              | —16,000,000  | —16,000,000  | —16,000,000  |
| Offsetting fee collections—current year            | —39,640,000  | —48,262,000  | —48,262,000  | —48,262,000  | —8,622,000   |
| Direct appropriation                               | 54,788,000   | 59,611,000   | 34,666,000   | 14,880,000   | —39,908,000  |
| Japan—United States Friendship Commission          |              |              |              |              |              |
| Japan—United States Friendship Trust Fund          | 1,247,000    | 1,250,000    | 1,247,000    | 1,247,000    | —3,000       |
| (Foreign currency appropriation)                   | (1,420,000)  | (1,420,000)  | (1,420,000)  | (1,420,000)  |              |
| Legal Services Corporation                         |              |              |              |              |              |
| Payment to the Legal Services Corporation          | 400,000,000  | 440,000,000  | 278,000,000  | 3,300,000    | —400,000,000 |
| Closing costs                                      |              |              |              | 3,300,000    | +3,300,000   |
| Marine Mammal Commission                           |              |              |              |              |              |
| Salaries and expenses                              | 1,384,000    | 1,425,000    | 1,000,000    | 1,000,000    | —384,000     |
| Martin Luther King, Jr. Federal Holiday Commission |              |              |              |              |              |
| Salaries and expenses                              | 300,000      | 350,000      | 250,000      | 350,000      | +50,000      |
| National Bankruptcy Review Commission              |              |              |              |              |              |
| Salaries and expenses (by transfer)                | (1,000,000)  |              |              |              | (—1,000,000) |



|  |                 |                 |                 |                 |                |                  |                |
|--|-----------------|-----------------|-----------------|-----------------|----------------|------------------|----------------|
| Total, Small Business Administration .....                     | 917,427,000     | 630,906,000     | 590,369,000     | 558,091,000     | -359,336,000   | -72,815,000      | -32,278,000    |
| State Justice Institute  |                 |                 |                 |                 |                |                  |                |
| Salaries and expenses <sup>10</sup> .....                      | 13,550,000      | 13,550,000      |                 | 5,000,000       | -8,550,000     | -8,550,000       | +5,000,000     |
| Crime trust fund .....   |                 | 600,000         |                 |                 |                | -600,000         |                |
| Total, State Justice Institute .....                           | 13,550,000      | 14,150,000      |                 | 5,000,000       | -8,550,000     | -9,150,000       | +5,000,000     |
| Total, title V, Related agencies .....                         | 1,891,883,000   | 2,221,997,000   | 1,454,582,000   | 1,069,555,000   | -822,328,000   | -1,152,442,000   | -385,027,000   |
| Appropriations .....   | (2,049,883,000) | (2,206,697,000) | (1,454,582,000) | (1,069,555,000) | (-980,328,000) | (-1,137,142,000) | (-385,027,000) |
| Rescission .....   | (-158,000,000)  |                 |                 |                 | (+158,000,000) |                  |                |
| Crime trust fund .....   |                 | (15,300,000)    |                 |                 |                | (-15,300,000)    |                |
| (Liquidation of contract authority) .....                      | (214,356,000)   | (162,610,000)   | (162,610,000)   | (162,610,000)   | (-51,746,000)  |                  |                |
| TITLE VI—GENERAL PROVISIONS                                    |                 |                 |                 |                 |                |                  |                |
| Procurement: General Provisions <sup>11</sup> .....            | -11,769,000     |                 |                 |                 | +11,769,000    |                  |                |
| Total, title VI, general provisions .....                      | -11,769,000     |                 |                 |                 | +11,769,000    |                  |                |
| TITLE VII—RESCISSIONS  |                 |                 |                 |                 |                |                  |                |
| DEPARTMENT OF JUSTICE  |                 |                 |                 |                 |                |                  |                |
| General Administration   |                 |                 |                 |                 |                |                  |                |
| Working capital fund (rescission) .....                        |                 |                 |                 | -35,000,000     | -35,000,000    | -35,000,000      | -35,000,000    |
| DEPARTMENT OF COMMERCE   |                 |                 |                 |                 |                |                  |                |
| National Telecommunications and Information Administration     |                 |                 |                 |                 |                |                  |                |
| Information infrastructure grants (rescission) .....           |                 |                 |                 | -36,769,000     | -36,769,000    | -36,769,000      | -36,769,000    |
| National Institute of Standards and Technology                 |                 |                 |                 |                 |                |                  |                |
| Construction of Research Facilities (rescission) .....         |                 |                 |                 | -152,993,000    | -152,993,000   | -152,993,000     | -152,993,000   |
| Total, Department of Commerce .....                            |                 |                 |                 | -189,762,000    | -189,762,000   | -189,762,000     | -189,762,000   |
| DEPARTMENT OF STATE  |                 |                 |                 |                 |                |                  |                |
| Administration of Foreign Affairs                              |                 |                 |                 |                 |                |                  |                |
| Acquisition and maintenance of buildings abroad (rescission) . |                 |                 |                 | -140,000,000    | -140,000,000   | -140,000,000     | -140,000,000   |

