

Calendar No. 568

104TH CONGRESS }
2d Session }

SENATE

{ REPORT
104-353

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE,
THE JUDICIARY, AND RELATED AGENCIES APPROPRIA-
TION BILL, 1997

—————
AUGUST 27, 1996.—Ordered to be printed
Filed, under authority of the order of the Senate of AUGUST 2, 1996
—————

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

REPORT

[To accompany H.R. 3814]

The Committee on Appropriations, to which was referred the bill (H.R. 3814) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1997, 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	\$28,810,460,000
Amount of appropriations, 1996	27,857,156,000
Amount of budget estimates, 1997, as amended ...	32,798,146,000
The bill as reported to the Senate:	
Above the appropriations for 1996	953,304,000
Below the estimates for 1997	3,987,686,000

CONTENTS

	Page
Summary of Committee recommendations	3
Bill highlights	3
Title I—Department of Justice	8
Title II—Department of Commerce and related agencies	53
Related agencies:	
Office of the U.S. Trade Representative	54
International Trade Commission	54
Title III—The judiciary	86
Title IV—Department of State and related agencies	93
Related agencies:	
Arms Control and Disarmament Agency	110
U.S. Information Agency	110
Eisenhower Exchange Fellowship Program	113
Title V—Related agencies:	
Department of Transportation: Maritime Administration	118
Commission on the Advancement of Federal Law Enforcement	120
Commission on the Preservation of America's Heritage Abroad	120
Commission on Civil Rights	120
Commission on Immigration Reform	120
Commission on Security and Cooperation in Europe	121
Competitiveness Policy Council	121
Equal Employment Opportunity Commission	121
Federal Communications Commission	122
Federal Maritime Commission	123
Federal Trade Commission	123
Gambling Impact Study Commission	124
Japan-United States Friendship Commission	124
Legal Services Corporation	124
Marine Mammal Commission	125
Martin Luther King, Jr., Federal Holiday Commission	126
National Bankruptcy Review Commission	126
Ounce of Prevention Council	126
Securities and Exchange Commission	127
Small Business Administration	128
State Justice Institute	133
Title VI—General provisions	134
Title VII—Rescissions	136
Compliance with paragraph 7, rule XVI of the Standing Rules of the Senate ...	137
Compliance with paragraph 7(c), rule XXVI of the Standing Rules of the Senate	138
Compliance with paragraph 12, rule XXVI of the Standing Rules of the Senate	138
Budgetary impact	151

SUMMARY OF COMMITTEE RECOMMENDATIONS

The Committee mark provides a total of \$28,810,460,000 in fiscal year 1997 budget authority. This amount is \$3,987,686,000 below the President's fiscal year 1997 request and \$670,230,000 below the House-passed version of the bill. The Committee does not provide any of the requested advanced appropriations for United Nations contributions to international organizations or contributions for international peacekeeping. The Committee mark provides \$23,865,200,000 in discretionary budget authority, \$4,440,000,000 in budget authority from the violent crime reduction trust fund, and a total of \$106,579,000 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 1997. The House version of this bill, H.R. 3814, passed the House of Representatives on a vote of 246 to 179 on July 24, 1996. The Committee's recommendations to the Senate for this bill would result in \$24,502,000,000 in new and prior-year discretionary outlays, and \$2,915,000,000 in new and prior-year violent crime reduction trust fund outlays, as estimated by the Congressional Budget Office. The Committee also recommends appropriations totaling \$521,524,000 for mandatory programs within the jurisdiction of this bill, resulting in estimated mandatory outlays of \$515,000,000.

For discretionary programs, the Committee's recommended appropriations are \$2,725,844,000 in discretionary budget authority and \$389,258,000 in violent crime reduction trust fund budget authority below the President's request, \$585,312,000 in discretionary budget authority, and \$84,918,000 in violent crime reduction trust fund budget authority below the House-passed bill. The Committee notes that while most of the programs and agencies funded by this bill—such as the Immigration and Naturalization Service, the Federal Bureau of Investigation, the Drug Enforcement Administration, most of the Department of Commerce, the Department of State, and the United States Information Agency—lack authorizations for appropriations in fiscal year 1997, it recommends that the Senate meet its responsibilities to the American people and provide appropriations for these ongoing programs.

BILL HIGHLIGHTS

The 602(b) allocation provided to the Commerce, Justice, and State, the Judiciary, and Related Agencies [CJS] Subcommittee is a total of \$3,963,646,000 in budget authority below the President's request, \$646,190,000 below the House-passed bill, and \$724,000,000 above a Congressional Budget Office freeze. This allocation was consistent with assumptions contained in the conference report on House Concurrent Resolution 178, the concurrent resolution on the budget for fiscal year 1997, which assumed an

\$800,000,000, or 3.8 percent increase, for administration of justice, which includes law enforcement activities at the Justice and Treasury Departments, and other Federal agencies.

The Committee notes that a 3.8-percent increase for the Department of Justice would force hiring freezes and reductions in force at the Federal Bureau of Investigation, the Drug Enforcement Administration, the Border Patrol, and several other important law enforcement agencies. A 3.8-percent funding increase would force the Bureau of Prisons to close newly opened prison facilities and delay bringing new Federal prison facilities online.

In order to provide adequate resources for crime-fighting activities at the Federal, State, and local level, the Committee's mark cuts noncrime-fighting accounts by a total of \$677,861,000—or 6.5 percent—below a freeze in order to provide a \$1,331,572,000 increase to fund legitimate Federal, State, and local law enforcement activities and an increase of \$227,472,000 to the Federal judiciary to handle increased caseload.

Department of Justice

The Committee mark contains a comprehensive crime-fighting initiative with a special emphasis placed on counterterrorism. The recommendation provides \$15,904,168,000 in resources to the Department of Justice, including the maximum funding allowed from the violent crime reduction trust fund.

The Committee's crime-fighting initiative provides funding to support Federal, State, and local law enforcement, prisons, prosecutors, and other crime-fighting activities.

Highlights of the initiative include:

- Comprehensive counterterrorism initiative.*—\$152,026,000 in increased resources to: (1) prevent, investigate, and improve rapid response capabilities to potential terrorist threats; (2) increase security measures to help protect the lives of Americans at home and abroad; and (3) target State sponsors of terrorism;
- \$2,699,500,000 to support State and local law enforcement including \$1,400,000,000 for the Community Oriented Policing Services [COPS] Program to meet the shared goal of hiring 100,000 new police by the year 2000, \$503,000,000 for the local law enforcement block grant, and \$535,000,000 for the Edward Byrne Memorial State and Local Law Enforcement Grant Program;
- \$4,664,268,000 to support Federal law enforcement agencies such as the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Border Patrol;
- \$4,447,776,000 in appropriations and fee-funded accounts to incarcerate Federal prisoners, apprehend and detain fugitives, operate and maintain existing Federal prison facilities, and build and activate new or expanded facilities;
- \$970,000,000 in grants to support State and local prison construction for the incarceration of violent criminals and reimburse States and localities for the costs of incarcerating criminal aliens;
- \$1,394,344,000 for U.S. attorneys and general legal activities to enhance Federal prosecution of criminals; and

—\$197,500,000, the full amount authorized, for the Violence Against Women Act Program.

In the wake of the World Trade Center bombing, the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, the bombing in Dahran, Saudi Arabia, the apparent bombing of TWA Flight 800, and the bombing at Atlanta's Centennial Olympic Park, the Committee has made counterterrorism a top priority in this bill. For that reason, the Committee has shifted violent crime reduction trust fund [VCRTF] resources away from so-called prevention programs toward counterterrorism and other critical law enforcement activities as authorized in the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132) and the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322).

As part of this effort, the Committee proposes three provisions from the Senate-passed version of the Comprehensive Terrorism Prevention Act of 1995. The provisions relating to taggants, multipoint wiretaps, and expanded wiretap authority for terrorism investigations are included as general provisions in title I.

The Committee has left no stone unturned in his effort to save the taxpayers money; the mark would cut \$76,998,000 from the President's fiscal year 1997 budget request for the 1997 cost of Justice personnel who were not hired or prisons which were not activated in fiscal year 1996 even though Congress provided adequate funding for this purpose. The Committee's mark would allow \$90,000,000 in end-of-year carryover balances at the Bureau of Prisons to remain available in fiscal year 1997 to support ongoing Federal prison operations. The Committee mark saves an additional \$132,385,000 by increasing the use of current Immigration and Naturalization Service fee collections for authorized congressional crime-fighting priorities.

Department of Commerce

The Committee recommends a total of \$3,640,807,000 for the U.S. Trade Representative, the International Trade Commission, and the Department of Commerce for fiscal year 1997. Recommended funding for these accounts is \$685,367,000 below the President's request, \$48,224,000 below a freeze at fiscal year 1996 levels, and \$104,554,000 above the funding contained in the House-passed bill.

On May 8, 1996, in his first appearance before the Senate as Secretary of Commerce, Michael Kantor announced an initiative to reduce Commerce personnel by an additional 5 percent below current levels within the next 7 months. While most of these reductions are a direct result of the 1996 appropriation (Public Law 104-134), the Committee welcomes Secretary Kantor's contribution to streamlining departmental operations and has built the Kantor plan into his assumptions for fiscal year 1997 funding for the Department.

The recommendation includes \$1,998,349,000 for the National Oceanic and Atmospheric Administration [NOAA], an increase of \$137,695,000 in order to enhance environmental stewardship, manage our Nation's fisheries, and continue modernization of the National Weather Service.

For the Census Bureau, a total of \$350,200,000 is provided. This is an increase of \$66,078,000 over fiscal year 1996 to increase economic information and prepare for the 2000 census.

The Committee recognizes the Government's role in continued basic research and continues its support for the core functions of the National Institute of Science and Technology and continues support for the Manufacturing Extension Partnership—Hollings Center—Program.

The fiscal year 1996 appropriation eliminated the U.S. Travel and Tourism Administration. The Committee recommends major downsizing of the Economic Development Administration, the Advanced Technology Program, the Minority Business Development Agency, the Information Infrastructure Grant Program, and several other functions within the Department.

The judiciary

The recommendation provides a total of \$3,282,284,000, an increase of \$227,472,000, over fiscal year 1996 levels, to help the judiciary handle the increased caseload resulting from additional Federal prosecution efforts funded by the Committee. This amount includes an increase of \$25,000,000 for security of the courts in light of the threat of terrorism.

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 at or below the fiscal year 1997 authorized levels contained in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996–97, as passed by the Senate on March 28, 1996. Funding for virtually every program in this title is at or below the fiscal year 1997 authorization level provided in that bill.

The recommendation provides \$2,639,429,000 for State Department operations and an additional \$8,400,000 from the counterterrorism fund at the Department of Justice for enhanced security at overseas posts. In total, this funding level is \$28,114,000 above the levels provided in the House-passed bill, \$66,598,000 below the President's request, and \$524,331,000 below a freeze at fiscal year 1996 levels. The recommendation also contains a new initiative aimed at improving management of overseas real estate.

The recommendation provides \$550,000,000 for contributions to international organizations and provides no funds for payment of arrearages. Sufficient funding is provided to cover the full fiscal year 1997 assessment for U.S. participation in the United Nations, the North Atlantic Treaty Organization, the International Atomic Energy Agency, the World Trade Organization, and the International Civil Aviation Organization. The recommendation includes a reform initiative aimed at encouraging the State Department to hold the United Nations to its goal of a no-growth budget for the 1996–97 biennium.

The recommendation provides \$282,600,000, the full fiscal year 1997 assessment, for contributions for United Nations peacekeeping operations. No funding is provided for payment of arrearages.

The recommendation fully funds Cuba broadcasting operations as a separate appropriations account.

The recommendation eliminates funding for the Asia Foundation and the National Endowment for Democracy.

Other related agencies

A total of \$698,919,000 is provided to the Small Business Administration to promote small business development. This amount includes an increase of \$55,851,000 for Business Loan Programs to maintain access to capital for small businesses.

The recommendation does not provide funding for the Maritime National Security Program. The Committee notes that \$46,000,000 was provided for this new program in fiscal year 1996 pending authorization of the program. To date, no authorization has been enacted.

The recommendation would provide funding for the Legal Services Corporation of \$288,000,000, and would maintain restrictions on the use of these funds in order to focus these resources to where the greatest need exists.

Rescissions

The Committee mark rescinds a total of \$106,579,000 from four accounts—two in the Department of Justice and two in the Department of Commerce. Rescission amounts are based on estimates provided to the Committee on or before June 25, 1996.

Proposed rescissions include: \$30,000,000 from the working capital fund at the Department of Justice, \$34,779,000 from the immigration emergency fund at the INS, \$31,800,000 from construction at the National Institute of Standards and Technology, and \$10,000,000 from NOAA.

TITLE I—DEPARTMENT OF JUSTICE

The Committee has made funding for law enforcement the centerpiece of the fiscal year 1997 appropriations bill.

The Committee's 602(b) allocation for nondefense discretionary spending is \$3,767,800,000 below the President's request and \$783,600,000 above a freeze at fiscal year 1996 funding levels.

The Committee recommends \$15,904,168,000 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 1997. This amount is \$1,331,572,000 more than the fiscal year 1996 funding level. The remaining \$4,440,000 is derived from the violent crime reduction trust fund, which is an increase of \$484,031,000 in trust fund spending over the current year, and \$84,918,000 less than the trust fund spending recommended by the House.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

Appropriations, 1996	\$74,282,000
Budget estimate, 1997	83,256,000
House allowance	78,493,000
Committee recommendation	70,653,000

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

The Committee recommends a total of \$70,653,000 for general administration for fiscal year 1997. This amount is \$3,629,000 below the fiscal year 1996 appropriation, \$12,603,000 below the request, and \$7,840,000 below the House allowance.

The recommendation provides sufficient resources to maintain current staffing and operations with one exception. For fiscal year 1997, the Justice Department plans to employ more than 250 people at a projected cost to the taxpayers of more than \$25,000,000 for legislative and public affairs. 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 throughout the Department. These activities may not be supplemented by either reimbursable or nonreimbursable details.

The recommendation includes a requested reduction of \$5,000,000 in resources provided in fiscal year 1996 for departmental management and financial oversight of the Immigration and Naturalization Service [INS].

The Committee notes that on June 6, 1996, the Department of Justice estimated that there would be \$5,125,000 in end-of-year carryover balances in this account. The Committee directs that

these resources will be used to continue existing operations with the exceptions noted above.

The recommendation does not include \$3,200,000 under this account and \$11,924,000 under the Office of Inspector General for the preparation and audit of Department-wide financial statements required under the Government Management Reform Act of 1994. The Committee concurs in the House recommendation directing the general manager of the Department's working capital fund [WCF] to use retained earnings available in fiscal year 1997 to cover the necessary costs for preparation and audit of financial statements for those appropriation accounts within the Department of Justice which are regular customers of the WCF.

Comprehensive review of Federal detention and incarceration.—Three separate agencies within the Department of Justice play a major role in detention and incarceration—the Bureau of Prisons [BOP], the U.S. Marshals Service, and the Immigration and Naturalization Service [INS]. The Committee supports the Attorney General's efforts to consolidate duplicative functions within the Department of Justice, such as the joint prison alien transportation system [JPATS]. While budgetary constraints will prevent the Department of Justice from continuing to grow at current rates, demographic changes, increased resources for law enforcement and prosecution, and longer sentences will continue to stretch prison and detention capacity. Under these circumstances, the Committee believes that a thorough review of the current BOP, U.S. Marshals, and INS Federal prisoner and detainee programs is warranted. The Committee directs the Attorney General to evaluate the performance of these agencies and develop recommendations to consolidate management of their operations where possible. Recommendations are to be submitted to the Committee by November 15, 1997. Past administrations responded to similar requests by endorsing the status quo. The Committee would urge the Attorney General not to make the same mistake. In recent years, Congress has invested heavily in border control and enforcement of U.S. immigration laws. Alien detention and incarceration appears to be a weak link in the administration's current immigration policy, one that needs critical attention. The report should: (1) analyze the performance of each of the three agencies with major Federal prisoner and detainee programs in the Department of Justice; (2) evaluate whether a major consolidation of those functions into one or two agencies over a 3- to 5-year timeframe is warranted; and (3) recommend interim steps which would reduce costs and streamline operations of Federal prisoner and detainee operations, such as a consolidated ground transportation system, or a unified construction management operation.

Federal/State cargo theft task force.—Within resources provided to the Department, the Committee directs the Attorney General to allocate \$1,000,000 to implement the Federal/State cargo theft task force announced by Attorney General Reno in 1994.

The recommendation does not include bill language proposed by the House to eliminate the Office of the Associate Attorney General.

COUNTERTERRORISM FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 1996	\$16,898,000
Budget estimate, 1997	9,688,000
House allowance	9,450,000
Committee recommendation	40,000,000

The Committee recommends \$40,000,000 for the "Counterterrorism fund" account which was established in Public Law 104-19, the Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-Terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995. 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 recommendation provides \$30,312,000 more than the request, \$30,550,000 more than the House allowance, and \$23,102,000 more than the 1996 appropriation.

Comprehensive counterterrorism strategy.—The Committee is deeply concerned that the administration lacks a comprehensive strategy for combating domestic and international terrorism. The Committee directs that the Attorney General, in consultation with the Secretary of State, the Secretary of Defense, the National Security Advisor, the Director of Central Intelligence, the Secretary of Transportation, the DIAP, and representatives from State and local law enforcement, develop recommendations for implementation of a comprehensive 5-year counterterrorism strategy. At a minimum, the plan must contain (1) resource requirements, (2) a national infrastructure threat assessment, (3) improved Federal, State, and local coordination of counterterrorism, and (4) a deployment strategy. The strategic plan is to be submitted to the Senate and House Appropriations Committees by no later than November 15, 1996.

Counterterrorism initiative.—The Committee recognizes that several Federal, State, and local agencies have a role in combating terrorism. Funds are provided in this account to supplement that effort. Recommended increases include:

Joint terrorism task forces.—\$2,700,000 for increased state and local participation in FBI joint terrorism task forces.

Increased State/local role in counterterrorism.—\$1,500,000 for a new program to support details of State and local law enforcement officials at the FBI Counterterrorism Center.

Enhanced diplomatic security.—\$8,400,000 to the State Department for enhanced security measures at overseas posts. The recommendation includes \$4,300,000 for security equipment, \$2,700,000 for the local guard program, and \$1,400,000 for armored vehicles in terrorist threat posts. These increases are consistent with recommendations contained in the State Department's spring 1996 infrastructure requirements.

Enhanced investigations of chemical/biological/nuclear export controls.—\$2,500,000 for the Bureau of Export Administration [BXA] at the Department of Commerce to increase on-board crimi-

nal investigator staff (25 positions and 22 FTE's) to investigate alleged export control violations—particularly those involving nuclear and missile technology controls and chemical and biological controls. The Committee expects BXA to pursue investigations without impeding legitimate international trade.

Lookout Program expansion.—\$3,826,000 for 30 FBI positions and 15 FTE's to staff surveillance posts to monitor, identify, and neutralize activities of State sponsors of terrorism.

Security at new courthouses.—\$4,000,000 to supplement funds under the judiciary's "Court security" account in order to provide for security officers and associated equipment at new and renovated Federal courthouses.

Targeting State sponsors of terrorism.—\$3,000,000 to international broadcasting operations at the U.S. Information Agency to increase programming to countries the United States lists as sponsors of terrorism as well as countries where American citizens and property are threatened by acts of terrorism. Funding is to be allocated on the basis of Broadcasting Board of Governors recommendations subject to the reprogramming procedures outlined in section 605 of this act.

There will be necessary expenses that are not known at the present time such as the cost of investigating the July 27, 1996, bombing at Olympic Centennial Park in Atlanta, GA. The Committee recommendation allows the Attorney General to make the determination on a case-by-case basis of other 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 execution of plans, related to upcoming significant events which offer the potential of being targeted for acts of terrorism. As part of this prevention and deterrence effort, the Committee has provided the following:

2002 winter Olympic games, Salt Lake City, UT.—The Attorney General is directed to work with State and local law enforcement officials in Utah to develop a security plan for the upcoming Olympic games. The Committee recommendation provides \$3,000,000 for necessary counterterrorism security and communications infrastructure enhancements and upgrades in preparation for the 2002 games.

Bill language is added to provide that of the funds provided in this account, \$8,400,000 is to be provided to the Department of State for overseas diplomatic security enhancements as outlined in the Department of State's spring 1996 infrastructure requirements report. Bill language is included to provide \$2,500,000 to the Bureau of Export Administration at the Department of Commerce to increase onboard criminal investigator staff in export enforcement to investigate alleged export control violations—particularly those involving nuclear and missile technology controls and chemical and biological controls. Bill language is included to provide \$4,000,000 to court security for the Federal judiciary.

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, 1996	\$86,666,000
Budget estimate, 1997	126,258,000
House allowance	112,000,000
Committee recommendation	107,909,000

The recommendation would provide funding of \$107,909,000 for fiscal year 1997, of which \$48,000,000 is provided from the violent crime reduction trust fund, \$18,349,000 less in total budget resources than the request, and \$4,091,000 less than the House allowance.

This account provides funding for the Executive Office for Immigration Review [EOIR]. EOIR includes the Board of Immigration Appeals, immigration judges, and administrative law judges who decide through administrative hearings whether to admit or exclude aliens seeking to enter the country, and whether to deport or adjust the status of aliens whose status has been challenged. This account also funds the Office of the Pardon Attorney which receives, investigates, and considers petitions for all forms of Executive clemency. The recommendation would provide a total of \$106,428,000 for EOIR and \$1,481,000 for the Office of the Pardon Attorney.

In addition to providing sufficient resources to maintain current operations, the Committee recommendation includes the following increases for EOIR:

Expedited removal of deportable aliens.—\$2,099,000, 8 immigration judges and 16 support positions.

Caseload resulting from increased border enforcement.—\$4,397,000, 16 immigration judges and 32 support staff.

Expedited processing of asylum and criminal alien cases.—\$3,870,000, 40 staff attorneys and 14 support positions for the Board of Immigration Appeals as the final installment of a planned 3-year expansion of EOIR designed to handle increased asylum and criminal alien caseload on an expedited basis.

Of the total amount provided, \$48,000,000 is for expanded special deportation proceedings under the violent crime reduction trust fund as authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322.

OFFICE OF INSPECTOR GENERAL

Appropriations, 1996	\$28,960,000
Budget estimate, 1997	51,949,000
House allowance	31,960,000
Committee recommendation	31,960,000

The Committee recommends \$31,960,000 for the Office of Inspector General for fiscal year 1997. This amount is \$19,989,000 below the request. The recommendation is \$3,000,000 more than the current year appropriation and is identical to the House allowance.

Although the Committee did not include the requested base transfer of \$5,000,000 from the “General administration” account for additional audits of the Immigration and Naturalization Services [INS], the Committee concurs with the House recommendation to transfer \$1,000,000 from INS legislative and public affairs to support increased audits and investigations of INS.

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, 1996	\$5,446,000
Budget estimate, 1997	5,201,000
House allowance	4,490,000
Committee recommendation	5,201,000

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 \$5,201,000 for the Parole Commission for fiscal year 1997. This amount is \$235,000 less than the current year appropriation, and is the same as the request.

The Parole Commission is scheduled to be phased out as a result of the creation of sentencing guidelines. The Committee's recommendation assumes that the Commission will continue to reduce its staffing level in order to facilitate a timely termination of its operations.

LEGAL ACTIVITIES

GENERAL LEGAL ACTIVITIES

Appropriations, 1996	\$421,520,000
Budget estimate, 1997	458,027,000
House allowance	428,543,000
Committee recommendation	429,028,000

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

The Committee recommends a total of \$429,028,000 for general legal activities for fiscal year 1997, of which \$7,750,000 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) and the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132). The total amount recommended is \$7,508,000 more than current year funding, and is \$28,999,000 less than the request.

The \$7,750,000 derived from the VCRTF is to sustain the cost of Civil Division attorneys working for the deportation of criminal aliens. This recommendation continues an effort begun last year to use violent crime trust fund amounts to strengthen enforcement of our immigration laws.

In order to continue to strongly support law enforcement with the limited budgetary resources available this year, the Committee has provided for an increase in order to maintain current levels of

strength at the Criminal Division, and intends that the reduction from the total request for legal activities will not negatively impact the operations of the Criminal Division. In addition, the Committee recommendation assumes adequate resources will be provided to the Civil Rights Division in light of recent church burnings.

The Committee recommends bill language, similar to that included in previous fiscal years, which: (1) allows up to \$20,000 for expenses of collecting evidence; (2) makes up to \$10,000,000 available for litigation support contracts; (3) makes up to \$17,525,000 available for office automation systems; (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 1997 Interpol regional conference.

Bill language is added freezing legislative and public affairs staffing in this account at fiscal year 1995 levels.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

Appropriations, 1996	\$4,028,000
Budget estimate, 1997	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 1997 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 amount is the same as the request and the current year appropriation.

ANTITRUST DIVISION

SALARIES AND EXPENSES

Appropriations, 1996	\$85,143,000
Budget estimate, 1997	94,979,000
House allowance	84,336,000
Committee recommendation	94,979,000

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 \$94,979,000 in budget (obligational) authority for the Antitrust Division for fiscal year 1997. This recommendation is the full requested amount for fiscal year 1997, is \$9,836,000 more than the amount provided in the current year, and is \$10,643,000 more than the House allowance. The full amount provided will be derived from anticipated offsetting fee collections in fiscal year 1997, resulting in no new net direct appropriation for this account. The Committee notes that use of unobligated fee collections from the prior year are subject to the reprogramming requirements outlined in section 605 of this act.

The recommendation includes bill language under the "Federal Trade Commission" [FTC] account that changes the current Hart-Scott-Rodino filing fee structure from a flat fee to a graduated fee scale. This structure reduces the amount of the fee for acquiring

companies with assets of \$100,000,000 or less, and increases the fees on larger companies; this is intended to reduce the burden on small business, while more accurately reflecting the enforcement workload of the Antitrust Division and the Federal Trade Commission.

The recommendation includes bill language for the Antitrust Division, similar to that included in previous fiscal years, which: (1) allows \$94,979,000 in fees to be credited to this account; (2) reduces appropriated funds as fees are collected; and (3) makes fees in excess of \$94,979,000 available until expended in fiscal year 1998. 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, 1996	\$925,509,000
Budget estimate, 1997	993,688,000
House allowance	974,905,000
Committee recommendation	965,316,000

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 \$965,316,000 for the U.S. attorneys for fiscal year 1997, of which \$31,000,000 is provided from the violent crime reduction trust fund [VCRTF] as authorized in Public Law 103-322 and Public Law 104-132. The total amount provided is an increase of \$39,807,000 above current year funding, \$28,372,000 below the request, and is \$9,589,000 below the House allowance.

The Committee recommendation provides for all requested increases to preserve the current strength of the U.S. attorneys offices. The Executive Office for U.S. Attorneys is encouraged to identify budgetary savings, in addition to the administrative savings allocated in fiscal year 1996, with which to fund the highest priority program increases. Of amounts available from the violent crime reduction trust fund, \$1,000,000 is provided for Federal victim counselors to address violence against women, and \$9,633,000 is provided for deportation of criminal aliens.

The Committee intends that, of the amounts available to the Department of Justice in this act, up to \$3,800,000 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 1998; (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, 1996	\$102,390,000
Budget estimate, 1997	111,633,000
House allowance	107,950,000
Committee recommendation	107,950,000

The U.S. trustee system provides administrative support to expeditiously move bankruptcy cases through the bankruptcy process and ensures accountability of private trustees appointed to administer bankruptcy estates. This system was authorized in Public Law 99-554, the Bankruptcy Judges, U.S. Trustees, and Family Farmer Bankruptcy Act of 1986. 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 \$107,950,000 in budget (obligational) authority for the U.S. trustees for fiscal year 1997. This level is \$5,678,000 above current year authority, is \$3,683,000 below the budget request, and is the same as the House allowance.

The recommendation includes new language as in the budget request, under section 109, to restructure quarterly fee payments for debtors under chapter 11 of the Bankruptcy Code, but does not include the new surcharge on chapter 13 trustees payments proposed by the administration. In addition, the Committee recommendation includes language to allow all fees collected to be used as offsetting collections to the U.S. trustee program.

The recommendation also includes bill language which: (1) allows deposits to the U.S. trustee system fund to be used to pay refunds due depositors; (2) allows \$107,950,000 in offsetting fee collections to be retained and used for necessary expenses in this appropriation; (3) reduces appropriated funds as such fees are collected; and (4) makes offsetting fee collections in excess of \$107,950,000 available until expended in fiscal year 1998.

FOREIGN CLAIMS SETTLEMENT COMMISSION

Appropriations, 1996	\$830,000
Budget estimate, 1997	878,000
House allowance	878,000
Committee recommendation	953,000

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 \$953,000 for the Foreign Claims Settlement Commission for fiscal year 1997. This amount is \$75,000 above both the request and the House allowance in order to provide for the adjudication of claims against Germany relating

to World War II, arising under Public Law 104–99 and the September 19, 1995, settlement agreement between the United States and Germany.

U.S. MARSHALS SERVICE

SALARIES AND EXPENSES

Appropriations, 1996	\$448,248,000
Budget estimate, 1997	515,039,000
House allowance	485,214,000
Committee recommendation	482,495,000

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 \$482,495,000 for the U.S. Marshals Service for fiscal year 1997, of which \$25,000,000 will be provided from the violent crime reduction trust fund [VCRTF] as authorized in Public Law 103–322. This amount is \$34,247,000 above the current year appropriation, \$32,544,000 less than the request, and \$2,719,000 less than the House allowance.

The Committee recommendation provides the requested costs of keeping the Marshals Service at its current strength, plus some increases described below. The recommendation assumes that \$5,117,000 of funds previously needed within the Seized Assets Management Program will be available for use elsewhere because noted improvements in the management of that program have led to significant employee reductions.

The Committee recommendation includes increases of \$22,214,000 for costs relating to new or renovated courthouse locations, including necessary equipment and staffing. In addition, the recommendation provides increases of \$4,700,000 to correct security deficiencies at the D.C. Superior Court, \$3,708,000 to restore intermittent deputy positions for prisoner related activities, \$426,000 for enhanced witness security, and \$5,000,000 for adequate personnel to support increased law enforcement efforts in various parts of the country. The Committee encourages the Marshals Service to identify additional savings in order to meet other requested increases including additional judicial protection and development of an enhanced prisoner tracking information system.

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. New bill language is included which makes up to \$4,000,000 for development, implementation, maintenance and support, and training for an automated prisoner information system, and \$2,200,000 for the justice prisoner and alien transportation system [JPATS], available until expended. In addition, bill language is included which will allow the Marshals Service to earn reimbursement for the maintenance and transport of State, local, and territorial prisoners by JPATS.

Bill language is added freezing legislative and public affairs staffing at fiscal year 1995 levels.

FEDERAL PRISONER DETENTION

Appropriations, 1996	\$252,820,000
Budget estimate, 1997	405,262,000
House allowance	405,262,000
Committee recommendation	405,262,000

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 recommendation includes a direct appropriation of \$405,262,000 for Federal prisoner detention for fiscal year 1997, the full amount requested in the budget. This amount is \$109,931,000 above the appropriation for the current year, and is the same as the House allowance.

The Committee notes that the large increase in funding for this account reflects a restoration of \$73,511,000 in carryover funding used in fiscal year 1996, and an increase to reflect an estimated rise in jail days of 844,000 over the fiscal year 1996 level. The total estimated number of jail days for fiscal year 1997 is 8,934,101, an increase of 11 percent over the current year, and an increase of 31 percent since 1994. At the same time, many local facilities no longer have extra room for Federal prisoners because of rising arrest rates at the local level. The Department's Federal detention plan for 1993-97 warned of a Federal detention crisis that could threaten public safety, and described efforts within the Marshals Service, Bureau of Prisons, and Immigration and Naturalization Service to plan for this crisis. The Committee looks forward to the timely update this year of that report in order to adequately plan for future needs in this area. The Committee directs the Department to include a plan for addressing the problems it has experienced in developing accurate USMS detention population projections. In addition, the Committee expects the Department to continue to cooperate in innovative approaches to detention needs, such as the consolidation of detention space within conveniently located Federal buildings used by other law enforcement agencies.

The Committee disagrees with House report language regarding detention of criminal aliens at Naval Air Station [NAS] Miramar. In addition, the Committee is aware of concern regarding the ability to detain and transport Federal prisoners in Utah, and urges the Department to carefully consider the status of detention needs in that area.

FEES AND EXPENSES OF WITNESSES

Appropriations, 1996	\$85,000,000
Budget estimate, 1997	102,702,000
House allowance	100,702,000
Committee recommendation	102,702,000

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 \$100,702,000 for fees and expenses of witnesses for fiscal year 1997. This amount is the full budget estimate for this program, which is considered mandatory for budget scorekeeping purposes. The Committee recommendation provides an additional \$2,000,000 under this account, as requested in the budget, for alternative dispute resolution efforts in order to reduce delays currently experienced with civil litigation in cases where the Federal Government is a party.

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, 1996	\$5,319,000
Budget estimate, 1997	5,502,000
House allowance	5,319,000
Committee recommendation	5,319,000

The Committee recommendation provides \$5,319,000 for the Community Relations Service for fiscal year 1997, the same as current year funding and \$183,000 below the budget request.

The Community Relations Service [CRS] provides assistance to communities and persons in the prevention and resolution of disagreements relating to perceived discriminatory practices. The functions formerly conducted by the Community Relations Service within the reception, processing, and care of Cubans and Haitians program [CHEP] were transferred to the Immigration and Naturalization Service [INS] pursuant to the fiscal year 1996 appropriations act.

The Committee also recommends bill language, identical to that included in fiscal year 1996, which allows the Attorney General to provide additional resources for CRS, through a transfer of funds from other Department of Justice programs under section 605 of this act, if emergent circumstances exist.

ASSETS FORFEITURE FUND

Appropriations, 1996	\$30,000,000
Budget estimate, 1997	30,000,000
House allowance	16,000,000
Committee recommendation	30,000,000

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 \$30,000,000 for the assets forfeiture fund for fiscal year 1997. This amount is the same as current year funding and the budget request, and is \$14,000,000 more than the House allowance.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

Appropriations, 1996	\$2,655,000
Budget estimate, 1997	2,000,000
House allowance	2,000,000
Committee recommendation	2,000,000

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

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

PAYMENT TO THE RADIATION EXPOSURE COMPENSATION FUND

Appropriations, 1996	\$16,264,000
Budget estimate, 1997	13,736,000
House allowance	13,736,000
Committee recommendation	13,736,000

This account provides funds to be available in order to make payments to approved claimants under the Radiation Exposure Compensation Act of 1990. The Committee is aware that recent estimates show that carryover funding of \$13,854,000, plus interest earnings, plus the advance appropriation of \$16,264,000 provided last year for fiscal year 1997 will provide sufficient funds to meet all expected needs for fiscal year 1997. The Committee recommendation includes an appropriation of \$13,736,000 to be made available on September 30, 1997.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

Appropriations, 1996	\$359,843,000
Budget estimate, 1997	372,017,000
House allowance	372,017,000
Committee recommendation	352,461,000

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 1996 appropriation provided \$71,741,000 to the Treasury Department, \$625,000 to the Coast Guard, and \$1,469,000 for an administrative office.

The Committee recommends \$352,461,000 for interagency crime and drug enforcement for fiscal year 1997, \$7,382,000 below fiscal

year 1996 funding levels, \$19,556,000 below the request, and \$19,556,000 below the House allowance.

While the Committee supports interagency coordination in the fight against crime, many of the administrative requirements that apply to participating agencies in these task forces 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 [OIAP], and OCDEF.

More than 27 percent of the requested funding provided in this account goes to support the operations of Federal agencies outside the Department of Justice. As part of the Committee's comprehensive truth-in-budgeting initiative, bill language is included which stipulates that this will be the final Federal payment to this account. This action is intended to force the Office of Management and Budget to follow the Committee's 1996 recommendation and move the resources provided in this account to the participating agencies' budgets in the fiscal year 1998 budget to: (1) eliminate duplication and overlap of administrative costs; (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 request would provide \$74,314,000 to the Treasury Department, \$625,000 to the Coast Guard, and \$1,507,000 for an administrative office. The recommendation would freeze Justice accounts at fiscal year 1996 levels and reduce support for these non-Justice agencies by 10 percent. Funding for the administrative office is intended to provide for closeout costs.

In addition, 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, 1996	\$2,323,083,000
Budget estimate, 1997	2,782,306,000
House allowance	2,681,706,000
Committee recommendation	2,650,653,000

The Committee recommendation provides \$2,691,353,000 in budgetary resources for Federal Bureau of Investigation [FBI] operations for fiscal year 1997. The total includes \$40,700,000 in end-of-year carryover balances, a direct appropriation of \$2,295,453,000, \$195,200,000 in defense discretionary funding for counterterrorism, counterintelligence and national security activities, and \$160,000,000 from the violent crime reduction trust fund pursuant to the Antiterrorism and Effective Death Penalty Act of 1996, Public Law 104-132 and the Violent Crime Control and Law

Enforcement Act of 1994, Public Law 103-322. This operating level is \$368,270,000 above the appropriation for the current year.

Comprehensive counterterrorism initiative.—The Committee recommendation includes more than \$195,200,000 to support and enhance the FBI's investigative capabilities in responding to major terrorism incidents and activities around the world. In addition to increases provided in the Department of Justice counterterrorism fund, the recommendation contains an increase of \$92,855,000 in defense discretionary resources for enhanced counterterrorism, foreign counterintelligence, and other national security related activities which include:

Hazmat/chemical/biological/nuclear terrorism.—18 positions and \$7,516,000 to establish staff capability within the FBI Laboratory to respond to terrorism and other situations involving hazardous materials [hazmat], chemical and biological agents, and nuclear materials; purchase necessary protective equipment, chemical and biological agent detection equipment, specialized shipping containers, laboratory equipment, health/safety equipment, training, and research/development.

Counterterrorism investigations.—\$18,276,000, 108 additional agents, and 123 additional support positions, as requested, to address growing domestic and international counterterrorism case-loads.

Computer Intrusion/Threat Assessment Center [CITAC].—\$7,516,000 and 70 positions to establish and equip a center to identify, investigate and counter illegal electronic intrusion into government computer networks and the National Information Infrastructure.

Bomb Data Center/arson profiling.—\$1,405,000 for the FBI Laboratory Bomb Data Center to improve training provided to State and local public safety personnel at the hazardous devices school and to acquire advanced tools, crime scene gear, and related materials.

Legal attaché expansions.—\$1,172,000 for the cost of opening new FBI legal attaché [legatt] offices in Riyadh, Kiev, Tallinn, Warsaw, and Pretoria. The costs for staffing and operations of these new offices, the four new offices opened in fiscal year 1996 (Beijing, Cairo, Islamabad, Tel Aviv), and expansion of the existing legatt office in Moscow are to be provided from base funding provided to the FBI. The Committee recommendation is consistent with the FBI legal attaché deployment plan developed jointly by the Departments of Justice and State and approved by the Committee on July 18, 1996.

Computer analysis response teams.—\$1,180,000 to establish and outfit computer analysis response teams in FBI field offices.

Counterterrorism support staff.—\$1,427,000 and 41 positions to provide clerical and administrative support to agents, intelligence research specialists, and non-FBI personnel assigned to the FBI's Counterterrorism Branch.

Annualization of counterterrorism staff hired in fiscal year 1996.—\$22,285,000.

The recommendation also includes the following crime-fighting initiatives: an increase of \$14,289,000, 137 positions and 69 FTE's, from the violent crime reduction trust fund for a joint FBI/DEA ini-

tiative targeting the four most significant Mexican drug trafficking organizations; an increase of \$5,764,000, 176 positions and 88 FTE's, double the request, for safe streets task forces; an increase of \$5,725,000, 2 positions and 1 FTE, as requested, to continue working with the Federal law enforcement wireless users group to develop a national public/law enforcement public safety network; an increase of \$3,327,000, 129 positions and 65 FTE's, as requested, for additional Freedom of Information and Privacy Act [FOIPA] declassifications staff to work down the existing backlog of FOIPA requests; an increase of \$20,240,000, for the national instant criminal background check system; and \$9,500,000 for grants to States to establish, develop, update, or upgrade computerized identification systems that are compatible with NCIC, DNA forensic laboratories, or automated fingerprint identification systems that are compatible with IAFIS.

Hiring delays.—Over the past 2 years, Congress has made increasing Federal law enforcement staffing a funding priority. Because of the administration's failure to meet increased staffing targets provided by Congress for fiscal year 1996, the Department of Justice now estimates that the FBI will not spend \$17,000,000 of the \$22,500,000 provided in the 1995 counterterrorism supplemental, Public Law 104-19, to hire 427 additional support staff. For similar reasons, the FBI will not be able to spend an additional \$23,700,000 in funds provided by Congress in the fiscal year 1996 appropriation to increase onboard FBI staff. As a result of these hiring delays, the Committee believes that \$40,700,000 in requested funds will not be needed to maintain current FBI operations and onboard staffing levels.

Directed use of unexpended counterterrorism funds.—Of the aforementioned \$17,000,000 in unused counterterrorism funding, the Committee directs that these resources be expended in fiscal year 1996 for the following one-time costs in support of the FBI's counterterrorism activities: \$9,000,000 for enhanced security equipment for FBI field offices; \$1,200,000 for two mobile/deployable evidence response team laboratories; \$2,400,000 for 12 evidence response team trailers; \$3,000,000 for advanced render-safe response team equipment; and \$1,400,000 for development and deployment of a hazardous response forensic data base.

National Crime Information Center 2000 [NCIC 2000].—Since 1991, Congress has provided a total of \$400,000,000 to upgrade the 26-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 4,000,000 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 \$104,200,000 more than originally estimated; and (2) deployment will be over 3½ years behind schedule. Last year, the Committee called this situation to the attention of the FBI Director and the Attorney General, urged that this project become a top management priority within the Department, and demanded that the FBI provide quarterly progress reports to the Committee on the status of this project. Congressional scrutiny has dramatically improved

the management and direction of this project over the past several months.

One of the factors contributing to delays and cost increases has been the failure on the part of the FBI and the users of the system to finalize the baseline requirements of the NCIC 2000 system. The Committee is pleased that on June 12, 1996, the Criminal Justice Identification Services Advisory Policy Board [CJISAPB] representing users of the NCIC system agreed to defer further changes to NCIC until NCIC 2000 development is complete. The budget request would add two new files—criminal aliens and protective orders—to the NCIC 2000 at a cost of \$8,250,000. The recommendation includes funding for incorporation of the requested capabilities into the development of NCIC 2000 on the two conditions. First, these are to be the last changes to the system until NCIC 2000 is fully operational. Additional requirements, no matter how appealing, will only increase taxpayer costs and lead to further delays. Second, this is to be the last appropriation for development of NCIC 2000. Any further cost over-runs are to be absorbed within the operating budget of the FBI subject to the reprogramming procedures outlined in section 605 of this act.

Integrated automated fingerprint system [IAFIS].—Since 1992, Congress has provided a total of \$400,000,000 to develop a reliable electronic fingerprint data base and searching system for Federal, State, and local law enforcement. The initial proposal for development of this system projected that IAFIS would cost \$520,500,000 and that the system would be operational in early 1999. Last year, the Committee noted that while the FBI had entered into contracts on each of four components of this system, the Bureau's failure to develop an adequate integration strategy meant there was little assurance that the system would function when the segments were completed. While the Committee is pleased that the FBI has worked to correct that problem, as of March 19, 1996, the FBI estimated that completion of the IAFIS project will be \$119,500,000 over-budget and more than 1 year behind schedule. Neither of these estimates reflect adjustments for an incremental development approach that are currently being negotiated. Revised estimates are expected shortly.

The President's budget assumes that a total of \$92,200,000 will be provided for IAFIS in fiscal year 1997. While the Committee recommendation continues requested funding to avoid further delays, the FBI is on notice that this Committee will not tolerate additional cost increases or further delays on this important project. Any future cost increases are to be funded from FBI base operations subject to the reprogramming procedures outlined in section 605 of this act.

The Committee expects the FBI to continue providing the House and Senate Appropriations Committees with quarterly progress reports on these two projects. The Committee is aware that the FBI currently projects that as a result of hiring delays it will not utilize \$23,700,000 of FTE (5 agents and 266 support staff) as a result of lapses in hiring support staff positions provided in the 1995 Oklahoma City counterterrorism supplements (Public Law 104-19). Rather than permit the FBI to utilize those resources for other purposes, the recommendation directs that these funds be transferred

into the Department of Justice working capital fund to finance completion of the NCIC 2000 project and help cover cost over-runs on IAFIS.

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) not less than \$195,200,000 for counterterrorism investigations, foreign counterintelligence, and national security activities; (5) up to \$88,400,000 to remain available until expended; (6) up to \$10,000,000 to reimburse State and local police for assistance related to violent crime, terrorism, and drug investigations; and (7) up to \$45,000 for official reception and representation expenses.

New language is included freezing FBI legislative and public affairs at fiscal year 1995 levels.

While bill language specifying the amount for the fingerprint identification system is no longer included, the Committee expects that of the resources provided, \$74,400,000 will be used for expenses related to automation of fingerprint identification services. Any change to this amount requires notification to the Committee pursuant to reprogramming requirements outlined in section 605.

TELECOMMUNICATIONS CARRIER COMPLIANCE

Appropriations, 1996 .....	.....
Budget estimate, 1997	\$100,000,000
House Allowance .....	.....
Committee Recommendation .....	.....

The Committee recommendation does not include direct appropriation for the Telecommunications Carrier Compliance Program. The request included \$100,000,000 to reimburse equipment manufacturers and telecommunications support services for implementation of the Communications Assistance for Law Enforcement Act of 1994 [CALEA].

CALEA authorizes appropriations of \$500,000,000 for the Attorney General to pay telecommunications carriers for the costs directly associated with modifying their existing equipment, services, and facilities to allow law enforcement to conduct court-authorized wiretaps. The pace of technological change in the telecommunications industry poses an enormous challenge to law enforcement in its efforts to monitor increasingly sophisticated criminal operations. The FBI and national security agencies face similar challenges in their conduct of foreign counterintelligence and terrorism investigations in the United States.

While the Committee recognized that digital telephony was a top law enforcement priority in fiscal year 1996, it chose to deny funding. At that time, the FBI confidently asserted that the industry's compliance costs for CALEA requirements would not exceed \$500,000,000, but industry estimates of their costs of complying with new FBI capacity and capability requirements ran as high as \$1,800,000,000. Over the past year, the Committee pressured the

FBI to work more closely with industry representatives to develop a more rational, reasonable, and cost-effective approach toward CALEA implementation. While progress has been made, the FBI's poor track record of delivering high-tech contracts on-time and on-budget precludes the Committee from recommending direct appropriations for this fund this year.

Instead, the Committee—like the House—has chosen to establish a new telecommunications carrier compliance fund [TCCF]. Since law enforcement, national security agencies and the intelligence community all have a stake in this issue, each is authorized to transfer unobligated balances that are available until expended into this fund, subject to applicable reprogramming requirements, for the purpose of providing reimbursement to telecommunications carriers for CALEA implementation.

In addition, the Committee directs that of the balances which will be deposited in the working capital fund at the Department of Justice in October 1996, \$10,000,000 are to be transferred to the TCCF to help finance the first phase of the FBI's current CALEA deployment plan.

CONSTRUCTION

Appropriations, 1996	\$97,589,000
Budget estimate, 1997	55,676,000
House allowance	55,676,000
Committee recommendation	28,144,000

The Committee recommends \$28,144,000 from the violent crime reduction trust fund, as authorized by section 811 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132), for construction for the FBI.

The recommendation includes the following:

FBI laboratory construction.—\$21,889,000 as the second installment toward completion of the laboratory. The Committee notes that the initial \$150,200,000 cost estimate for construction of the laboratory included \$22,000,000 for site acquisition. On June 4, 1996, FBI Director Freeh reported to the Committee that: “a definite site has been selected for construction of the new FBI laboratory. It will be located on FBI property at the FBI Academy at Quantico, VA.” As a result of this decision, site acquisition funds will no longer be needed to complete the proposed facility. Discrepancies among cost estimates for completion of the laboratory have persuaded the Committee to withhold funding sufficient to complete this facility at this time. The Committee urges the Department of Justice to review current design options and submit a construction plan with cost estimates and a time line for completion of this facility by no later than October 15, 1996. The balance needed to complete this critical facility should be included in the fiscal year 1998 budget request.

FBI headquarters renovations.—\$2,968,000 to begin planned renovations of space vacated by the relocation of the Criminal Justice Information Services Division.

FBI practical problems training course.—\$2,000,000 for expansion of the practical problems training course at the FBI Academy.

Necessary maintenance/upgrades.—\$1,287,000, as requested, for the FBI Academy located at Quantico, VA.

DRUG ENFORCEMENT ADMINISTRATION
SALARIES AND EXPENSES

Appropriations, 1996	\$857,409,000
Budget estimate, 1997	1,008,862,000
House allowance	1,028,862,000
Committee recommendation	976,824,000

The Committee recommends total budget authority of \$976,824,000 for Drug Enforcement Administration [DEA] salaries and expenses for fiscal year 1997, of which \$52,824,000 is derived from the diversion control fund, and \$172,000,000 is derived from the violent crime reduction trust fund for activities authorized by the Antiterrorism and Effective Death Penalty Act of 1996, Public Law 104-132 and the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322.

The recommendation includes an additional \$36,306,000 in a new DEA "Construction" account.

The recommendation does not include \$71,000,000 by transfer from the Community Oriented Policing Services [COPS] Program as proposed by the House.

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 recommendation attempts to give DEA the tools it needs to properly wage the war on drugs.

The Committee is concerned that over the past 2 years, the administration has failed to fully utilize increased resources provided to DEA on a bipartisan basis to fight the war on drugs. In 1995, Congress provided over 300 additional DEA agents to restore agent staffing to peak levels before the hiring freeze proposed by the administration in 1993. At the end of 1995, only 70 additional agents had been hired. According to information provided to the Committee by DEA, in June 1996, DEA faced a hiring shortfall of 109 special agents and 42 diversion investigators. The Committee directs that DEA make the hiring and training of these critically needed positions its top management priority.

Comprehensive counternarcotics initiative.—The startling increase in teenage drug use and the increasing availability of drugs in the United States since 1992 has prompted the Committee, within an allocation that is more than \$3,700,000,000 lower than the President's request, to provide more total resources to DEA than recommended by the President. The Committee's drug control initiative includes additional resources to increase infrastructure and training capacity in a new DEA "Construction" account.

In addition to funds provided to maintain current operations and staffing levels at DEA, the Committee recommendation for the "Salaries and expenses" account contains the following increases.

Enhanced investigation, intelligence, and drug interdiction efforts.—\$10,000,000 for a cooperative effort with the FBI to penetrate command and control communications of Mexican drug trafficking organizations; \$8,131,000 and 50 agents for investigations from court-approved title III wiretaps; \$2,394,000, 4 agents, and 15 diversion investigators to focus on methamphetamine activity along the Southwest border; \$5,900,000 to complete the planned expan-

sion of the Mobile Enforcement Team [MET's] Program and an additional \$4,000,000 for a new MET's initiative focusing on drug problems in rural areas; \$632,000 and 3 positions, as requested, to open a country office in Pretoria, South Africa as part of DEA's heroin strategy; and \$4,133,000 and 14 positions for a requested joint classified intelligence project with FBI and the Department of Justice.

Equipping DEA to combat sophisticated drug trafficking organizations.—\$2,750,000 to purchase microwave intelligence gathering system [MIGS] equipment for improved surveillance operations; \$1,124,000 to purchase modern tracking equipment critical to long-range surveillance of vehicles, ships, and aircraft; \$7,000,000 to purchase wireless radio equipment for DEA domestic offices; \$3,000,000 to procure new digital intercept equipment to convert two division offices to the new technology; \$14,425,000 for ADP system upgrades, including \$4,425,000 for Project MERLIN and \$6,867,000 for FIREBIRD; \$2,000,000 to purchase aircraft and replacement parts; \$5,036,000 to purchase replacement vehicles; \$3,500,000 for ADP equipment and maintenance; \$1,500,000 for laboratory equipment; and \$8,500,000 to redeploy DEA agents where they are most needed.

In addition, the Committee directs that \$3,500,000 of unobligated balances in the working capital fund at the Department of Justice be made available to support implementation of the FIREBIRD project.

Drug diversion control fee account.—The recommendation includes \$52,824,000 for DEA's Drug Diversion Control Program for fiscal year 1997, the full amount requested and \$4,329,000 above the 1996 funding level. The Drug Diversion Control Program targets the diversion, distribution, manufacture, and abuse of legitimate pharmaceuticals. DEA annually registers more than 900,000 drug handlers, of these, more than 1,670 are manufacturers, distributors, importers, exporters, and others who handle large volumes of controlled substances. Registrants pay fees which fully support the cost of this program.

Operation Alliance.—The recommendation maintains funding for Operation Alliance at the fiscal year 1996 level. This operation is a multiagency entity whose primary mission is to facilitate and improve coordination of drug-related law enforcement organizations operating in the Southwest.

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 and up to \$15,000,000 for transfer to the "Drug diversion control fee" account to remain available until expended; (5) up to \$4,000,000 for evidence and information, up to \$4,000,000 for contracting for ADP and telecommunications, \$4,000,000 for technical equipment, and up to \$2,000,000 for laboratory equipment to remain available until September 30, 1998; and (6) up to \$50,000 for official reception and representation expenses.

New language is included freezing DEA legislative and public affairs at fiscal year 1995 levels.

CONSTRUCTION

Appropriations, 1996	
Budget estimate, 1997	
House allowance	
Committee recommendation	\$36,306,000

The Committee recommends establishing a new "Construction" account for DEA to finance needed infrastructure improvements and renovations.

The recommendation includes \$7,000,000 requested in the "Salaries and expenses" account for renovations to DEA's forensic laboratory facilities. In addition, the Committee recommends \$29,306,000 to complete the Justice Training Center to be located at the FBI Academy at Quantico, VA; \$11,200,000 had been provided previously for facility design and site preparation. When completed, this new facility will enable DEA to conduct the bulk of its domestic and international training onsite at the FBI academy, and free up additional classroom and office space occupied by DEA at current Academy facilities. Any increase in construction costs above the amounts provided for this facility are to be absorbed within base DEA operations. Funding is provided from the violent crime reduction trust fund as authorized by the Antiterrorism and Effective Death Penalty Act of 1996, Public Law 104-132, to expand the instructional, operational support, and construction of the Federal Bureau of Investigation Academy and the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322.

IMMIGRATION AND NATURALIZATION SERVICE

(INCLUDING OFFSETTING FEE COLLECTIONS)

Appropriations, 1996	\$2,557,470,000
(Offsetting fee collections)	821,447,000
Budget estimate, 1997	3,066,908,000
(Offsetting fee collections)	919,285,000
House allowance	3,096,908,000
(Offsetting fee collections)	919,285,000
Committee recommendation	3,009,157,000
(Offsetting fee collections)	1,029,991,000

The Committee recommends total new budget (obligational) authority of \$3,009,157,000 for the Immigration and Naturalization Service [INS] for fiscal year 1997. This is a net increase of \$451,687,000 over the current fiscal year, \$57,751,000 less than the request, and \$87,751,000 less than the House allowance. Of the total amount recommended, \$539,476,000 is derived from the violent crime reduction trust fund, as authorized in the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322, and the Antiterrorism and Effective Death Penalty Act of 1996, Public Law 104-132, and \$1,029,991,000 will be derived from offsetting fee collections.

Realignment of fee-supported expenditures to support congressional priorities.—The recommendation includes a major realignment of resources within the "Immigration examinations fee" and "Immigration user fee" accounts to support congressional immigra-

tion priorities and free up appropriated funds for increased border enforcement and detention/deportation of illegal aliens at levels above those contained in the request. Rather than increase fees to accomplish this goal, the Committee has chosen to draw down planned end-of-year carryover funds in these accounts.

Emphasis on enforcement.—Recognizing the Federal Government’s responsibility for enforcing our immigration laws, Congress has increased funding for INS by over 74 percent since 1993. In fiscal year 1996, the Congress provided the largest increase ever provided to the INS—a \$558,000,000, or a 27-percent, increase. In fiscal year 1996, additional resources were provided for over 3,000 new INS personnel, including 1,400 more personnel on the front lines of the border, and 1,500 more investigations and detention and deportation personnel to locate, apprehend, and remove illegal aliens from the United States. The recommendation for fiscal year 1997 includes \$308,270,000 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 2,100 new INS personnel—over 1,000 more personnel on the front lines of the border, including 900 new Border Patrol agents, and 150 new land border inspectors, and over 199 more investigations and detention and deportation personnel to locate, apprehend, and remove illegal aliens from the United States. The recommendation provides a total of 1,700 additional detention beds, 1,000 more than requested, to detain illegal aliens.

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

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 1996	\$1,711,023,000
Budget estimate, 1997	2,142,082,000
House allowance	2,167,782,000
Committee recommendation	1,973,625,000

The Committee recommendation provides a total of \$1,973,625,000 for INS salaries and expenses, including \$539,476,000 from the violent crime reduction trust fund as authorized in the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322, and the Antiterrorism and Effective Death Penalty Act, Public Law 104–132.

Base transfer to immigration examinations fee.—The recommendation transfers base funding for the Information and Records Management Program, a total of \$56,525,000, to the “Immigration examinations fee” account in order to free up additional resources for higher priority border control, deportation, and detention initiatives. The immigration examinations fee may be used for expenses in providing immigration adjudication and naturalization services and support.

Comprehensive immigration initiative.—In addition to funds required to maintain current operations and onboard staffing levels, the Committee recommendation includes the following:

Border control.—A total increase of 1,160 positions, 472 FTE's and \$148,467,000 from the violent crime reduction trust fund is recommended to enhance border control, including:

- + \$107,608,000 for 900 new Border Patrol agents and 110 support personnel, instead of 700 new agents as requested by the administration;
- + \$27,093,000 for infrared scopes, low light television systems, sensors and the replacement of three helicopters, including upgraded forward-looking infrared systems;
- + \$1,466,000 for international antismuggling activities; and
- + \$12,300,000 for 150 new land border inspectors for the Southern border.

The Committee is aware of technology advances that are currently available that would enhance border control activities. Within the overall amount recommended for border automation and technology, the Committee has provided \$7,000,000 more than the requested amount for additional investments in force multiplying technology to be deployed along the Southwest border. In addition to night vision goggles, low light television, and other technologies currently deployed along the border, the Committee expects the INS to examine the use of smart multisensor acquisition and remote transmitting system [SMARTS] technology, a network of sensor packages and communication repeaters that can monitor large, sparsely populated regions of the United States-Mexico border, and thermal imaging sensor upgrades for Border Patrol helicopters. Allocation of these additional resources is subject to the reprogramming procedures as outlined in section 605 of this act.

Detention and removal of deportable aliens.—The Committee is concerned that despite increased resources and efforts by INS to locate and apprehend illegal aliens residing in the United States, the illegal alien population continues to grow. Congressional efforts to identify, apprehend, detain, and deport illegal aliens have been undercut by a lack of detention resources that are critical to INS's ability to remove aliens from the United States. The Committee is deeply concerned that the administration's immigration initiative provides insufficient resources for detaining aliens that have been apprehended and/or issued orders for deportation, to ensure their removal. A report issued in March 1996 by the Department of Justice Office of Inspector General found that only 11 percent of illegal aliens who are ordered deported by INS, but are not detained, are actually removed from the United States.

The Committee recommendation, therefore, places greater emphasis on providing adequate detention resources than requested by the administration. The recommendation provides increases of \$77,781,000 for additional deportation personnel and a 1,700-bed increase in detention capacity (1,000 more than requested by the administration). These additional resources are necessary to ensure the removal of deportable aliens and address increased detention requirements resulting from implementation of the Anti-Terrorism Act.

Since providing detention and deportation services for excludable aliens is an allowed use of the immigration user fee, the Committee has decided to shift the bulk of the recommended increases for alien detention and deportation—\$56,056,000—to that account.

Within the “Salaries and expenses” account, the recommendation provides an increase of \$21,725,000, 500 beds, 24 detention officers, and 12 FTE’s from the violent crime reduction trust fund for detention and removal of deportable aliens.

Infrastructure.—The Committee recommendation also includes \$35,069,000 from the violent crime reduction trust fund for increased infrastructure improvements, including:

- + \$14,070,000 for replacement of obsolete radios;
- + \$14,000,000 for replacement of vehicles and buses;
- + \$1,619,000 to upgrade the Security Program in INS, provide followup on audit and field assessment findings, and expand the legal proceedings portion of the Institutional Hearing Program; and
- + \$5,380,000 for training to support long-range career development of journeymen employees.

The recommendation includes language requested by the Department of Justice completing the transfer of the Cuban Haitian resettlement program from the Community Relations Service to this account.

Offsetting fee collections

The Committee recommends a total of \$1,029,991,000 in expenditures from fee-funded accounts, an increase of \$208,544,000 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 recommended increases occur in two major fee-funded accounts: immigration examinations fee and immigrations users fee. In both cases, the INS’s most recent end-of-year carryover balance estimates were significantly higher than proposed in the President’s budget. The following increases are recommended:

IMMIGRATION USER FEES

An anticipated increase of \$32,477,000 in revenues from persons paying fees on international flights or sea travel will support an increase of \$12,171,000 needed to maintain current operations and onboard staffing levels. The Committee recommendation also includes the following program increases:

Increased inspections.—\$12,649,000 and 153 positions for airport inspections staffing for increased border control and facilitation at existing airports throughout the United States; \$2,479,000 and 30 positions to staff two new airports in Hawaii; and \$2,491,000 and 15 positions for a preinspection program in Ottawa, Canada.

Expanded detention and deportation.—\$5,000,000 for expansion of the interior repatriation program started in San Diego this fiscal year; \$4,000,000 for the port court initiative; \$3,000,000 for enhancements to the justice prisoner alien transportation system [JPATS]; \$32,147,000 to activate 1,200 detention beds, 500 more than requested by the administration; \$3,970,000, 28 positions and 14 FTE’s to expand the Institutional Hearing Program; and \$7,213,000, 40 positions and 20 FTE’s to implement the local jail initiative.

IMMIGRATION EXAMINATIONS FEES

The Committee recommendation includes \$586,800,000 of spending from offsetting collections from persons applying for immigration benefits. In addition to shifting base funding for information resources management [IRM]—\$56,525,000—from salaries and expenses to this account, the recommendation includes the following program increases:

Handling increased caseload.—\$3,597,000 to continue temporary staffing in Miami, New York, Chicago, Los Angeles, and San Francisco to handle naturalization caseloads; \$2,246,000 to continue temporary staffing in Miami, Newark, New York, Los Angeles, and San Francisco to handle adjustment of status case processing; \$3,600,000 for FBI fingerprint checks; \$2,217,000 to fund court costs for naturalization ceremonies; \$6,591,000 to support the service center direct mail records contract; and \$4,819,000 to continue the pilot records contract currently ongoing in Miami, Los Angeles, and Chicago District offices.

Enhanced immigration investigations and support.—\$1,279,000 for antismuggling efforts; \$2,244,000, 23 positions, and 11 FTE's to expand the identification of criminal aliens in local jails; \$4,164,000, 17 positions, and 5 FTE's to expand the Institutional Hearing Program; \$726,000 for increased equipment for INS investigators; \$3,325,000 for the Law Enforcement Support Center; \$7,576,000 for ADP contract support; and \$490,000 to enhance the Computer Security Program.

These increases are financed by reducing projected end-of-year carryover balances in this account from \$92,400,000 to \$17,400,000.

LAND BORDER INSPECTION FEES

The Committee recommendation includes \$11,054,000 in spending from the land border inspection fund, an increase of \$4,149,000 over the current year, to support activities related to land border fee pilot projects. The current revenues generated in this account are from dedicated commuter lanes in Blaine and Port Roberts, WA, Detroit Tunnel and Ambassador Bridge, Michigan, and Otay Mesa, CA. The additional resources in 1997 will be for five additional dedicated commuter lanes in El Paso, Laredo, and Hidalgo, TX; and Nogales and San Luis, AZ, and experimenting with various automation technology to facilitate the inspection process. The Committee recommendation includes language that extends these pilot projects through September 30, 1999. In addition, language is included that allows for the implementation of these projects in other States on the southern border, including California, but prohibits the collection of a universal border crossing fee.

Peace Arch Crossing Entry [PACE] Program.—The Committee recognizes that the PACE dedicated commuter lane has been a major success in easing congestion and improving the local and regional economic development at the Blaine, WA, Port of Entry—the third busiest border crossing between the United States and Canada. The Committee also recognizes that the Washington State Department of Transportation has dedicated \$2,700,000 in State transportation funds—conditioned on a Federal match—to widen the Pacific Highway crossing from two lanes to four lanes and

lengthen the PACE lane on Interstate 5. The United States/Canada Shared Border Accord has resulted in an expansion by Canada of the CANPASS/PACE Program to other highway, airport, and marine ports of entry in the Lower Mainland of British Columbia adjacent to Blaine, WA, and Whatcom County.

The Committee encourages INS to work with the Cascadia Cross-Border Working Group to expand the PACE Program on the United States side to match the Canadian program enhancements pursuant to the goals of the accord. To provide resources for this expansion, the Committee encourages the INS to direct 75 percent of the funds collected locally by the PACE Program to the Northwest region.

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 \$30,000 to be paid to individual employees for overtime; (6) up to \$10,000,000 for basic officer training; (7) up to \$5,000,000 for payments to State and local law enforcement agencies engaged in cooperative activities related to immigration; and (8) funds in this act or any other act to be used for the continued operation of the San Clemente and Temecula checkpoints unless the checkpoints are open and traffic is being checked on a continuous 24-hour basis.

Deployment of resources.—The Committee expects that INS will continue to deploy new Border Patrol agent and inspector positions to support the greatest areas of illegal traffic. The Committee expects this personnel to be assigned to the front lines on the immediate border and on primary inspection lanes to facilitate traffic across the border. The Committee also expects INS to review the requirements of States and localities in the central and western region of the country in its allocation of additional personnel to detain and remove illegal aliens, especially criminal aliens involved in criminal activities such as drug trafficking. Furthermore, the Committee expects continued consultation on redeployment initiatives started in fiscal year 1996. The Committee directs INS to consult with the Appropriations Committees of both the House and the Senate before a final allocation of these agents is determined.

In determining distribution of additional INS agents, the Committee requests that the INS provide special consideration to placing additional special agents in Nebraska. Nebraska is in a unique situation with regard to immigration because of the size of the meatpacking industry. With 222 meatpacking plants, Nebraska is a major draw for those seeking illegal employment. Because I-80, which runs the length of Nebraska, is a major pipeline for illegal immigrants. The Committee believes that increased special agents enforcing the law along I-80 will benefit other States.

Report on removals of criminal and noncriminal aliens.—The Committee is aware that INS has revised its estimate for removals of criminal aliens during fiscal year 1996 from 110,000 to 62,000.

While this level still reflects an increase in removals over the 50,000 removals accomplished in 1995, the Committee was led to believe that when it provided \$129,000,000 in additional resources in fiscal year 1996 to detain and deport criminal and illegal aliens, removals of aliens who are illegal residing in the United States, would significantly increase. The Committee expects that with the additional resources included in the recommendation, INS should exceed its estimate of 93,000 removals for fiscal year 1997. The Committee directs the INS to submit a quarterly report on removals beginning no later than January 1, 1997, that outlines the number of removals in the following categories: criminal aliens removed; noncriminal aliens removed; port court removals; and the number of outstanding final orders of deportation or exclusion.

INS management reforms.—The Committee is deeply troubled by information suggesting that INS is currently shifting tens of millions of dollars within INS accounts in violation of legal reprogramming requirements. This is precisely the kind of activity that led the INS in past years to misappropriate tens of millions of dollars to GSA rent that Congress had intended for Border Patrol hiring and training. The Committee directs the Attorney General to review this situation immediately, recommend corrective action, and report her findings to the Committee by no later than September 15, 1996. In addition, the Committee is aware of a recent investigation by the Department of Justice Office of the Inspector General regarding deception by INS senior officials of the congressional task force on immigration reform’s factfinding visit to the Miami District in June 1995. The Committee concurs with the House action to transfer \$1,000,000 from INS legislative and public affairs to the inspector general. This reduction shall have no effect on casework capabilities within INS.

CONSTRUCTION

The Committee recommends \$5,541,000 for construction projects for the Immigration and Naturalization Service, the same as the amount requested. Of the amount recommended, \$4,441,000 will provide for removal of leaking underground fuel storage tanks at INS-owned facilities, and \$1,100,000 will support health and safety code improvements at the Port Isabel detention facility.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

Appropriations, 1996	\$2,567,578,000
Budget estimate, 1997	2,887,816,000
House allowance	2,772,816,000
Committee recommendation	2,768,316,000

The Committee recommends total budgetary resources of \$2,883,540,000 for the salaries and expenses of the Federal prison system for fiscal year 1996, including \$25,224,000 from the violent crime reduction trust fund, \$2,768,316,000 from discretionary appropriations, and \$90,000,000 in end-of-year carryover balances.

The Committee recommendation includes an increase of \$254,998,000 needed to maintain current operations and on-board staffing levels within the Bureau of Prisons [BOP].

Activation of new prisons.—The Committee understands that because of delays in scheduled activations for 1997 the appropriation required for the Federal prison system can be reduced by \$30,000,000 without affecting requested program levels. According to information provided to the Committee by the BOP on July 17, 1996, the Bureau anticipates \$90,000,000 in funds that will carry over from fiscal year 1996 as a result of delays in activations of facilities that were scheduled to open either in 1996 or previous years. Bill language is added to expand the carryover authority of the Federal Bureau of Prisons to \$90,000,000 for fiscal year 1997 and future years. This change is necessary to address projected growth in the number of Federal prison inmates within tight budgetary constraints and ensure that all resources within this appropriations account are utilized to the maximum extent possible for activations and other operating expenses of the Federal Prison System. As a result of these changes, funding required for the Federal prison system can be reduced by \$120,000,000 below the request without affecting requested program levels.

According to information provided to the Committee by the Bureau of Prisons on July 3, 1996, work delays that have already occurred will prevent planned prison expansions at Carswell AFB, TX, and Morgantown, WV, from accepting inmates in fiscal year 1997 as originally planned. In addition, activation of the new prison health facility located at Butner, NC, will be delayed until early fiscal year 1998. The recommendation provides initial funding to prepare these facilities for activation and ensure that security at these facilities is not compromised.

The Committee recommendation includes \$63,061,000 to activate the following new and expanded facilities:

- Beaumont, TX—960 bed high security facility;
- Edgefield, SC—1,152 bed medium security facility with a 512 bed minimum security camp;
- Seattle, WA—677 bed detention facility; and
- Elkton, OH—1,536 bed low security facility with a 512 bed minimum security camp.

In addition, the recommendation includes an increase of \$11,724,000 in resources from the violent crime reduction trust fund as authorized in the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322, to add 5 residential drug treatment units, for a total of 44 programs, to treat between 5,000 and 6,000 Federal prison inmates with substance abuse problems.

Privatization of Federal prison facilities.—The Committee is troubled by the administration's election-year reversal of the President's prison privatization initiative which would have privatized all future pretrial, minimum, and low security prisons with the exception of those which will be part of Federal correctional complexes. The first two facilities slated for privatization under that policy were to be located in Taft, CA. Construction of those two facilities has been completed and the facilities are ready to accept inmates but for the awarding of a contract to a private vendor by the BOP. Because of (1) the considerable time and expense already put forth to prepare for the privatization of these facilities; (2) the benefits that prison privatization already has demonstrated at the State and local level; and (3) support within that community for

privatization, the Committee directs the Bureau of Prisons to undertake a 5-year prison privatization demonstration project involving the two Taft facilities. A demonstration project is needed to give the administration and Congress an opportunity to monitor safety and operational concerns cited by the Department of Justice in its June 5, 1996, letter to the Committee announcing its decision to reverse the President's privatization initiative. The Committee directs BOP to proceed with the immediate implementation of this demonstration project.

Health care privatization demonstration project.—In fiscal year 1996, the Committee directed the Bureau of Prisons [BOP] to develop a 3-year demonstration project to evaluate privatization of health care services in Federal prisons. The Committee supports BOP's plan to implement the pilot at the correctional complex in Beaumont, TX. The Committee understands that requests for proposals have been announced, bids have been submitted, and are currently under review. The Committee urges BOP to complete bid review expeditiously in order to award a contract early in fiscal year 1997.

The Committee also recommends bill language, similar to that included in previous appropriations acts, which allows: (1) for the purchase of motor vehicles for police-type use and the purchase of uniforms without regard to the general purchase price limitation; (2) for the provision of technical advice to foreign governments; (3) for transfer of funds to the Health Resources and Services Administration; (4) for the Director to enter into contracts to furnish health care; (5) up to \$6,000 for reception and representation expenses; (6) up to \$90,000,000 as discussed above for activation of prisons to remain available until September 30, 1998; (7) up to \$20,000,000 for contract confinement expenses for the care and security of Cuban and Haitian entrants; (8) the Federal Prison System to enter into contracts and other agreements with private entities for a multiyear period for the confinement of Federal prisoners; (9) the National Institute of Corrections to be included in this account and merges balances from prior years to this account. In addition, one-time language is deleted, as requested, that prohibited the privatization of any Federal prison facilities located in Forrest City, AR, and Yazoo City, MS.

BUILDINGS AND FACILITIES

Appropriations, 1996	\$334,728,000
Budget estimate, 1997	295,700,000
House allowance	395,700,000
Committee recommendation	385,700,000

The Committee recommends a total of \$385,700,000 for fiscal year 1997 for the construction, modernization, maintenance, and repair of prison and detention facilities housing Federal prisoners. This amount is \$90,000,000 more than the budget request.

Building added capacity in the Federal Prison System.—The Committee is concerned about the level of overcrowding in the Federal Prison System which, as of mid-July, is 23 percent above rated capacity. The October 1995 disturbances clearly indicate that the level of overcrowding in Federal prisons remains dangerously high. Under these circumstances, the Committee views the administra-

tion’s plan, as outlined in the budget, for 115 percent overcrowding by 2005 as insufficient and irresponsible. The Committee recommendation includes \$90,000,000 above the request for the Bureau of Prisons [BOP] to accelerate the planned expansion of Federal prison capacity by constructing one more U.S. penitentiary with a minimum capacity of 960 high security beds. The Committee directs BOP to evaluate critical space needs, review site options for the high security facility, and report back with its recommendation by no later than 30 days after this legislation is enacted. The Committee has provided this additional funding to address what it views as the greatest long-term need within BOP—adequate bed space for Federal inmates convicted of violent crimes. The recommendation reflects the Committee’s strongly held view that building adequate prison capacity is a critical component of a successful crime-fighting strategy. The Committee remains committed to a goal of zero overcrowding in the Federal Prison System.

The recommendation includes:

- \$90,000,000 for construction of a U.S. Penitentiary at a site to be determined by the Bureau of Prisons;
- \$97,000,000 for the construction of a medium security facility and camp at George Air Force Base, CA;
- \$50,147,000 for a Federal detention facility in Hawaii; and
- \$34,270,000 for construction of 144 additional holding cells for use by the U.S. Marshals Service.

Hawaii detention facility.—The recommendation provides \$50,147,000 to commence design and construction of a pretrial detention facility in Hawaii. Given the urgent and longstanding need for establishing and operating this facility, as well as the unique nature of establishing and operating it in Hawaii, the Committee directs BOP to include the funds needed for completed construction and future operation of this facility in future budget submissions.

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 \$36,570,000 for renovation and construction of Marshals Service prisoner holding facilities.

FEDERAL PRISON INDUSTRIES, INC.

(LIMITATION ON ADMINISTRATIVE EXPENSES)

Appropriations, 1996	\$2,861,000
Budget estimate, 1997	3,740,000
House allowance	3,042,000
Committee recommendation	3,042,000

The Committee recommends a limitation on administrative expenses of \$3,042,000 for the Federal Prison Industries, Inc. for fis-

cal year 1997, which is \$698,000 below the amount requested, \$181,000 above the current year limitation, and identical to the House allowance.

The Committee directs Federal Prison Industries [UNICOR] to continue seeking competitively bid manufacturing joint ventures with the private sector. It is the Committee's view that these efforts have not only provided UNICOR increased resources, but also provided prison inmates with improved job skills which help reduce recidivism.

OFFICE OF JUSTICE PROGRAMS

Appropriations, 1996	\$3,874,685,000
Budget estimate, 1997	4,199,883,000
House allowance	4,045,726,000
Committee recommendation	3,986,555,000

The Committee recommends a total of \$3,986,555,000 in new budget (obligational) authority for fiscal year 1996, including \$3,344,100,000 from the violent crime reduction trust fund, for the various law enforcement assistance, juvenile justice, research, and statistics programs of the Office of Justice Programs [OJP].

Included in these amounts are funds to continue providing assistance to States and localities, such as the State and Local Law Enforcement Block Grant Program, the Community Oriented Policing Services [COPS] Program, the violent offender incarceration and truth-in-sentencing incarceration grants, the State Criminal Alien Assistance Program, the Violence Against Women Grant Program, Byrne grant program, Weed and Seed Program, juvenile justice and delinquency prevention, and victims of child abuse programs.

JUSTICE ASSISTANCE

Appropriations, 1996	\$99,977,000
Budget estimate, 1997	117,797,000
House allowance	105,000,000
Committee recommendation	101,629,000

The Committee recommends \$101,629,000 in direct appropriations for justice assistance for fiscal year 1997.

Funding included under the violent crime reduction trust fund in fiscal year 1996 for Violence Against Women Act programs, the State prison drug treatment program and the Missing Alzheimer's Patient Program are included in the recommendation under State and local law enforcement assistance for fiscal year 1997.

The funding provided for justice assistance 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. An explanation of each program follows:

National Institute of Justice.—The Committee recommendation provides \$31,629,000 for the National Institute of Justice [NIJ] for fiscal year 1997, which is a \$1,649,000 increase over the current year appropriation. The increase is provided to support increased research, evaluation and demonstration programs within NIJ. In addition, \$20,000,000 will be provided to NIJ in fiscal year 1997, as was provided in fiscal year 1996, from the local law enforcement block grant for assisting local units to identify, select, develop,

modernize, and purchase new technologies for use by law enforcement. NIJ is the Nation's primary source of research and development in the field of criminal justice. NIJ fosters innovation in law enforcement technologies and practices, investigative causes and patterns of crime, and informs the public of research and development findings. Within the total funding level provided to NIJ for fiscal year 1997, the Committee has provided resources for the following projects:

Defense/justice partnership.—The Committee supports increased resources of \$1,629,000 and 10 FTE's to provide for NIJ management and oversight of this program to support joint efforts by the Justice Department and the Department of Defense to adapt defense technologies to law enforcement use, field prototype systems for evaluation, develop standards and test products, and develop technologies that will minimize the risk of death or injury to law enforcement/corrections officers and citizens.

Technology enhancements for State/local law enforcement.—The fiscal year 1996 appropriation provided \$20,000,000 for this purpose consistent with the local law enforcement block grant. Of the funds provided, the Committee understands that as of July 15, 1996, only \$2,200,000 had been obligated. The Committee directs that the allowed use of the remaining fiscal year 1996 funds and those provided for fiscal year 1997 be modified to include counterterrorism technologies, computerized identification systems, and forensic DNA analysis technologies as outlined in sections 811 and 821 of the Antiterrorism and Effective Death Penalty Act of 1996, Public Law 104-134.

The Committee is aware of a number of technology initiatives that will enhance law enforcement capabilities. Within the overall amounts provided for NIJ, the Committee expects the Office of Justice Programs to provide an appropriate level of resources to be transferred to the FBI for continued operations of the Center of Advanced Support in Technology for Law Enforcement [CASTLE].

National study on correctional health care.—In both the House and Senate reports accompanying the appropriations act for fiscal year 1996, the Committee encouraged NIJ to undertake a national study on health care services currently available in jails, prisons, and juvenile facilities. The Committee is aware that of the more than 11 million persons released from jails, prisons and juvenile correctional facilities annually, many carry drug-resistant tuberculosis, HIV/AIDS, or other infectious diseases that place the general public at risk. The Committee understands that NIJ is conducting a feasibility review to prioritize specific issues within the correctional health care arena that are in greatest need of research and evaluation. The Committee directs that \$1,000,000 of the funds provided to NIJ be used to support a grant award for a national study on the health care status of soon-to-be-released inmates, which identifies problems areas, particularly as they relate to linkages which exist between correctional institutions and community health resources.

Bureau of Justice Statistics.—The Committee recommendation provides \$21,379,000 for the Bureau of Justice Statistics [BJS] for fiscal year 1997, which is the same amount provided in the current year appropriation. The BJS is responsible for the collection, analy-

sis and publication of statistical information on crime, criminal offenders, victims of crime, and the operations of the Nation's justice systems.

Emergency assistance.—The Committee recommendation provides no new budget authority for the Emergency Assistance Program, as requested by the Department. This program offers Federal assistance to States in response to situations of an emergency nature.

Missing children.—The Committee recommendation provides \$5,971,000 for the Missing Children Program for fiscal year 1997, which is the same amount provided in the current year appropriation, and the full amount requested. This program provides funds to combat crimes against children, particularly kidnaping and sexual exploitation.

Regional information sharing system.—The Committee recommendation provides \$14,500,000 for fiscal year 1997 for the regional information sharing system [RISS], which is the same amount provided for the current year appropriation, and the full amount requested. 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.

White Collar Crime Information Center.—The Committee recommends a total of \$3,850,000 for the National White Collar Crime Center [NWCCC] for fiscal year 1997, and the full amount requested. This program provides assistance to State and local law enforcement and regulatory agencies in addressing multi-jurisdictional white collar crimes.

Management and administration.—The Committee recommendation provides \$24,300,000 and 300 FTE's for the management and administration [M&A] of the Office of Justice Programs. In addition, reimbursable funding will be provided from the "Juvenile justice" account, community oriented policing services and the violent crime reduction programs for the administration of grants under these activities. Total funding for the administration of grants is as follows:

JUSTICE ASSISTANCE

Program	House allowance	Committee recommendation
Direct appropriation	\$24,300,000	\$24,300,000
Transfer from juvenile justice programs	4,800,000	4,800,000
Reimbursement from VCRTF programs	29,325,000	26,200,000
Violent crime reduction trust fund transfer for counterterrorism technology		10,000,000
Reimbursement from community policing services program	2,600,000	2,600,000
Total	61,025,000	67,900,000

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE
(INCLUDING TRANSFER OF FUNDS)

Appropriations, 1996	\$3,595,600,000
Budget estimate, 1997	3,900,260,000
House allowance	3,763,900,000
Committee recommendation	3,704,100,000

The Committee recommends a total of \$3,704,100,000 for fiscal year 1997, of which \$3,344,100,000 is provided from the violent crime reduction trust fund. These funds provide assistance to State and local governments in their drug control and other law enforcement efforts as follows:

OFFICE OF JUSTICE PROGRAMS—STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE
[In thousands of dollars]

	1996 appropriation	1997 budget estimate	House allowance	Committee recommenda- tion
Direct appropriation:				
Byrne grants (discretionary)	60,000		60,000	60,000
Weed and seed (earmark)	(28,500)	(28,500)	(28,500)	(28,500)
Byrne grants (formula)	328,000		255,000	300,000
Subtotal, direct appropriation	388,000		315,000	360,000
Violent crime reduction trust fund:				
Byrne grants (discretionary)		60,000		
Byrne grants (formula)	147,000	475,000	245,000	175,000
Local law enforcement block grant	503,000		571,000	503,000
Drug courts (earmark) ¹	(15,000)	100,000	(18,000)	(20,000)
Drug testing initiative (earmark) ²		(42,500)		(42,500)
Violence against women grants	174,500	196,500	196,500	196,500
Upgrade criminal records (Brady bill)	25,000	50,000	50,000	50,000
State prison grants	617,500	630,000	680,000	640,000
Counterterrorism technologies grants				10,000
Firefighter/emergency services training grants				5,000
State Criminal Alien Assistance Program	300,000	330,000	330,000	330,000
State courts assistance		28,000	5,000	
State prison drug treatment	27,000	36,000	35,000	29,700
Other crime control programs:				
Missing Alzheimer's Patient Program	900	900	900	900
Tuberculosis in prisons	200	1,000		
Law enforcement family support	1,000	2,205	1,000	
DNA identification State grants	1,000	3,000	3,000	3,000
State technology grants	9,000			
Gang investigation information collection	1,000			
Assistance for at-risk youths		8,000		
Motor vehicle theft prevention	500	1,000	500	1,000
Senior citizens against marketing scams		2,000	2,000	
Presidential summit on crime		500		
Subtotal, violent crime reduction trust fund	1,807,600	1,924,105	2,119,900	1,944,100
Total, State and local law enforcement assistance	2,195,600	1,924,105	2,434,900	2,304,100

¹ Committee recommends earmark of up to \$20,000,000 from COPS Program.

² Request earmarked funds from State prison grants. Recommendation earmarks up to \$42,500,000 from COPS Program.

Edward Byrne grants to States.—The Committee recommendation provides \$535,000,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which \$60,000,000 is for discretionary grants and \$475,000,000 for formula grants. Of the formula grant funding recommended by the Committee, \$175,000,000 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 is identical to both the current year appropriation and the budget request. The recommendation is \$25,000,000 lower than the House allowance.

Discretionary grants.—The Committee recommendation provides \$60,000,000 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:

—\$28,500,000 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);
- Continued support for SEARCH Group, Inc. to expand 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;
- Support for the trauma reduction initiative;
- Continuation of the National Council of Juvenile and Family Courts;
- Continuation and expansion of the Drug Abuse Resistance Education [DARE AMERICA] Program;
- Continuation of the National Judicial College;
- Continuation of Project Return;
- Support for victim information and notification everyday [VINE]; and
- Support for the National Night Out Program.

VIOLENT CRIME REDUCTION TRUST FUND PROGRAMS

Local law enforcement block grant.—The Committee recommendation includes \$503,000,000 to continue the local law enforcement block grant program started last year, which provides grants to localities to reduce crime and improve public safety. By eliminating several earmarks contained in the 1996 appropriation, the recommendation increases available block grant resources by \$21,000,000. Of the amounts provided, \$20,000,000 will be provided to NIJ for assisting local units to identify, select, develop, modernize, and purchase new technologies for use by law enforcement.

The recommendation for funding for the local law enforcement block grant continues the commitment to provide local governments

with the resources and flexibility to address specific crime problems in their communities with their own solutions. The Committee notes that although this grant program was new in fiscal year 1996, applications for grants and estimated funding allocations have already been distributed to localities. The Committee commends the Bureau of Justice Assistance for their timeliness in implementation of this grant program.

The recommendation contains bill language earmarking \$20,000,000 of these funds for the Boys and Girls Clubs of America, \$4,500,000 more than the total resources provided for this worthwhile program in fiscal year 1996.

National instant criminal background check system.—The recommendation provides \$50,000,000 for States to upgrade criminal history records so that these records can interface with other data bases holding information on other categories of individuals who are prohibited from purchasing firearms under Federal or State statute. In addition, \$20,460,000 is included in the recommendation for the FBI to complete development of the national instant criminal background check system.

State prison grants.—The recommendation provides \$640,000,000 for the State Prison Grant Program, of which \$170,000,000 is available to States for the incarceration of criminal aliens, and \$12,500,000 is for the Cooperative Agreement Program. This program provides grants to States to build and expand temporary or permanent correctional facilities, boot camps, and jails to increase the capacity for confinement of violent criminals. The amount available for prison grants is \$457,500,000, which is \$52,500,000 more than both the 1996 funding availability and the request for this program. Because these funds are intended to increase prison capacity, the recommendation does not include language added by the House which would allow California to use these funds to support ongoing prison operations.

Research and development to support counterterrorism technologies.—The Committee recommendation includes \$10,000,000, as authorized in section 821 of the Antiterrorism and Effective Death Penalty Act of 1996, to be transferred to the National Institute of Justice to develop technologies that can be used to combat terrorism, develop standards, and assess requirements for technologies to assist State and local law enforcement in the national program to combat terrorism. The Committee urges NIJ, in cooperation with the Department of Defense, to focus on off-the-shelf technologies and current technologies utilized by Federal agencies that may be converted to law enforcement use.

Local firefighter and emergency services training.—The Committee recommends \$5,000,000, as authorized in section 819 of the Antiterrorism and Effective Death Penalty Act of 1996, for grants to provide specialized training and equipment to enhance the capability of metropolitan fire and emergency service departments to respond to terrorist attacks.

State Criminal Alien Assistance Program.—The recommendation provides \$330,000,000 for the State Criminal Alien Assistance Program [SCAAP] for the reimbursement to States for the costs of incarceration of criminal aliens. This amount is in addition to \$170,000,000 which is included for this purpose under the State

Prison Grants Program. Thus, the Committee recommends a total of \$500,000,000 for reimbursement to States for alien incarceration, which is the full amount requested, the same level as provided in fiscal year 1996 and the House allowance.

The Committee is disappointed that the administration is not expected to allocate SCAAP resources provided in fiscal year 1996 this year. The current plan would award grant funds on November 22, 1996. The Committee urges OJP to accelerate its schedule for release of these much needed funds.

Violence Against Women Act.—The Committee recommends \$196,500,000, the full amount authorized, for grants to support the Violence Against Women Act. This amount represents an increase of \$22,000,000 over the current year appropriation. Grants provided under this recommendation are for the following programs:

VIOLENCE AGAINST WOMEN GRANT PROGRAMS

Program	1996 appropriation	1997 budget estimate	House allowance	Committee rec- ommendation
Violence against women grant programs:				
General grants victims of child abuse	\$130,000,000	\$145,000,000	\$145,000,000	\$145,000,000
Court-appointed special advocate	6,000,000	6,000,000	6,000,000	6,000,000
Training for judicial personnel	750,000	1,000,000	1,000,000	1,000,000
Grants for televised testimony	50,000	550,000	550,000	550,000
Grants to encourage arrest policies	28,000,000	33,000,000	33,000,000	33,000,000
Rural domestic violence	7,000,000	8,000,000	8,000,000	8,000,000
National stalker and domestic vio- lence	1,500,000	1,750,000	1,750,000	1,750,000
Federal victims counselors ¹	500,000	533,000	1,000,000	1,000,000
Training Program	1,000,000	1,000,000	1,000,000	1,000,000
State data base study	200,000	.....	.....	.....
Study on campus sexual assault .....	.....	200,000	200,000	200,000
Total	175,000,000	197,033,000	197,500,000	197,500,000

¹Included under U.S. attorneys.

In fiscal year 1996, the Committee provided \$174,500,000 for grant programs under the Violence Against Women Act to combat domestic violence. This amount represented an increase of \$148,500,000 over the previous year—a 543-percent increase—recognizing the importance of combating domestic violence, despite budget constraints. This funding was to be distributed to States so that new programs could be started that would significantly enhance the availability of services, prosecutors, and law enforcement to women and children who are subjected to domestic violence.

The 1996 increase was provided to expand units of law enforcement officers and prosecutors specifically targeted at crimes against women, develop and implement effective arrest and prosecution policies to prevent, identify and respond to violent crimes against women, strengthen programs addressing stalking and provide much needed victims services including specialized domestic violence court advocates to obtain protection orders. In addition, programs would be strengthened to encourage reporting of domestic violence by providing assurances that law enforcement and attorney support systems would be available.

The Committee is deeply concerned that as of May 1996 only \$473,000 of the \$175,000,000 has been provided to State and local agencies and as a result the network of services, law enforcement personnel and support systems, are still not available to victims of domestic violence. Despite the emphasis by Congress, the Department has failed to effectively manage this important program. The Committee expects the Department to implement a plan to distribute the resources provided in this bill within 60 days of enactment, and report to the Committee on this plan by September 1, 1996.

Substance abuse treatment for State prisoners.—The Committee recommends \$29,700,000, a 10-percent increase over 1996 funding levels, for grants to States and units of local government for development and implementation of residential substance abuse treatment programs within State correctional facilities, and certain local correctional and detention facilities. This amount is \$2,700,000 more than was provided in fiscal year 1996, \$6,300,000 below the request, and \$5,300,000 below the House allowance.

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

DNA identification State grants.—The recommendation includes \$3,000,000 for grants to States and units of local government to support programs and projects to develop or improve the capability to analyze DNA in a forensic laboratory. The amount provided is the full amount requested and \$2,000,000 above the amount provided in fiscal year 1996. Within the amount made available under this program and in conjunction with State grants for this purpose under the FBI and the expanded use of technology grants available through the local law enforcement block grant, up to \$32,500,000 is available 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, such as 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 expects OJP to examine the proposal to establish a South Carolina State DNA identification record data base and provide a grant, if warranted.

Assistance for at-risk youth.—The recommendation does not include \$8,000,000 for at-risk youth programs. Instead, a \$10,000,000 increase above the request has been provided to juvenile justice and delinquency prevention programs.

Motor vehicle theft prevention.—The recommendation provides \$1,000,000 for grants to combat motor vehicle theft through cooperative partnerships between car owners and State and local law enforcement to reduce car theft committed by professional auto thieves and to facilitate their recovery. This amount is the same level provided in fiscal year 1996 for this program.

Law enforcement family support programs.—The recommendation does not continue funding for this program.

Senior citizens against marketing scams.—The recommendation does not provide \$2,000,000, as requested, for a new program to assist law enforcement in preventing and stopping marketing scams against the elderly. The Committee believes that sufficient re-

sources are provided to Federal, State, and local law enforcement to address this problem.

Tuberculosis in prisons.—The recommendation does not include additional funds for treatment of tuberculosis in Federal and State prisons. In fiscal year 1996, \$200,000 was provided for this program.

Presidential summit on crime.—The recommendation does not provide \$500,000, as requested, to conduct a Presidential summit on crime.

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 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.

WEED AND SEED PROGRAM

The Committee recommendation provides \$28,500,000 for the Weed and Seed Program from discretionary grants under the Byrne Program, the full amount requested and the same level as provided in 1996.

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

COMMUNITY ORIENTED POLICING SERVICES

Appropriations, 1996	\$1,400,000,000
Budget estimate, 1997	1,976,155,000
House allowance	1,400,000,000
Committee recommendation	1,400,000,000

The recommendation includes \$1,400,000,000 for community oriented policing services—the COPS Program—for fiscal year 1997.

Maintaining a commitment to hiring 100,000 new police.—The fiscal year 1997 budget was submitted before agreement was reached on the fiscal year 1996 funding level for the COPS Program. The recommendation provides sufficient funding to meet the agreed upon target of 100,000 police by 2000. According to the most recent information available from the Justice Department, 47,627 new police will have been hired by the end of fiscal year 1997. At that time, an estimated \$259,300,000 in end-of-year carryover balances will be available to hire more police. With a total of more than \$1,650,000,000 available for fiscal year 1997, the COPS Program should be able to hire more than 20,000 new police in fiscal year 1997, bringing the total number of new hires to more than 67,000.

The Committee continues to believe that the primary objective of COPS funding is to hire new police officers in the most cost-effective manner possible. In fiscal year 1996, \$144,000,000, over 10 percent of the funds provided for this program, were used to support nonhiring initiatives. From this point forward, the COPS office should use grant funds to the maximum extent possible to hire more police, and should not use these funds for nonhiring projects. To help accomplish this goal, the Committee expects that in fiscal year 1997 hiring grants will continue to include grants under the Universal Hiring Program and the COPS MORE Program.

Funding for nonhiring purposes, such as equipment, training, and overtime, is available to localities through the local law enforcement block grant and should not be duplicated under this program.

The Committee continues bill language similar to the 1996 appropriation limiting the amount spent on program administration. Unlike the House, the Committee believes an increase in staff is warranted to reduce delays in processing COPS grants. The Committee has included \$19,800,000 limitation on management and administrative costs within this account to support 186 positions and 174 FTE's. Funding is for grant awards, payment processing, and post-awarded monitoring. The Committee would be willing to consider a reprogramming request for additional staff based on a demonstrated need. The Committee will only consider additional funding necessary to ensure prompt grant processing and payment and necessary monitoring and evaluation.

Because the COPS Program remains ahead of schedule, bill language is included which would permit the administration to provide up to \$20,000,000 for drug courts and up to \$42,500,000 for the administration's drug-testing initiative subject to the reprogramming procedures outlined in section 605 of this act.

JUVENILE JUSTICE PROGRAMS

Appropriations, 1996	\$148,500,000
Budget estimate, 1997	149,500,000
House allowance	149,500,000
Committee recommendation	158,500,000

The Committee recommendation provides a total of \$158,500,000 for juvenile justice programs for fiscal year 1997. This funding level is \$10,000,000 more than the 1996 appropriation. It is \$9,000,000 more than either the request or the House allowance.

Juvenile justice and delinquency prevention.—The Committee is aware of the growing problem of juvenile crime and that the rise in violence among youths is reaching crisis levels. The latest crime reports show alarming statistics—while overall crime fell 2 percent last year and violent crime fell by 4 percent, the murder rate among teenagers between 1990 and 1994 increased by 22 percent. Almost one-fourth of those arrested for weapons offenses in 1993 were under the age of 18. In 1994, juveniles accounted for one out of five violent crime arrests.

The Committee recognizes that changes to juvenile justice and delinquency prevention [JJDP] programs are being considered in the reauthorization process of the Juvenile Justice and Delinquency Act of 1974. As such, the Committee recommendation includes language that provides that funding included for these programs shall be subject to the provisions of any authorization legislation that is enacted and that any provisions in this act that are inconsistent with that legislation shall no longer have effect.

The Committee recommendation includes a total of \$154,000,000 for fiscal year 1997 for administrative expenses and grants 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).
- \$26,000,000 for discretionary grants for national programs and special emphasis programs (part C).
- \$12,000,000, a \$2,000,000 increase over fiscal year 1996 levels 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.
- \$11,000,000, a \$1,000,000 increase above the request for discretionary grants for State challenge activities (part E). This new 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.
- \$7,000,000, \$3,000,000 more than 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.
- \$23,000,000 for incentive grants for local delinquency prevention programs (title V), a \$3,000,000 increase above the request. 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 increased 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 the Institute on Violence and Destructive Behavior; the Parents' Resource Institute for Drug Education [PRIDE]; a grant to the coalition for juvenile justice; restorative justice challenge grants; the Teen Night Out Program; a Kansas Juvenile Intake and Assessment Center; a grant to Parents Anonymous, Inc. to enhance the capability of the organization's national office to support delinquency prevention and self-help programs in local chapters; and continued support for law-related education.

In addition, the Committee urges OJJP to pay particular attention to intervention and crime prevention programs which focus on addressing the unique circumstances and Indian reservations.

Of the funds provided, the Committee directs that \$1,500,000 be allocated to the establishment of the Jimmy Ryce Law Enforcement Training Center to meet the needs of State and local law enforcement officials investigating missing and exploited children cases.

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 \$6,750,000 is provided for victims of child abuse programs is included under the Violence Against Women Program funded under State and local assistance, violent crime reduction programs. The total amounts recommended for Victims of Child Abuse Act, equal the amounts provided in the current fiscal year and the full amount requested in the budget. The following programs are included in the recommendation:

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

PUBLIC SAFETY OFFICERS BENEFITS

Appropriations, 1996	\$30,608,000
Budget estimate, 1997	32,326,000
House allowance	32,326,000
Committee recommendation	32,326,000

The Committee recommendation includes the requested language for death and disability benefits under the Public Safety Officers Benefits Program for fiscal year 1997, 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 recommenda-

tion also includes \$2,200,000 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 for fiscal year 1997 certain authorities for the Justice Department 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 removes the obligation of the Director of the Bureau of Prisons to provide escort services to female inmates who seek to obtain abortions outside a Federal facility.

Section 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 prior appropriations acts that allows balances remaining in the assets forfeiture fund after September 30, 1996, to be available to the Attorney General for any authorized purpose of the Department of Justice.

Section 109 adds new language, as proposed by the administration, to restructure quarterly fee payments for debtors under chapter 11 of the Bankruptcy Code, and to allow all fees collected from chapter 7, 11, and 13 filings to be used as offsetting collections to the U.S. Trustees Program. Language is also included to clarify the intent of an amendment passed last year that fees are to be assessed in all pending chapter 11 cases.

Section 110 adds language that establishes the telecommunications carrier compliance fund for payments to telecommunications carriers and equipment manufacturers to implement technology changes required under the Communications Assistance for

Law Enforcement Act. Further description is provided under the Federal Bureau of Investigation.

While the Committee agrees that the administration should take steps to end illegal importation of Rohypnol, it has not included nonbinding language adopted by the House.

Section 111. The Committee recommendation includes language requested by the Department of Justice to help moderate the effects of Victims of Crime Act [VOCA] fund deposits on VOCA-funded programs. Additionally, language would allow the reserve fund to be used to assist the victims of the Oklahoma City bombing throughout the trial. Assistance could include payment of travel expenses to and from the trial site and crisis counseling.

Sections 112, 113, and 114 provide bill language that has the same effect as language contained in the Senate-passed version of the Comprehensive Terrorism Prevention Act of 1995. On June 7, 1995, that bill passed the Senate on a 91-8 vote.

Section 112 requires the Secretary of Treasury to study the tagging of explosive materials for purposes of detection and identification. Section 112: (1) reinstates the requirement to study taggants in black and smokeless powder; (2) eliminates the requirement to hold congressional hearings; and (3) reduces the time for making regulations effective for all taggants from 270 days to 90 days.

Section 113 would authorize courts to approve multipoint wiretaps, either where law enforcement officials can show that the suspect is changing telephones frequently for the purpose of avoiding interception, or where the very fact that the criminal was moving around and changing phones had the effect of thwarting surveillance, regardless of the criminal's intent. Law enforcement officials must still show probable cause that the suspect is committing a crime in order for the court to approve the wiretap. Section 113 does not in any way amend the requirement that a judge must certify that the wiretap meet all existing statutory and constitutional requirements.

Section 114 adds to the list of crimes for which wiretaps can be authorized, such as: terrorist acts abroad; terrorist acts involving weapons of mass destruction; terrorist acts transcending national boundaries; providing material support to terrorists; violence at international airports; terrorist acts using biological weapons; and production of false identification documents such as visas and passports.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

The Committee recommends a total of \$3,640,807,000 for the U.S. Trade Representative, the International Trade Commission, and the Department of Commerce for fiscal year 1997. This amount is \$685,367,000 below the total request, \$48,224,000 below the total amount appropriated for these programs for fiscal year 1996, and \$104,554,000 above the House allowance.

In April 1996, Secretary of Commerce Ron Brown and 33 Government and industry leaders were tragically lost when their Air Force aircraft crashed in Croatia. These dedicated individuals were taking part in a trade mission to Bosnia and Croatia trying to help that war torn region recover and develop economically. The loss of such talented and dedicated public servants was mourned throughout America, but nowhere more than at the Department of Commerce.

Secretary Brown, Kathryn Hoffman, Duane Christian, Carol Hamilton, Bill Morton, Chuck Meissner, Gail Dobert, Lawrence Payne, Adam Darling, Steve Kaminski, Naomi Warbasse, and Kathy Kellogg represented the best and the brightest this country has to offer. They will be missed. The Committee wishes to acknowledge their contribution and their service to the Nation and expresses its condolences to their families and friends.

On May 8, 1996, in his first appearance before the Senate as Secretary of Commerce, Michael Kantor announced an initiative to reduce Commerce personnel by an additional “5 percent below current levels within the next 7 months.” While most of these reductions are a direct result of the 1996 appropriation (Public Law 104–134), the Committee welcomes Secretary Kantor’s contribution to streamlining departmental operations and has built his plan into its recommendations for fiscal year 1997 funding for the Commerce Department accounts contained in this title.

While the House version of House Concurrent Resolution 178, Concurrent Resolution of the Budget—Fiscal Year 1997, assumed elimination of several functions within the Department of Commerce, neither the Senate version of the budget resolution nor the conference report on House Concurrent Resolution 178 contained those assumptions. This issue is still under debate in the 104th Congress. The Committee recommends the elimination and downsizing of several functions within the Department. In fiscal year 1996, the U.S. Travel and Tourism Administration was abolished and residual sector specific functions for tourism were assumed by the International Trade Administration. As a result of this action, the tourism sector is given treatment consistent with other industries. In its funding recommendations for fiscal year 1997, the Committee has given priority to 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.

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, 1996	\$20,889,000
Budget estimate, 1997	21,449,000
House allowance	21,449,000
Committee recommendation	21,449,000

The Committee recommends an appropriation of \$21,449,000 for the Office of the U.S. Trade Representative [USTR] for fiscal year 1997. This amount is equal to both the budget request and the House allowance. It is \$560,000 above a freeze at fiscal year 1996 levels.

The Committee recommendation supports the reductions in personnel and administrative costs contained in the request which partially offset the requested one-time increase of \$560,000 to replace the wiring in the Winder Building in Washington, DC, which cannot support planned computer and communications systems.

The Committee is aware of concerns expressed about the Government of Mexico's daily limit on duty-free goods brought back across the United States-Mexican land border. The Committee is concerned about the lack of parity between United States and Mexican policies, and urges the United States Trade Representative to address this disparity in its bilevel discussions with Mexico and report back to the Committee on its efforts.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

Appropriations, 1996	\$40,000,000
Budget estimate, 1997	41,707,000
House allowance	40,000,000
Committee recommendation	41,707,000

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

The Committee recommends an appropriation of \$41,707,000 for the International Trade Commission for fiscal year 1997. This amount is the same as the budget request, and is a \$1,707,000 increase over the current level and the House allowance.

DEPARTMENT OF COMMERCE
INTERNATIONAL TRADE ADMINISTRATION
OPERATIONS AND ADMINISTRATION

Appropriations, 1996	\$264,885,000
Budget estimate, 1997	268,277,000
House allowance	272,000,000
Committee recommendation	267,939,000

The Committee recommends an appropriation of \$267,939,000 for the programs of the Commerce Department's International Trade Administration. The recommendation is \$3,054,000 above enacted levels, \$338,000 below the budget request, and \$4,061,000 below the House allowance.

On July 2, 1996, the Committee approved a reprogramming request to restructure ITA. This reorganization effort is intended to improve the Department's ability to enforce one of its most important missions: enforcement of trade laws and trade agreements. The proposal establishes a trade compliance center in order to enhance efforts to analyze and monitor foreign compliance with trade agreements. The new center is designed to serve as a focal point for U.S. companies interested in obtaining more information on the real impact of new and existing trade agreements, the rights they have as a result, and the market opportunities they present. The reorganization is to occur within existing resources within the division and with no increase in personnel.

The Committee recommendation for ITA funding provides sufficient funding to maintain core trade policy, enforcement, and trade promotion activities. The Committee notes that in recognition of the importance of ITA's mission, it has not reduced appropriations to reflect Secretary Kantor's plan to cut Department personnel by 5 percent. The Committee recommends that resulting savings be used to augment the U.S. and Foreign Commercial Service and Trade Development divisions.

Recommended funding levels are reflected below:

ITA FUNDING

[In thousands of dollars]

	1996 enacted	Budget request	House allowance	Committee recommendation
Trade development	56,485	49,577	57,859	59,776
US&FCS	162,800	168,600	168,241	168,600
Import Administration	29,200	30,513	29,500	29,000
IEP/compliance	18,400	19,587	18,400	17,563
Carryover	(2,000)	.....	(2,000)	(7,000)
ITA total	264,885	268,277	272,000	267,939

The Committee believes that Mexico presents a potentially significant market for the United States. The lack of current, reliable environmental information for United States business on Mexican environmental laws has become an impediment to United States companies seeking business opportunities in Mexico. Accordingly, the recommendation includes \$428,000 for a grant to the United

States-Mexico Chamber of Commerce to analyze, collect, translate, format, and start distributing English versions of Mexico's current environmental regulations and standards.

The recommendation includes \$7,500,000 for the National Textile Center and \$3,000,000 for the Textile/Clothing Technology Center, the same as provided in the House allowance and in fiscal year 1996. The Committee recognizes the importance of expanding the National Textile Center [NTC] University Consortium and has included an increase of \$500,000 for the University of Massachusetts at Dartmouth to join the NTC.

United States and Foreign Commercial Service [US&FCS].—The recommendation assumes full funding for both the domestic and international offices of the US&FCS, including annualization of the increases provided in fiscal year 1996 to complete the reorganization of the domestic field structure, including four additional U.S. regional export assistance centers recently established. Commensurate with these funding increases, the recommendation increases the authorized FTE staffing level for US&FCS by 106 FTE's, to 1,331, the level authorized in fiscal year 1995.

To increase the level of access to US&FCS export assistance centers [EAC], the Committee encourages the US&FCS to modify its current EAC network plan to include at least one additional district export assistance center in each region and report back to the Committee with its recommendations by no later than October 15, 1996.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

Appropriations, 1996	\$38,604,000
Budget estimate, 1997	43,651,000
House allowance	38,604,000
Committee recommendation	34,698,000

The Committee recommends an appropriation of \$34,698,000 for the Bureau of Export Administration [BXA]. The Committee notes that BXA is unauthorized.

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

Counterterrorism initiative.—Events over the past 2 years have forced the United States to reevaluate its strategy for dealing with the terrorist threat. As part of its counterterrorism initiative, the Committee recommendation includes an additional \$2,500,000 from the "Counterterrorism fund" account in the Department of Justice to increase onboard criminal investigator staff in export enforcement by 25 positions and 22 FTE's. The Committee has provided this increase to enhance BXA's ability to combat terrorism by investigating alleged export control violations—particularly those involving nuclear and missile technology controls and chemical and biological controls. The Committee expects BXA to use these resources to pursue investigations, and to identify possible steps for better integrating export enforcement activities with domestic regu-

lations related to controlled biological agents, without impeding legitimate international trade. The Committee supports BXA's implementation of plans to notify and visit potential exporters of controlled biological agents when these institutions and laboratories are identified by new HHS reporting requirements, and to encourage other countries, particularly Australia group countries, to adopt national policies for identifying potential importers and exporters of biological agents.

Fastener Quality Act implementation.—The recommendation includes \$1,200,000, 13 positions, and 10 FTE's in requested increases for Fastener Quality Act implementation.

Reductions.—The Committee supports the \$4,604,000 in spending reductions assumed in the budget request and notes that implementation of the Kantor plan will reduce fiscal year 1997 funding requirements by an additional \$2,000,000. The Committee supports continued improvement of the BXA online licensing system as a way to eliminate bureaucratic delay and duplication in the licensing process.

The recommendation reflects the fact that, as of June 4, 1996, the Department of Commerce projected \$1,800,000 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 1997, bringing total budgetary resources available to BXA to \$36,498,000.

The recommendation does not include the requested funding related to enforcement of the Chemical Weapons Convention Treaty because of continued delays in the treaty's ratification. Should the Senate vote to ratify this treaty, the Committee would be willing to consider a reprogramming of funds to support its implementation.

ECONOMIC DEVELOPMENT ADMINISTRATION

Appropriations, 1996	\$366,500,000
Budget estimate, 1997	353,536,000
House allowance	348,500,000
Committee recommendation	293,536,000

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 \$293,536,000 for the programs and administrative expenses of the Economic Development Administration for fiscal year 1997. This is \$60,000,000 below the request, and is \$72,964,000 below the current year level, which included \$18,000,000 in emergency appropriations. Funding amounts for the two appropriations accounts under this heading are displayed below.

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

Appropriations, 1996	\$328,500,000
Budget estimate, 1997	333,500,000
House allowance	328,500,000
Committee recommendation	273,500,000

The Committee recommendation provides total funding of \$273,500,000 for economic development assistance programs [EDAP] in fiscal year 1997. This amount is a decrease of \$55,000,000 below the current year level, and is \$60,000,000 below the budget request.

The Committee recommendation includes level funding of \$90,000,000 for defense economic conversion. In addition, the Committee recommendation provides \$123,000,000 for public works grants (title I), \$12,000,000 for planning assistance, and \$8,500,000 for trade adjustment assistance. The Committee recommends that economic adjustment grants (title IX) be funded at a level of \$40,000,000, with continued emphasis on addressing the needs of communities impacted by economic dislocations such as reduced timber harvests on Bureau of Land Management and Forest Service lands. Pursuant to section 11(b) of Public Law 99-663, within amounts provided, \$5,000,000 is provided for the State of Oregon. The Committee is aware of several proposals for economic development assistance and strongly urges EDA to consider applications for the following proposals within applicable procedures and guidelines and provide a grant if warranted: (1) to demolish and remove two buildings for redevelopment in Nashua, NH; (2) to facilitate diversification of the Opal Creek Area in Oregon; (3) to redevelop vacant lots to revitalize historic industrial sites and recapitalize an economic development fund in Vermont; (4) to develop a multipurpose science and technology training center in Madisonville, KY; (5) for a proposal to use EDA funds in Butte, MT, to capitalize a revolving loan fund instead of proceeding with a warehouse renovation project; (6) to complete a defense conversion project adjacent to Homestead Air Force Base; (7) to develop a science center in Wichita, KS; (8) to develop infrastructure related to a cargo dock in Brownsville, TX; and (9) to establish a California maritime infrastructure bank.

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 3 years.

SALARIES AND EXPENSES

Appropriations, 1996	\$20,000,000
Budget estimate, 1997	20,036,000
House allowance	20,000,000
Committee recommendation	20,036,000

The Committee recommendation provides the requested amount of \$20,036,000 for the salaries and expenses of the Economic Development Administration [EDA], \$36,000 more than the current year level. EDA has been successful in its efforts to downsize administration after significant funding cuts last year. The Committee directs EDA to continue to look for ways to streamline central headquarters and regional offices in order to allow for adequate field office staffing. Field representation plays an essential role in EDA's mission and should be maintained whenever possible.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

Appropriations, 1996	\$32,000,000
Budget estimate, 1997	34,021,000
House allowance	29,000,000
Committee recommendation	26,000,000

The Committee recommends \$26,000,000 for the Minority Business Development Agency [MBDA] in fiscal year 1997. This amount is \$8,021,000 below the budget request, \$6,000,000 below the fiscal year 1996 enacted level, and \$3,000,000 below the House allowance. The Committee expects, to the extent possible, that the reductions be taken from MBDA headquarters and regional staff rather than reducing service provider contracts.

In 1995, MBDA reinvented its service-delivery strategy. Rather than target MBDA resources to entrepreneurs and startups, MBDA has decided to focus on established firms—successful small to medium-sized companies—and target industries. While this change may have been intended to get more “bang for the buck,” its effect has been to move beyond the original mission of the MBDA—which was to increase minority business ownership. The mission change has resulted in MBDA picking winners and losers in the marketplace. The Committee rejects that approach.

Additionally, the Committee disagrees with the action of the House which set aside \$3,000,000 in the MBDA and \$3,000,000 in the Small Business Administration [SBA] for projects jointly developed, implemented, and administered. The Committee believes that the programs of the MBDA and the SBA are duplicative and that no additional funds should be dedicated for projects that only further duplicate those programs already administered by two separate agencies. Tight fiscal constraints prevent the Committee from continuing to support duplicative Government functions.

Currently, there are a total of 976 small business development centers [SBDC's] operated by SBA in all 50 States. By contrast, MBDA operates about 100 minority business development centers [MBDC's] in only 36 States. By design, most MBDC's are either collocated with, or located a short distance from, an SBDC. SBA currently provides counseling to approximately 42,500 minority firms and training to 59,500 minority clients. A 1994 Department of Commerce inspector general report found MBDA served only about 1 percent—or 15,000 firms—of the potential minority business population. The lack of program effectiveness to serve the minority entrepreneurial community is very troubling to the Committee.

In addition to these concerns, the Committee is also troubled by inspector general investigations of MBDA program and financial mismanagement, most recently associated with the L.A. MEGA Center project.

The Committee notes that since its inception in 1969, neither the MBDA nor its predecessor, the Office of Minority Business Enterprise, has ever been authorized. Over the past 20 years Democrats and Republicans have raised serious questions about the extensive overlap and duplication between MBDA and the SBA.

U.S. TRAVEL AND TOURISM ADMINISTRATION
SALARIES AND EXPENSES

Appropriations, 1996	\$2,000,000
Budget estimate, 1997	
House allowance	
Committee recommendation	

The Committee recommendation does not include funding for the U.S. Travel and Tourism Administration [USTTA]. This amount is \$2,000,000 below the amount provided for fiscal year 1996. The recommendation is identical to both the budget request and the House allowance.

On February 6, 1996, the Committee approved a Commerce Department reprogramming request to transfer available resources to fund reductions in force and transfer core governmental functions of USTTA to the International Trade Administration. The Commerce Department proposal stated, "USTTA will no longer exist as a separate, independent entity within the Department of Commerce." That transfer has now been completed.

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, 1996	\$45,900,000
Budget estimate, 1997	53,510,000
House allowance	45,900,000
Committee recommendation	49,400,000

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

The Committee recommendation provides funding of \$49,400,000, which is \$3,500,000 more than the level of funding for fiscal year 1996 for economic and statistical analysis programs, and is \$4,110,000 less than the administration's request. An increase is provided for the Bureau of Economic Analysis to improve gross domestic product [GDP] data.

ECONOMICS AND STATISTICS ADMINISTRATION REVOLVING FUND

The Economics and Statistics Administration operates a revolving fund for the payment of expenses incurred in the electronic dissemination of data, including the acquisition and public sale of domestic, federally funded 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, 1996	\$284,112,000
Budget estimate, 1997	399,355,000
House allowance	338,717,000
Committee recommendation	350,200,000

The Committee recommendation provides \$350,200,000 for the Bureau of the Census for fiscal year 1997. This amount is an increase of \$66,088,000 above the amount provided for fiscal year 1996, and is \$49,155,000 below the President's request. The Committee's recommendations for the Census Bureau accounts are described in more detail below.

SALARIES AND EXPENSES

Appropriations, 1996	\$133,812,000
Budget estimate, 1997	150,665,000
House allowance	133,617,000
Committee recommendation	139,700,000

This account provides for the salaries and expenses associated with the statistical programs of the Bureau of the Census, including measurement of the Nation's economy and the demographic characteristics of the population. These programs are intended to provide a broad base of economic, demographic, and social information used for decisionmaking by governments, private organizations, and individuals. Once again, the Committee emphasizes that the Bureau should make every effort to recover reimbursement for work requested by any other Federal agency or private organization.

The Committee recommendation provides \$139,700,000 for the salaries and expenses of the Bureau of the Census for fiscal year 1997. This amount is \$5,888,000 more than the current year appropriation, and is \$10,965,000 less than the budget request.

The Committee notes that members of the Advisory Committee who drafted the USDA report "Concentration in Agriculture" emphatically endorsed and recommended a policy to support and improve market information as a vital component of a competitive marketplace. One of the specific recommendations included in the report is for more meaningful import and export reporting. The Committee urges the 484F Committee to work with industry to ensure that articles reported on the harmonized tariff schedule are the most relevant and helpful to the various stakeholders.

PERIODIC CENSUSES AND PROGRAMS

Appropriations, 1996	\$150,300,000
Budget estimate, 1997	248,690,000
House allowance	205,100,000
Committee recommendation	210,500,000

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 \$210,500,000 for periodic censuses and related programs for fiscal year 1997. This amount is an increase of \$60,200,000 above the amount provided for fiscal year 1996, and is \$38,190,000 below the budget request.

The recommendation includes \$87,000,000 for the year 2000 Decennial Census Program, an increase of \$37,000,000 over the current-year level. Attempting to count every person in the United States and its territories through a decennial census is an enormous undertaking estimated to cost between \$3,200,000,000 and \$4,500,000,000 depending on how the count is conducted. The Committee is very concerned over the lack of progress on an authorization bill for the 2000 census, and encourages all parties involved to try to reach an agreement to ensure passage of a widely accepted approach to the 2000 census. The increase provided here is for activities which will position the Bureau to be ready to move forward with a plan for the 2000 census once one is approved by Congress. Until then, the Committee directs that activities be limited to those which are critical to this effort, and that no funds be spent on preparation for a plan using statistical sampling.

Geographic support activities will be critical to any decennial census effort, and the Committee recommendation provides \$40,000,000 for this account. Similarly, the Committee has provided \$19,000,000 for the Continuous Measurement Program. In addition, the Committee recommendation includes the following amounts: \$26,300,000 for economic censuses; \$2,400,000 for the census of governments; \$5,000,000 for intercensal demographic estimates; \$3,800,000 for continuing sample redesign to keep the Bureau's major surveys current; \$9,000,000 for computer assisted survey information collection [CASIC]; and \$18,000,000 for data processing systems. Funding for the census of agriculture will become the responsibility of the Department of Agriculture as requested by the administration.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

Appropriations, 1996	\$54,000,000
Budget estimate, 1997	87,975,000
House allowance	51,740,000
Committee recommendation	35,328,000

The Committee recommends a total of \$35,328,000 in direct appropriations and another \$5,900,000 in fees to Federal agencies for coordination of spectrum management, analysis, and operations for fiscal year 1997. The Committee notes that the NTIA is unauthorized.

SALARIES AND EXPENSES

Appropriations, 1996	\$17,000,000
Budget estimate, 1997	18,478,000
House allowance	15,000,000
Committee recommendation	16,003,000

The Committee recommends \$16,003,000 in appropriations for the salaries and expenses appropriation of the National Telecommunications and Information Administration [NTIA].

Spectrum management.—The Omnibus Reconciliation Act of 1993 required the Secretary of Commerce to transfer a minimum of 200 megahertz [MHz] of spectrum utilized by the Federal Government to the Federal Communications Commission [FCC] for auction to the private sector. To date, 235 MHz of Federal spectrum has been identified for transfer.

Federal, State, and local law enforcement currently operate at several different bands of spectrum. The Committee supports the recommendation of the “National Performance Review” that directed the Departments of Justice and Treasury to plan the implementation of a consolidated national law enforcement/public safety wireless network that includes Federal, State, and local agencies. The FCC and NTIA are currently sponsoring the Public Safety Wireless Advisory Committee [PSWAC] which includes representatives from law enforcement, public safety, and industry to evaluate public safety spectrum needs and report their findings to Congress before the end of this fiscal year.

The Committee has two major concerns with respect to this issue. First, future Federal spectrum use should be as cost effective as possible. Second, public safety, law enforcement, and national security needs must be given serious consideration before allocation of additional Federal spectrum for auction is finalized. Mistakes now could cost taxpayers hundreds of millions, perhaps billions of dollars in the future. At a minimum, the Committee urges PSWAC to expedite completion of its preliminary review as quickly as possible. In the interim, NTIA is prohibited from making additional Federal spectrum available for auction.

Spectrum fees.—The Committee notes that the 1996 appropriation (Public Law 104–134) permitted the Secretary of Commerce to charge Federal agencies for a portion of the cost of coordination of spectrum management, analysis, and operations. According to Commerce Department estimates, NTIA is expected to collect approximately \$1,000,000 in fees this fiscal year and an estimated \$5,900,000 in fiscal year 1997. As a result, a total of \$21,903,000 in budgetary resources would be available to support NTIA operations in fiscal year 1997. That is a \$3,903,000 increase over the budgetary resources provided in the 1996 appropriation. In addition, the Committee notes that the Department projects end-of-year carryover balances of \$234,000 in other NTIA accounts. The Committee expects those resources would also be used to supplement NTIA activities in fiscal year 1997.

The recommendation is sufficient to maintain current operations with the personnel reductions assumed in the budget request and those approved in the reprogramming process. The recommendation includes the budgetary resources sufficient to cover the \$1,500,000 request for costs associated with the 1998 International Telecommunications Union [ITU] Plenipotentiary Conference being hosted by the United States.

The recommendation continues language from the 1996 appropriation (Public Law 104–134) allowing the Secretary of Commerce

to charge Federal agencies for a portion of the cost of coordination of spectrum management, analysis, and operations.

PUBLIC BROADCASTING FACILITIES, PLANNING, AND CONSTRUCTION

Appropriations, 1996	\$15,500,000
Budget estimate, 1997	8,000,000
House allowance	15,250,000
Committee recommendation	15,250,000

The Committee recommends \$15,250,000 for planning and construction grants for public television, radio, and nonbroadcast facilities.

The Committee supports efforts to allocate a portion of these resources to distance learning and telemedicine initiatives, particularly those targeting rural areas.

INFORMATION INFRASTRUCTURE GRANTS

Appropriations, 1996	\$21,500,000
Budget estimate, 1997	59,000,000
House allowance	21,490,000
Committee recommendation	4,075,000

The Committee recommends a major downsizing of the Information Infrastructure Grant Program under NTIA for demonstrations of new telecommunications technology applications.

The Committee notes that this program has never been authorized.

ENDOWMENT FOR CHILDREN'S EDUCATIONAL TELEVISION

Appropriations, 1996	
Budget estimate, 1997	\$2,497,000
House allowance	
Committee recommendation	

The Committee recommends elimination of the Endowment for Children's Educational Television Program. No funding was provided for this program in the 1996 appropriation (Public Law 104-134); \$2,497,000 was requested for fiscal year 1997. 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

Operations, 1996	\$614,424,000
Budget estimate, 1997	716,700,000
House allowance	672,952,000
Committee recommendation	672,975,000

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. Currently, there is legislation pending in Congress to establish the Patent and

Trademark Office as an independent Government entity. These proposals would make direct appropriations under this account unnecessary.

The President's budget request for PTO salaries and expenses for fiscal year 1997 is \$716,723,000, including \$601,723,000 in fee collections and \$115,000 in direct appropriations. This request is \$102,299,000 over the fiscal year 1996 level, an increase of 17 percent.

The Committee recommendation provides a total of \$672,975,000 for PTO for fiscal year 1997, an increase of \$58,551,000 that will provide all needed resources for the Patent and Trademark Office in conjunction with the Department's FTE ceiling. The Committee understands that a recently revised employment ceiling at PTO will negate the need for \$36,000,000 of requested increases in this account. In addition, the Committee understands that at least \$10,000,000 of prior-year carryover balances will be available for use in 1997 in addition to \$601,723,000 in current fee collections. Therefore, the direct appropriation for this account is \$61,252,000. If further cuts are needed to meet this budget target, the Committee directs that PTO should look first for reductions from its requested increase of \$4,823,000 in Executive Direction and Administration.

SCIENCE AND TECHNOLOGY

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

TECHNOLOGY ADMINISTRATION

OFFICE OF THE UNDER SECRETARY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

Appropriations, 1996	\$7,000,000
Budget estimate, 1997	9,531,000
House allowance	5,000,000
Committee recommendation	7,500,000

The Committee recommendation provides an appropriation of \$7,500,000, which is \$2,031,000 below the budget request and \$2,500,000 above the House allowance.

The recommendation provides \$5,000,000 for the core mission of the Technology Administration and \$2,500,000 for the United States-Israel Science and Technology Commission. Financial support for the Commission was requested in the budget, but eliminated in the House bill. The United States-Israel Science and Technology Commission supports increased collaborative activity between the high technology sectors in the United States and Israel. It is intended to create high wage jobs, expand export opportunities, and to enhance technology in both nations.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Appropriations, 1996	\$620,000,000
Budget estimate, 1997	825,984,000
House allowance	468,400,000
Committee recommendation	445,300,000

The Committee recommends a total of \$445,300,000 for the three appropriations accounts under the National Institute of Standards and Technology [NIST] for fiscal year 1997. A description of each account and the Committee recommendation follows:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

Appropriations, 1996	\$259,000,000
Budget estimate, 1997	270,744,000
House allowance	268,000,000
Committee recommendation	270,400,000

The Committee has provided \$270,400,000 for the scientific and technical research and services (core programs) appropriation of the National Institute of Standards and Technology. This amount is an increase of \$11,400,000 above fiscal year 1996 funding levels, \$344,000 below the budget request, and an increase of \$2,400,000 above the House allowance.

The Committee recommendation is intended to maintain current research operations, provide an increase of \$2,713,000 for electronics and electrical engineering, and \$2,000,000 is provided for a national resource construction program which would allow for the research, demonstration, and design of buildings to utilize natural resources.

Quality program.—Within the amount designated for research support, the Committee has provided \$2,980,000 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, 1997	\$301,000,000
Budget estimate, 1997	450,000,000
House allowance	200,400,000
Committee recommendation	159,900,000

The Committee recommends \$159,900,000 for the industrial technology services appropriation of the National Institute of Standards and Technology [NIST]. The Committee has recommended \$99,900,000 for the Manufacturing Extension Partnership Program and \$60,000,000 for the Advanced Technology Program.

Advanced Technology Program.—The Committee recommendation includes \$60,000,000 for the Advanced Technology Program, which is \$283,975,000 below the budget request, \$161,000,000 below fiscal year 1996, and \$50,500,000 below the House allowance. In addition to these appropriations, the Committee notes that as of July 2, 1996, the Department of Commerce projected \$40,000,000 in end-of-year carryover balances for the ATP Program. The Committee has included bill language stipulating that these funds provided in this act may only be used to finance continuation grants for prior year ATP awards. The recommendation does not include

additional restrictions on the use of ATP funds adopted by the House.

Manufacturing Extension Partnership Program.—The Committee recommends \$99,900,000 for the NIST Manufacturing Extension Partnership [MEP] Program. This funding level is \$19,900,000 above fiscal year 1996, \$5,100,000 below the President's budget request, and \$10,000,000 above the House allowance.

The recommended level supports a nationwide system of 75 MEP centers. Consistent with the House allowance and the budget request, the Committee recommends \$48,000,000, an increase of \$18,000,000 above the current fiscal year, to continue manufacturing centers initiated under the Department of Defense Technology Reinvestment Program. The Committee also recommends \$4,000,000 to continue the successful NIST centers in Kansas and Michigan. Bill language is included to clarify their continued operation for fiscal year 1997. These two centers assist over 31,000 small manufacturers in the States of Kansas, Michigan, Colorado, Missouri, and Wyoming. Finally, the Committee recommendation provides \$6,000,000 for national programs to connect the nationwide network of centers, train center personnel, and coordinate programs and activities. The Committee concurs with the House allowance which eliminated funding for the SBDC pilot program.

CONSTRUCTION OF RESEARCH FACILITIES

Appropriations, 1996	\$60,000,000
Budget estimate, 1997	105,240,000
House allowance	
Committee recommendation	15,000,000

The Committee recommends an appropriation of \$15,000,000 for construction of NIST facilities. While this amount is \$45,000,000 lower than the 1996 appropriation, that bill also contained a rescission of \$75,000,000 from unobligated balances within this account. The recommendation is \$90,240,000 below the request. The Committee recommendation provides requested funding for maintenance and necessary fire and safety upgrades for existing NIST facilities, and for the completion of the new \$57,400,000 Advanced Chemical Sciences Laboratory at the NIST Gaithersburg, MD, campus scheduled for completion in 1998. No funds are provided for new construction for this unauthorized program in fiscal year 1997. The Committee expects NIST to reassess its building requirements in light of reduced program and staffing levels and overall budget constraints.

The recommendation does not include requested funds for construction of the Advanced Technology Laboratory.

Because of concerns raised by the inspector general at the Department of Commerce about inappropriate obligation of construction funds in the closing days of fiscal year 1995, the recommendation includes a rescission in this account later in this title.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
OPERATIONS, RESEARCH, AND FACILITIES
(INCLUDING TRANSFER OF FUNDS)

Appropriations, 1996	\$1,792,677,000
Budget estimate, 1997	1,971,215,000
House allowance	1,735,200,000
Committee recommendation	1,930,703,000

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. During a time of continued budgetary constraint, the Committee recommendation continues to make funding for ocean, coastal, fisheries, and atmospheric programs a high priority by recommending funding for the National Oceanic and Atmospheric Administration near the requested level. While progress on streamlining has been made, the Committee expects NOAA and the Department of Commerce to continue to explore ways to downsize programs and to move toward privatization of some of the functions funded under this account.

The Committee recommends discretionary appropriations of \$1,930,703,000 for operations, research, and facilities for fiscal year 1997, \$40,512,000 less than the budget request, and \$138,026,000 more than the level appropriated for the current fiscal year. The Committee recommendation includes a transfer of \$62,000,000 from balances in the "Promote and develop fishery products and research pertaining to American fisheries" account, leaving approximately \$4,000,000 remaining in the fund for Saltonstall-Kennedy grants. The total amount provided also includes a transfer of \$5,276,000 from the damage assessment revolving fund.

As in past years, the Committee expects NOAA and the Department of Commerce to adhere to the direction given in this section of the Committee report and to 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]

	1996 appro- priation	1997 budget request	1997 House allowance	Committee recommen- dation
NATIONAL OCEAN SERVICE				
Mapping, charting, and geodesy:				
Mapping and charting	34,000	36,086	38,000	33,000
Automated nautical charting system II	2,500	2,500	.....	2,500
Subtotal	36,500	38,586	38,000	35,500
Geodesy	20,167	20,330	20,330	19,367
Total, mapping, charting, and geodesy	56,667	58,916	58,330	54,867
Observation and assessment:				
Observation and prediction	11,000	11,679	11,000	13,679
Chesapeake Bay observation buoys	400	.....	.....	400

[In thousands of dollars]

	1996 appropriation	1997 budget request	1997 House allowance	Committee recommendation
Ocean services	3,000	3,000	2,500	3,000
Subtotal	14,400	14,679	13,500	17,079
Estuarine and coastal assessment	2,674	2,674	2,674	2,674
Ocean assessment program	21,925	24,204	12,600	28,919
Damage assessment	1,200	3,200	2,200	3,200
Transfer from damage assessment fund	6,550	5,276	5,276	5,276
Oil Pollution Act of 1990	1,000	1,000	1,000	1,000
Subtotal	33,349	36,354	23,750	40,769
Coastal ocean science	11,500	14,841	11,700	15,200
Total, observation and assessment	59,249	65,874	48,950	73,048
Ocean and coastal management:				
Coastal management:				
CZM grants	46,200	46,200	46,200	49,800
Estuarine research reserve system	1,000	4,088	1,000	4,588
Estuarine management plans	500	.....	.....	500
Nonpoint pollution control .....	.....	2,552	.....	2,552
Subtotal	47,700	52,840	47,200	57,440
Ocean management: Marine sanctuary program	11,685	11,876	11,685	11,876
Total, ocean and coastal management	59,385	64,716	.....	69,316
Acquisition of data .....	.....	.....	16,495	.....
Total, National Ocean Service	175,301	189,506	182,660	197,231
NATIONAL MARINE FISHERIES SERVICE				
Information collection and analyses:				
Resource information	83,171	95,285	87,000	98,513
Antarctic research	1,200	1,200	1,200	1,200
Chesapeake Bay studies	1,500	1,500	1,890	1,500
Right whale research	200	200	200	300
MARFIN	3,000	3,000	3,000	3,000
SEAMAP	1,200	1,200	900	1,200
Aquaculture	1,250	.....	.....	.....
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	1,000	1,000	1,000	1,000
Hawaii stock management plan	500	.....	.....	500
Yukon River chinook salmon	700	700	700	700
Atlantic salmon research	710	710	500	710
Gulf of Maine groundfish survey	567	567	567	567
Dolphin/yellowfin tuna research	250	250	250	250
Habitat research/evaluation	450	450	450	450
Pacific salmon treaty program	5,587	5,587	5,000	5,587
Fisheries Cooperative Institute	410	410	410	410
Hawaiian monk seals	500	500	.....	520

[In thousands of dollars]

	1996 appro- priation	1997 budget request	1997 House allowance	Committee recommen- dation
Stellar sea lion recovery plan	1,440	1,440	1,440	1,770
Hawaiian sea turtles	240	240	.....	248
Bluefish/striped bass .....	.....	.....	785	.....
Halibut/sablefish	1,200	1,200	1,200	1,200
Gulf of Mexico moriculture .....	.....	.....	300	.....
Subtotal	107,461	117,825	109,178	122,011
Fishery industry information:				
Fish statistics	13,000	13,481	13,000	14,000
Alaska groundfish monitoring	5,200	5,200	5,200	5,400
PACFIN/catch effort data	3,000	3,000	3,000	3,000
Recreational fishery harvest monitoring	2,900	2,900	2,900	3,900
Subtotal	24,100	24,581	24,100	26,300
Information analyses and dissemination	20,913	21,471	18,400	21,500
Computer hardware and software	4,000	4,000	4,000	4,000
Subtotal	24,913	25,471	22,400	25,500
Total, information, collection, and analy- ses	156,474	167,877	155,678	173,811
Conservation and management operations:				
Fisheries management programs	19,500	25,597	18,000	26,100
Columbia River hatcheries	10,300	10,300	9,000	10,955
Columbia River endangered species stud- ies	288	288	144	288
Regional councils	10,200	10,200	9,500	10,500
International fisheries commissions	400	400	400	400
Management of George's Bank	478	478	478	478
Beluga whale committee	200	.....	200	200
Pacific tuna management	1,500	1,500	1,500	1,900
Subtotal	42,866	48,763	39,222	50,821
Protected species management	6,225	6,750	5,000	6,500
Driftnet Act implementation	3,278	3,278	2,500	3,278
Marine Mammal Protection Act	9,000	10,250	8,000	10,250
Endangered Species Act recovery plan	13,000	14,800	13,000	14,800
Fishery observer training	417	.....	417	417
East coast observers	350	350	350	350
Subtotal	32,270	35,428	29,267	35,595
Habitat conservation	8,000	10,300	8,000	10,300
Enforcement and surveillance	15,800	17,790	15,800	17,700
Total, conservation and management oper- ations	98,936	112,281	92,289	114,416
State and industry assistance programs:				
Interjurisdictional fisheries grants	2,600	2,600	2,000	2,600
Anadromous grants	2,108	2,108	1,000	2,108
Anadromous fishery project	250	250	.....	250

[In thousands of dollars]

	1996 appropriation	1997 budget request	1997 House allowance	Committee recommendation
Interstate fish commissions	4,000	4,000	4,000	5,700
Subtotal	8,958	8,958	7,000	10,658
Fisheries Development Program:				
Product quality and safety/inspection	9,624	9,624	14,000	9,624
Hawaiian fisheries development	750	.....	.....	750
Marine biotechnology	1,900	1,900	.....	1,900
Seafood inspection	5,000	5,000	.....	5,000
Subtotal	17,274	16,524	14,000	17,274
Total, State and industry assistance programs	26,232	25,482	21,000	27,932
Acquisition of data .....	.....	.....	29,940	.....
Total, National Marine Fisheries Service	281,642	305,640	298,907	316,159
OCEANIC AND ATMOSPHERIC RESEARCH				
Climate and air quality research:				
Interannual and seasonal climate research	8,000	8,046	8,000	8,000
Climate and global change	57,500	68,666	59,000	65,500
Long-term climate and air quality research	29,772	29,402	27,272	29,402
High performance computing	6,500	9,567	6,500	9,000
Subtotal, climate and air quality research	101,772	115,681	100,772	111,902
GLOBE .....	.....	7,000	.....	7,000
Total, climate and air quality research	101,772	122,681	100,772	118,902
Atmospheric programs:				
Weather research	33,613	33,905	33,613	33,613
Wind profiler	4,350	4,350	4,350	4,350
Subtotal	37,963	38,255	37,963	37,963
Solar/geomagnetic research	5,483	5,511	5,219	5,493
Total, atmospheric programs	43,446	43,766	43,182	43,456
Ocean and Great Lakes programs:				
Marine prediction research	10,226	12,108	10,608	14,651
GLERL	5,200	5,200	5,200	5,200
Great Lakes sea lampricide .....	.....	.....	4,099	4,099
Subtotal	15,426	17,308	19,907	23,950
Sea grant programs	53,300	48,793	53,300	55,300
Undersea research programs	12,000	.....	.....	14,900
Total, ocean and Great Lakes programs	80,726	66,101	73,207	94,150
Acquisition of data .....	.....	.....	14,665	.....

[In thousands of dollars]

	1996 appro- priation	1997 budget request	1997 House allowance	Committee recommen- dation
Total, oceanic and atmospheric research	225,944	232,548	231,826	256,508
NATIONAL WEATHER SERVICE				
Operations and research:				
Local warnings and forecasts	405,300	399,020	387,020	465,320
Radiosonde replacement		4,255		
Susquehanna River basin flood system	669	669	1,000	
Aviation forecasts	35,596	35,596		
Regional climate centers	2,000		2,000	2,000
Subtotal	443,565	439,540	425,616	467,320
Central forecast guidance	28,193	29,543	28,193	
Atmospheric and hydrological research	2,000	2,589	2,000	
Total, operations and research	473,758	471,672	455,809	467,320
Systems acquisition:				
Public warning and forecast systems:				
Nexrad	53,335	53,145	53,145	53,145
ASOS	16,952	10,056	10,056	10,056
AWIPS/NOAA—port	50,000	119,800	100,000	100,000
Computer facility upgrades	12,000	15,993	14,000	15,993
Total, systems acquisition	132,287	198,994	177,201	179,194
Total, National Weather Service	606,045	670,666	633,010	646,514
NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE				
Satellite observing systems:				
Polar spacecraft and launching	174,765	147,644	147,300	147,644
Polar convergence/IPO	39,500	78,200	19,000	29,000
Landsat	10,000			
Geostationary spacecraft and launching	153,106	205,922	171,480	191,922
Ocean remote sensing	4,000	1,552		6,000
Environmental observing services	49,000	53,615	49,000	52,600
Total, satellite observing systems	430,371	486,933	386,780	427,166
Environmental data management systems	29,865	30,098	30,002	27,515
Data and information services	11,300	14,800	14,800	11,300
Total, environmental data management sys- tems	41,165	44,898	44,802	38,815
Undistributed reduction			5,685	
Total, National Environmental Satellite, Data, and Information Service	471,536	531,831	425,897	465,981
PROGRAM SUPPORT				
Administration and services:				
Executive direction and administration	20,000	19,512	17,520	19,500
Systems Program Office [SPO]	1,500	1,497	1,497	1,497

[In thousands of dollars]

	1996 appro- piation	1997 budget request	1997 House allowance	Committee recommen- dation
Subtotal	21,500	21,009	19,017	20,997
Central administrative support	33,000	35,573	31,000	35,500
Retired pay commissioned officers	7,706	8,112	7,706	8,112
Total, administration and services	62,206	64,694	57,723	64,609
Marine services	61,100	56,292	.....	56,292
Aircraft services	9,153	10,182	9,153	10,182
Total, program support	132,459	131,168	66,876	131,083
Direct obligations	1,892,927	2,061,359	1,839,176	2,013,476
Reimbursable obligations	309,715	313,515	313,515	313,515
New offsetting collections (data sales) .....	.....	1,200	1,200	1,200
Anticipated offsetting collections	3,000	3,000	3,000	3,000
Subtotal, reimbursable obligations	312,715	314,715	317,715	317,715
Total obligations	2,205,642	2,376,074	2,156,891	2,331,191
Financing:				
Deobligations	-29,000	-13,800	-29,000	-13,800
Unobligated balance transferred, net	-2,650	.....	.....	.....
New offsetting collections (data sales) .....	.....	-1,200	-1,200	-1,200
Anticipated offsetting collections	-3,000	-3,000	-3,000	-3,000
Federal ship financing fund	-1,700	.....	-1,700	-1,700
Federal funds	-272,207	-282,500	-282,500	-282,500
Non-Federal funds	-37,508	-31,015	-31,015	-31,015
Fishing fees .....	.....	-10,000	.....	.....
Budget authority	1,859,577	2,037,559	1,808,476	1,997,976
Financing from:				
Promote and develop American fisheries	-63,000	-61,068	-68,000	-62,000
Damage assessment and restoration revolving fund	-3,900	-5,276	-5,276	-5,276
Appropriation, operations, research, and facilities	1,792,677	1,971,215	1,735,200	1,930,700

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 \$197,231,000 for activities of the National Ocean Service [NOS] for fiscal year 1997.

For mapping and charting, the Committee recommends \$33,000,000. The Committee continues to support efforts to contract outside of NOAA to fulfill the charting and mapping functions.

The Committee recommends \$19,367,000 for NOAA's geodesy programs. Of this amount, \$500,000 is included for continuation of geodetic survey work being conducted in South Carolina. The recommendation provides an increase of \$200,000 for geodesy model-

ing efforts. The geodesy programs relate to measurements and analysis of data relating to precise latitudinal and longitudinal positioning with a variety of applications.

The Committee recommendation includes \$49,800,000 for coastal zone management [CZM] section 306 and 306(a) grants in order to maintain grant levels as new States enter the program. In addition, the Committee has provided \$4,588,000 for the National Estuarine Research Reserve Program, a slight increase over the request in order to provide for additional reserves in line for designation, such as Grand Bay on the gulf coast. Amounts included for observation and prediction include continued support for Chesapeake Bay observation buoys and \$2,000,000 to establish a national coastal data center in conjunction with the Northeast sea grant depository to ensure quick access to data from coastal areas around the Nation.

For ocean assessment activities, the Committee recommends \$28,619,000. Within the amounts provided, the Committee provides \$2,000,000 for coastal hazards research and services and development of defense technologies for environmental monitoring at the NOAA Coastal Services Center. Thus, the total budget for the Coastal Services Center is maintained at its fiscal year 1995 level of \$12,500,000. In addition, \$2,700,000 is provided for a research effort coordinating various components of the National Ocean Service with private sector, academic, and State researchers to utilize the Great Bay National Estuarine Research Reserve and the surrounding region to apply innovative technologies to the monitoring, management, and prevention of contamination of estuaries and coastal waters. The Committee recommendation provides an increase under this program for a south Florida initiative; it also provides increases above the fiscal year 1996 funding level for this initiative within both the Coastal Ocean Program and the National Marine Fisheries Service.

The Committee has included the requested amount of \$11,876,000 for the National Marine Sanctuary Program. The Committee expects that the total overhead charged to the National Marine Sanctuaries Program in fiscal year 1997 will not be in excess of the program's demands on those resources. The Committee directs that no user fees be imposed with respect to the Hawaiian Islands National Humpback Whale Sanctuary. In addition, the Committee has provided \$15,200,000 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 \$316,159,000 for the programs of the National Marine Fisheries Service [NMFS] for fiscal year 1997. 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 recommends \$3,000,000 for PACFIN, the Pacific fishery information network, including level funding for the Alaska fisheries information network [AKFIN]. The Committee has provided \$3,900,000 for the RECFIN program, and expects that the

programs for the west coast, Atlantic States, and Gulf States shall each receive one-third of the base 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. The increase over current levels is for much needed annual collection and analysis of economic data on marine recreational fishing.

The Committee has recommended a funding level of \$98,513,000 for resource information within the National Marine Fisheries Service. Within this account, as in the current level of funding, 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. Of the amounts provided, \$1,500,000 is to initiate a consortium to develop technologies to enhance, supplement, and rehabilitate marine fishery resources on Mississippi's gulf coast; and \$1,500,000 is provided to establish a joint Federal-State partnership for critical studies regarding pollution and depletion of stocks in Narragansett Bay.

The Committee recommendation includes \$26,100,000 for fisheries management programs including \$100,000 for the Alaska Native Harbor Seal Commission, and \$150,000 is provided for operations of the Advisory Committee to the International Convention for the Conservation of Atlantic Tuna. The Committee has provided \$1,900,000 for pelagic fisheries research and management, which includes continued funding at the current level on Pacific tuna and \$400,000 for NMFS in Honolulu to conduct Pacific swordfish research.

The Committee has restored funds for Hawaiian fisheries development and stock management programs. These programs are intended to deal with the unique aquaculture and fisheries enhancement needs of the Western Pacific. The Committee reiterates that these programs are to be operated by the Oceanic Institute, as was the Committee's intention during fiscal years 1994-96.

The Committee recommendation provides an amount of \$10,955,000 for Mitchell Act hatchery programs. This amount includes \$655,000 for mass marking of Mitchell Act hatchery-reared coho salmon. Funding for critical fish screens is provided under the "Construction" account. The Committee is aware of a number of scientific studies of the hatchery system in the Pacific Northwest, including "UPSTREAM," "Salmon and Society in the Pacific Northwest," published by the National Research Council in 1995. These reports raise serious questions about the direction and mission of the hatchery system. The Committee directs the Secretary of Commerce to submit a report to the Committee no later than January 31, 1997, detailing the Secretary's analysis of the conclusions and recommendations included in these studies, and indicating to the Committee what administrative changes have been made or will be made in response to these studies. This report shall include recommendations for changes in existing law or policy. The Committee encourages NOAA to continue to participate in the integrated hatchery operations team [IHOT]. This multiagency group is devel-

oping regionally integrated hatchery policy for operating all Columbia basin anadromous salmonid hatcheries. 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 notes that personnel retirements from the NMFS Northwest regional office are depleting that office's scientific capabilities, and urges the Department to meet these needs as quickly as possible, within available FTE levels.

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. In addition, the recommendation includes \$5,700,000 for interstate fish commissions. This amount includes not less than \$200,000 for each of the three interstate commissions.

Within the funding the Committee has provided for the Marine Mammal Protection Act for fiscal year 1997, \$250,000 shall be made available to the State of Alaska to assist in the implementation of marine mammal take reduction plans, \$1,500,000 is for marine resource observers in the North Pacific, \$550,000 is for State of Alaska harbor seal research, and \$350,000 is for the Alaska Eskimo Whaling Commission. In addition, the Committee recommends \$1,770,000 for the Steller sea lion recovery plan. Of this amount, \$825,000 is for work performed by the State of Alaska, and \$330,000 is provided to the North Pacific Marine Science Foundation for research undertaken by the North Pacific Universities Marine Mammal Consortium.

The Committee recommends \$5,400,000 for Alaska groundfish monitoring, of which \$1,100,000 is 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 recommends continuation of the current 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.

OCEANIC AND ATMOSPHERIC RESEARCH

The Committee recommendation includes a total of \$256,508,000 for oceanic and atmospheric research for fiscal year 1997. In implementing programs within this account, the Committee directs NOAA to maintain or enhance its level of collaboration with the extramural research community. In addition, while all NOAA external research is currently peer reviewed, the Committee encourages

NOAA to take steps to ensure that all NOAA research, regardless of who performs it, is subject to periodic peer review.

Within this account the Committee recommendation provides funding at the current level of \$8,000,000 for interannual and seasonal climate research. In addition, the Committee provides funds for the Climate and Global Change Program at a level of \$65,500,000. The Committee encourages NOAA to pursue opportunities presented by the interest of the Government of Japan, and other countries, in scientific collaboration with the United States in the area of climate research and prediction. The Committee provides \$7,000,000 for the Global Learning to Benefit the Environment Program, and does not concur in the House report language.

The Committee recommends funding for long-term climate and air quality research at a level of \$38,402,000. Included within this amount is \$9,000,000 for high-performance computing, an increase of \$2,500,000 over the current year level.

The Committee recommendation provides \$14,651,000 for marine prediction research. This amount includes funding at the current year levels for VENTS, as requested in the budget, and for the Lake Champlain study. The Committee appreciates the timely and thorough preparation by NOAA of the tsunami hazard mitigation plan. The Committee agrees with the recommended implementation plan and directs NOAA to provide \$2,375,000 to begin the process of implementation to reduce risk to the coastal residents and visitors in the vulnerable States of Oregon, Washington, California, Hawaii, and Alaska. The Committee directs NOAA to develop a tsunami mapping center in the State of Oregon to complement existing warning centers in Alaska and Hawaii and to expedite the implementation of the mitigation steps recommended in the plan. The Committee expects NOAA to provide funding to each of the Pacific States to accelerate the preparation of tsunami inundation maps.

The Committee has provided funding of \$14,900,000 for the National Undersea Research Program, and directs that each NURP center receive at least \$1,610,000 of these funds in a timely manner. Because of the limited funding available for this purpose, it is critical that the structure and management of this program furthers the highest research needs. The Committee directs NOAA to create a long-range plan for national undersea research that carefully considers suggestions from the report released last year by a panel of seven eminent science administrators and researchers entitled "Review of the National Undersea Research Program Structure."

The Committee recommendation includes \$55,300,000 for the Sea Grant Program. For fiscal year 1997, the Committee recommendation includes continued funding for shellfish disease research, aquatic nuisance species research including research on zebra mussels, and the National Coastal Research and Development Institute at current year levels. The Committee directs NOAA to fund these initiatives within the "Sea grant" account, and believes these efforts can be accommodated within the normal process of priority setting and merit review.

NATIONAL WEATHER SERVICE

The Committee recommendation includes a total of \$646,514,000 for the National Weather Service [NWS] for operations, acquisitions, and research, as compared to \$670,666,000 in the budget request, and \$606,045,000 as provided for the current year.

The total amount of funding recommended for operations and research is \$467,320,000. This includes \$465,320,000 for local warnings and forecasts, radiosonde replacement, aviation forecasts, central forecast guidance, and atmospheric and hydrological research. Within the total for operations and research, the Committee has provided funding at the current year level for regional climate centers, and \$1,000,000 for the Susquehanna River Basin flood system.

The Committee recommendation assumes that the National Weather Service will continue to look for areas where privatization of services might be cost effective. The NWS has made progress in its streamlining efforts. The Committee encourages NWS to continue to identify positions in central headquarters, as highlighted in the March 31, 1996, report to Congress by the inspector general, in order to lessen impacts on field offices during these tight budgetary times. The Committee directs that the modest reduction from the request included in this recommendation will have no impact upon any field office of the National Weather Service.

The Committee recommendation provides the requested amount of \$53,145,000 for next generation weather radars [Nexrad]. This amount includes funding for three additional Nexrad's in northern Indiana, northern Alabama, and western Arkansas. The Committee understands that the Weather Service shares its goal of seeing this equipment in place and operational before the 1997 tornado season and urges that every effort be made to adhere to this schedule.

The Committee has provided the request for \$10,056,000 for the automated surface observing system [ASOS], a reduction of \$6,896,000 from the current year as this system acquisition nears the end of its cycle.

The recommendation includes an amount of \$100,000,000 for the advanced weather interactive processing system [AWIPS]. This funding level is \$19,800,000 less than the request, and is \$50,000,000 more than the current year level in order to begin planned production and deployment of this system. The Committee is concerned, however, that NOAA may not be in a position to stay on its schedule for deployment of this system, and directs NOAA to report to the Committee by September 6, 1996, as to the status and budgetary needs of necessary software and other systems planned for deployment in fiscal year 1997.

NATIONAL ENVIRONMENTAL AND SATELLITE, DATA, AND INFORMATION SERVICE

The Committee recommendation provides funds for the National Environmental Satellite, Data, and Information Service [NESDIS] at a level of \$465,981,000 for fiscal year 1997.

For the Polar Satellite Program, the Committee has provided a total of \$176,644,000, of which \$29,000,000 is for the interagency program office to converge the NOAA and Department of Defense

[DOD] polar satellite programs. The funding level for polar convergence fully meets the revised estimate of need for this fiscal year, which was agreed upon jointly by NOAA and DOD. The Committee recommendation assumes that NOAA and DOD share equally in the costs of all common activities for this program.

The Committee recognizes the valuable role that ocean remote sensing can play in the management of marine fisheries oceanography and coastal management and has provided \$6,000,000 to continue this high-priority program. In addition, \$1,000,000 is provided within amounts for environmental data management systems for efforts in conjunction with the National Ocean Service, as described above, to create a national coastal data center.

PROGRAM SUPPORT

The Committee recommendation provides the requested level of \$131,083,000 for the NOAA program support functions. This level is \$1,376,000 less than current year funding.

Within the "Program support" account, the Committee recommendation provides the requested level of \$56,292,000 for marine services, \$4,808,000 below the current level of funding. This account funds the operation of a fleet of vessels with capabilities to conduct research and measurements in line with NOAA's mission. Funding is provided at the full request this year for marine services and should avoid any disruption in NOAA's oceanographic, fisheries, and mapping and charting activities. The Committee has received NOAA's fleet assessment report in response to the Committee's direction last year, and it has received the inspector general's review of the fleet as well. The Committee believes that, for fiscal year 1997, the agency should use a combination of NOAA owned and operated vessels as well as contracting for ship time. The Committee further believes that the UNOLS (university) fleet presents a cost-effective means to provide for marine services, and NOAA should utilize the UNOLS fleet to the maximum extent possible. Greater reliance on the UNOLS fleet already has been occurring, as NOAA's fleet has reduced from 25 to 14 vessels in active service. In fiscal year 1996, NOAA has deactivated two oceanographic research vessels and has allocated more resources to UNOLS. Thus, for fiscal year 1997, the NOAA fleet only will have one active oceanographic research vessel, the *Ronald H. Brown* (AGOR 26) which is nearing completion and will be deployed in 1997. In 1993, Congress appropriated \$54,000,000 to construct this vessel and intended the ship to be owned and operated as a Government asset by NOAA. The Committee does not concur with the House report language regarding this vessel, and believes that NOAA should proceed with the deployment and operation of the *Ronald H. Brown* as planned by the agency.

The Committee recommendation includes the requested amount of \$10,182,000 for operation of NOAA aircraft services including support for the new hurricane surveillance jet not provided in the House allowance. 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, 1996	\$7,800,000
Budget estimate, 1997	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.

The Committee recommendation includes \$7,800,000, as requested, from the coastal zone management [CZM] fund for CZM program management and other purposes authorized by section 308 of the CZMA. The Committee intends that \$4,500,000 shall be available from the fund, as requested, for program administration. For use of remaining amounts, the Committee encourages coordination within NOS in order to supplement new initiatives under the ocean assessment program meeting the purposes of section 308 of the CZMA.

CONSTRUCTION

Appropriations, 1996	\$50,000,000
Budget estimate, 1997	37,366,000
House allowance	36,000,000
Committee recommendation	58,000,000

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 \$58,000,000 for NOAA's "Construction" account.

The Committee recommendation provides \$1,800,000 for NOAA research facilities, \$1,750,000 for the Sandy Hook lease, \$10,000,000 for Nexrad WFO construction, and \$3,750,000 for NOAA facilities maintenance. In addition, the Committee recommends funding of \$4,700,000 for Columbia River facilities, \$5,000,000 for environmental compliance, \$1,000,000 for national centers for environmental prediction, \$5,000,000 for continuation of facilities improvements at the National Marine Fisheries Service southeast laboratory, \$2,000,000 for costs related to relocating the Tiburon Fisheries Laboratory, and \$3,000,000 for facilities associated with the National Estuarine Research Reserve System.

The Committee has provided \$5,000,000 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 \$2,500,000 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 \$3,500,000 for remodeling and minor additions to existing buildings at the Newport Marine Science Center, and the Committee directs NOAA to immediately release funds

appropriated last year for studies regarding critical space requirements at the Center.

The Committee directs NOAA to continue architectural and engineering work on the new NOAA facility in Juneau, AK, using previously appropriated funds for such purpose. In addition, \$9,000,000 is provided to complete this work and to begin site preparation and development of this project. To the extent that construction funds are not otherwise obligated, NOAA may propose use of these funds for advanced lease payments in conjunction with the Kodiak Near Island office and laboratory facility.

FLEET MODERNIZATION, SHIPBUILDING, AND CONVERSION

Appropriations, 1996	\$8,000,000
Budget estimate, 1997	12,000,000
House allowance	6,000,000
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 \$4,000,000 below the budget request, is the same as the current year funding level, and is \$2,000,000 above the House allowance.

The Committee has provided funds above the House-passed level in this account for the outfitting and completion of the *Ronald H. Brown*, as discussed above under the "Program support" account. As discussed under the account heading "Marine Services", the Committee is encouraged that NOAA has now prepared an assessment of the fleet and is considering options other than the revised fleet modernization plan previously submitted to Congress. The Committee believes the UNOLS fleet provides an excellent resource to meet many of the agency's requirements.

FISHING VESSEL AND GEAR DAMAGE COMPENSATION FUND

Appropriations, 1996	\$1,032,000
Budget estimate, 1997	200,000
House allowance	200,000
Committee recommendation	200,000

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.

The Committee recommendation provides \$200,000 for the fishing vessel and gear damage compensation fund. This amount is the same as the request and a decrease of \$832,000 below the amount available for the current fiscal year because of a decrease of amounts available in this fund.

FISHERMEN'S CONTINGENCY FUND

Appropriations, 1996	\$999,000
Budget estimate, 1997	1,002,000
House allowance	1,000,000
Committee recommendation	1,000,000

The Committee recommends the requested amount of \$1,000,000 for the fishermen's contingency fund, which is \$1,000 above the amount appropriated for fiscal year 1996.

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, 1996	\$196,000
Budget estimate, 1997	196,000
House allowance	196,000
Committee recommendation	196,000

The Committee recommends \$196,000 for the foreign fishing observer fund for fiscal year 1997. This amount is the same as the budget request and the current year level.

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, 1996	\$250,000
Budget estimate, 1997	250,000
House allowance	250,000
Committee recommendation	250,000

The Committee recommendation provides \$250,000 for fishing vessel obligations guarantees. This amount of funding is the same as the 1996 level, and is the same as the budget request.

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 shore plants 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.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

Appropriations, 1996	\$29,100,000
Budget estimate, 1997	29,100,000
House allowance	27,400,000
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 1997. This amount is the same as the budget request and the amount appropriated for the current fiscal year, which was a reduction of \$7,371,000 from the fiscal year 1996 level.

OFFICE OF INSPECTOR GENERAL

Appropriations, 1996	\$19,849,000
Budget estimate, 1997	20,849,000
House allowance	19,445,000
Committee recommendation	20,849,000

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

The Committee recommends \$20,849,000 for the Commerce Department's Office of Inspector General for fiscal year 1997. This amount is an increase of \$1,000,000 above the current appropriations level, and is the same as the budget request. The recommendation provides for a program increase in order for the inspector general to perform needed audits under the requirements of the CFO Act of 1990.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

CONSTRUCTION OF RESEARCH FACILITIES

(RESCISSION)

The Committee recommends a rescission of \$31,800,000 from obligated and unobligated balances in the Construction of Research Facilities Program under the National Institute of Standards and Technology [NIST].

During the last week of fiscal year 1995, NIST obligated \$51,600,000 for construction projects—\$31,800,000 more than the Department had estimated to Congress as late as August 1995. The inspector general of the Department of Commerce has raised serious questions concerning this action. The inspector general's report released in July 1996 states, "The obligation of \$31,800,000 without proper authority, and during a period of congressional scrutiny, raises concerns about the adequacy of the Capital Improvements Facilities Program [CIFP] management process."

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
OPERATIONS, RESEARCH, AND FACILITIES
(RESCISSION)

The Committee recommendation includes a rescission of \$10,000,000 from the NOAA "Operations, research, and facilities" account under this title. The Committee directs that this rescission be taken from funds provided in fiscal year 1996 for the Landsat and polar satellite programs within the National Environmental Satellite, Data, and Information Service. The Committee understands that funding originally provided for these purposes is no longer required due to reestimation of program requirements in the polar convergence program and a decision by NASA to pay the full development costs of the Landsat program.

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 1996 appropriations act (Public Law 104-134). Sections 201 through 207 are continuations of language included in previous appropriations acts. Section 208 is included at the administration's request.

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 provides for notification of the House and Senate committees of a plan for transferring funds to appropriate successor organizations within 90 days of enactment of any legislation dismantling or reorganizing the Department of Commerce, should such legislation be enacted.

Section 207 requires that any costs related to personnel actions incurred by a department or agency funded in title II of the accom-

panying act, be absorbed within the total budgetary resources available to such department or agency.

Section 208 prohibits funds, including funds from laws hereinafter enacted, from being used to develop or implement any new individual fishing quota programs until offsetting fees are authorized to pay for such implementation.

The Committee has not included language included in section 209 of the House bill regarding contracts for mapping and charting activities.

Section 210 establishes a working capital fund in the Bureau of the Census to be available without fiscal year limitation. This mechanism is intended to improve financial reporting and auditing performance, and will help identify costs of specific services provided both within the Bureau and to the public.

Section 211 prohibits funds from being used to develop or implement any user fee related to the Hawaiian Islands National Humpback Whale Sanctuary.

TITLE III—THE JUDICIARY

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

The Committee recommendation provides a total of \$3,282,284,000 for the judiciary. This amount includes the full requested funding of \$261,205,000 for salaries and retirement funds of the Justices and judges which are considered mandatory for budget purposes. The recommendation also provides an additional \$3,021,079,000 in discretionary funding for other judiciary programs under this title, including \$30,000,000 from the violent crime reduction trust fund. The total amount provided by the Committee is an increase of \$227,472,000 over funding for fiscal year 1996.

The budget request submitted by the judiciary for fiscal year 1997 totals \$3,473,719,000. The discretionary portion of the request, \$3,212,514,000 represents an increase of \$419,701,000 or 15 percent, over the enacted amounts for fiscal year 1996. Of this amount, \$35,000,000 is requested from the violent crime reduction trust fund. The Committee recommendation is \$191,435,000 below the request, but assumes that a significant amount of 1996 funds will carry over in some accounts in order to provide additional funding.

In order to continue its efforts against violent crime this year, the Committee is providing a significant increase in funding the critical activities carried out by the Federal judiciary. Because of the enhanced criminal investigation and prosecution activities funded elsewhere in this bill, the Committee intends that increased funding for the judiciary provided here be used in an efficient manner to fund increased workload demands.

SUPREME COURT OF THE UNITED STATES

Appropriations, 1996	\$29,147,000
Budget estimate, 1997	30,470,000
House allowance	29,647,000
Committee recommendation	30,257,000

The Committee recommends a total of \$30,257,000 for the Supreme Court of the United States for fiscal year 1997. The total amount is provided in two separate appropriation accounts as follows:

SALARIES AND EXPENSES

Appropriations, 1996	\$25,834,000
Budget estimate, 1997	27,157,000
House allowance	27,157,000
Committee recommendation	27,157,000

The Committee recommends \$27,157,000 for fiscal year 1997 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 \$1,323,000 more than the current year appropriation, and is equal to the budget request for this account.

CARE OF THE BUILDING AND GROUNDS

Appropriations, 1996	\$3,313,000
Budget estimate, 1997	3,313,000
House allowance	2,490,000
Committee recommendation	3,100,000

The Committee recommends \$3,100,000 for fiscal year 1997 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 \$213,000 less than the current year appropriation, is \$213,000 less than the request, and is \$610,000 more than the House allowance.

The Committee recommendation assumes the requested reductions to the base of \$375,000. The Committee expects the Architect of the Capitol to endeavor to find efficiencies in service so that projects, especially those relating to security, might be considered within the amount provided.

U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

Appropriations, 1996	\$14,288,000
Budget estimate, 1997	15,978,000
House allowance	15,013,000
Committee recommendation	15,013,000

The Committee recommends \$15,013,000 for fiscal year 1997 for the salaries and expenses of the U.S. Court of Appeals for the Federal Circuit. The recommended level of funding is \$725,000 more than the current year appropriation, is \$965,000 less than the request, and is the same as the House allowance.

The Committee recommendation provides the requested adjustments to base for this account.

U.S. COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

Appropriations, 1996	\$10,859,000
Budget estimate, 1997	11,114,000
House allowance	11,114,000
Committee recommendation	11,114,000

The Committee recommends the full requested amount of \$11,114,000 for fiscal year 1997 for the salaries and expenses of the U.S. Court of International Trade. The Committee recommendation is an increase of \$255,000 over the 1996 level in order to provide requested adjustments to base.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL
SERVICES

SALARIES AND EXPENSES

Appropriations, 1996	\$2,463,141,000
Budget estimate, 1997	2,782,346,000
House allowance	2,568,956,000
Committee recommendation	2,608,646,000

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 \$2,608,646,000 for this account for fiscal year 1997, including \$30,000,000 from the violent crime reduction trust fund as authorized in Public Law 103-322 and Public Law 104-132. The Committee recommendation is a reduction of \$173,700,000 from the budget request, but is \$145,505,000 above the amount appropriated for fiscal year 1996, and is \$39,690,000 above the House allowance. In addition, the Committee understands that the judiciary will realize carryover funds of at least \$97,000,000 resulting from unanticipated fee revenue in fiscal year 1996, and will have other fees and reimbursable funds which were not included in the President's fiscal year 1997 budget. In addition, the Committee understands that \$12,000,000 of funding appropriated under the Federal Judgeship Act of 1990 is no longer needed, and expects the judiciary to utilize available balances from this appropriation in fiscal year 1997 for authorized purposes under the "Salaries and expenses" account.

The Committee recommendation provides requested adjustments to base, but does not provide the costs of the judges' pay increase which has not been authorized by Congress at this time. In addition, an amount of \$10,000,000 over the fiscal year 1997 base has been provided to meet the demands of the Prison Litigation Reform Act passed in the Commerce, Justice, State and the Judiciary portion of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134). The Committee wishes to clarify the intention of Congress that the judiciary bear the cost only of special masters appointed subsequent to the enactment of Public Law 104-134. The Committee supports efforts of the judiciary to make electronic information available to the public, and expects that available balances from public access fees in the judiciary automation fund will be used to enhance availability of public access.

In light of the funding offsets described above, the recommendation will provide significant program increases under this account. 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, additional bankruptcy deputy clerks, and probation and pretrial monitoring of those who might pose a risk to local communities. The recommendation provides \$500,000 for the commission to study the structure and alignment of the Federal Courts of Appeals, created in section 307.

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 1997 instead of \$35,000,000 as requested and \$30,000,000 as provided in fiscal year 1996. The Committee intends that amounts provided be used for carrying out provisions of the Violent Crime Control and Law Enforcement Act of 1994 and the Antiterrorism and Effective Death Penalty Act of 1996.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

Appropriations, 1996	\$2,318,000
Budget estimate, 1997	2,390,000
House allowance	2,390,000
Committee recommendation	2,390,000

The Committee recommends a reimbursement of \$2,390,000 for fiscal year 1997 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 requested and is an increase of \$72,000 above the amount appropriated for the current fiscal year.

DEFENDER SERVICES

Appropriations, 1996	\$267,217,000
Budget estimate, 1997	318,905,000
House allowance	297,000,000
Committee recommendation	311,900,000

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

The Committee recommends \$311,900,000 for fiscal year 1997 for this account. This is an increase of \$44,683,000 from the fiscal year 1996 level and a reduction of \$7,005,000 from the request. The fiscal year 1996 amount does not reflect \$28,544,000 in carryover balances that were used to supplement funding in that year. No carryover balances are projected for fiscal year 1997. This recommendation fully funds the estimated needs in order to facilitate quick and orderly criminal trials.

The recommended funding reflects a reduction from the requested increases which corresponds to the annualized cost of personnel hired to provide representation in Federal death penalty habeas corpus cases. Congress eliminated funding of death penalty resource centers (post conviction defender organizations) in fiscal year 1996. If the Federal judiciary desires to fund representation of convicted felons in these appeals, it should do so from the base funding provided for this account.

FEEES OF JURORS AND COMMISSIONERS

Appropriations, 1996	\$59,028,000
Budget estimate, 1997	68,083,000
House allowance	66,000,000
Committee recommendation	68,083,000

The Committee recommends the requested amount of \$68,083,000 for fiscal year 1997 for the fees and allowances of grand and petit jurors and for the compensation of land commis-

sioners and jury commissioners. This represents an increase of \$9,055,000 from the fiscal year 1996 level of funding, is the same as the request, and is \$2,083,000 more than the House allowance.

COURT SECURITY

Appropriations, 1996	\$102,000,000
Budget estimate, 1997	131,885,000
House allowance	131,000,000
Committee recommendation	127,000,000

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.

Countering terrorism.—The Committee recommendation of \$127,000,000 for court security for fiscal year 1997 is an increase of \$25,000,000 over the amount provided for fiscal year 1996. In addition, \$4,000,000 will be made available for this account from the counterterrorism fund in the Department of Justice, so that the full \$131,000,000 request is provided. The recommended amount funds requested adjustments to base including the annualization costs of court security officers hired with funding provided in fiscal years 1995–96 to enhance security in the courts and provides funds for new officers and equipment for new or renovated facilities. In 1995, Congress passed \$16,600,000 in supplemental appropriations (Public Law 104–19) for court security following the bombing in Oklahoma City.

ADMINISTRATIVE OFFICE OF THE U.S. COURTS

SALARIES AND EXPENSES

Appropriations, 1996	\$47,500,000
Budget estimate, 1997	53,523,000
House allowance	48,500,000
Committee recommendation	50,900,000

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 \$50,900,000 for the salaries and expenses of the Administrative Office of the U.S. Courts for fiscal year 1997, an increase of \$3,400,000 from the current fiscal year appropriated level, a reduction of \$2,623,000 from the fiscal year 1997 budget request, and an increase of \$2,400,000 over the House allowance. Because the Administrative Office recently maintained a hiring freeze, the recommended level will be adequate to fund requested needs in order to provide proper management support to the judiciary.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

Appropriations, 1996	\$17,914,000
Budget estimate, 1997	19,625,000
House allowance	17,495,000
Committee recommendation	17,914,000

The Committee recommends \$17,914,000 for the salaries and expenses of the Federal Judicial Center for fiscal year 1997, a freeze at the fiscal year 1996 appropriation and a reduction of \$1,711,000 from the budget request.

The Center has made progress in streamlining the research and technology functions of the center, some of which overlap with functions performed by the Administrative Office of the Courts. The recommendation assumes that further reductions will be made in this area in order to maintain education and training efforts.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

Appropriations, 1996	\$32,900,000
Budget estimate, 1997	30,200,000
House allowance	30,200,000
Committee recommendation	30,200,000

The Committee recommends \$30,200,000 for the payment to the judicial officers' retirement fund, the judicial survivors' annuities fund, and the claims court judges' retirement fund for fiscal year 1997. This amount is equal to the budget request, and is \$2,700,000 less 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, 1996	\$8,500,000
Budget estimate, 1997	9,200,000
House allowance	8,300,000
Committee recommendation	8,867,000

The Committee recommends \$8,867,000 for the salaries and expenses of the U.S. Sentencing Commission for fiscal year 1997. This represents an increase of \$367,000 to fund adjustments to base, and a reduction of \$333,000 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 1997 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.

Section 305 contains language extending for 1 year the authorization for the judiciary automation fund in order to continue the orderly and effective administration of the judiciary's automation programs to make information and services more accessible to the public through enhancing the availability of electronic information.

Section 306 clarifies the intention of Congress that the judiciary bear the cost only of special masters appointed subsequent to the enactment of the Prison Litigation Reform Act provisions passed as part of Public Law 104–134.

Section 307 establishes a commission to study the structure and alignment of the Federal courts of appeals.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCIES

The subcommittee's 602(b) budget authority allocation is \$3,733,500,000 below the President's request, \$724,000,000 above a CBO freeze at fiscal year 1996 levels, and \$705,000,000 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 conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, fiscal years 1996–97, as passed by the Senate on March 28, 1996, by a vote of 52 to 44. Funding for virtually every program contained in this title is at or below the fiscal year 1997 authorization level provided in that bill.

On January 27, 1995, 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." Since that release was issued, the administration has consistently denied requests by the chairman, the ranking member, and other members of the subcommittee for the details of its \$5,000,000,000 savings plan.

The combination of tight budgetary constraints and lack of cooperation from the administration gave the Committee no choice in fiscal year 1996 but to initiate its own savings plan aimed at reducing overlap and duplication in the current foreign affairs bureaucracy. The result of that effort was the Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations Act, 1996 which was adopted in the Senate on April 25, 1996, by a vote of 88 to 11 as part of H.R. 3019, the fiscal year 1996 Omnibus Appropriations Act (Public Law 104–134). That bill cut the budgetary resources available to the Department of State, USIA, and ACDA \$546,900,000 below the President's fiscal year 1996 budget request and \$555,396,000 below a freeze at fiscal year 1995 spending levels.

DEPARTMENT OF STATE

The Committee recommends a total of \$3,512,765,000 for fiscal year 1997 for the Department of State. This amount is \$1,501,200,000 less than the budget request for fiscal year 1997,

\$459,723,000 less than the fiscal year 1996 appropriations for the Department, and \$363,243,000 below the House allowance.

The Committee recommendation includes a total of \$2,639,429,000 for the appropriation accounts under administration of foreign affairs; \$832,600,000 for the appropriation accounts under international organizations and conferences; \$40,736,000 for international commissions; and elimination of 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, 1996	\$1,719,220,000
Budget estimate, 1997	1,747,909,000
House allowance	1,692,150,000
Committee recommendation	1,701,600,000

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 \$1,700,900,000 for the "Diplomatic and consular programs" account and an additional \$8,400,000 from the counterterrorism fund at the Department of Justice for security enhancements at overseas posts. The recommendation will require a reduction of \$63,582,000 below the amount required to maintain the fiscal year 1996 operations level in fiscal year 1997, and will require personnel reductions, and other streamlining and savings initiatives in addition to those assumed in the request. Total budgetary resources provided for fiscal year 1997 are identical to the fiscal year 1997 authorization for this account contained in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996–97.

Enhanced border security.—The recommendation includes bill language requested by the administration to fund an estimated \$25,000,000 in border security staff and support costs from machine-readable visa [MRV] receipts. This would build on efforts initiated in fiscal year 1996. Fee receipts would support efforts to prevent passport and visa fraud domestically and overseas. In addition, receipts could be used to develop, maintain, and operate computer systems applications related to the Border Security Program. The Committee notes that the Department projects \$7,500,000 in end-of-year carryover balances in these fee accounts which should help mitigate the impact of the overall funding reductions contained in the Committee recommendation.

Diplomatic Telecommunications Service Program Office.—In 1991, the Congress terminated the Department of State Telecommunications Network Program. This action followed a review by the Senate Intelligence Committee's blue ribbon panel which examined requirements and redundancies between U.S. agencies overseas. Program termination saved an estimated \$350,000,000. The Congress further directed that the Department of State and

other agencies' telecommunications systems serving U.S. diplomatic and consular posts overseas be consolidated into the Diplomatic Telecommunications Service [DTS]. A program of joint upgrades was placed under the direction of the DTS Program Office [DTS-PO]. These joint upgrades save the U.S. Government money, both in the long and short term. In 1994, the Appropriations Committees of the House and Senate directed DTS-PO to proceed with a pilot project at five overseas posts. The Committee has repeated bill language that earmarks funds for DTS-PO operations and modernization.

The Committee remains concerned with the progress of the pilot initiative and further recognizes that there appears to exist continued resistance to the consolidation effort. Such redundancy cannot be afforded financially, and it is not in the best interest of the Government. It is the Committee's intention that all agencies continue to fully support DTS-PO and that the pilot projects be completed expeditiously and that the evaluation be submitted.

Enhanced security.—In separate bill language, the Committee has provided \$8,400,000 for enhanced security overseas which was not contained in the President's request. The Committee directs that this funding be used to supplement the \$9,720,000 one-time security enhancement requested as part of the President's fiscal year 1996 antiterrorism budget amendment. The recommendation includes: \$4,300,000 for security equipment; \$2,700,000 for the local guard program; and \$1,400,000 for armored vehicles in terrorist threat posts.

Spending reductions.—The budget request for this account included \$32,179,000 in program decreases, which, together with \$17,785,000 in program decreases included in the "Salaries and expenses" account, would require budget savings measures, including a reduction of 265 positions. Overseas operating costs will be an estimated \$5,036,000 as a result of 13 post closings approved in fiscal year 1996. Each of these proposed reductions are assumed in the Committee recommendation.

Spending increases.—The recommendation includes \$9,091,000 for replacement of overseas equipment and requested increases for the costs associated with hosting the 1997 Summit of Industrialized Nations and 1998 International Telecommunications Union Plenipotentiary Conference. The amount of \$450,000 is provided to support U.S. participation by the State of Alaska in the sustainable development activities of the Arctic Council Sustainable Development Secretariat. An amount of \$35,000 is provided for the Commission on Protecting and Reducing Government Secrecy for the purposes of producing the Commission's final report.

Improving shared administrative support services.—Currently the State Department subsidizes the overseas operations of more than 100 U.S. Government organizations. 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 constant. 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 per-

cent. Overseas Treasury Department staffing is up more than 20 percent. The 1996 appropriation directed that: (1) the President's fiscal year 1997 budget reflect the full cost of each Department and agency's operations; and (2) 1996 would be the last year that the State Department subsidize the operations of other Federal agencies through the outmoded 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. The Committee strongly supported efforts within the administration to implement the new international cooperative administrative support services [ICASS] system for fiscal year 1997. Unfortunately, the administration chose to delay full implementation of ICASS until fiscal year 1998. That means that for fiscal year 1997, the State Department will be required to finance approximately \$116,000,000 more of other U.S. Government agencies' overseas operating costs than would be required under the agreed upon ICASS system.

The administration's failure to comply with this truth-in-budgeting initiative has prompted the Committee to include language requiring that the new ICASS system be fully implemented by fiscal year 1998. The President's budget request for fiscal year 1998 for each Federal agency must include the full costs of its overseas operations in accordance with ICASS. In addition, the Committee has chosen to reduce the request for diplomatic and consular programs by \$38,000,000—roughly one-third of current State Department estimates of the amount that implementation of the new ICASS system would save State each year. This action is intended to give the Secretary of State a financial incentive to expedite implementation of the new ICASS system. In the interim, the Committee would encourage the Secretary of State to consult with the heads of agencies with overseas operations and seek reimbursement for a portion of these costs.

Economic cooperation overseas.—The Committee is pleased that the Department of State and U.S. and Foreign Commercial Service have made efforts to reduce duplication. The State Department, for example, has made progress in eliminating low-priority economic reporting.

The Committee urges the State Department to continue streamlining its economic operations, and to focus its economic activities on three principle objectives: (1) negotiating bilateral and multilateral agreements; (2) influencing foreign governments to support specific U.S. economic and commercial interests; and (3) enforcing economic sanctions in support of U.S. foreign policy goals.

The conference agreement accompanying the fiscal year 1996 Commerce, Justice, and State appropriations bill noted that while foreign service officers from other non-State Department agencies have been elevated to Ambassadorial rank, no senior officer from the U.S. and Foreign Commercial Service has been selected as an Ambassador. The conferees noted that they expected the administration to appoint at least one US&FCS officer to Ambassadorial rank.

To date, the Committee is not aware of any US&FCS officer who has been promoted to Ambassadorial rank. The Committee is dis-

appointed in the Department's lack of responsiveness to the guidance accompanying the current appropriation. The Committee strongly suggests that the Department address this issue and move expeditiously to recognize the diplomatic expertise that resides among the dedicated corps of US&FCS officers.

Post closings.—The Committee approved 13 posts recommended by the Secretary of State for closure in fiscal year 1996. The Committee supports the efforts of the Department to develop objective criteria for the evaluation and prioritization of overseas posts. In the future, the Department must give the potential impact on economic, diplomatic, and law enforcement interests, particularly on neighboring border communities in the United States, appropriate consideration in the evaluation process.

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. 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.

SALARIES AND EXPENSES

Appropriations, 1996	\$365,146,000
Budget estimate, 1997	358,159,000
House allowance	352,300,000
Committee recommendation	357,000,000

The Committee recommends \$357,000,000 for the "Salaries and expenses" account of the Department of State. The recommendation is identical to the fiscal year 1997 authorization for this account contained in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996–97.

This appropriation provides for the management, administrative, and support functions of the Department of State, including the Office of the Secretary. The fiscal year 1996 appropriation included a one-time \$1,870,000 increase for enhanced security.

The recommendation assumes all the spending reductions contained in the budget request, carry forward of the administrative reductions contained in Public Law 104–134 and an increase of \$6,424,000 for the final installment required to complete the Columbia Plaza renovation project begun in fiscal year 1989.

CAPITAL INVESTMENT FUND

Appropriations, 1996	\$16,400,000
Budget estimate, 1997	32,800,000
House allowance	16,400,000
Committee recommendation	32,800,000

The Committee recommends \$32,800,000 for the "Capital investment fund" account, compared to a request of \$32,800,000, and a

fiscal year 1996 funding level of \$16,400,000. The recommendation is \$16,400,000 more than the fiscal year 1997 authorization for this account contained in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996–97.

This new account was created in fiscal year 1996 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.

The recommendation includes no less than \$2,965,000 for information systems security upgrades and no less than \$2,430,000 for security technology programs as outlined in the State Department’s recent evaluation of diplomatic security needs.

While funding constraints prevent the Committee from providing more resources to this account at this time, the Committee has included language requested by the administration which would allow expedited passport fee receipts to supplement efforts to accelerate information technology improvements. 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, 1996	\$27,369,000
Budget estimate, 1997	27,369,000
House allowance	27,495,000
Committee recommendation	27,495,000

For the combined Office of the Inspector General for the Department of State and the U.S. Information Agency, the Committee recommends \$27,495,000. The recommendation is identical to the fiscal year 1997 authorization for this account contained in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996–97.

In fiscal year 1996, the Committee merged the Office of Inspector General of the U.S. Information Agency with the Office of Inspector General of the State Department as a first step toward the proposed consolidation of the foreign affairs agencies. As a result of this action, the State inspector general now has jurisdiction over the Arms Control and Disarmament Agency and the United States Information Agency [USIA]. Bill language has been included to make this move permanent.

REPRESENTATION ALLOWANCES

Appropriations, 1996	\$4,500,000
Budget estimate, 1997	4,656,000
House allowance	4,490,000
Committee recommendation	4,490,000

The Committee recommends \$4,490,000 for representation allowances authorized by section 905 of the Foreign Service Act of 1980. It is \$10,000 lower than the fiscal year 1997 authorization for this account contained in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996-97.

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

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

Appropriations, 1996	\$8,579,000
Budget estimate, 1997	8,332,000
House allowance	8,332,000
Committee recommendation	8,332,000

The accompanying bill includes a total of \$8,332,000 for the appropriation entitled, "Protection of Foreign Missions and Officials." This amount is the same as the budget request and the House allowance. It is \$247,000 less than the appropriation provided for fiscal year 1996.

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

Of the total amount recommended, \$1,574,000 is available for protection of foreign diplomats and their families throughout the United States. The Foreign Missions Act of 1982 authorizes the provision of such services when necessary either at the request of a foreign mission or on the initiative of the Secretary of State. In these situations, where State and local authorities cannot provide the security required, the act permits the Department of State to employ the services of private security firms.

Of the total amount recommended, \$6,758,000 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.

SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

Appropriations, 1996	\$385,760,000
Budget estimate, 1997	386,060,000
House allowance	370,000,000
Committee recommendation	360,000,000

The Committee recommends a total appropriation of \$360,000,000 for security and maintenance of United States missions for fiscal year 1997. The total amount provided in this appropriation account for fiscal year 1997 is \$25,760,000 below fiscal year 1996 funding levels. In addition to funding reductions in fiscal year 1996, the budgetary resources for this account were reduced with the enactment of two rescissions totaling \$94,500,000 (Public Law 104-19 and Public Law 104-134). The recommendation is \$26,060,000 below the request, \$10,000,000 below the House allowance, and \$20,000,000 below the fiscal year 1997 authorization for this account contained in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, fiscal years 1996-97.

The 1996 appropriation changed the name of this account from "Acquisition and maintenance of buildings abroad" to "Security and maintenance of United States missions." The new name is intended to more accurately reflect the activities funded by this account. This account provides the funding that allows the Department to manage U.S. Government real property in over 200 countries worth an estimated \$12,000,000,000 and to maintain almost 14,000 residential, office, and functional properties, not only for the Department of State, but for all U.S. employees overseas.

Like the 1996 appropriation, the recommendation provides 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 of existing facilities; and supervision and management for ongoing projects. The recommendation provides \$25,000,000 less than the request for rehabilitation projects to give State an added incentive to dispose of surplus real estate assets.

Last year, the Committee recommended rescissions of projected carryover balances in this account to draw down the unobligated balances which had built up over the past decade and give the Department of State a greater incentive to: (1) closely monitor ongoing capital projects at each phase of the process—acquisition, design, construction, closeout, 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.

Overseas real estate.—While management of this account has improved in recent years, an April 1996 General Accounting Office [GAO] report suggests that more needs to be done. In fiscal year 1995, State sold \$53,000,000 of its international real estate holdings and currently has an estimated 475,000,000 dollars' worth of properties listed for sale. In addition to these properties, GAO identified 39 additional surplus properties worth more than \$1,000,000 each. The GAO report recommended that "the Secretary of State establish an independent panel to make recommendations regard-

ing the sale of excess real estate to reduce the current inventory of property.”

While the Committee supports the thrust of GAO’s findings, it is concerned that directing State to unload what GAO has identified as surplus overseas properties without adequate knowledge of market conditions in those countries could cost taxpayers millions of dollars.

The Committee directs that by no later than December 30, 1996, the Secretary establish a nine-member advisory board on real property management. In addition to representatives from the State Department, the board must include at least one representative from the Office of the Inspector General [OIG], at least one from GAO, at least one from the Office of Management and Budget, and at least two private sector individuals with significant overseas real estate experience.

The Board is to (1) review information on Department of State properties proposed for sale by the Department of State, OIG, GAO, or any other agencies of the U.S. Government, and (2) compile a list of properties recommended for sale to the Under Secretary of State for Management for approval. Once approved, this listing is to be included by the Department in its annual budget submission to Congress. In addition, the Board is to establish a priority listing of overseas capital projects which is to be updated annually.

At any time when appropriate market conditions exist, State is to proceed with the immediate sale of items on the approved list. The first \$25,000,000 in proceeds from the sale of these assets is to be used for priority facility rehabilitation projects as identified by the Department of State. The balance is to go to new capital projects consistent with priorities contained in the board’s recommendations as approved by the Under Secretary for Management.

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, 1996	\$6,000,000
Budget estimate, 1997	5,800,000
House allowance	5,800,000
Committee recommendation	5,800,000

The Committee recommends \$5,800,000 to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service. The recommendation is identical to both the budget request and the House allowance. It is \$200,000 less than the amount appropriated for fiscal year 1996.

The Committee has continued a provision from the fiscal year 1996 appropriation permitting up to \$1,000,000 to be transferred from this account to the “Repatriation loans program” account to ensure an adequate level of resources for loans to American citizens through the “Repatriation loans program” account should that account require additional funds in fiscal year 1997 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, 1996	\$776,000
Budget estimate, 1997	1,256,000
House allowance	1,256,000
Committee recommendation	1,256,000

The Committee has included \$593,000 for the subsidy cost of repatriation loans, and \$663,000 for administrative costs of the program as authorized by 22 U.S.C. 2671. The Committee has agreed to include a recommendation contained in the budget request proposed by the inspector general and adopted by the House, which would reflect the full cost of administering the "Repatriation Loans Program" account within this appropriation. As a result of this change, the recommendation is \$480,000 more than the 1996 appropriation. Previously, administrative costs for this account were considered to include only incremental costs incurred as a result of implementing the Credit Reform Act. The change is not an increase in costs, but rather a transfer in funding responsibilities for costs previously funded by the salaries and expenses appropriation.

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, 1996	\$15,165,000
Budget estimate, 1997	15,001,000
House allowance	15,001,000
Committee recommendation	14,165,000

The accompanying bill includes \$14,165,000 for the appropriation entitled, "Payment to the American Institute in Taiwan", the full amount authorized in the conference report to accompany H.R. 1561, Foreign Relations Authorization Act, Fiscal Years 1996-97.

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, 1996	\$125,402,000
Budget estimate, 1997	126,491,000
House allowance	126,491,000
Committee recommendation	126,491,000

The Committee recommends \$126,491,000 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.

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, 1996	\$892,000,000
Budget estimate, 1997	1,045,000,000
House allowance	875,000,000
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 \$342,000,000 below the fiscal year 1996 appropriation, \$495,000,000 below the budget request, \$325,000,000 below the House allowance, and \$290,000,000 below the amount authorized in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996–97. The recommendation includes no funds for payment of arrearages.

The Committee notes that since fiscal year 1992, funding for State Department operations has declined from \$2,727,299,000 to a requested \$2,713,133,000 for fiscal year 1997. Over the same period, requested funding for international organizations has increased 20 percent (from \$842,384,000 in fiscal year 1992 to a requested \$1,045,000,000 for fiscal year 1997). During deliberations on the fiscal year 1996 appropriation, Congress made it clear, on a bipartisan, bicameral basis, that maintaining an adequate platform for U.S. foreign policy is a higher priority than funding continued membership in several of the 50 international organizations for which the United States will be assessed contributions in fiscal year 1997. The Committee recommendation reflects those priorities.

United Nations reform.—The centerpiece of the administration's current United Nations [U.N.] reform plan is the \$2,068,000,000 no-growth 1996–97 biennial budget for the United Nations adopted in December 1995. At a May 23 subcommittee hearing, the U.S. Permanent Representative to the United Nations, Madeleine Albright, testified, "There is at the heart of our budget request this year a plan to pay to the United Nations and affiliated agencies the amounts we owe for prior-year assessments. The total, about

\$1,000,000,000, would be paid in roughly equal installments over 5 years as the United Nations reforms, keeps its budget down, and cuts unnecessary staff." Over the past 10 years, bipartisan efforts to produce reform at the United Nations have yielded little in the way of results. While the Committee shares many of the administration's goals for U.N. reform, a review of past attempts to reform the United Nations strongly suggests that the administration's pay now, reform later policy is fundamentally flawed.

The Committee notes that the U.N.'s no-growth budget is based on two assumptions. The first is that \$154,000,000 in unidentified spending reductions will be adopted. The second is that any additional missions or activities which were not included in the original budget plan will be fully offset with additional spending reductions. Five months into the biennium the United Nations is currently between \$179,000,000 and \$274,000,000 (8.7 percent to 13.2 percent) over budget. None of the promised \$154,000,000 in spending cuts have been adopted. In addition, the United Nations has voted—with U.S. support—to extend several operations slated to expire this year without adopting offsetting spending cuts.

Only when the Secretary of State can certify that the United Nations has fulfilled its commitment to a no-growth budget will the Committee consider making arrearage payments to the United Nations. In the interim, the recommendation provides sufficient funds to cover the full 25-percent U.S. commitment for fiscal year 1997, provided that the four quarterly certifications that the United Nations is not exceeding its no-growth budget are made.

Review of administrative costs.—The Committee is concerned that a large and growing percentage of funding provided for international organizations is devoted to overhead and administrative costs. Over the past several years, Congress has rigorously reviewed Federal programs in an effort to minimize administrative expenses and maximize the percentage of taxpayer dollars dedicated to program delivery. The Committee believes that international organizations should be held to the same standards. The Committee requested that the State Department review the budget of each international organization for which the United States is assessed contributions and determine what percentage of each organization's budget is allocated to administrative expenses and what percentage goes to program delivery. Because the response was woefully inadequate, the Committee now directs the State Department to complete a thorough review of the budgets of these international organizations and report its findings to the Committee by no later than December 1, 1996. At a minimum, the report should contain historical data comparing the staffing levels, salaries and other compensation, and program levels for each organization over the past 5 years.

The recommendation includes language similar to that contained in the fiscal year 1996 appropriation withholding \$100,000,000 of the total provided, with \$25,000,000 installments to be made available each quarter if the Secretary of State certifies that the United Nations has taken no action to increase funding for any U.N. program without identifying an offsetting decrease elsewhere in the U.N. budget and cause the United Nations to exceed its no-growth budget for the biennium 1996–97 adopted in December 1995. If at

any time, the Secretary is unable to make such a certification, the \$25,000,000 is to be applied to reducing the United States' fiscal year 1998 obligations to the International Atomic Energy Agency [IAEA], the World Trade Organization [WTO], or the North Atlantic Treaty Organization [NATO] subject to the reprogramming requirements outlined in section 605 of this bill.

From within the funds provided under this heading, funding is intended to be provided to fully fund fiscal year 1997 assessments to IAEA, WTO, NATO, and the International Civil Aviation Organization [ICAO]. Funding is provided to the United Nations to cover the full fiscal year 1997 assessment at the 25-percent assessment rate, provided that the certifications that the United Nations is not overspending its no-growth budget are made. No funds are to be provided to the U.N. Industrial Development Organization, the Inter-American Indian Institute, the Pan American Railway Congress Association, the Permanent International Association of Road Congresses, the International Tropical Timber Organization, the International Rubber Organization, or the World Tourism Organization. Should the recommended funding level fall short of actual assessments, the shortfall should be allocated among the remaining organizations and be prioritized according to the importance of each international organization to the national interest of the United States.

International Civil Aviation Organization.—As part of its comprehensive counterterrorism initiative, the Committee recommends full funding of the fiscal year 1997 assessment for ICAO and urges the U.S. delegation to place increased emphasis on international flight safety and airport security.

Framework Convention on Climate Change.—The Committee is aware of U.S. participation in negotiations on global climate change. The Committee is concerned about the pace at which the negotiations with parties to the 1992 Framework Convention on Climate Change [FCCC] are going. In March 1995, the State Department delegation to the FCCC agreed to a decision to finalize agreement on a protocol or other legal instrument to the convention by 1997. Any new agreement would cover greenhouse gas emissions and concentrations in the atmosphere for the post-2000 time period. The Committee notes that any such agreement would apply only to developed countries such as the United States.

The Committee is concerned that the 1997 deadline will not allow for a thorough review of any proposed change in commitments to reduce greenhouse gas emissions. The FCCC requires that any proposed protocol or amendment to the convention be communicated to the parties at least 6 months prior to its consideration for adoption. Therefore, the Committee expects the State Department negotiating delegation to insist that at least 6 months be provided for study of final negotiating text of any proposed protocol or amendment to the FCCC. Because any agreement imposing binding targets for reductions within specified time periods will have a significant impact on U.S. trade, competitiveness, and jobs, the Committee directs that a comprehensive economic impact analysis be prepared to evaluate any proposed agreement.

The Committee expects the State Department and other relevant agencies to keep this Committee and the other appropriate legisla-

tive and appropriation committees of Congress informed as to the U.S. negotiating position and strategy. The Committee suggests formal consultation with NGO's and U.S. businesses may be required to ensure that the negotiating position accurately reflects U.S. national interests. It is clear that a decision to adhere to binding targets and timetables would be a substantial and significant change in the FCCC commitments. The Committee believes that any decision to modify the commitments under the FCCC would have to be re-submitted for the Senate's advice and consent.

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.

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 U.S. share of interest costs for loans incurred on or after October 1, 1984, through external borrowings.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

Appropriations, 1996	\$359,000,000
Budget estimate, 1997	425,000,000
House allowance	332,400,000
Committee recommendation	282,600,000

The Committee recommends a total of \$282,600,000 for U.S. payments for contributions for international peacekeeping activities for fiscal year 1997. This funding level represents the full fiscal year 1997 U.S. obligation to the United Nations [U.N.] for fiscal year 1997 peacekeeping activities. The recommendation is \$92,400,000 below the amount authorized for fiscal year 1997 for this account in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996–97. The recommendation does not include \$142,400,000 requested by the administration to begin reducing U.S. arrearages for past U.N. peacekeeping operations.

The recommendation continues language contained in Public Law 104–134 requiring a 15-day advance notice of votes in the U.N. Security Council for new or expanded peacekeeping missions and requiring a certification that American businesses are being given equal procurement opportunities.

The requirement that the State Department submit a reprogramming, identifying the source of funds for a new or expanded mission is continued from the 1996 appropriation. The Committee is concerned that 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 financed.

Language is included, as in the previous year, that prohibits the use of funds for any U.N. peacekeeping mission that involves U.S. Armed Forces under the command or operational control of a foreign national, unless the President certifies that the involvement is in the national security interest.

Unreimbursable costs.—In 1994, the most recent year for which the State Department can provide data, the United States unreimbursed expenses exceeded our formal assessment by nearly 40 percent. The United Nations has failed to properly and fairly credit the United States for these contributions and the Committee believes that the United States should be reimbursed for these contributions or credited for our assessed contribution.

The Committee directs the U.S. Ambassador to the United Nations to work with the United Nations to analyze and review the U.N. peacekeeping scale of assessment. The four groupings that are currently being used by the United Nations do not reflect a proportionate share of the burden of peacekeeping costs. Several countries should be asked to pay a greater portion of the cost of peacekeeping operations.

INTERNATIONAL CONFERENCES AND CONTINGENCIES

Appropriations, 1996	\$3,000,000
Budget estimate, 1997	5,820,000
House allowance	
Committee recommendation	

The Committee does not recommend separate funding to finance the U.S. participation in multilateral intergovernmental conferences and contributions to new or provisional international organizations.

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.

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.

New or provisional organizations.—The other purpose of this account is to provide contingency funds for new or provisional international organizations. The Committee concurs in the action taken by the House to include language under the “Contributions to international organizations” account to allow the transfer of up to \$10,000,000 to this account for the purpose of providing such funds.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

Appropriations, 1996	\$18,702,000
Budget estimate, 1997	25,838,000
House allowance	24,953,000
Committee recommendation	26,058,000

The bill includes a total of \$26,058,000 for the International Boundary and Water Commission, United States and Mexico [IBWC]. This amount is \$2,314,000 less than the fiscal year 1997 authorization in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996–97. The total amount provided includes \$18,490,000 for salaries and expenses and \$7,568,000 for construction.

SALARIES AND EXPENSES

Appropriations, 1996	\$12,058,000
Budget estimate, 1997	18,516,000
House allowance	18,490,000
Committee recommendation	18,490,000

The Committee recommends \$18,490,000 for the “Salaries and expenses” account. This amount is \$1,782,000 below the fiscal year 1997 authorization contained in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996–97.

The recommendation for this account includes requested funding of \$6,472,000 to operate and maintain the new South Bay International Sewage Treatment Plant scheduled to begin operation in fiscal year 1997 at partial capacity.

CONSTRUCTION

Appropriations, 1996	\$6,644,000
Budget estimate, 1997	7,322,000
House allowance	6,463,000
Committee recommendation	7,568,000

The Committee recommendation for the construction appropriation is \$7,568,000.

Funds are provided for several projects along the United States-Mexican border, including the American Canal extension, the Rio Grande canalization project, and requested facilities renovation projects.

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 waste water originating in Mexico. The Committee recognizes that concerns have been raised by local governments about costs eligible for reimbursement as they relate to waste water 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 waste water 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, 1996	\$5,800,000
Budget estimate, 1997	5,627,000
House allowance	5,490,000
Committee recommendation	5,627,000

The Committee recommends a total of \$5,627,000 to fund the United States 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 1997.

The Committee recommendation includes \$1,746,000 for the third year of funding for the Border Environment Cooperation Commission [BECC], authorized under the legislation approving the North American Free Trade Agreement [NAFTA]. 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, 1996	\$14,669,000
Budget estimate, 1997	14,669,000
House allowance	10,450,000
Committee recommendation	9,051,000

The accompanying bill provides a total of \$9,051,000 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 Committee recommendation would provide \$2,735,000 for the Great Lakes Fishery Commission, \$5,618,000 less than the request. The difference is the amount that is passed through to the Fish and Wildlife Service in the Department of the Interior for sea lamprey eradication or paid to the Environmental Protection Agency for lampricide certification. 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. Like the House, the Committee recommends shifting funding for sea lamprey eradication to the National Oceanic and Atmospheric Administration in the Department of Commerce.

OTHER

PAYMENT TO THE ASIA FOUNDATION

Appropriations, 1996	\$5,000,000
Budget estimate, 1997	5,000,000
House allowance	8,000,000
Committee recommendation	

The Committee recommends no funding for the Asia Foundation for fiscal year 1997.

The Asia Foundation is a nongovernmental grant making 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, urged the Foundation to aggressively pursue private funds to support its activities. The Committee shares that view.

RELATED AGENCIES

ARMS CONTROL AND DISARMAMENT AGENCY

ARMS CONTROL AND DISARMAMENT ACTIVITIES

Appropriations, 1996	\$38,700,000
Budget estimate, 1997	48,455,000
House allowance	38,495,000
Committee recommendation	30,000,000

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 \$30,000,000 for the basic operating expenses of the Arms Control and Disarmament Agency [ACDA] for fiscal year 1997. The Committee notes that the fiscal year 1997 request assumed fiscal year 1996 funding of \$45,700,000. That assumption was \$8,000,000 more than the amount actually appropriated to ACDA in fiscal year 1996. The recommendation is identical to the fiscal year 1997 authorization contained in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996–97.

In fiscal year 1996, ACDA requested that \$3,700,000 in funds previously provided for chemical weapons convention implementation be used instead to support ongoing ACDA operations. Congress agreed to that request on the condition that those resources would not be used to undertake new programs or to increase employment above levels on board at the time of enactment of the fiscal year 1996 appropriation.

The Committee notes that there is a significant overlap of functions between ACDA and the State 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 recommended spending reduction is directed at elimination of that overlap.

U.S. INFORMATION AGENCY

Appropriations, 1996	\$1,085,351,000
Budget estimate, 1997	1,125,768,000
House allowance	1,035,050,000
Committee recommendation	1,024,800,000

The Committee recommends a total of \$1,024,800,000 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 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 notes that the fall of the Berlin wall has had a dramatic impact on this Agency. Since 1994, USIA has eliminated roughly 2,500 Federal and grantee positions. One thousand of those positions will be eliminated in fiscal year 1996. The details of the Committee's recommendations for the nine appropriations accounts of the USIA are outlined in the following paragraphs. These recommendations are at or below the authorization levels contained in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996-97. In no case does the Committee's recommendation exceed those authorization levels.

SALARIES AND EXPENSES

Appropriations, 1996	\$445,645,000
Budget estimate, 1997	468,016,000
House allowance	439,300,000
Committee recommendation	440,000,000

The Committee recommends \$440,000,000 for the salaries and expenses appropriation of the U.S. Information Agency [USIA]. This amount is identical to the fiscal year 1997 authorization contained in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996-97. The recommendation is \$5,645,000 below a freeze at fiscal year 1996 funding levels, \$28,016,000 below the request, and \$700,000 above the House allowance.

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 (5) \$1,100,000 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 reductions and consolidations in the operations of USIA beyond those envisioned in the budget request. USIA must take immediate steps to downsize those posts where staffing is not in accord with USIA's resource allocation grouping model.

Since enactment of the United States International Broadcasting Act of 1994 (Public Law 103-236), USIA has undergone a significant reorganization, downsizing, and streamlining effort. The Committee believes that USIA should concentrate further personnel reductions in support staff in Washington, DC, rather than programming staff in the field.

TECHNOLOGY FUND

Appropriations, 1996	\$5,050,000
Budget estimate, 1997	10,000,000
House allowance	5,050,000
Committee recommendation	5,050,000

This account was created in fiscal year 1996 to help modernize USIA's nonbroadcasting computer and telecommunications infrastructure. This account largely replaces an investment strategy that had relied heavily on available year end funds.

The Committee recommends \$5,050,000 for the "Technology fund" account, compared to the budget request of \$10,100,000. The recommendation represents the full amount authorized for fiscal year 1997 authorization for this account in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996-97.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

Appropriations, 1996	\$200,000,000
Budget estimate, 1997	202,412,000
House allowance	185,000,000
Committee recommendation	183,000,000

The bill includes a total of \$183,000,000 for the educational and cultural exchange programs of the U.S. Information Agency. The recommendation is identical to the fiscal year 1997 authorization for this account in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996-97.

The Committee notes that in fiscal year 1996, funding for exchange programs in the New Independent States [NIS] of the former Soviet Union was provided under the Foreign Operations appropriations bill.

Consistent with the provisions of the conference report to accompany H.R. 1561, the Committee recommends that, of the funds provided in this account, \$98,000,000 be made available for the Fulbright Program and that other exchange programs be supported from remaining funds.

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, the International Visitors Program, the Institute for Representative Government, Pepper scholarships, and Muskie fellowships.

USIA shall disburse funds in the amount of \$1,800,000 to the Mansfield Center for Pacific Affairs to cover the Center's costs in fully implementing the Mike Mansfield fellowships, including the posting of 8, 1996 fellows and their immediate families in Japan in order that the fellows may work in a Japanese Government agency for 1 year, preparation and training for 10, 1997 fellows, the recruitment and selection of 10, 1998 fellows, and attendant administrative costs.

The Committee notes that the fiscal year 1996 appropriation included the funding for the Xth Paralympiad, which will take place in 1996.

Governmentwide review of exchanges.—In 1994-95, the latest year for which complete data is available, 38 U.S. Government departments and agencies contributed more than \$1,600,000,000 to support foreign exchange and training programs. Of that amount, USIA spent \$388,000,000 for exchanges. USIA has little or no role in administering exchanges and training activities conducted by these other agencies. Tight budgetary constraints necessitate a

thorough review of these activities to both eliminate duplication and overlap and ensure cost-effective, coordinated Federal support of exchanges.

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.

The Committee supports an open, competitive bidding process for all USIA exchange grant programs that ensures that small grass roots operations have an opportunity to compete for these grants. The Committee believes that an open, competitive process can ensure quality and still provide cost-effective support for exchanges. In addition, the Committee supports an equitable distribution of exchanges at all academic levels: high school, undergraduate, and graduate.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

Appropriations, 1996	\$509,000
Budget estimate, 1997	600,000
House allowance	600,000
Committee recommendation	600,000

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 recommendation is identical to both the request and the House allowance. It is \$91,000 more than the fiscal year 1996 appropriation. The Committee notes that the 1996 appropriation contained a permanent change in law stating that in addition to these funds, "Eisenhower Exchange Fellowships, Inc. may use one-third of any earned but unused trust fund income from the period 1992 through 1995 for fellowship purposes in each of fiscal years 1996 through 1998." The Committee intends that those funds continue to be made available as required by Public Law 104-134.

The Eisenhower Exchange Fellowship Act of 1990 authorized a permanent endowment for the Eisenhower Exchange Fellowship Program. The act established the Eisenhower Exchange Fellowship Program Trust Fund in the U.S. Treasury for these purposes. A total of \$7,500,000 has been provided to establish a permanent endowment for the program, from which interest and earnings in the fund are appropriated to Eisenhower Exchange Fellowships, Inc.

ISRAELI-ARAB SCHOLARSHIP PROGRAM

Appropriations, 1996	\$397,000
Budget estimate, 1997	400,000
House allowance	400,000
Committee recommendation	400,000

The Committee recommends language in the accompanying bill which will appropriate interest and earnings of the Israeli-Arab Scholarship Endowment Fund totaling \$400,000. The recommenda-

tion is equal to the budget request and the House allowance. It is \$3,000 more than the fiscal year 1996 funding level.

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, 1996	\$325,191,000
Budget estimate, 1997	340,406,000
House allowance	321,925,000
Committee recommendation	325,000,000

The Committee recommends \$325,000,000 to carry out U.S. international broadcasting operations for fiscal year 1997. 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 does not include an earmark for Radio Free Asia as proposed by the House.

Targeting State sponsors of terrorism.—The recommendation includes an additional \$3,000,000 from the counterterrorism fund to international broadcasting operations to increase programming to countries the United States currently lists as sponsors of terrorism: Cuba, Iran, Iraq, Libya, North Korea, Sudan, and Syria, as well as countries where American citizens and property are threatened by acts of terrorism.

The bill language continues several provisions which were included in the fiscal year 1996 appropriation and repeated in the request: (1) not to exceed \$1,000,000 of these funds shall remain available until expended; (2) not to exceed \$51,000 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.

BROADCASTING TO CUBA

Appropriations, 1996	\$24,809,000
Budget estimate, 1997	25,000,000
House allowance	13,775,000
Committee recommendation	25,000,000

The Committee recommends \$25,000,000 to continue funding for broadcasting to Cuba as a separate account in fiscal year 1997. The recommendation is identical to the request, \$191,000 more than the fiscal year 1996 appropriation and \$11,225,000 more than the House allowance.

The Committee opposes the House recommendation to discontinue funding for TV Marti.

The Committee notes that the Broadcasting Board of Governors [BBG] plans to complete the relocation of Cuba broadcasting to south Florida, mandated in the fiscal year 1996 appropriation, by March 1997. The Committee supports efforts to implement the

move as expeditiously, efficiently, and cost effectively as possible and directs BBG to provide a formal timetable for the planned move by no later than August 1, 1996. The Committee expects the BBG to provide regular progress reports on the implementation of that plan. The Committee has included bill language similar to that included in the 1996 appropriation stipulating that the incremental cost of the move is to be absorbed from funds available under the headings "International Broadcasting Operations", "Broadcasting to Cuba", and "Radio Construction".

RADIO CONSTRUCTION

Appropriations, 1996	\$40,000,000
Budget estimate, 1997	39,164,000
House allowance	39,000,000
Committee recommendation	32,000,000

The bill includes \$32,000,000 in new budget authority for the "Radio construction" account for fiscal year 1997. Severe budgetary constraints prevent the Committee from providing funds for new construction in fiscal year 1997. 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 notes that according to information provided to the Committee on June 4, 1996, USIA currently estimates that there will be \$4,000,000 or more in end-of-year unobligated balances in this account.

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

EAST-WEST CENTER

Appropriations, 1996	\$11,750,000
Budget estimate, 1997	8,800,000
House allowance	11,750,000
Committee recommendation	11,750,000

The Committee recommends freezing funding for the East-West Center at the 1996 level. This recommendation is identical to the fiscal year 1997 authorization for this account contained in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996-97. The recommendation is \$2,950,000 above the request and \$11,750,000 above the House allowance.

NORTH/SOUTH CENTER

Appropriations, 1996	\$2,000,000
Budget estimate, 1997	970,000
House allowance	2,000,000
Committee recommendation	2,000,000

The Committee recommends freezing funding for the continued support of the operations of the North/South Center at the fiscal year 1996 spending level. This is \$1,030,000 more than the request, \$2,000,000 more than the House allowance, and \$1,000,000 less than the fiscal year 1997 authorization for this account contained in the conference report to accompany H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996-97.

NATIONAL ENDOWMENT FOR DEMOCRACY

Appropriations, 1996	\$30,000,000
Budget estimate, 1997	30,000,000
House allowance	30,000,000
Committee recommendation	

The National Endowment for Democracy [NED] was originally established in 1984 during the days of the cold war as a public-private partnership to promote democratic movements behind the Iron Curtain. Limited U.S. Government funds were viewed as a way to help leverage private contributions, and were never envisioned as NED's sole source of funding. Originally, NED's components were to raise private donations and the public contributions were to act as starter capital. Since the cold war is over, the Committee believes the time has come to eliminate Federal funding for this program. Continued NED operations should be funded by private contributions.

A majority—65 percent—of NED funding is provided to four core groups: the AFL-CIO, the U.S. Chamber of Commerce, and the Republican and Democrat National Parties. The four core groups are given funds without competitive bidding. This practice of allocating grants among the four core groups creates the perception that NED grants are the result of political payoffs and are not distributed according to merit. The United States already spends billions of dollars to promote democracy through USIA and AID programs. USIA and AID's grants are given competitively and must be reviewed.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCIES

The Committee recommends the following general provisions that were included in the fiscal year 1996 appropriations act:

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 waives through September 30, 1997, provisions of existing law that require authorizations to be in place for State De-

partment, U.S. Information Agency, including international broadcasting operations, and Arms Control and Disarmament Agency activities prior to the expenditure of any appropriated funds.

Section 405 provides that any personnel costs incurred by any Department or agency funded under this title as a result of funding reductions be absorbed within the total budgetary resources available to the Department or agency. In addition, this section grants any Department or agency funded under this title the authority to transfer funds between appropriations accounts for these personnel costs subject to standard reprogramming procedures.

The recommendation does not include section 406 of the House bill regarding modifications to treaties after their ratification by the U.S. Senate.

TITLE V—RELATED AGENCIES
DEPARTMENT OF TRANSPORTATION
MARITIME ADMINISTRATION

Appropriations, 1996	\$156,100,000
Budget estimate, 1997	222,097,000
House allowance	166,200,000
Committee recommendation	107,500,000

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 \$107,500,000 in new budget authority, plus an additional \$148,430,000 for liquidation of contract authority, for the Maritime Administration for fiscal year 1997. 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, 1996	\$162,610,000
Budget estimate, 1997	148,430,000
House allowance	148,430,000
Committee recommendation	148,430,000

The Committee recommends \$148,430,000 for payment of obligations incurred for operating-differential subsidies of American flag vessels. This amount is the full request, and represents a decrease of \$14,180,000 below the amount made available for the program in fiscal year 1996. 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, 1996	\$46,000,000
Budget estimate, 1997	100,000,000
House allowance	63,000,000
Committee recommendation	

The proposed Maritime Security Program is intended to help maintain and preserve a U.S. flag merchant fleet to serve the national security needs of the United States. This program is funded under the allocations for national security programs.

The Committee recommends no new funding for the Maritime Security Program for fiscal year 1997. This program received an appropriation of \$46,000,000 for fiscal year 1996 pending enact-

ment of an authorizing law. Because this authorization has yet to be enacted, it is estimated that all of those prior-year funds in this account will carry over for use in fiscal year 1997.

OPERATIONS AND TRAINING

Appropriations, 1996	\$66,600,000
Budget estimate, 1997	78,097,000
House allowance	62,300,000
Committee recommendation	66,600,000

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 \$66,600,000 to fund programs under this account. This amount is a reduction of \$11,497,000 from the budget request, is the same as the amount appropriated for the current fiscal year, and is \$4,300,000 more than the House allowance.

The Committee does not concur in the House report language for this account, and provides that not less than \$8,500,000 is for State maritime schools. The majority of this amount is dedicated to maintenance and utilization of federally owned training ships. The balance of the funds are to be used at the discretion of the MarAd Administrator for training, operating programs, and general administration of the Maritime Administration.

MARITIME GUARANTEED LOAN PROGRAM

Appropriations, 1996	\$43,500,000
Budget estimate, 1997	44,000,000
House allowance	40,900,000
Committee recommendation	40,900,000

The Committee has provided a total of \$40,900,000 for the Maritime Guaranteed Loan Program (title XI) Program. This level is \$3,100,000 less than the budget request, is \$2,600,000 less than the current level, and is the same as the House allowance. Included within this amount is \$37,450,000 in subsidies for the guaranteed loan program. This program provides guaranteed loans for purchasers of vessels worked on in U.S. shipyards, and for U.S. shipyard modernization and improvement projects, such as those being proposed at the Port of Portland ship repair yard.

In addition to the loan subsidy amount, \$3,450,000 is provided from the total amount for administrative expenses related to the title XI program. This amount is a reduction of \$550,000 below the budget request, \$50,000 below the current level, and is the same as the House allowance. This amount may be transferred to and merged with appropriations for MarAd operations and training to cover the common overhead expenses associated with maritime guaranteed loans.

ADMINISTRATIVE PROVISIONS

The bill includes provisions regarding: (1) Government property controlled by MarAd, (2) accounting for certain funds received by MarAd, and (3) 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 ON THE ADVANCEMENT OF FEDERAL LAW
ENFORCEMENT

Appropriations, 1996	
Budget estimate, 1997	
House allowance	\$2,000,000
Committee recommendation	

The Committee recommendation does not include funding for this new Commission.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE
ABROAD

SALARIES AND EXPENSES

Appropriations, 1996	\$206,000
Budget estimate, 1997	206,000
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 the same as the budget request, the House allowance, and the fiscal year 1996 funding level. The recommendation will allow the Commission to fund its administrative expenses through appropriated funds while relying on privately donated funds for the actual purchase and restoration of property.

The 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, 1996	\$8,750,000
Budget estimate, 1997	11,400,000
House allowance	8,740,000
Committee recommendation	8,740,000

The Committee recommends \$8,740,000 for the salaries and expenses of the Commission on Civil Rights.

The Committee continues language providing: (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.

The Committee believes that the Commission can augment its resources for factfinding and research activities with detailed employees from agencies with expertise in civil rights and related matters.

COMMISSION ON IMMIGRATION REFORM

SALARIES AND EXPENSES

Appropriations, 1996	\$1,894,000
Budget estimate, 1997	2,498,000
House allowance	2,196,000
Committee recommendation	2,196,000

The Committee recommends an appropriation of \$2,196,000 for fiscal year 1997 for the Commission on Immigration Reform.

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, and is slated to sunset on January 1, 1998.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

Appropriations, 1996	\$1,090,000
Budget estimate, 1997	1,090,000
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 1996 levels, the same as 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 CSCE to continue its mission.

COMPETITIVENESS POLICY COUNCIL

SALARIES AND EXPENSES

Appropriations, 1996	\$50,000
Budget estimate, 1997	897,000
House allowance	
Committee recommendation	

The Competitiveness Policy Council [CPC] was a 12-member advisory committee which created several reports on issues of global economic competitiveness. The fiscal year 1996 appropriation (Public Law 104-134) provided \$50,000 to CPC provided that: "this shall be the final Federal payment to the Competitiveness Policy Council." The recommendation is consistent with that legal requirement.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

Appropriations, 1996	\$233,000,000
Budget estimate, 1997	268,000,000
House allowance	239,740,000
Committee recommendation	239,740,000

The Committee recommends \$239,740,000 for the salaries and expenses of the Equal Employment Opportunity Commission [EEOC] for fiscal year 1997.

The bill also includes language included in previous appropriations acts allowing: (1) nonmonetary awards to private citizens; (2) up to \$30,000,000 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 for 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.

The Committee has increased payments to State and local human rights commissions in recognition of the fact that they handle almost one-half of the EEOC's caseload.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

Appropriations, 1996	\$185,709,000
Budget estimate, 1997	222,538,000
House allowance	185,619,000
Committee recommendation	192,538,000

The Committee recommends a total program level of \$192,538,000 for the salaries and expenses of the Federal Communications Commission [FCC], of which \$152,523,000 is to be derived from collection of existing section 9 fees as proposed by the administration. The remaining \$40,015,000 would be funded from direct appropriations. The Committee recommendation fully funds requested increases for implementation of the Telecommunications Act of 1996, but denies \$30,000,000 requested for relocating FCC headquarters to the portals in Washington, DC.

The recommendation would increase the FCC operating budget by \$6,829,000 over fiscal year 1996 levels but reduces FCC funding from direct appropriations by \$19,294,000. The recommendation is \$30,000,000 below the request.

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, 1998; (5) authority to purchase uniforms and acquire vehicles; (6) special counsel fees; (7) for the collection of \$152,523,000 in section 9 fees; (8) for the sum appropriated to be reduced as section 9 fees are collected; and (9) fees collected in excess of \$152,523,000 to be available in fiscal year 1998.

As it did in 1996, the Committee recommends denying requested increases related to the cost of relocating the FCC headquarters into consolidated new space. The fiscal year 1997 request for these costs is \$30,000,000 and the FCC anticipates that an additional \$10,000,000 would be required in fiscal year 1998. Language is included which prohibits funding provided to the FCC from being used to finance the proposed move.

FEDERAL MARITIME COMMISSION
SALARIES AND EXPENSES

Appropriations, 1996	\$14,855,000
Budget estimate, 1997	15,000,000
House allowance	11,000,000
Committee recommendation	14,450,000

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.

Legislation is currently being considered in the House and Senate to eliminate this agency and transfer its functions elsewhere. In addition, the conference report on the fiscal year 1997 budget resolution assumes elimination of this agency. However, the Senate Commerce Committee has yet to report out a bill reforming the FMC.

The Committee recommends an appropriation of \$14,450,000 for fiscal year 1997. The recommended amount is \$405,000 below the current year funding, and is \$550,000 below the budget request.

FEDERAL TRADE COMMISSION
SALARIES AND EXPENSES

Appropriations, 1996	\$98,928,000
Budget estimate, 1997	104,462,000
House allowance	93,819,000
Committee recommendation	104,462,000

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 \$104,462,000 for the salaries and expenses of the Federal Trade Commission for fiscal year 1997. This recommendation is the full requested amount for fiscal year 1997, is \$5,534,000 more than the amount provided in the current year, and is \$10,643,000 more than the House allowance. The full amount provided will be derived from anticipated offsetting fee collections in fiscal year 1997, resulting in no new net direct appropriation for this account. The Committee notes that use of unobligated fee collections from the prior year are subject to the reprogramming requirements outlined in section 605 of this act.

The recommendation includes bill language that changes the current Hart-Scott-Rodino filing fee structure from a flat fee to a graduated fee scale. This structure reduces the amount of the fee for acquiring companies with assets of \$100,000,000 or less, and increases the fees on larger companies; this is intended to reduce the burden on small business, while more accurately reflecting the enforcement workload of the Antitrust Division and the Federal Trade Commission.

The Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for purchase of uniforms and hire of motor vehicles; (2) allows up to \$2,000 for official reception and representation expenses; (3) allows for the collection of fees; (4) allows for the sum appropriated to be reduced as fees are collected; (5) allows fees in excess of the amount designated in the bill to be available in fiscal year 1998; (6) prohibits the use of funds to implement section 151 of the Federal Deposit Insurance Corporation Improvements Act of 1991; and (7) allows the FTC to contract for private debt collection services.

GAMBLING IMPACT STUDY COMMISSION

SALARIES AND EXPENSES

Appropriations, 1996	
Budget estimate, 1997	
House allowance	
Committee recommendation	\$2,000,000

The Committee recommendation provides \$2,000,000 for the National Gambling Impact Study Commission. This appropriation is provided subject to the authorization of this commission. Legislation establishing the commission has passed the House and the Senate, and is awaiting Presidential signature at this time. The purpose of the commission is to conduct comprehensive studies on various issues relating to the impacts of gambling in the United States.

JAPAN-UNITED STATES FRIENDSHIP COMMISSION

SALARIES AND EXPENSES

Appropriations, 1996	\$1,247,000
Budget estimate, 1997	1,250,000
House allowance	
Committee recommendation	1,250,000

The Committee recommends \$1,250,000 for the expenses of the Japan-United States Friendship Commission for fiscal year 1997. This amount is \$3,000 more than the level of funding provided in fiscal year 1996 and \$1,250,000 above the House allowance. It is identical to the request. 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, 1996	\$278,000,000
Budget estimate, 1997	340,000,000
House allowance	250,000,000
Committee recommendation	288,000,000

The Committee recommends a total of \$288,000,000 for the provision of civil legal services for fiscal year 1997. This is the same as the funding provided for the current fiscal year, and is \$52,000,000 less than the amount requested by the administration. The Committee recommendation includes \$279,400,000 for basic field programs, to be used for competitively awarded grants and contracts, \$7,100,000 for management and administration, and \$1,500,000 for the Office of the Inspector General. The Committee expects the Legal Services Corporation [LSC] to continue to distribute funding for basic legal services on a competitive award basis.

ADMINISTRATIVE PROVISIONS

The Committee recommendation continues the administrative provisions contained in the fiscal year 1996 appropriations act (Public Law 104-134) regarding operation of this program to provide basic legal services to poor individuals. Upon enactment of an authorization relating to the Legal Services Corporation, all contradictory provisions within that authorization will supersede the provisions of this act.

All administrative provisions from the 1996 appropriation relating to distribution of funding by formula according to the number of poor people residing in an area, with adjustments for certain isolated States and territories, and for native American communities, are continued in the Committee recommendation.

In addition, the Committee recommendation continues all administrative provisions restricting the use of LSC funds. As in the past, grantees must agree not to engage in litigation and related activities with respect to a variety of matters including (1) redistricting; (2) class action suits; (3) representation of illegal aliens; (4) political activities; (5) collection of attorneys fees; (6) abortion; (7) prisoner litigation; (8) welfare reform; (9) representation of charged drug dealers during eviction proceedings; and (10) solicitation of clients. However, the Committee recommendation includes a new exception to the restrictions in a case where there is imminent threat of physical harm to the client or prospective client.

The Committee recommendation also clarifies that the transition for cases involving attorneys fees remains in effect, and extends the language from last year providing for the manner in which LSC grantees are audited and the manner in which they contract with certified public accountants for financial and compliance audits.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

Appropriations, 1996	\$1,190,000
Budget estimate, 1997	1,334,000
House allowance	975,000
Committee recommendation	1,385,000

The Marine Mammal Commission was created under title II of the Marine Mammal Protection Act to provide independent science-based advice to the legislative and executive branches. The recommendation provides \$1,385,000 for the Marine Mammal Commission in fiscal year 1997. This is the same level of funding as that provided in fiscal year 1995.

MARTIN LUTHER KING, JR., FEDERAL HOLIDAY COMMISSION
SALARIES AND EXPENSES

Appropriations, 1996	\$350,000
Budget estimate, 1997	
House allowance	
Committee recommendation	

The Committee recommends no funding for the Martin Luther King, Jr., Federal Holiday Commission. This is identical to the request and the House allowance. It is \$350,000 less than the 1996 funding level. The fiscal year 1996 appropriation (Public Law 104-134) contained language stating that “this shall be the final Federal payment to the Martin Luther King, Jr., Federal Holiday Commission for operations and necessary closeout costs.”

The Commission was originally 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.

NATIONAL BANKRUPTCY REVIEW COMMISSION
SALARIES AND EXPENSES

Appropriations, 1996	
Budget estimate, 1997	\$500,000
House allowance	490,000
Committee recommendation	498,000

The National Bankruptcy Review Commission was created to investigate and study issues related to the Bankruptcy Code, solicit views from parties concerned with the operation of the bankruptcy system, evaluate proposals, and submit a report of its findings to the President, Congress, and the Chief Justice by 1997.

The Committee recommendation includes \$498,000 for the Commission, \$2,000 less than the request and the House allowance. No amount was requested in 1996. The Commission received an appropriation of \$1,000,000 in fiscal year 1995 by a transfer from the Department of Justice working capital fund. The administration submitted a budget amendment on July 10, 1996, requesting \$500,000 in additional funds for the Commission in order to provide the complete authorized amount of funding in order for the Commission to complete its work.

OUNCE OF PREVENTION COUNCIL

Appropriations, 1996	\$1,500,000
Budget estimate, 1997	
(Violent crime reduction trust fund)	9,000,000
House allowance	
Committee recommendation	

The Committee does not recommend direct funding of the Ounce of Prevention Council.

This funding is \$1,500,000 below the 1996 funding level and \$9,000,000 in violent crime reduction trust fund resources below the request.

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 integration 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 enjoys 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, 1996	\$297,405,000
Budget estimate, 1997	308,189,000
House allowance	297,021,000
Committee recommendation	306,400,000

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 \$306,400,000 for the Securities and Exchange Commission for fiscal year 1997. The recommended amount of budget authority is \$1,789,000 below the request, and is \$8,995,000 above current year funding.

Of the recommended operating level of \$306,400,000, the Committee provides a direct appropriation of \$64,430,000. The recommendation reduces the section 6(b) registration fees to one thirty-third of 1 percent for fiscal year 1997. In fiscal year 1996, the level of fees was one twenty-ninth of 1 percent. The recommendation assumes that \$163,479,000 will be available as an offset this year from 6(b) fees. The Committee also assumes that \$30,495,000 in offsetting fees will be available from the expansion to NASDAQ of the section 31 transaction fee in the Securities Exchange Act of 1934. In addition, the recommendation assumes that \$48,000,000 in carryover balances from fiscal year 1996 will be available to help finance SEC operations in 1997.

For fiscal year 1997, as during the current year, the Committee continues to emphasize the importance of the Office of Economic Analysis within the Commission and expects that adequate funds will be provided in order to carry out these important functions. The Committee recommends bill language, similar to that included in previous appropriations acts, which: (1) allows for the rental of space; (2) makes up to \$3,000 available for official reception and representation expenses; (3) makes up to \$10,000 available for a permanent secretariat for the International Organization of Securi-

ties 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, 1996	\$689,578,000
Budget estimate, 1997	908,378,000
House allowance	683,212,000
Committee recommendation	698,919,000

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 \$698,919,000 for the Small Business Administration for fiscal year 1997. This amount is an increase of \$9,341,000 from the fiscal year 1996 appropriation, which included \$100,000,000 in supplemental disaster loan program funding. It is a reduction of \$209,459,000 below the budget request, which also includes a request for \$100,000,000 in disaster emergency contingency funding. This amount is distributed among the five SBA appropriation accounts as described below.

SALARIES AND EXPENSES

Appropriations, 1996	\$219,190,000
Budget estimate, 1997	235,401,000
House allowance	214,419,000
Committee recommendation	233,190,000

The Committee recommendation provides a direct appropriation of \$233,190,000 for the salaries and expenses of the Small Business Administration. This amount is \$2,211,000 below the budget request, and is \$14,000,000 more than the current funding level. Additional resources are offset by \$3,300,000 in fees to be collected from the distribution of publications produced by the SBA. This results in budgetary authority of \$236,490,000 for this appropriations account.

In addition to the direct appropriation for the "Salaries and expenses" account, the full requested amount of \$94,090,000 is available for this account from the portion of the "Business loans program" account for administrative expenses. In addition, another \$78,000,000 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 \$408,580,000 in budgetary resources for this account.

Streamlining and eliminating duplication.—In recent years, SBA has demonstrated that it can rely on its private sector resource partners to take on more responsibilities and play a larger role in delivering SBA programs. Today, SBA relies almost totally on its preferred lenders and LowDoc lenders to approve and process well over 50 percent of the loans guaranteed under the 7(a) guaranteed business loan program. To support this growing reliance on private sector lenders, last year SBA sought approval from Congress for centralizing the LowDoc loan processing function, and Congress approved two pilot LowDoc centers.

The Committee concurs that SBA needs to move forward with a program to consolidate and streamline Agency activities. In March 1995, SBA presented a plan to the Committee to reduce the number of Agency offices, and the conferees directed SBA officials to work with the Senate and House Committees on Appropriations and Small Business to evaluate downsizing of headquarters and field operations. Last year, the Committee urged SBA to make better use of private sector professionals to perform certain Agency tasks. The Committee restates this view and directs SBA to move more rapidly in the areas of: (1) private sector servicing of disaster loans, (2) private sector liquidation of assets under the 7(a), SBIC, and 504 certified development company loan programs, and (3) private sector assistance in licensing, examinations, receivership, and other administrative activities under the SBIC program.

In fiscal year 1995, over 8,000 lenders nationwide made loans under the 7(a) guaranteed business loan program. The list of participating lenders includes smaller community-based banks as well as national and regional lenders. In response to the increased demand by small businesses for 7(a) loans, in fiscal year 1996 the conferees approved funding to support nearly \$11,000,000,000 in 7(a) loans.

Increased loan volume has placed extra pressure on SBA to meet this growing demand. For the past year, small business lenders have complained it has been taking SBA 30 days or more to process applications under the LowDoc loan program, which is supposed to be a streamlined, quick turnaround program for small borrowers. Processing time for preferred lender loans has doubled in fiscal year 1996. Smaller, community-based banks are concerned this slow turnaround for loan approvals is jeopardizing its ability to meet small businesses' borrowing requirements. The Committee has been very supportive of the 7(a) loan program. However, considering the increasing demand and significant growth in the program over the past 3 years, the Committee believes SBA can better deliver its 7(a) program by centralizing all loan processing, servicing, liquidation, and lender examination functions.

In recent years, SBA has taken innovative steps to centralize some of its 7(a) loan program functions on a regional or national basis. In 1993, it made permanent its centralized loan servicing operations and added the Little Rock, AR, center to complement its Fresno, CA, servicing center. The Committee is encouraged by the success of its centralized servicing centers and its Sacramento-based preferred lenders center. More recently, SBA announced it has established a centralized preferred lender examination office in Kansas City.

In light of the importance to the small business community of SBA's 7(a) guaranteed loan program, the Committee believes the Agency needs to continue to move forward in its efforts to streamline and consolidate its activities and to make better use of its private sector partners. To support these activities, the Committee has included \$15,000,000 above the base amount for other operating expenses of the SBA to fund acquisition of computers and communications equipment. In addition, the Committee recommendation assumes that the SBA may allocate sufficient funds in retirement incentives to facilitate this downsizing. The Committee ex-

pects the streamlining and consolidation of program activities will allow the field offices to reduce staffing levels at these locations, and enable the remaining personnel to concentrate on outreach and other small business educational and support services. The Committee expects this streamlining effort to be completed by September 30, 1998.

The funding provided under this account for salaries and expenses provides \$78,000,000 for fiscal year 1997 for small business development centers [SBDC's]. The Committee rejects the proposal in the budget request to merge certain programs into the SBDC account and has provided funding for women-related programs as discussed below. The recommendation provides \$3,300,000 for the Service Corps of Retired Executives [SCORE], \$1,600,000 for section 7(j) grants, \$4,000,000 for the Women's Outreach Program, and \$200,000 for the Women's Council. The Committee supports the continuation of funding for current and new demonstration sites. The Committee notes that special pilot projects, including private-public partnerships and a national demonstration site, would aid women business owners in the access to capital and the development of management and marketing skills which can be shared with other sites, and urges the Office to begin pursuing these objectives. The Committee does not expect these funds to be reprogrammed by SBA to other purposes. The Committee also provides \$12,000,000 for microloan technical assistance, and \$1,180,000 for advocacy research. As noted in the fiscal year 1996 conference report, the Committee expects the SBA to continue implementation of section 303 of Public Law 103-403 regarding manufacturing sciences and provides \$1,500,000 for pilot projects in this area. In addition, \$3,000,000 is provided to continue defense economic transition grants. The Committee does not agree with House language designating \$3,000,000 for joint work with the Minority Business Development Agency [MBDA].

The Committee supports the goal of increasing the success rate of small, minority-owned businesses. Programs under the SBA provide a vast delivery system of business assistance. For example, there are 976 SBDC's nationwide which served 125,100 minority clients in 1995. The Committee expects SBDC's to continue to play a key role in light of funding cuts to duplicative functions under the "Minority Business Development Agency" account in title II of this report. Likewise, the Committee suggests that SBA explore ways to further enhance tribal business assistance as MBDA is downsizing. In addition, the Committee directs the Administrator to document a successful process for developing and sustaining a university-industry partnership for providing mentoring and technical assistance to small, minority-owned businesses. Business outreach programs already exist at urban universities, such as Portland State University, which may serve as a model for this endeavor.

Streamlining at SBA will demand the direction of resources to the most critical areas. The Committee directs the Small Business Administration, within the funds provided in this bill, to fill technical and support positions, including: two industrial specialists (forestry) and one clerical support staff in Portland, OR; and, one industrial specialist and one clerical support staff in Denver, CO.

Additionally, the SBA is directed to maintain all funding and support for personnel currently working on procurement programs directly related to the oversight of the Small Business Timber Sale Set-Aside Program.

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 Committee understands that fee collections may exceed prior estimates, and encourages SBA to use these funds, in addition to savings realized from streamlining, to fund initiatives described above.

OFFICE OF INSPECTOR GENERAL

Appropriations, 1996	\$8,500,000
Budget estimate, 1997	9,985,000
House allowance	8,900,000
Committee recommendation	9,000,000

The Committee recommends \$9,000,000 for the Office of Inspector General of the Small Business Administration. This amount is \$500,000 more than current year funding, and \$985,000 below the amount requested.

BUSINESS LOANS PROGRAM ACCOUNT

Appropriations, 1996	\$253,348,000
Budget estimate, 1997	415,462,000
House allowance	258,153,000
Committee recommendation	309,199,000

As required by the Federal Credit Reform Act of 1990, the Congress is required to appropriate an amount sufficient to cover the estimated losses associated with all direct loan obligations and loan guarantee commitments made in fiscal year 1997, as well as the administrative expenses of the loans.

The Committee recommends \$309,199,000 for the "Business loans program" account for guaranteed business loans, including \$94,090,000 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. The Committee recommendation provides \$2,792,000 for direct loan programs as requested in the President's 1997 budget.

Business loan guarantees.—For business loan guarantees, the Committee recommends a total of \$212,317,000 for fiscal year 1997. This amount includes \$174,500,000 for the 7(a) business loan program. The fiscal year 1996 appropriation was \$114,500,000. In addition, the Committee assumes the use of \$24,000,000 in carryover funding in the 7(a) program to provide a program volume of \$7,400,000,000 unless legislation lowering the subsidy rate is approved. The Committee recommendation provides no new funding for the section 504 loan program as in the President's request, and expects legislation to be enacted providing for adequate loan vol-

ume. The Committee recommends \$35,500,000 for Small Business Investment Company [SBIC] program, including \$20,400,000 for the participating security program and \$15,100,000 for the debenture program. In addition, \$2,317,000 is provided for microloan guarantees for fiscal year 1997.

DISASTER LOANS PROGRAM ACCOUNT

Appropriations, 1996	\$206,010,000
Budget estimate, 1997	243,800,000
House allowance	198,010,000
Committee recommendation	143,800,000

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 1997, as well as the administrative expenses of the loan programs. Amounts 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 Committee recommendation provides \$65,800,000 for the "Disaster Loans Program" account for loan subsidies, and \$78,000,000 for administrative expenses related to this account. These are the same funding levels as requested for fiscal year 1997 for the base Disaster Loans Program. At this time, the Committee has not provided funds classified as emergency spending for budgetary purposes, contingent upon congressional and Presidential designation as emergency requirements. The request for contingent emergency funds for fiscal year 1997 is \$100,000,000.

SURETY BOND GUARANTEES REVOLVING FUND

Appropriations, 1996	\$2,530,000
Budget estimate, 1997	3,730,000
House allowance	3,730,000
Committee recommendation	3,730,000

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 \$3,730,000 for additional capital for the surety bond guarantees revolving fund. This amount is equal to the amount requested and is \$1,200,000 above the amount provided for fiscal year 1996.

ADMINISTRATIVE PROVISION

The Committee wishes to underscore that the Small Business Administration, as with all other agencies funded within this act, is subject to the reprogramming procedures with respect to any actions described in section 605. In addition, this recommendation includes an administrative provision in the bill language, as in last year's bill, providing the authority to transfer funds between the Small Business Administration's appropriations accounts. The language provides that no account may be decreased by more than 5 percent or increased by more than 10 percent. The language also

makes the transfers subject to the Committee's standard reprogramming procedures.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

Appropriations, 1996	\$5,000,000
Budget estimate, 1997	13,550,000
House allowance	
Committee recommendation	10,000,000

The Committee recommends \$10,000,000 for the State Justice Institute [SJI] in fiscal year 1997, \$3,550,000 less than the request, and \$5,000,000 more than fiscal year 1996 funding levels.

The Committee believes that funding to improve the efficiency of State court systems should be supported with State resources.

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 prohibits any appropriation act from being used for publicity or propaganda purposes not authorized by law.

Section 602 prohibits any appropriation contained in the act from remaining available for obligation beyond the current year unless expressly so provided.

Section 603 provides that the expenditure for any appropriation contained in the act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection except where otherwise provided under existing law or under existing Executive order issued pursuant to existing law.

Section 604 provides that if any provision of the act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the act and the application of such provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 605 stipulates Committee policy concerning the reprogramming of funds. Section 605(a) prohibits the reprogramming of funds which: (1) create new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates offices or employees; (5) reorganizes offices, programs, or activities; (6) contracts out or privatizes any function or activity presently performed by Federal employees—unless the Appropriations Committees of the House and Senate are notified 15 days in advance.

Section 605(b) prohibits a reprogramming of funds in excess of \$500,000, or 10 percent, whichever is less, that (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings due to a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress unless the Appropriations Committees of the House and Senate are notified 15 days in advance.

Section 606 provides language regarding construction of NOAA ships outside of the United States.

Section 607 continues language from the fiscal year 1996 appropriation regarding the purchase of American-made products.

Section 608 continues language prohibiting funds in the bill from being used to implement, administer, or enforce any guidelines of

the Equal Employment Opportunity Commission covering harassment based on religion similar to proposed guidelines published by the EEOC in October 1993.

The Committee recommendation does not include House language contained in section 609 limiting the use of funds to expand the United States diplomatic presence in the Socialist Republic of Vietnam.

Section 610 continues language from Public Law 104-134 prohibiting the use of funds for any U.N. peacekeeping mission when it is made known that U.S. Armed Forces are under the command or operational control of a foreign national and the President has not submitted to Congress a recommendation that such involvement is in the national security interest of the United States.

Section 611 continues language from Public Law 104-134 prohibiting the use of funds to provide certain amenities and personal comforts in the Federal prison system.

The recommendation does not include section 612 as passed by the House. The issue of fleet modernization is addressed under National Oceanic and Atmospheric Administration accounts in title II of this report.

The recommendation does not include House language contained in section 613 prohibiting funds for the USIA Television Marti Program.

Section 614 continues language from Public Law 104-134 providing that any closing or downsizing costs incurred by a Department or agency funded under this act resulting from funding reductions in the act shall be absorbed within the budgetary resources available to the Department or agency. The language also provides transfer of authority between appropriation accounts to carry out the provision subject to the reprogramming procedures outlined in section 605 of this act.

Section 615 repeats House-passed language limiting the availability of pornography to Federal prisoners.

The Committee recommendation does not include sections 616 through 619 of the House bill.

Section 620 eliminates current reprogramming requirements which are redundant with section 605 described above.

Section 621 provides language prohibiting any agency of the Government from using appropriated funds to deny an application for a permit to import United States origin curios or relics, firearms, parts, or ammunition. In 1988, Congress made provision for the importation of certain United States origin ammunition, curio or relic firearms, and parts into the United States at 22 U.S.C. 2778 (b)(1)(B).

Section 622 provides language to increase flexibility within the Maritime Guaranteed Loan Program under the Maritime Administration to allow loan guarantees relating to reactivation of shipyards.

TITLE VII—RESCISSIONS
DEPARTMENT OF JUSTICE
GENERAL ADMINISTRATION
WORKING CAPITAL FUND
(RESCISSION)

The Committee recommends a rescission of \$30,000,000 from the unobligated balances available in the Department's working capital fund [WCF] on October 15, 1996. As of July 25, 1996, Department officials estimated that in excess of \$40,000,000 of unobligated balances will be deposited into the WCF in early October 1996. In addition to the aforementioned rescission, the Committee has directed that in fiscal year 1997 at least \$10,000,000 of the unobligated balances in the WCF should be made available to the new telecommunications carrier compliance fund. In addition, no less than \$3,500,000 of the unobligated balances in the WCF should be made available to support the FIREBIRD automation project at the Drug Enforcement Administration.

IMMIGRATION AND NATURALIZATION SERVICE
IMMIGRATION EMERGENCY FUND
(RESCISSION)

The Committee recommends a rescission of \$34,779,000 from the unobligated balances available in the INS immigration emergency fund. According to information provided to the Committee by the Department of Justice on June 25, 1996, the Department projected \$42,500,000 in end-of-year carryover balances in this account. The recommendation would reduce the balances and allow the Attorney General to retain a \$7,721,000 reserve for legitimate immigration emergencies. The Committee notes that the Attorney General has not expended resources from this account in either of the last 2 years.

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; Drug Enforcement Administration, salaries and expenses; Drug Enforcement Administration, construction; Immigration and Naturalization Service, salaries and expenses; Federal Prison System, salaries and expenses; Federal Prison System, building and facilities; Federal Prison Industries, Inc.; limitation on administrative expenses; Federal Prison Industries Inc.; Office of Justice Programs, justice assistance; State and local law enforcement assistance block grants; and Weed and Seed Program.

Title II—Department of Commerce and related agencies: Office of the U.S. Trade Representative, salaries and expenses; International Trade Commission, salaries and expenses; Export Administration, operations and administration; International Trade Administration, operations and administration; economic development assistance programs; Patent and Trademark Office; National Institute of Standards and Technology, scientific and technical research and services; NIST industrial technology services; NIST construction of research facilities; National Oceanic and Atmospheric Administration operations, research, and facilities; NOAA construction; and Minority Business Development Agency.

Title IV—Department of State and related agencies: Diplomatic and consular services, salaries and expenses; capital investment fund; Office of Inspector General; security and maintenance of United States missions; 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 Environ-

ment Cooperation Commission); international fisheries commissions; Arms Control and Disarmament Agency; U.S. Information Agency, salaries and expenses; technology fund; educational and cultural exchange programs; international broadcasting operations; broadcasting to Cuba; radio construction; and East-West Center.

Title V—Related agencies: Department of Transportation; Maritime Administration, operations and training; Commission on Civil Rights; Federal Communications Commission (except offsetting fee collections); 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 28–0, a quorum being present.

Yeas

Nays

Chairman Hatfield
Mr. Stevens
Mr. Cochran
Mr. Specter
Mr. Domenici
Mr. Bond
Mr. Gorton
Mr. McConnell
Mr. Mack
Mr. Burns
Mr. Shelby
Mr. Jeffords
Mr. Gregg
Mr. Bennett
Mr. Campbell
Mr. Byrd
Mr. Inouye
Mr. Hollings
Mr. Johnston
Mr. Leahy
Mr. Bumpers
Mr. Lautenberg
Mr. Harkin
Ms. Mikulski
Mr. Reid
Mr. Kerrey
Mr. Kohl
Mrs. Murray

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. Section 1930(a) of title 28, United States Code, is amended as follows:

**TITLE 28—JUDICIARY AND JUDICIAL
PROCEDURE**

* * * * *

PART V—PROCEDURE

* * * * *

CHAPTER 123—FEES AND COSTS

* * * * *

§ 1930. Bankruptcy fees

(a) * * *

* * * * *

(3) For a case commenced under chapter 11 of title 11 that does not concern a railroad, as defined in section 101 of title 11, \$800.

2. 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) * * *

* * * * *

3. Section 101(a) of Public Law 104–91 is amended as follows:

PUBLIC LAW 104–91

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing the following projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this Act) which were conducted in the fiscal year 1995:

All allowances paid under section 5(b) of the Peace Corps Act, 22 U.S.C. section 2504, notwithstanding section 10 of Public Law 91–672, at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–295) on the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (H.R. 1868), as passed by the House of Representatives on October 31, 1995;

All activities, including administrative expenses, necessary to process single-family mortgage loans and refinancing for low-income and moderate-income families funded under the Federal Housing Administration’s “FHA-mutual mortgage insurance program account” and “FHA-general and special risk program account” in the Department of Housing and Urban Development at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–384) on the Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (H.R. 2099), as passed by the House of Representatives on December 7, 1995;

All projects and activities directly related to the security of United States diplomatic posts and facilities abroad, notwithstanding section 15 of the State Department Basic Authorities Act of 1956 at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–378) on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996

(H.R. 2076), as passed by the House of Representatives on December 6, 1995;

Activities funded under the account heading "Emergency food and shelter program" in the Federal Emergency Management Agency: *Provided*, That, notwithstanding any other provision of this Act, the amount made available by this Act shall not exceed \$46,000,000: *Provided further*, That not to exceed three and one-half per centum of the amount made available shall be for administrative costs;

All retirement pay and medical benefits for Public Health Services Commissioned Officers as authorized by law, and for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan and for medical care of dependents and retired personnel under the Dependent's Medical Care Act (10 U.S.C. ch. 55) and for payments pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)) at a rate for operations, notwithstanding any other provision of this Act, provided for in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996 (H.R. 2127), as passed by the House of Representatives on August 4, 1995;

All projects and activities of the Federal Bureau of Investigation, Drug Enforcement Administration, Interagency Crime and Drug Enforcement, Federal Prison System, United States Attorneys, United States Marshals Service, Federal Prisoner Detention, Fees and Expenses of Witnesses, Immigration and Naturalization Service, and the Executive Office for Immigration Review, necessary for the investigation and prosecution of criminal and civil offenses; national security; the apprehension, detention and removal of illegal and criminal aliens; the incarceration, detention, and movement of Federal prisoners and detainees; and the protection of the Federal judiciary to the extent and in the manner and at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104-378) on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (H.R. 2076), as passed by the House of Representatives on December 6, 1995: *Provided*, That, with the exception of section 114, the General Provisions for the Department of Justice included in title I of the aforementioned conference report are hereby enacted into law: *Provided further*, That, notwithstanding any other provision of law, the fees under 28 U.S.C. 1930(a)(6) shall accrue and be payable from and after January 27, 1996, in all cases (including, without limitation, any cases pending as of that date), regardless of confirmation status of their plans;

All projects and activities of the Judiciary to the extent and in the manner and at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of

the Committee of Conference (House Report 104-378) on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (H.R. 2076), as passed by the House of Representatives on December 6, 1995;

All projects and activities necessary to provide for the expenses of State surveys and certifications under the account heading "Program Management" under the Health Care Financing Administration in the Department of Health and Human Services;

Trade adjustment assistance benefits and North American Free Trade Act benefits funded under the account heading "Federal Unemployment Benefits and Allowances" under the Employment and Training Administration in the Department of Labor;

Payments to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds under the account heading "Payments to Health Care Trust Funds" under the Health Care Financing Administration in the Department of Health and Human Services;

All projects and activities necessary to provide for the expenses of Medicare contractors under title XVIII of the Social Security Act under the account heading "Program Management" under the Health Care Financing Administration in the Department of Health and Human Services;

All projects and activities funded under the account heading "Grants to States for Medicaid" under the Health Care Financing Administration in the Department of Health and Human Services;

All projects and activities of the National Institutes of Health in the Department of Health and Human Services at a rate for operations, notwithstanding any other provision of this Act, provided for in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996 (H.R. 2127), as passed by the House of Representatives on August 4, 1995;

All projects and activities necessary to carry out the section 7(a) General Business Loan Guaranty Program and the section 504 Certified Development Company Program, as authorized by law, under the Small Business Administration at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104-378) on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (H.R. 2076), as passed by the House of Representatives on December 6, 1995;

All projects and activities funded under the account heading "Surety Bond Guarantees Revolving Fund" under the Small Business Administration at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104-378) on the Departments of Commerce, Justice, and

State, the Judiciary, and Related Agencies Appropriations Act, 1996 (H.R. 2076), as passed by the House of Representatives on December 6, 1995;

All projects and activities necessary to accommodate visitors and to provide for visitors services on the public lands managed by the Bureau of Land Management at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104-402) on the Department of the Interior and Related Agencies Appropriations Act, 1996 (H.R. 1977), as passed by the House of Representatives on December 13, 1995;

All projects and activities funded under the account heading "Disease Control, Research, and Training" under the Centers for Disease Control and Prevention in the Department of Health and Human Services at a rate for operations, notwithstanding any other provision of this Act, not to exceed an annual rate for new obligational authority of \$2,114,693,000;

All Self-Determination and Self-Governance projects and activities of tribes or tribal organizations (as that term is defined in Public Law 93-638) that are authorized by Public Law 93-638 under the account heading "Operation of Indian Programs" under the Bureau of Indian Affairs in the Department of the Interior or under the account heading "Indian Health Services" under the Indian Health Service in the Department of Health and Human Services at a rate for operations, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104-402) on the Department of the Interior and Related Agencies Appropriations Act, 1996 (H.R. 1977), as passed by the House of Representatives on December 13, 1995;

All projects and activities necessary to provide for the expenses of the Kendall Demonstration Elementary School and the Model Secondary School for the Deaf under the account heading "Gallaudet University" in the Department of Education;

Payments for benefits and interest on advances, together with expenses of operation and administration, under the account heading "Black Lung Disability Trust Fund" under the Employment Standards Administration in the Department of Labor; and

Payments for benefits, together with expenses of operation and administration, under the account heading "Special Benefits for Disabled Coal Miners" in the Social Security Administration:

Provided, That whenever the amount which would be made available or the authority which would be granted under an Act which included funding for fiscal year 1996 for the projects and activities listed in this section is greater than that which would be available or granted under

current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) * * *

4. Section 1402 of the Victims of Crime Act of 1984, as amended, is amended as follows:

TITLE 42—THE PUBLIC HEALTH AND WELFARE

* * * * *

CHAPTER 112—VICTIM COMPENSATION AND ASSISTANCE

* * * * *

§ 10601. Crime Victims Fund

(a) Establishment

* * * * *

(d) Availability for judicial branch administrative costs; grant program percentages

* * * * *

(4) * * *

“(5) The Director may set aside up to \$500,000 of the reserve fund described in paragraph (4) to make supplemental grants to United States Attorneys Offices to provide necessary assistance to victims of the bombing or the Alfred P. Murrah Federal Building in Oklahoma City, to facilitate observation of and/or participation by such victims in trial proceedings arising therefrom, including, without limitation, provision of lodging and travel assistance, and to pay such other, related expenses determined to be necessary by the Director.”

(e) Amounts awarded and unspent

(1) Except as provided in paragraph ([2] 3), any sums awarded as part of a grant under this chapter that remain unspent at the end of a fiscal year in which such grant is made may be expended for the purpose for which such grant is made at any time during the next succeeding fiscal year, at the end of which year any remaining unobligated sums shall be returned to the general fund of the Treasury.

5. Section 8 of Public Law 96-132 is repealed as follows:

PUBLIC LAW 96-132

[SEC. 8. During the fiscal year for which appropriations are authorized by this Act, each organization of the Department of Justice, through the appropriate office within the Department of Justice, shall notify in writing the Committees on the Judiciary, of the House of Representatives and the Senate, and other appropriate committees, and the ranking Minority members thereof, a minimum of 15 days before—

【(1) reprogramming of funds in excess of \$250,000 or 10 percent, whichever is less, between the programs within the offices, divisions, and boards as defined in the Department of Justice's program structure submitted to the Committees on the Judiciary of the Senate and House of Representatives;

【(2) reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, between programs within the Bureaus as defined in the Department of Justice's program structure submitted to the Committees on the Judiciary of the Senate and House of Representatives;

【(3) any reprogramming action which involves less than the amounts specified in paragraphs (1) and (2) if such action would have the effect of significant program changes and committing substantive program funding requirements in future years;

【(4) increasing personnel or funds by any means for any project or program for which funds or other resources have been restricted;

【(5) creation of new programs or significant augmentation of existing programs;

【(6) reorganization of offices or programs; and

【(7) significant relocation of offices or employees.】

6. Section 112 amends section 732 of Public Law 104-132, as follows:

PUBLIC LAW 104-132

SEC. 732. MARKING, RENDERING INERT, AND LICENSING OF EXPLOSIVE MATERIALS.

(a) STUDY.—

(1) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Secretary of the Treasury (referred to in this section as the "Secretary") shall conduct a study of—

(A) the tagging of explosive materials for purposes of detection and identification;

(B) the feasibility and practicability of rendering common chemicals used to manufacture explosive materials inert;

(C) the feasibility and practicability of imposing controls on certain precursor chemicals used to manufacture explosive materials; and

(D) State licensing requirements for the purchase and use of commercial high explosives, including—

(i) detonators;

(ii) detonating cords;

(iii) dynamite;

(iv) water gel;

(v) emulsion;

(vi) blasting agents; and

(vii) boosters.

- 【(2) EXCLUSION.—No study conducted under this subsection or regulation proposed under subsection (e) shall include black or smokeless powder among the explosive materials considered.】
- (b) CONSULTATION.—
- (1) IN GENERAL.—In conducting the study under subsection (a), the Secretary shall consult with—
- (A) Federal, State, and local officials with expertise in the area of chemicals used to manufacture explosive materials; and
- (B) such other individuals as the Secretary determines are necessary.
- (2) FERTILIZER RESEARCH CENTERS.—In conducting any portion of the study under subsection (a) relating to the regulation and use of fertilizer as a pre-explosive material, the Secretary of the Treasury shall consult with and receive input from non-profit fertilizer research centers.
- (c) REPORT.—Not later than 30 days after the completion of the study conducted under subsection (a), the Secretary shall submit a report to the Congress, which shall be made public, that contains—
- (1) the results of the study;
- (2) any recommendations for legislation; and
- (3) any opinions and findings of the fertilizer research centers.
- 【(d) HEARINGS.—Congress shall have not less than 90 days after the submission of the report under subsection (c) to—
- 【(1) review the results of the study; and
- (2) hold hearings and receive testimony regarding the recommendations of the Secretary.】
- (e) REGULATIONS.—
- (1) IN GENERAL.—Not later than 6 months after the submission of the report required by subsection (c), the Secretary may submit to Congress and publish in the Federal Register draft regulations for the addition of tracer elements to explosive materials manufactured in or imported into the United States, of such character and in such quantity as the Secretary may authorize or require, if the results of the study conducted under subsection (a) indicate that the tracer elements—
- (A) will not pose a risk to human life or safety;
- (B) will substantially assist law enforcement officers in their investigative efforts;
- (C) will not substantially impair the quality of the explosive materials for their intended lawful use;
- (D) will not have a substantially adverse effect on the environment; and
- (E) the costs associated with the addition of the tracers will not outweigh benefits of their inclusion.

(2) EFFECTIVE DATE.—The regulations under paragraph (1) shall take effect ~~270~~ 90 days after the Secretary submits proposed regulations to Congress pursuant to paragraph (1), except to the extent that the effective date is revised or the regulation is otherwise modified or disapproved by an Act of Congress.

(3) For the purposes of this subsection, explosive material does not include smokeless or black powder manufactured for uses set forth in 18 U.S.C. 845(a) (4) and (5).

7. Section 113 amends section 2518(11)(b)(ii) of title 18, United States Code, as follows:

TITLE 18—CRIMES AND CRIMINAL PROCEDURE

* * * * *

PART I—CRIMES

* * * * *

CHAPTER 119—WIRE AND ELECTRONIC COMMUNICATIONS INTERCEPTION AND INTERCEPTION OF ORAL COMMUNICATIONS

* * * * *

§ 2518. Procedure for interception of wire, oral, or electronic communications

* * * * *

(11) * * *

* * * * *

(b) * * *

* * * * *

(ii) the application identifies the person believed to be committing the offense and whose communications are to be intercepted and the applicant makes a showing ~~of a purpose, on the part of that person, to thwart interception by changing facilities~~ that the person had the intent to thwart interception or that the person's actions and conduct would have the effect of thwarting interception from a specified facility; and

~~[(iii) the judge finds that such purpose has been adequately shown.]~~ (iii) the judge finds that such showing has been adequately made.

8. Section 114 amends section 2516(1) of title 18, United States Code, as follows:

TITLE 18—CRIMES AND CRIMINAL PROCEDURE

* * * * *

PART I—CRIMES

* * * * *

CHAPTER 119—WIRE AND ELECTRONIC COMMUNICATIONS INTERCEPTION AND INTERCEPTION OF ORAL COMMUNICATIONS

* * * * *

§ 2516. Authorization for interception of wire, oral, or electronic communications

(1) * * *

* * * * *

(c) any offense which is punishable under the following sections of this title: section 201 (bribery of public officials and witnesses), section 215 (relating to bribery of bank officials), section 224 (bribery in sporting contests), subsection (d), (e), (f), (g), (h), or (i) of section 844 (unlawful use of explosives), section 1032 (relating to concealment of assets), section 1084 (transmission of wagering information), section 751 (relating to escape), section 1014 (relating to loans and credit applications generally; renewals and discounts), sections 1503, 1512, and 1513 (influencing or injuring an officer, juror, or witness generally), section 1510 (obstruction of criminal investigations), section 1511 (obstruction of State or local law enforcement), section 1751 (Presidential and Presidential staff assassination, kidnapping, and assault), section 1951 (interference with commerce by threats or violence), section 1952 (interstate and foreign travel or transportation in aid of racketeering enterprises), section 1958 (relating to use of interstate commerce facilities in the commission of murder for hire), section 1959 (relating to violent crimes in aid of racketeering activity), section 1954 (offer, acceptance, or solicitation to influence operations of employee benefit plan), section 1955 (prohibition of business enterprises of gambling), section 1956 (laundering of monetary instruments), section 1957 (relating to engaging in monetary transactions in property derived from specified unlawful activity), section 659 (theft from interstate shipment), section 664 (embezzlement from pension and welfare funds), section 1343 (fraud by wire, radio, or television), section 1344 (relating to bank fraud), sections 2251 and 2252 (sexual exploitation of children), sections 2312, 2313, 2314, and 2315 (interstate transportation of stolen property), section 2321 (relating to trafficking in certain motor vehicles or motor vehicle parts), section 1203 (relating to hostage taking), section 1029 (relating to fraud and related activity in connection with access devices), section 3146 (relating to penalty for failure to appear), section 3521(b)(3) (relating to witness relocation and assistance), section 32 (relating to de-

struction of aircraft or aircraft facilities), section 1963 (violations with respect to racketeer influenced and corrupt organizations), section 115 (relating to threatening or retaliating against a Federal official), and section 1341 (relating to mail fraud), section 351 (violations with respect to congressional, Cabinet, or Supreme Court assassinations, kidnapping, and assault), section 831 (relating to prohibited transactions involving nuclear materials), section 33 (relating to destruction of motor vehicles or motor vehicle facilities), section 175 (relating to biological weapons), or a felony violation under section 1028 (relating to production of false identification documentation), sections 1541, 1542, 1543, 1544, and 1546 (relating to passport and visa offenses), section 2332 (relating to terrorist acts abroad), section 2332a (relating to weapons of mass destruction), section 2332b (relating to acts of terrorism transcending national boundaries), section 2339A (relating to providing material support to terrorists), section 37 (relating to violence at international airports), or section 1992 (relating to wrecking trains);

* * * * *

(n) any violation of section 5861 of the Internal Revenue Code of 1986 (relating to firearms); **[and]**

(o) any violation of section 956 or section 960 of title 18, United States Code (relating to certain actions against foreign nations);

(p) any violation of section 46502 of title 49, United States Code; and

[(o)] (q) any conspiracy to commit any offense described in any subparagraph of this paragraph.

9. Section 18a note of title 15, United States Code is amended as follows:

TITLE 15—COMMERCE AND TRADE

* * * * *

CHAPTER 1—MONOPOLIES AND COMBINATIONS IN RESTRAINT OF TRADE

* * * * *

§ 18a. Premerger notification and waiting period

(a) Filing

* * * * *

ASSESSMENT AND COLLECTION OF FILING FEES

Pub. L. 101-162, title VI, Sec. 605, Nov. 21, 1989, 103 Stat. 1031, as amended by Pub. L. 101-302, title II, May 25, 1990, 104 Stat. 217; Pub. L. 102-395, title I, Oct. 6, 1992, 106 Stat. 1847; Pub. L. 103-317, title I, Aug. 26, 1994, 108 Stat. 1739, provided that: “**[F]ive working days**

after enactment of this Act and] *Commencing five working days after enactment of this Act and in each fiscal year [Nov. 21, 1989] thereafter, the Federal Trade Commission shall assess and collect filing fees established at [\\$45,000] the following levels: \$25,000 for persons having total assets of less than \$100,000,000; \$55,000 for persons having total assets of \$100,000,000 or more but less than \$500,000,000; and \$95,000 for persons having total assets of \$500,000,000 or more, which shall be paid by persons acquiring voting securities or assets who are required to file premerger notifications by the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a) and the regulations promulgated thereunder. For purposes of said Act, no notification shall be considered filed until payment of the fee required by this section. Fees collected pursuant to this section [shall be divided evenly between and credited to] shall be allocated in the same proportion as the relative size of the respective appropriations levels of the Federal Trade Commission and the Antitrust Division until their appropriations levels are offset: Thereafter all annual fee collections shall be divided equally between each agency; Fees shall be credited to the appropriations, Federal Trade Commission, 'Salaries and Expenses' and Department of Justice, 'Salaries and Expenses, Antitrust Division': *Provided*, [That fees in excess of \$40,000,000 in fiscal year 1990 shall be deposited to the credit of the Treasury of the United States: *Provided further*,] That fees made available to the Federal Trade Commission and the Antitrust Division herein shall remain available until expended[.]: *Provided further*, *That fees collected in excess of the amounts appropriated shall not be available for obligation until the beginning of the following fiscal year.*"*

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 1997: Subcommittee on Commerce, Justice, and State, the Judiciary, and Related Agencies:				
Defense discretionary	235	227	209	¹ 209
Nondefense discretionary	23,638	23,638	24,375	24,293
Violent crime reduction fund	4,440	4,440	2,915	2,915
Mandatory	540	522	529	515
Projections of outlays associated with the recommendation:				
1997				² 19,976
1998				4,852
1999				2,546
2000				1,328
2001 and future years				89
Financial assistance to State and local governments for 1997	NA	2,898	NA	496

¹Includes outlays from prior-year budget authority.

²Excludes outlays from prior-year budget authority.

NA: Not applicable.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1996 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1997

Item	Senate Committee recommendation compared with (+ or -)				
	1996 appropriation	Budget estimate	House allowance	Committee recommendation	
			1996 appropriation	Budget estimate	House allowance
TITLE I—DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses ¹	\$74,282,000	\$83,256,000	\$78,493,000	\$70,653,000	-\$7,840,000
Counterterrorism fund	16,898,000	9,688,000	9,450,000	40,000,000	+30,550,000
Administrative review and appeals:					
Direct appropriation	38,886,000	73,411,000	64,000,000	59,909,000	-4,091,000
Crime trust fund	47,780,000	52,847,000	48,000,000	48,000,000	-4,847,000
Total, Administrative review and appeals	86,666,000	126,258,000	112,000,000	107,909,000	-18,349,000
Office of Inspector General	28,960,000	51,949,000	31,960,000	31,960,000	-19,989,000
Total, General administration	206,806,000	271,151,000	231,903,000	250,522,000	+18,619,000
Appropriations	(159,026,000)	(218,304,000)	(183,903,000)	(202,522,000)	(-15,782,000)
Crime trust fund	(47,780,000)	(52,847,000)	(48,000,000)	(48,000,000)	(-4,847,000)
United States Parole Commission					
Salaries and expenses	5,446,000	5,201,000	4,490,000	5,201,000	+711,000
Legal Activities					
General legal activities:					
Direct appropriation	401,929,000	450,277,000	420,793,000	421,278,000	+485,000
(By transfer)	(12,000,000)				
Crime trust fund	7,591,000	7,750,000	7,750,000	7,750,000	
Total, General legal activities	(421,520,000)	(458,027,000)	(428,543,000)	(429,028,000)	(+485,000)
Vaccine injury compensation trust fund	4,028,000	4,028,000	4,028,000	4,028,000	
Independent counsel (permanent, indefinite)	2,884,000	3,000,000	3,000,000	3,000,000	
Antitrust Division	85,143,000	94,979,000	84,336,000	94,979,000	+10,643,000
Offsetting fee collections—carryover	-19,360,000	-10,643,000	-7,889,000		+7,889,000

Offsetting fee collections—current year	- 48,262,000	- 58,905,000	- 58,905,000	- 94,979,000	- 46,717,000	- 36,074,000	- 36,074,000
Direct appropriation	17,521,000	25,431,000	17,542,000	.....	- 17,521,000	- 25,431,000	- 17,542,000
United States Attorneys:							
Direct appropriation	895,509,000	949,279,000	931,029,000	934,316,000	+ 38,807,000	- 14,963,000	+ 3,287,000
Crime trust fund	30,000,000	44,409,000	43,876,000	31,000,000	+ 1,000,000	- 13,409,000	- 12,876,000
Total, United States Attorneys	925,509,000	993,688,000	974,905,000	965,316,000	+ 39,807,000	- 28,372,000	- 9,589,000
United States Trustee System Fund	102,390,000	111,633,000	107,950,000	107,950,000	+ 5,560,000	- 3,683,000	.....
Offsetting fee collections	- 44,191,000	- 49,869,000	- 49,869,000	- 49,869,000	- 5,678,000	.....	.....
Direct appropriation	58,199,000	61,764,000	58,081,000	58,081,000	- 118,000	- 3,683,000	.....
Foreign Claims Settlement Commission	830,000	878,000	878,000	953,000	+ 123,000	+ 75,000	+ 75,000
United States Marshals Service:							
Direct appropriation	423,248,000	489,562,000	460,214,000	457,495,000	+ 34,247,000	- 32,067,000	- 2,719,000
Crime trust fund	25,000,000	25,477,000	25,000,000	25,000,000	.....	- 477,000	.....
Total, United States Marshals Service	448,248,000	515,039,000	485,214,000	482,495,000	+ 34,247,000	- 32,544,000	- 2,719,000
Federal Prisoner Detention	252,820,000	405,262,000	405,262,000	405,262,000	+ 152,442,000	.....	.....
(Prior year carryover)	(33,511,000)	.....	.....	.....	(- 33,511,000)	.....	.....
(By transfer)	(9,000,000)	.....	.....	.....	(- 9,000,000)	.....	.....
Total, Federal prisoner detention	(295,331,000)	(405,262,000)	(405,262,000)	(405,262,000)	(+ 109,931,000)	.....	.....
Fees and expenses of witnesses	85,000,000	100,702,000	100,702,000	100,702,000	+ 15,702,000	.....	.....
Alternative dispute resolution .....	.....	2,000,000	.....	2,000,000	+ 2,000,000	.....	+ 2,000,000
Total, Fees and expenses of witnesses	85,000,000	102,702,000	100,702,000	102,702,000	+ 17,702,000	.....	+ 2,000,000
Community Relations Service	5,319,000	5,502,000	5,319,000	5,319,000	.....	- 183,000	.....
Assets forfeiture fund	30,000,000	30,000,000	16,000,000	30,000,000	.....	.....	+ 14,000,000
Total, Legal activities	2,239,878,000	2,605,321,000	2,499,474,000	2,486,184,000	+ 246,306,000	- 119,137,000	- 13,290,000
Appropriations	(2,177,287,000)	(2,527,685,000)	(2,422,848,000)	(2,422,434,000)	(+ 245,147,000)	(- 105,251,000)	(- 414,000)
Rescission .....	.....	.....	.....	.....	.....	.....	.....
Crime trust fund	(62,591,000)	(77,636,000)	(76,626,000)	(63,750,000)	(+ 1,159,000)	(- 13,886,000)	(- 12,876,000)

Direct appropriation	750,168,000	818,038,000	733,038,000	759,000,000	+ 8,832,000	-59,038,000	+ 25,962,000
Crime trust fund	60,000,000	138,000,000	172,000,000	165,000,000	+ 105,000,000	+ 27,000,000	- 7,000,000
Transfer from Office of Justice Programs			71,000,000				- 71,000,000
Construction (crime trust fund)				36,306,000	+ 36,306,000		+ 36,306,000
Total, Drug Enforcement Administration	810,168,000	956,038,000	976,038,000	960,306,000	+ 150,138,000	+ 4,268,000	- 15,732,000
Immigration and Naturalization Service							
Salaries and expenses	1,394,825,000	1,683,914,000	1,667,614,000	1,470,449,000	+ 75,624,000	- 213,465,000	- 197,165,000
Prior year carryover				- 36,300,000	- 36,300,000		- 36,300,000
Direct appropriation	1,394,825,000	1,683,914,000	1,667,614,000	1,434,149,000	+ 39,324,000	- 249,765,000	- 3,465,000
Border Patrol:							
Direct appropriation (earmark)	(506,800,000)				(- 506,800,000)		
Crime trust fund (earmark)	(75,765,000)				(- 75,765,000)		
Subtotal, Border patrol	(582,565,000)				(- 582,565,000)		
Immigration initiative (crime trust fund)	316,198,000	458,168,000	500,168,000	539,476,000	+ 223,278,000	+ 81,308,000	+ 39,308,000
Subtotal, Direct and crime trust fund	(1,711,023,000)	(2,142,082,000)	(2,167,782,000)	(1,973,625,000)	(+ 262,602,000)	(- 168,457,000)	(- 194,157,000)
Fee accounts:							
Immigration legalization fund	(1,823,000)	(1,893,000)	(1,893,000)	(1,893,000)	(+ 70,000)		
Immigration user fee	(357,084,000)	(388,664,000)	(388,664,000)	(423,631,000)	(+ 66,547,000)		
Land border inspection fund	(5,965,000)	(11,054,000)	(11,054,000)	(11,054,000)	(+ 5,089,000)		
Immigration examinations fund	(440,160,000)	(511,061,000)	(511,061,000)	(586,800,000)	(+ 146,640,000)		
Cuban/Haitian resettlement (examinations fund)	(10,057,000)				(- 10,057,000)		
Breached bond fund	(6,358,000)	(6,613,000)	(6,613,000)	(6,613,000)	(+ 255,000)		
Subtotal, Fee accounts	(821,447,000)	(919,285,000)	(919,285,000)	(1,029,991,000)	(+ 208,544,000)	(+ 110,706,000)	(+ 110,706,000)
Construction	25,000,000	5,541,000	9,841,000	5,541,000	- 19,459,000		- 4,300,000
Total, Immigration and Naturalization Service	(2,557,470,000)	(3,066,908,000)	(3,096,908,000)	(3,009,157,000)	(+ 451,687,000)	(- 57,751,000)	(- 87,751,000)
Appropriations	(1,419,825,000)	(1,689,455,000)	(1,677,455,000)	(1,439,690,000)	(+ 19,865,000)	(- 249,765,000)	(- 237,765,000)
Crime trust fund	(316,198,000)	(458,168,000)	(500,168,000)	(539,476,000)	(+ 223,278,000)	(+ 81,308,000)	(+ 39,308,000)
(Fee accounts)	(821,447,000)	(919,285,000)	(919,285,000)	(1,029,991,000)	(+ 208,544,000)	(+ 110,706,000)	(+ 110,706,000)
Federal Prison System							
Salaries and expenses	2,614,578,000	2,887,816,000	2,822,816,000	2,858,316,000	+ 243,738,000	- 29,500,000	+ 35,500,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1996 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1997—Continued

Item	1996 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or -)		
					1996 appropriation	Budget estimate	House allowance
Prior year carryover	- 47,000,000	.....	- 50,000,000	- 90,000,000	- 43,000,000	- 90,000,000	- 40,000,000
Direct appropriation	2,567,578,000	2,887,816,000	2,772,816,000	2,768,316,000	+ 200,738,000	- 119,500,000	- 4,500,000
Crime trust fund	13,500,000	25,224,000	25,224,000	25,224,000	+ 11,724,000	.....	.....
Total, Salaries and expenses	2,581,078,000	2,913,040,000	2,798,040,000	2,793,540,000	+ 212,462,000	- 119,500,000	- 4,500,000
Buildings and facilities	334,728,000	295,700,000	395,700,000	385,700,000	+ 50,972,000	+ 90,000,000	- 10,000,000
Federal Prison Industries, Incorporated (limitation on administrative expenses)	(3,559,000)	(3,740,000)	(3,042,000)	(3,042,000)	(- 517,000)	(- 698,000)	.....
Total, Federal Prison System	2,915,806,000	3,208,740,000	3,193,740,000	3,179,240,000	+ 263,434,000	- 29,500,000	- 14,500,000
Office of Justice Programs	99,977,000	117,797,000	105,000,000	101,629,000	+ 1,652,000	- 16,168,000	- 3,371,000
Justice Assistance: Direct appropriation .....	.....	.....	.....	.....	.....	.....	.....
State and local law enforcement assistance:	.....	.....	.....	.....	.....	.....	.....
Direct appropriations:	.....	.....	.....	.....	.....	.....	.....
Byrne grants (discretionary)	60,000,000	.....	60,000,000	60,000,000	.....	+ 60,000,000	.....
Byrne grants (formula)	328,000,000	.....	255,000,000	300,000,000	- 28,000,000	+ 300,000,000	+ 45,000,000
Weed and seed fund (earmark)	(28,500,000)	(28,500,000)	(28,500,000)	(28,500,000)	.....	.....	.....
Subtotal, Direct appropriations	388,000,000	.....	315,000,000	360,000,000	- 28,000,000	+ 360,000,000	+ 45,000,000
Crime trust fund:	.....	.....	.....	.....	.....	.....	.....
Byrne grants (formula)	147,000,000	535,000,000	245,000,000	175,000,000	+ 28,000,000	- 360,000,000	- 70,000,000
Community policing	1,400,000,000	1,950,000,000	1,400,000,000	1,400,000,000	.....	- 550,000,000	.....
Transfer to State and local task forces/DEA .....	.....	.....	- 71,000,000	.....	.....	.....	+ 71,000,000
Youth violence initiative (earmark) .....	.....	.....	(30,500,000)	.....	.....	.....	(- 30,500,000)
Law enforcement scholarship program .....	.....	.....	.....	.....	.....	.....	.....
Police recruitment grants .....	.....	10,000,000	.....	.....	.....	- 10,000,000	.....
Drug testing initiative (earmark) .....	.....	1,155,000	.....	.....	.....	- 1,155,000	.....
Subtotal, Crime trust fund .....	.....	(42,500,000)	.....	(42,500,000)	(+ 42,500,000)	.....	(+ 42,500,000)

Police corps (direct)	15,000,000	(10,000,000)	(10,000,000)	(20,000,000)	(10,000,000)	(+10,000,000)	-15,000,000	(+10,000,000)
Police corps (earmark)	(10,000,000)	503,000,000	571,000,000	503,000,000	571,000,000	(+10,000,000)	(+5,000,000)	(+10,000,000)
Local law enforcement block grant	(10,000,000)	503,000,000	571,000,000	503,000,000	571,000,000	(+10,000,000)	(+5,000,000)	(+10,000,000)
Drug courts (direct)	100,000,000						-100,000,000	-68,000,000
Drug courts (earmark)	(15,000,000)		(18,000,000)	(20,000,000)	(18,000,000)	(+5,000,000)	(+20,000,000)	(+2,000,000)
Boys and Girls clubs (earmark)	(11,000,000)			(20,000,000)	(11,000,000)	(+9,000,000)	(+20,000,000)	(+20,000,000)
D.C. Police (earmark)	(15,000,000)			10,000,000	(15,000,000)	(+10,000,000)	(+20,000,000)	(+20,000,000)
Counterterrorism technologies grants				10,000,000		(+10,000,000)		+10,000,000
Firefighter/Emergency services training grants				5,000,000		(+5,000,000)		+5,000,000
Upgrade criminal history records	25,000,000	50,000,000	50,000,000	50,000,000	50,000,000	(+25,000,000)		+5,000,000
State prison grants	617,500,000	630,000,000	680,000,000	640,000,000	680,000,000	(+22,500,000)		-40,000,000
State criminal alien assistance program	300,000,000	330,000,000	330,000,000	330,000,000	330,000,000	(+30,000,000)		
State courts assistance	28,000,000	28,000,000	5,000,000		5,000,000		-28,000,000	-5,000,000
Violence Against Women grants ²	174,500,000	196,500,000	196,500,000	196,500,000	196,500,000	(+22,000,000)		
State prison drug treatment ²	27,000,000	36,000,000	35,000,000	29,700,000	35,000,000	(+2,700,000)	-6,300,000	-5,300,000
Other crime control programs	13,600,000	18,605,000	7,400,000	4,900,000	7,400,000	(-8,700,000)	-13,705,000	-2,500,000
Subtotal, Crime trust fund	3,207,600,000	3,900,260,000	3,448,900,000	3,344,100,000	3,448,900,000	(+136,500,000)	-556,160,000	-104,800,000
Total, State and local law enforcement	3,595,600,000	3,900,260,000	3,763,900,000	3,704,100,000	3,763,900,000	(+108,500,000)	-196,160,000	-59,800,000
Juvenile justice programs	148,500,000	149,500,000	149,500,000	158,500,000	149,500,000	(+10,000,000)		+9,000,000
Public safety officers benefits program:								
Death benefits	28,474,000	30,126,000	30,126,000	30,126,000	30,126,000	(+1,652,000)		
Disability benefits	2,134,000	2,200,000	2,200,000	2,200,000	2,200,000	(+66,000)		
Total, Office of Justice Programs	3,874,685,000	4,199,883,000	4,050,726,000	3,996,555,000	4,050,726,000	(+121,870,000)	-203,328,000	-54,171,000
Appropriations	(667,085,000)	(299,623,000)	(601,826,000)	(652,455,000)	(601,826,000)	(-14,630,000)	(+352,832,000)	(+50,629,000)
Crime trust fund	(3,207,600,000)	(3,900,260,000)	(3,448,900,000)	(3,344,100,000)	(3,448,900,000)	(+136,500,000)	(-556,160,000)	(-104,800,000)
Administrative reductions (Public Law 104-134)	-15,650,000					(+15,650,000)		
Total, title I, Department of Justice	14,572,596,000	16,601,747,000	16,259,129,000	15,904,168,000	16,259,129,000	(+1,331,572,000)	-697,579,000	-354,961,000
Appropriations	(10,646,627,000)	(11,816,489,000)	(11,764,211,000)	(11,494,168,000)	(11,764,211,000)	(+847,541,000)	(-322,321,000)	(-270,043,000)
Crime trust fund	(3,925,969,000)	(4,785,258,000)	(4,494,918,000)	(4,410,000,000)	(4,494,918,000)	(+484,031,000)	(-375,258,000)	(-84,918,000)
(Limitation on administrative expenses)	(3,559,000)	(3,740,000)	(3,042,000)	(3,042,000)	(3,042,000)	(-517,000)	(-698,000)	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1996 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1997—Continued

Item	1996 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or -)		
					1996 appropriation	Budget estimate	House allowance
TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES							
TRADE AND INFRASTRUCTURE DEVELOPMENT							
Office of the United States Trade Representative							
Salaries and expenses	20,889,000	21,449,000	21,449,000	21,449,000	+ 560,000		
International Trade Commission							
Salaries and expenses	40,000,000	41,707,000	40,000,000	41,707,000	+ 1,707,000		+ 1,707,000
Total, Related agencies	60,889,000	63,156,000	61,449,000	63,156,000	+ 2,267,000		+ 1,707,000
International Trade Administration							
Operations and administration	264,885,000	268,277,000	272,000,000	267,939,000	+ 3,054,000	- 338,000	- 4,061,000
Export Administration							
Operations and administration	38,604,000	43,651,000	38,604,000	34,698,000	- 3,906,000	- 8,953,000	- 3,906,000
Economic Development Administration							
Economic development assistance programs	328,500,000	333,500,000	328,500,000	273,500,000	- 55,000,000	- 60,000,000	- 55,000,000
Emergency appropriations (Public Law 104-134)	18,000,000				- 18,000,000		
Salaries and expenses	20,000,000	20,036,000	20,000,000	20,036,000	+ 36,000		+ 36,000
Total, Economic Development Administration	366,500,000	353,536,000	348,500,000	293,536,000	- 72,964,000	- 60,000,000	- 54,964,000
Minority Business Development Agency							
Minority business development	32,000,000	34,021,000	29,000,000	26,000,000	- 6,000,000	- 8,021,000	- 3,000,000
United States Travel and Tourism Administration							
Salaries and expenses (Public Law 104-99)	2,000,000				- 2,000,000		

Total, Trade and Infrastructure Development	764,878,000	762,641,000	749,553,000	685,329,000	-79,549,000	-77,312,000	-64,224,000
ECONOMIC AND INFORMATION INFRASTRUCTURE							
Economic and Statistical Analysis							
Salaries and expenses	45,900,000	53,510,000	45,900,000	49,400,000	+3,500,000	-4,110,000	+3,500,000
Bureau of the Census							
Salaries and expenses	133,812,000	150,665,000	133,617,000	139,700,000	+5,888,000	-10,965,000	+6,083,000
Periodic censuses and programs	150,300,000	248,690,000	205,100,000	210,500,000	+60,200,000	-38,190,000	+5,400,000
Total, Bureau of the Census	284,112,000	399,355,000	338,717,000	350,200,000	+66,088,000	-49,155,000	+11,483,000
National Telecommunications and Information Administration							
Salaries and expenses	17,000,000	18,478,000	15,000,000	16,003,000	-997,000	-2,475,000	+1,003,000
Public broadcasting facilities, planning and construction	15,500,000	8,000,000	15,250,000	15,250,000	-250,000	+7,250,000	.....
Endowment for Children's Educational Television .....	.....	2,497,000	.....	.....	.....	-2,497,000	.....
Information infrastructure grants	21,500,000	59,000,000	21,490,000	4,075,000	-17,425,000	-54,925,000	-17,415,000
Total, National Telecommunications and Information Administration	54,000,000	87,975,000	51,740,000	35,328,000	-18,672,000	-52,647,000	-16,412,000
Patent and Trademark Office							
Salaries and expenses	82,324,000	115,000,000	61,252,000	61,252,000	-21,072,000	-53,748,000	.....
Fees collected	(532,100,000)	(601,700,000)	.....	(601,723,000)	(+69,623,000)	(+23,000)	(+601,723,000)
(Prior year carryover) .....	.....	.....	.....	(10,000,000)	(+10,000,000)	(+10,000,000)	(+10,000,000)
Total, PTO operations	(614,424,000)	(716,700,000)	(61,252,000)	(672,975,000)	(+58,551,000)	(-43,725,000)	(+611,723,000)
Total, Economic and Information Infrastructure	466,336,000	655,840,000	497,609,000	496,180,000	+29,844,000	-159,660,000	-1,429,000
SCIENCE AND TECHNOLOGY							
Technology Administration							
Salaries and expenses	7,000,000	9,531,000	5,000,000	7,500,000	+500,000	-2,031,000	+2,500,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1996 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1997—Continued

Item	Senate Committee recommendation compared with (+ or -)						
	1996 appropriation	Budget estimate	House allowance	Committee recommendation	1996 appropriation	Budget estimate	House allowance
National Institute of Standards and Technology							
Scientific and technical research and services	259,000,000	270,744,000	268,000,000	270,400,000	+11,400,000	-344,000	+2,400,000
Industrial technology services	301,000,000	450,000,000	200,400,000	159,900,000	-141,100,000	-290,100,000	-40,500,000
Construction of research facilities	60,000,000	105,240,000	.....	15,000,000	-45,000,000	-90,240,000	+15,000,000
Total, National Institute of Standards and Technology	620,000,000	825,984,000	468,400,000	445,300,000	-174,700,000	-380,684,000	-23,100,000
National Oceanic and Atmospheric Administration							
Operations, research and facilities ³	1,795,677,000	1,974,215,000	1,738,200,000	1,933,703,000	+138,026,000	-40,512,000	+195,503,000
Offsetting collections—fees	-3,000,000	-3,000,000	-3,000,000	-3,000,000	.....	.....	.....
Direct appropriation	1,792,677,000	1,971,215,000	1,735,200,000	1,930,703,000	+138,026,000	-40,512,000	+195,503,000
(By transfer from Promote and Develop Fund)	(63,000,000)	(61,068,000)	(68,000,000)	(62,000,000)	(-1,000,000)	(+932,000)	(-6,000,000)
(By transfer from Damage assessment and restoration revolving fund, permanent)	3,900,000	6,000,000	6,000,000	6,000,000	+2,100,000	.....	.....
(Damage assessment and restoration revolving fund)	-3,900,000	-6,000,000	-6,000,000	-6,000,000	-2,100,000	.....	.....
Total, Operations, research and facilities	1,792,677,000	1,971,215,000	1,735,200,000	1,930,703,000	+138,026,000	-40,512,000	+195,503,000
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	50,000,000	37,366,000	36,000,000	58,000,000	+8,000,000	+20,634,000	+22,000,000
Emergency appropriations (Public Law 104-134) ..	7,500,000	.....	.....	.....	-7,500,000	.....	.....
Fleet modernization, shipbuilding and conversion ..	8,000,000	12,000,000	6,000,000	8,000,000	.....	-4,000,000	+2,000,000
Fishing vessel and gear damage fund	1,032,000	200,000	200,000	200,000	-832,000	.....	.....
Fishermen's contingency fund	999,000	1,002,000	1,000,000	1,000,000	+1,000	-2,000	.....
Foreign fishing observer fund	196,000	196,000	196,000	196,000	.....	.....	.....
Fishing vessel obligations guarantees	250,000	250,000	250,000	250,000	.....	.....	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1996 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1997—Continued

Item	1996 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or -)		
					1996 appropriation	Budget estimate	House allowance
Other salaries and expenses	12,396,000	14,080,000	13,115,000	13,115,000	+ 719,000	- 965,000	.....
Total, Salaries and expenses	14,288,000	15,978,000	15,013,000	15,013,000	+ 725,000	- 965,000	.....
United States Court of International Trade							
Salaries and expenses:							
Salaries of judges	1,413,000	1,447,000	1,447,000	1,447,000	+ 34,000	.....	.....
Other salaries and expenses	9,446,000	9,667,000	9,667,000	9,667,000	+ 221,000	.....	.....
Total, Salaries and expenses	10,859,000	11,114,000	11,114,000	11,114,000	+ 255,000	.....	.....
Courts of Appeals, District Courts, and Other Judicial Services							
Salaries and expenses:							
Salaries of judges and bankruptcy judges	226,024,000	225,956,000	225,956,000	225,956,000	- 68,000	.....	.....
Other salaries and expenses	2,207,117,000	2,521,390,000	2,313,000,000	2,352,590,000	+ 145,573,000	- 168,700,000	+ 39,690,000
Direct appropriation	2,433,141,000	2,747,346,000	2,538,956,000	2,578,646,000	+ 145,505,000	- 168,700,000	+ 39,690,000
Crime trust fund	30,000,000	35,000,000	30,000,000	30,000,000	.....	- 5,000,000	.....
Total, Salaries and expenses	2,463,141,000	2,782,346,000	2,568,956,000	2,608,646,000	+ 145,505,000	- 173,700,000	+ 39,690,000
Vaccine Injury Compensation Trust Fund	2,318,000	2,390,000	2,390,000	2,390,000	+ 72,000	.....	.....
Defender services	267,217,000	318,905,000	297,000,000	311,900,000	+ 44,683,000	- 7,005,000	+ 14,900,000
(Prior year carryover) .....	.....	.....	.....	.....	.....	.....	.....
Total, Defender services	(267,217,000)	(318,905,000)	(297,000,000)	(311,900,000)	(+ 44,683,000)	(- 7,005,000)	(+ 14,900,000)
Fees of jurors and commissioners	59,028,000	68,083,000	66,000,000	68,083,000	+ 9,055,000	.....	+ 2,083,000
Court security	102,000,000	131,885,000	131,000,000	127,000,000	+ 25,000,000	- 4,885,000	- 4,000,000
Total, Courts of Appeals, District Courts, and Other Judicial Services	2,893,704,000	3,303,609,000	3,065,346,000	3,118,019,000	+ 224,315,000	- 185,590,000	+ 52,673,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1996 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1997—Continued

Item	Senate Committee recommendation compared with (+ or -)						
	1996 appropriation	Budget estimate	House allowance	Committee recommendation	1996 appropriation	Budget estimate	House allowance
International Organizations and Conferences							
Contributions to international organizations, current year assessment							
Advance appropriation, fiscal year 1998	892,000,000	1,045,000,000	875,000,000	550,000,000	-342,000,000	-495,000,000	-325,000,000
Advance appropriation, fiscal year 1999		43,076,000				-43,076,000	
Advance appropriation, fiscal year 2000		43,076,000				-43,076,000	
Advance appropriation, fiscal year 2001		43,076,000				-43,076,000	
Contributions for international peacekeeping activities, current year	359,000,000	425,000,000	332,400,000	282,600,000	-76,400,000	-142,400,000	-49,800,000
Advance appropriation, fiscal year 1998		150,070,000				-150,070,000	
Advance appropriation, fiscal year 1999		150,070,000				-150,070,000	
Advance appropriation, fiscal year 2000		150,070,000				-150,070,000	
Advance appropriation, fiscal year 2001		150,070,000				-150,070,000	
International conferences and contingencies	3,000,000	5,820,000			-3,000,000	-5,820,000	
Total, International Organizations and Conferences	1,254,000,000	2,248,404,000	1,207,400,000	832,600,000	-421,400,000	-1,415,804,000	-374,800,000
International Commissions							
International Boundary and Water Commission, United States and Mexico:							
Salaries and expenses	12,058,000	18,516,000	18,490,000	18,490,000	+6,432,000	-26,000	
Construction	6,644,000	7,322,000	6,463,000	7,568,000	+924,000	+246,000	+1,105,000
American sections, international commissions	5,800,000	5,627,000	5,490,000	5,627,000	-173,000		+137,000
International fisheries commissions	14,669,000	14,669,000	10,450,000	9,051,000	-5,618,000	-5,618,000	-1,399,000
Total, International commissions	39,171,000	46,134,000	40,893,000	40,736,000	+1,565,000	-5,398,000	-157,000
Other							
Payment to the Asia Foundation	5,000,000	5,000,000	8,000,000		-5,000,000	-5,000,000	-8,000,000

Total, Department of State	3,972,488,000	5,013,965,000	3,876,008,000	3,512,765,000	-459,723,000	-1,501,200,000	-363,243,000
RELATED AGENCIES							
Arms Control and Disarmament Agency							
Arms control and disarmament activities	38,700,000	48,455,000	38,495,000	30,000,000	-8,700,000	-18,455,000	-8,495,000
United States Information Agency							
Salaries and expenses	445,645,000	468,016,000	439,300,000	440,000,000	-5,645,000	-28,016,000	+700,000
Technology fund	5,050,000	10,000,000	5,050,000	5,050,000		-4,950,000	
Educational and cultural exchange programs	200,000,000	202,412,000	185,000,000	183,000,000	-17,000,000	-19,412,000	-2,000,000
Eisenhower Exchange Fellowship Program, trust fund	509,000	600,000	600,000	600,000	+91,000		
Israeli Arab scholarship program	397,000	400,000	400,000	400,000			
International Broadcasting Operations	325,191,000	365,406,000	335,700,000	325,000,000	-191,000	-40,406,000	-10,700,000
Broadcasting to Cuba (direct)	24,809,000			25,000,000	+191,000	(-25,000,000)	(-13,775,000)
Broadcasting to Cuba (earmark)		(25,000,000)	(13,775,000)				
Radio construction	40,000,000	39,164,000	39,000,000	32,000,000	-8,000,000	-7,164,000	-7,000,000
East-West Center	11,750,000	8,800,000		11,750,000		+2,950,000	+11,750,000
North/South Center	2,000,000	970,000		2,000,000		+1,030,000	+2,000,000
National Endowment for Democracy	30,000,000	30,000,000	30,000,000		-30,000,000	-30,000,000	-30,000,000
Total, United States Information Agency	1,085,351,000	1,125,768,000	1,035,050,000	1,024,800,000	-60,551,000	-100,968,000	-10,250,000
Total, related agencies							
Administrative reductions (Public Law 104-134)	1,124,051,000	1,174,223,000	1,073,545,000	1,054,800,000	-69,251,000	-119,423,000	-18,745,000
	-4,643,000				+4,643,000		
Total, title IV, Department of State	5,091,896,000	6,188,188,000	4,949,553,000	4,567,565,000	-524,331,000	-1,620,623,000	-381,988,000
TITLE V—RELATED AGENCIES							
DEPARTMENT OF TRANSPORTATION							
Maritime Administration							
Operating-differential subsidies (liquidation of contract authority)	(162,610,000)	(148,430,000)	(148,430,000)	(148,430,000)	(-14,180,000)		
Maritime National Security Program	46,000,000	100,000,000	63,000,000		-46,000,000	-100,000,000	-63,000,000
Operations and training	66,600,000	78,097,000	62,300,000	66,600,000		-11,497,000	+4,300,000
Maritime Guaranteed Loan Program Account:							
Guaranteed loans subsidy	40,000,000	40,000,000	37,450,000	37,450,000	-2,550,000	-2,550,000	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1996 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1997—Continued

Item	1996 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or -)		
					1996 appropriation	Budget estimate	House allowance
Administrative expenses	3,500,000	4,000,000	3,450,000	3,450,000	-50,000	-550,000	.....
Total, Maritime guaranteed loan program account	43,500,000	44,000,000	40,900,000	40,900,000	-2,600,000	-3,100,000	.....
Total, Maritime Administration	156,100,000	222,097,000	166,200,000	107,500,000	-48,600,000	-114,597,000	-58,700,000
Commission on the Advancement of Federal Law Enforcement							
Salaries and expenses			2,000,000				-2,000,000
Commission for the Preservation of America's Heritage Abroad							
Salaries and expenses	206,000	206,000	206,000	206,000			.....
Commission on Civil Rights							
Salaries and expenses	8,750,000	11,400,000	8,740,000	8,740,000	-10,000	-2,660,000	.....
Commission on Immigration Reform							
Salaries and expenses	1,894,000	2,498,000	2,196,000	2,196,000	+302,000	-302,000	.....
Commission on Security and Cooperation in Europe							
Salaries and expenses	1,090,000	1,090,000	1,090,000	1,090,000			.....
Competitiveness Policy Council							
Salaries and expenses	50,000	897,000			-50,000	-897,000	.....
Equal Employment Opportunity Commission							
Salaries and expenses	233,000,000	268,000,000	239,740,000	239,740,000	+6,740,000	-28,260,000	.....
Federal Communications Commission							
Salaries and expenses	185,709,000	222,538,000	185,619,000	192,538,000	+6,829,000	-30,000,000	+6,919,000

Offsetting fee collections—current year	— 126,400,000	— 152,523,000	— 126,400,000	— 152,523,000	— 26,123,000	— 26,123,000
Direct appropriation	59,309,000	70,015,000	59,219,000	40,015,000	— 19,294,000	— 19,204,000
Federal Maritime Commission						
Salaries and expenses	14,855,000	15,000,000	11,000,000	14,450,000	— 405,000	— 550,000
Federal Trade Commission						
Salaries and expenses	98,928,000	104,462,000	93,819,000	104,462,000	+ 5,534,000	+ 10,643,000
Offsetting fee collections—carryover	— 19,360,000	— 10,643,000	— 7,889,000	.....	+ 19,360,000	+ 7,889,000
Offsetting fee collections—current year	— 48,262,000	— 58,905,000	— 58,905,000	— 104,462,000	— 56,200,000	— 45,557,000
Direct appropriation	31,306,000	34,914,000	27,025,000	.....	— 31,306,000	— 27,025,000
Gambling Impact Study Commission						
Japan-United States Friendship Commission				2,000,000	+ 2,000,000	+ 2,000,000
Japan-United States Friendship Trust Fund	1,247,000	1,250,000	.....	1,250,000	+ 3,000	+ 1,250,000
(Foreign currency appropriation)	(1,420,000)	(1,420,000)	.....	(1,420,000)	.....	(+ 1,420,000)
Legal Services Corporation						
Payment to the Legal Services Corporation	278,000,000	340,000,000	250,000,000	288,000,000	+ 10,000,000	+ 38,000,000
Marine Mammal Commission						
Salaries and expenses	1,190,000	1,334,000	975,000	1,385,000	+ 195,000	+ 410,000
Martin Luther King, Jr. Federal Holiday Commission						
Salaries and expenses	350,000	.....	.....	.....	— 350,000	.....
National Bankruptcy Review Commission						
Salaries and expenses .....	.....	500,000	490,000	498,000	+ 498,000	+ 8,000
Ounce of Prevention Council						
Direct appropriation	1,500,000	.....	.....	.....	— 1,500,000	.....
Crime trust fund .....	.....	9,000,000	.....	.....	.....	— 9,000,000
Securities and Exchange Commission						
Salaries and expenses ⁴	297,405,000	308,189,000	297,021,000	306,400,000	+ 8,995,000	+ 9,379,000
Offsetting fee collections	— 184,293,000	.....	— 193,974,000	— 193,974,000	— 9,681,000	— 193,974,000
Offsetting fee collections—carryover	— 9,667,000	.....	— 45,000,000	— 48,000,000	— 38,333,000	— 48,000,000

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1996 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 1997—Continued**

Item	Senate Committee recommendation compared with (+ or -)			
	1996 appropriation	Budget estimate	House allowance	Committee recommendation
(Liquidation of contract authority)	(162,610,000)	(148,430,000)	(148,430,000)	(148,430,000)
(Foreign currency appropriation)	(1,420,000)	(1,420,000)	.....	(1,420,000)
			
				1996 appropriation
				Budget estimate
				House allowance
				Committee recommendation
			
				(-14,180,000)
			
				(+1,420,000)

¹ Does not include "Health care fraud enforcement" legislative proposal to be transmitted later.

² Included under Justice Assistance in fiscal year 1996.

³ Does not include legislative proposals to be transmitted later.

⁴ Does not include legislative proposal regarding fees to be transmitted later.

⁵ President's budget proposes \$5,000,000 for State Justice Institute.

NOTE.—Fiscal year 1996 enacted reflects administrative reductions from Public Law 104-134.